

10 turns, or intersections on the highway, or to widen any secondary road
 11 above statutory width, or for the purpose of preventing the encroach-
 12 ment of a stream, watercourse, or dry run upon such highway. *The*
 13 *commission shall conduct its proceedings to accomplish the above in*
 14 *the manner and form prescribed in chapter four hundred seventy-two*
 15 *(472) of the Code, and the board of supervisors shall use the form*
 16 *prescribed in sections three hundred six point twenty-eight (306.28)*
 17 *through three hundred six point thirty-seven (306.37) of the Code.*
 18 *All such changes shall be subject to the provisions of chapter four*
 19 *hundred fifty-five A (455A) of the Code.*

1 SEC. 2. This Act, being deemed of immediate importance, shall
 2 take effect and be in force from and after its publication in The Mount
 3 Vernon Hawkeye-Record and The Lisbon Herald, a newspaper pub-
 4 lished in Mount Vernon, Iowa, and in The Monroe County News, a
 5 newspaper published in Albia, Iowa.

Approved April 10, 1974

I hereby certify that the foregoing Act, House File 59, was published in The Mount
 Vernon Hawkeye-Record and The Lisbon Herald, Mount Vernon, Iowa, April 18, 1974,
 and in The Monroe County News, Albia, Iowa, April 15, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1180

DEPARTMENT OF TRANSPORTATION

S. F. 1141

AN ACT to create a state department of transportation by transferring certain duties
 of the state highway commission, Iowa aeronautics commission, Iowa reciprocity
 board, Iowa state commerce commission, and the department of public safety to a
 state department of transportation, relating to the dimensions of vehicles, and mak-
 ing coordinating amendments to the Code, including penalty provisions.

WHEREAS, it is the public policy of this state that the general welfare,
 economic growth, job mobility, convenience, stability, and well-being of the
 citizens of the state can best be served by a coordinated transportation
 policy to assure adequate, safe, and efficient transportation facilities and
 services, and

WHEREAS, in order to accomplish this goal, the general assembly finds
 that it is necessary to recognize the executive branch of government and
 to combine and transfer the duties and functions of certain existing state
 agencies into a state department of transportation created by this Act, and

WHEREAS, that in the reorganization of the executive branch of gov-
 ernment relative to the reorganization and regulation of the railroad in-
 dustry, it shall be the policy of the state that a complete study and survey
 of the problems of coordination with the federal law, rules and regulations
 be made, including equalization of taxation, preemption and conflict of
 authority, authorization and justification for use and application of state
 and local funds, the improvement of rail facilities through modernizing,
 regulation and competition, continuation and improvement of service to the
 shipping public, and

WHEREAS, it is the policy of the state to encourage, foster, and assist in the general development and promotion of highway transportation to promote uniformity in highway design and highway transportation consistent with the economic needs of the state and nation, and

WHEREAS, the duties and responsibilities of the state highway commission should be transferred to the state department of transportation. The duties and responsibilities of the Iowa aeronautics commission should be transferred to the state department of transportation. The duties and responsibilities of the Iowa reciprocity board should be transferred to the state department of transportation. The duties and responsibilities of the department of public safety relating to motor vehicle registration, motor vehicle dealer licensing, motor vehicle inspection, and operators and chauffeurs licensing should be transferred to the state department of transportation. The duties and responsibilities of the Iowa state commerce commission relating to the regulation of railroads and motor transportation should be transferred to the state department of transportation, NOW THEREFORE,

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

DIVISION I

1 SECTION 1. NEW SECTION. **Definitions.** When used in this division
2 of this Act, unless the context otherwise requires:

- 3 1. "Director" means the director of transportation or his designee.
- 4 2. "Department" means the state department of transportation.
- 5 3. "Commission" means the state transportation commission.
- 6 4. "Board" means the transportation regulation board.

1 SEC. 2. NEW SECTION. **Department of transportation.** There is
2 created a state department of transportation which shall be responsi-
3 ble for the planning, development, regulation, and improvement of
4 transportation in the state as provided by law.

