

## CHAPTER 203

## MOTOR VEHICLE PLATES

H. F. 793

AN ACT providing that costs for the manufacture of motor vehicle registration plates, decalcomania emblems, and validation stickers shall be paid from road use tax funds.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred twelve point two (312.2), Code  
2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. The treasurer of state shall before making  
4 the allotments provided for in this section credit monthly to the divi-  
5 sion of motor vehicle registration of the department of public safety  
6 funds sufficient in amount to pay the costs of purchasing supplies and  
7 materials and for the cost of prison labor used in manufacturing motor  
8 vehicle registration plates, decalcomania emblems, and validation  
9 stickers at the prison industries.

1 SEC. 2. Section four hundred twenty-two point sixty-nine  
2 (422.69), Code 1973, is amended by striking subsection two (2).

Approved July 6, 1973.

This Act was passed by the G. A. before July 1, 1973.

## CHAPTER 204

## HIGHWAY GRADE CROSSINGS

S. F. 112

AN ACT relating to the highway grade crossing safety fund.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred twelve point two (312.2), sub-  
2 section five (5), Code 1973, is amended to read as follows:

3 5. The treasurer of state shall before making the above allotments  
4 credit annually to the highway grade crossing safety fund the sum of  
5 two hundred forty thousand dollars, credit annually to the primary  
6 road fund the sum of one million four hundred thousand dollars for  
7 carrying out subsection 12 of section 307.5, the last paragraph of sec-  
8 tion 313.4 and section 307.10, and credit annually to the primary road  
9 fund the sum of five hundred thousand dollars to be used for paying  
10 expenses incurred by the secondary and urban road departments of  
11 the commission other than expenses incurred for extensions of  
12 primary roads in cities and towns. All unobligated funds provided  
13 by this subsection, *except those funds credited to the highway grade*  
14 *crossing safety fund, shall at the end of each year shall revert to the*  
15 *road use tax fund. Funds in the highway grade crossing safety fund*  
16 *shall not revert to the road use tax fund except to the extent they*  
17 *exceed five hundred thousand (\$500,000.00) dollars at the end of any*  
18 *biennium.*

1 SEC. 2. Section four hundred seventy-eight point twenty-one  
2 (478.21), Code 1973, is amended to read as follows:

3     **478.21 Railway and highway crossing at grade.** Wherever a rail-  
4 way track crosses or shall hereafter cross a highway, street or alley,  
5 the railway company owning such track and the state highway com-  
6 mission, in the case of primary highways, the board of supervisors of  
7 the county in which such crossing is located, in the case of secondary  
8 roads, or the council of the city or town, in the case of streets and  
9 alleys located within such city or town, may agree upon the location  
10 and manner of crossing, or crossing protection, *or upgrading thereof,*  
11 *or upon a separation of grades so as to carry such highway over or*  
12 *under the railway track, and upon any change, alteration, vacation or*  
13 *relocation of such highway, street or alley, and upon repairs, altera-*  
14 *tion, or elimination of any crossing, and upon the expense each party*  
15 *shall pay for such changes, except that if flasher light or gate signals*  
16 *are ordered installed prior to July 1, 1973 the maintenance thereof*  
17 *shall be assumed by the railroad and if flasher light or gate signals*  
18 *are ordered installed on or after July 1, 1973 the maintenance thereof*  
19 *shall be assumed equally by the railroad and the grade crossing safety*  
20 *fund; provided, however, the grade crossing safety fund shall not*  
21 *expend more than four hundred fifty dollars for any one crossing in*  
22 *any one year; provided, however, nothing contained herein shall be*  
23 *construed to affect any of the provisions of chapter 387.*

1     SEC. 3. Section four hundred seventy-eight point twenty-six  
2 (478.26), Code 1973, is amended to read as follows:

3     **478.26 Use of fund.** When application is before the state com-  
4 merce commission, as provided in section 478.22, and after hearing has  
5 been held, and determination as to allocation of costs as provided in  
6 section 478.23 the state commerce commission is hereby empowered to  
7 allocate proceeds from the highway grade crossing safety fund for  
8 the protection of the public in the use of the highway railroad grade  
9 crossings involved in the application, in addition to any portion of the  
10 cost to be paid by the railroad company or other public authority.  
11 Upon reaching a decision as to the amount to be allocated from the  
12 highway grade crossing safety fund, the commission shall forthwith  
13 direct the treasurer of state to distribute said amount from the funds  
14 then available in the highway grade crossing safety fund. Provided,  
15 however, the state commerce commission may not allocate any part  
16 of the proceeds of the highway grade crossing safety fund for im-  
17 provement or construction of highway-railroad grade crossings located  
18 on federal or federal-aid highways *unless the commission determines*  
19 *that due to the record of fatalities at a crossing as maintained by the*  
20 *department of public safety or that a potentially dangerous grade*  
21 *crossing exists within a city or town, allocation of a part of the fund*  
22 *is necessary to protect the public.*

Approved July 12, 1973.

This Act was passed by the G. A. before July 1, 1973.