1 SEC. 3. NEW SECTION. **Transportation commission.** There is cre-
2 ated a state transportation commission which shall consist of seven
3 members, not more than four of whom shall be from the same political
4 party. The governor shall appoint the members of the state trans-
5 portation commission for a term of four years, subject to the confirma-
6 tion of the senate. However, of the members first appointed, one
7 member shall be appointed for a term of one year commencing July
8 1, 1974 and ending June 30, 1975, two members shall be appointed for
9 a term of two years commencing July 1, 1974 and ending June 30,
10 1976, two members shall be appointed for a term of three years com-
11 mencing July 1, 1974 and ending June 30, 1977, and two members
12 shall be appointed for a term of four years commencing July 1, 1974
13 and ending June 30, 1978.

14 Of the members first appointed, the governor shall appoint at least
15 two members of the state highway commission and one member of
16 the Iowa aeronautics commission as of July 1, 1974 to the state trans-
17 portation commission and such persons appointed shall serve simul-
18 taneously on the state transportation commission and the state high-
19 way commission or the Iowa aeronautics commission. The term of
20 office of all highway commissioners and aeronautics commissioners
21 shall expire June 30, 1975.

22 The commission shall meet in July of each year for the purpose of
23 electing one of its members as chairman.

1 SEC. 4. NEW SECTION. **Conflict of interest.** A person shall not
2 serve as a member of the state transportation commission who has an
3 interest in a contract or job of work or material or the profits thereof
4 or service to be performed for the department. Any member of the
5 state transportation commission who accepts employment with or ac-
6 quires any stock, bonds, or other interest in any company or corpora-
7 tion doing business with the department shall be disqualified from
8 remaining a member of the state transportation commission.

1 SEC. 5. NEW SECTION. **Vacancies.** Any vacancy on the commis-
2 sion which may occur when the general assembly is not in session
3 shall be filled by appointment by the governor, which appointment
4 shall expire at the end of thirty days following the convening of the
5 next session of the general assembly. Prior to the expiration of the
6 thirty-day period, the governor shall transmit to the senate for its
7 approval the name of the appointee for the unexpired portion of the
8 regular term. Any vacancy occurring when the general assembly is
9 in session shall be filled in the same manner as regular appointments
10 are made, and before the end of such session, and for the unexpired
11 portion of the regular term.

12 In the event the governor fails to make an appointment to fill a
13 vacancy, or fails to submit the appointment to the senate for confir-
14 mation, the senate may make the appointment prior to adjournment
15 of the general assembly.

1 SEC. 6. NEW SECTION. **Compensation.** Each member of the com-
2 mission shall receive a salary as fixed by the general assembly.

3 However, for the fiscal year commencing July 1, 1974 and ending
4 June 30, 1975, members of the state transportation commission shall
5 receive a per diem of forty dollars and all expenses actually incurred
6 in the performance of their official duties. Members of the state
7 transportation commission serving simultaneously as members of the
8 state highway commission or the Iowa aeronautics commission shall
9 continue to receive the salary or per diem provided by law for such
10 persons when performing their official duties as members of the state
11 highway commission or the Iowa aeronautics commission for the
12 fiscal year commencing July 1, 1974 and ending June 30, 1975.

1 SEC. 7. NEW SECTION. **Commission meetings.** The commission
2 shall meet at the call of the chairman or when any four members of
3 the commission file a written request with the chairman for a meeting.
4 Written notice of the time and place of each meeting shall be given
5 to each member of the commission. A majority of the commission
6 members shall constitute a quorum.

1 SEC. 8. NEW SECTION. **Expenses.** Members of the commission,
2 the director, and other employees of the department shall be allowed
3 their actual and necessary expenses incurred in the performance of
4 their duties. All expenses and salaries shall be paid from appropri-
5 ations for such purposes and the department shall be subject to the
6 budget requirements of chapter eight (8) of the Code.

1 **SEC. 9. NEW SECTION. Removal from office.** Any member of the
2 commission may be removed for any of the causes and in the manner
3 provided in chapter sixty-six (66) of the Code and such removal shall
4 not be in lieu of any other punishment that may be prescribed by the
5 laws of this state.

1 **SEC. 10. NEW SECTION. Duties.** The commission shall:

2 1. Develop and coordinate a comprehensive transportation policy
3 for the state not later than January 1, 1975, which shall be submitted
4 to the general assembly for its approval, and develop a comprehensive
5 transportation plan by January 1, 1976 to be submitted to the gov-
6 ernor and the general assembly, and to update the transportation
7 policy and plan annually.

8 2. Promote the coordinated and efficient use of all available modes
9 of transportation for the benefit of the state and its citizens including,
10 but not limited to, the designation and development of multi-modal
11 public transfer facilities if carriers or other private businesses fail
12 to develop such facilities.

13 3. Identify the needs for city, county, and regional transportation
14 facilities and services in the state and develop programs appropriate
15 to meet these needs.

16 4. Identify methods of improving transportation safety in the state
17 and develop programs appropriate to meet these needs.

18 5. Adopt rules and regulations in accordance with the provisions of
19 chapter seventeen A (17A) of the Code as it may deem necessary to
20 transact its business and for the administration and exercise of its
21 powers and duties. The transportation commission shall also adopt
22 rules and regulations, which rules and regulations shall be exempt
23 from the provisions of chapter seventeen A (17A) of the Code, gov-
24 erning the length of vehicles and combinations of vehicles which are
25 subject to the limitations imposed under section three hundred
26 twenty-one point four hundred fifty-seven (321.457) of the Code. The
27 commission may adopt such rules and regulations which permit vehi-
28 cles and combinations of vehicles in excess of the length limitations
29 imposed under section three hundred twenty-one point four hundred
30 fifty-seven (321.457) of the Code, but not exceeding sixty-five feet in
31 length, which may be moved on the highways of this state. Any such
32 proposed rules and regulations shall be submitted to the general as-
33 sembly within five days following the convening of a regular session
34 of the general assembly. The general assembly may approve or disap-
35 prove the rules and regulations submitted by the commission not later
36 than sixty days from the date such rules and regulations are sub-
37 mitted and, if approved or no action is taken by the general assem-
38 bly on the proposed rules and regulations, such rules and regulations
39 shall become effective May first and thereafter all laws in conflict
40 therewith shall be of no further force and effect.

41 6. Approve the budget of the department as prepared by the direc-
42 tor, prior to submission of the budget to the governor and the general
43 assembly.

44 7. Approve the reorganization of any existing divisions within the
45 department.

46 8. Consider the energy and environmental issues in transportation
47 development.

48 9. Enter into such contracts and agreements as provided in this Act.

1 **SEC. 11. NEW SECTION. Director of transportation — qualifica-**
2 **tions—salary.** The commission shall appoint a director of transpor-
3 tation who shall serve at the pleasure of the commission and who
4 shall in no event be a member of the commission. The director shall
5 not hold any other office under the laws of the United States or of this
6 or any other state or hold any other position for profit. The director
7 shall not engage in any occupation, business, or profession interfering
8 with or inconsistent with his duties, serve on or under any committee
9 of any political party, or contribute to the campaign fund of any per-
10 son or political party. The director shall be appointed on the basis
11 of his executive and administrative abilities and he shall devote his
12 entire time to the duties of his position.
13 The director shall receive a salary as fixed by the general assembly.

1 **SEC. 12. NEW SECTION. Duties of the director.** The director
2 shall:
3 1. Manage the internal operations of the department and establish
4 guidelines and procedures to promote the orderly and efficient admin-
5 istration of the department.
6 2. Employ such personnel as are necessary to carry out the duties
7 and responsibilities of the department, consistent with the provisions
8 of chapter nineteen A (19A) of the Code and subject to the policies
9 of the commission.
10 3. Assist the commission in developing state transportation policy
11 and a state transportation plan and execute the policies adopted by
12 the commission.
13 4. Establish temporary advisory boards of such size as he deems
14 appropriate to advise the department, subject to the approval of the
15 commission.
16 5. Prepare a budget for the department, subject to the approval of
17 the commission, and prepare reports required by law or required by
18 the commission.
19 6. Appoint the deputy director of transportation and the adminis-
20 trators of the various divisions of the department, subject to the
21 approval of the commission.
22 7. Review and submit legislative proposals necessary to maintain
23 current state transportation laws.
24 8. Appoint hearing officers or designate department personnel or
25 the board to conduct hearings required by law or administrative rule.

1 **SEC. 13. NEW SECTION. Reassignment of personnel.** The direc-
2 tor may reassign personnel within the department among the various
3 divisions of the department in order to properly coordinate the work
4 of the divisions and perform the duties and responsibilities of the
5 department efficiently and economically.
6 However, any employee so transferred or transferred from one
7 employment system to another either administratively or legislatively,
8 shall not be considered to be a probationary employee simply because
9 of this action.

1 **SEC. 14. NEW SECTION. Divisions of the department.** The fol-
2 lowing divisions are created within the department:
3 1. Transportation regulation board.
4 2. Administration division.

- 5 3. Planning division.
- 6 4. General counsel division.
- 7 5. Highway division.
- 8 6. Public transportation division.
- 9 7. Transportation regulation and safety division.
- 10 8. Railroad transportation division.

11 The divisions created pursuant to subsections two (2), three (3), and
 12 four (4) of this section shall be created as of July 1, 1974. The divi-
 13 sions created pursuant to subsections one (1), five (5), six (6), seven
 14 (7), and eight (8), of this section shall be created as of July 1, 1975.

15 This section shall not restrict the authority of the director to reor-
 16 ganize existing divisions which may be necessary for the proper and
 17 efficient operation of the department, subject to the approval of the
 18 commission.

1 **SEC. 15. NEW SECTION. Transportation regulation board.** The
 2 transportation regulation board shall consist of three members, not
 3 more than two of whom shall be from the same political party. The
 4 governor shall appoint the members of the board for a term of six
 5 years, subject to the confirmation of the senate. However, of the mem-
 6 bers first appointed, one member shall be appointed for a term of two
 7 years commencing July 1, 1975 and ending June 30, 1977, one member
 8 shall be appointed for a term of four years commencing July 1, 1975
 9 and ending June 30, 1979, and one member shall be appointed for a
 10 term of six years commencing July 1, 1975 and ending June 30, 1981.

1 **SEC. 16. NEW SECTION. Vacancies.** Any vacancy on the trans-
 2 portation regulation board which may occur when the general assembly
 3 is not in session shall be filled by appointment by the governor, which
 4 appointment shall expire at the end of thirty days following the con-
 5 vening of the next session of the general assembly. Prior to the expira-
 6 tion of the thirty-day period, the governor shall transmit to the senate
 7 for its approval the name of the appointee for the unexpired portion
 8 of the regular term. Any vacancy occurring when the general assembly
 9 is in session shall be filled in the same manner as regular appointments
 10 are made, and before the end of such session, and for the unexpired
 11 portion of the regular term.

12 In the event the governor fails to make an appointment to fill a
 13 vacancy, or fails to submit the appointment to the senate for confir-
 14 mation, the senate may make the appointment prior to the adjourn-
 15 ment of the general assembly.

1 **SEC. 17. NEW SECTION. Compensation.** Each member of the
 2 transportation regulation board shall receive a salary as fixed by the
 3 general assembly. Each member shall be allowed actual and necessary
 4 expenses in the same amounts paid to other state employees incurred
 5 in the performance of his duties.

1 **SEC. 18. NEW SECTION. Duties.** The transportation regulation
 2 board shall have the following duties and responsibilities:
 3 1. Fix and approve rates, fares, and charges of common carriers
 4 regulated by chapters three hundred twenty-five (325), three hundred
 5 twenty-seven (327), three hundred twenty-seven A (327A), and four
 6 hundred seventy-nine (479) of the Code.

- 7 2. Issue certificates of public convenience and necessity pursuant to
8 the provisions of chapters three hundred twenty-five (325) and three
9 hundred twenty-seven A (327A) of the Code.
- 10 3. Fix and approve rates, fares, and charges of railroads and con-
11 duct safety and service permission hearings with respect to railroads
12 regulated by chapters four hundred seventy-four (474) through four
13 hundred eighty-six (486), inclusive, of the Code.
- 14 4. Appoint such counsel as it deems necessary.
- 15 5. Investigate the legality of all rates, charges, tariffs, rules, regu-
16 lations, and practices of all common carriers and persons under the
17 jurisdiction of the board, and institute civil proceedings before the
18 board or any proper court to correct any illegality on the part of any
19 common carrier and prosecute the same to final determination.
- 20 6. Investigate the reasonableness of rates, tariffs, charges, rules,
21 regulations, and practices of all such common carriers in interstate
22 transportation when directed by the board, or when in his judgment
23 they are unlawful, prejudicial, and discriminate against any city, town,
24 community, business, industry, or citizen of the state, and institute
25 before the interstate commerce commission or any other tribunal hav-
26 ing jurisdiction and prosecute to final determination any proceeding
27 growing out of such matters.

1 SEC. 19. NEW SECTION. **Proceedings.** The transportation regu-
2 lation board shall conduct its hearings pursuant to rules and regula-
3 tions promulgated under the provisions of chapter seventeen A (17A)
4 of the Code.

1 SEC. 20. NEW SECTION. **Enforcement.** The department shall be
2 responsible for the enforcement of all orders issued by the board.

1 SEC. 21. NEW SECTION. **Administration division.** The adminis-
2 trator of the administration division shall have the following duties
3 and responsibilities:

- 4 1. Provide for the proper maintenance and protection of the grounds,
5 buildings, and equipment of the department, in cooperation with the
6 department of general services.
- 7 2. Establish, supervise, and maintain a system of centralized elec-
8 tronic data processing for the department, in cooperation with the
9 department of general services.
- 10 3. Assist the director in preparing the departmental budget.
- 11 4. Provide centralized purchasing services for the department, in
12 cooperation with the department of general services.
- 13 5. Assist the director in employing the professional, technical, clerical,
14 and secretarial staff for the department and maintain employee
15 records, in cooperation with the merit employment department and
16 provide personnel services, including but not limited to training, safety
17 education, and employee counseling.
- 18 6. Assist the director in coordinating the responsibilities and duties
19 of the various divisions within the department.
- 20 7. Carry out all other general administrative duties for the depart-
21 ment.
- 22 8. Perform such other duties and responsibilities as may be assigned
23 by the director.
- 24 The administrator of the administration division may purchase
25 items from the department of general services and may cooperate with

26 the director of general services by providing centralized purchasing
27 services for the department of general services.

1 SEC. 22. NEW SECTION. **Planning division.** The administrator of
2 the planning division shall have the following duties and responsi-
3 bilities:

4 1. Assist the director in planning all modes of transportation in
5 order to develop an integrated transportation system providing ade-
6 quate transportation services for all citizens of the state.

7 2. Develop and maintain transportation statistical data for the
8 department.

9 3. Assist the director in establishing, analyzing, and evaluating
10 alternative transportation policies for the state.

11 4. Coordinate the planning division's duties and responsibilities with
12 the planning functions carried on by other divisions of the department.

13 5. Perform such other planning functions as may be assigned by the
14 director.

15 The planning functions of this division shall not include the detailed
16 design of highways or other modal transportation facilities, but shall
17 be restricted to the needs of this state for multi-modal transportation
18 systems.

1 SEC. 23. NEW SECTION. **General counsel division.** The general
2 counsel shall be a special assistant attorney general appointed by the
3 attorney general who shall act as the attorney for the department and
4 he shall have the following duties and responsibilities:

5 1. Act as legal advisor to the commission, the director, and the vari-
6 ous divisions of the department and provide all legal services for the
7 department except for those provided to the board by its counsel.

8 The attorney general shall appoint such additional assistant attor-
9 neys general as the commission deems necessary to carry out the duties
10 assigned to the general counsel division. The salary of the general
11 counsel shall be fixed by the commission, subject to the approval of
12 the attorney general. The commission shall provide and furnish a
13 suitable office for the general counsel upon request of the attorney
14 general.

1 SEC. 24. NEW SECTION. **Highway division.** The administrator of
2 the highway division shall be responsible for the planning, design,
3 construction, and maintenance of the state primary highways and shall
4 administer the provisions of chapters three hundred six (306) through
5 three hundred twenty (320) of the Code and perform such other
6 duties as may be assigned by the director. There shall be a subdivision
7 for urban systems, a subdivision for secondary roads, and such other
8 subdivisions as may be necessary within the highway division.

1 SEC. 25. NEW SECTION. **Public transportation division.** The ad-
2 ministrator of the public transportation division shall have the fol-
3 lowing duties and responsibilities:

4 1. Advise and assist the director in the development of aeronautics,
5 including but not limited to the location of air terminals, accessibility
6 of air terminals by other modes of public transportation, protective
7 zoning provisions considering safety factors, noise, and air pollution,
8 facilities for private and commercial aircraft, air freight facilities, and

9 such other physical and technical aspects as may be necessary to meet
10 present and future needs.

11 2. Advise and assist the director in the development of river trans-
12 portation and port facilities in the state.

13 3. Advise and assist the director in the study of local and regional
14 transportation of goods and people including intracity and intercity
15 bus systems, dial-a-bus facilities, rural and urban bus and taxi systems,
16 the collection of data from these systems, feasibility study of increased
17 government subsidy assistance and determination of the allocation of
18 such subsidies to each mass transportation system, such other physical
19 and technical aspects which may be necessary to meet present and
20 future needs and apply for, accept, and expend federal, state, or pri-
21 vate funds for the improvement of mass transit.

22 4. Advise and assist the director to study and develop highway
23 transport economics to assure availability and productivity of high-
24 way transport services.

25 5. Administer the provisions of chapters three hundred twenty-two
26 A (322A), three hundred twenty-five (325), three hundred twenty-
27 seven (327), three hundred twenty-seven A (327A), three hundred
28 twenty-seven B (327B), three hundred twenty-eight (328), three hun-
29 dred twenty-nine (329), three hundred thirty (330) of the Code.

30 6. Perform such other duties and responsibilities as may be assigned
31 by the director and the commission.

1 SEC. 26. NEW SECTION. **Railroad transportation division.** The
2 administrator of the railroad transportation division shall have the
3 following duties and responsibilities:

4 1. Advise and assist the director in conducting research on the basic
5 railroad problems and identify the present capability of the existing
6 railroads in order to determine the present obligation of the railroads
7 to provide acceptable levels of public service.

8 2. Advise and assist the director in the development of rail trans-
9 portation systems for expansion of passenger and freight services.

10 3. Advise and assist the director in developing programs in anticipa-
11 tion of railroad abandonment, including:

12 a. Development and evaluation of programs which will encourage
13 improvement of rail freight and the upgrading of rail lines in order to
14 improve freight service.

15 b. Development of alternative modes of transportation to areas and
16 communities which lose rail service.

17 c. Represent the state in interstate commerce commission proceed-
18 ings, coordinate the determination of impacts and reuse potential, and
19 consult and cooperate with any other state agency, officials, and rep-
20 resentatives of any political subdivision and citizens having an interest
21 in the proposed abandonment.

22 d. Advise the director when it may appear in the best interest of
23 the state to assume the role of advocate in railroad abandonments
24 and railroad rate schedules.

25 4. Develop and maintain a federal-state relationship of programs
26 relating to railroad safety enforcement, track standards, rail equip-
27 ment, operating rules and transportation of hazardous materials.

28 5. Advise and assist the director in the conduct of research on rail-
29 road-highway grade crossings and encourage and develop a safety
30 program in order to reduce injuries or fatalities.

31 6. Apply for, accept, and expend federal, state or private funds for
32 the improvement of rail transportation.

33 7. Advise and assist the director on studies for coordination of rail-
34 way service with that of other transportation modes.

35 8. Advise and assist the director with studies of regulatory
36 changes deemed necessary to effectuate economical and efficient rail-
37 road service.

38 9. Advise and assist the director regarding agreements with the
39 owners of operating railroads for the upgrading of railroad right-of-
40 way and trackage on such terms, conditions, rates, rentals, or subsidy
41 levels as may be in the best interest of the state. The commission
42 may enter into contracts and agreements which are binding only to
43 the extent that appropriations have been or may subsequently be made
44 by the legislature to effectuate the purposes of this subsection. For
45 purposes of this Act, "railroad right-of-way and trackage" includes
46 but shall not be limited to any roadbed, drains, fences, ties, switches,
47 rails, ballast, signs, signals, lights, equipment, bridges, tools, crossings,
48 underpasses, overpasses, construction and administration buildings and
49 any and all other property, rights, easements and interest whether
50 owned in fee or leased.

51 10. Administer the provisions of chapters four hundred seventy-four
52 (474), four hundred seventy-six (476), four hundred seventy-seven
53 (477), four hundred seventy-eight (478), four hundred seventy-nine
54 (479), four hundred eighty (480), four hundred eighty-one (481), four
55 hundred eighty-two (482), four hundred eighty-three (483), four hun-
56 dred eighty-four (484), four hundred eighty-five (485), and four
57 hundred eighty-six (486) of the Code.

58 11. Perform such other duties and responsibilities as may be
59 assigned by the director and the commission.

1 SEC. 27. NEW SECTION. **Transportation regulation and safety**
2 **division.** The administrator of the transportation regulation and
3 safety division shall have the following duties and responsibilities:

4 1. Administer and supervise the registration of motor vehicles pur-
5 suant to chapter three hundred twenty-one (321) of the Code.

6 2. Administer and supervise the licensing of motor vehicle manu-
7 facturers, distributors, and dealers pursuant to chapter three hundred
8 twenty-two (322) of the Code.

9 3. Administer the inspection of motor vehicles pursuant to chapter
10 three hundred twenty-one (321) of the Code.

11 4. Administer motor vehicle registration reciprocity pursuant to
12 chapter three hundred twenty-six (326) of the Code.

13 5. Administer the provisions of chapters three hundred twenty-one
14 A (321A), three hundred twenty-one B (321B), three hundred twenty-
15 one E (321E), and three hundred twenty-one F (321F) of the Code
16 relating to motor vehicle financial responsibility, the implied consent
17 law, the movement of vehicles of excessive size and weight, and the
18 leasing and renting of vehicles.

1 SEC. 28. NEW SECTION. **Prorating departmental costs.** The di-
2 rector shall, with the approval of the commission, prorate the costs of
3 the department which will be expended for highways and such costs
4 shall be paid from money appropriated from the road use tax fund.
5 Prorated costs payable from the road use tax fund shall be based upon

6 that portion of the commission's duties related to the construction,
7 maintenance, and supervision of the public highways within the state
8 or for the payment of bonds issued for the construction of public high-
9 ways and the payment of interest on such bonds. The general assembly
10 shall appropriate from the general fund of the state the remaining
11 necessary departmental costs.

1 SEC. 29. Section three hundred twenty-one point four hundred
2 fifty-seven (321.457), subsection three (3), Code 1973, is amended to
3 read as follows:

4 3. Except as to combinations of vehicles, provisions for which are
5 otherwise made in this chapter, no combination of truck tractor and
6 a semitrailer *hauling livestock shall have an overall length, inclusive*
7 *of front and rear bumpers, in excess of sixty feet, nor shall any other*
8 combination of vehicles coupled together, unladen or with load, shall
9 have an overall length, inclusive of front and rear bumpers, in excess
10 of fifty-five feet.

1 SEC. 30. Section three hundred twenty-one point four hundred
2 fifty-seven (321.457), Code 1973, as amended by Acts of the Sixty-fifth
3 General Assembly, 1973 Session, chapter two hundred nineteen (219),
4 section one (1), is amended by adding the following new subsection:

5 NEW SUBSECTION. A motor vehicle or combination of vehicles may
6 be operated upon the highways of this state, irrespective of the length
7 and weight limitations imposed by the laws of this state, if the motor
8 vehicle or combination of vehicles is operated within the corporate
9 limits of a city abutting a border of this state and such operations have
10 been approved by ordinance of the city council and if the length and
11 weight of the motor vehicle or combination of vehicles is in conformity
12 with the laws relating to length and weight of the abutting state on
13 the effective date of this Act. If a city council has authorized such
14 operation upon highways within the corporate limits, then the limit of
15 travel for such motor vehicles or combination of vehicles within the
16 state is extended to the commercial zones as described by federal regu-
17 lations concerning interstate commerce, forty-nine (49), code of fed-
18 eral regulations, paragraphs one thousand forty-eight point ten
19 (1048.10), one thousand forty-eight point thirty-eight (1048.38), and
20 one thousand forty-eight point one hundred one (1048.101) as they
21 exist on the effective date of this Act.

DIVISION II

1 SEC. 31. The provisions of this division shall apply only for the
2 fiscal year commencing July 1, 1974 and ending June 30, 1975. This
3 division shall be printed in the session laws only, and shall not be made
4 a part of the permanent Code of Iowa.

1 SEC. 32. **Definitions.** When used in this division of this Act, un-
2 less the context otherwise requires:

- 3 1. "Director" means the director of transportation or his designee.
- 4 2. "Department" means the state department of transportation.
- 5 3. "Commission" means the state transportation commission.
- 6 4. "Board" means the transportation regulation board.

1 SEC. 33. **Interim duties of the commission and director.** The com-
2 mission shall commence the development of a transportation policy for

3 the state, to be submitted to the governor and the general assembly
4 for its approval, not later than July 1, 1975. During the fiscal year
5 commencing July 1, 1974 and ending June 30, 1975, the commission
6 shall file quarterly progress reports with the governor and the general
7 assembly outlining the development of the state transportation policy.
8 If the general assembly is not in session when progress reports are due,
9 the reports shall be filed with the legislative council.

10 The director shall develop the program and budget for the first
11 operational biennium of the department commencing July 1, 1975 and
12 ending June 30, 1977. Such programs and budget shall be submitted
13 to the commission for its approval. The director shall prepare a table
14 of organization for the department and develop operating procedures
15 providing for the internal management of the department.

16 For the fiscal year commencing July 1, 1974, and ending June 30,
17 1975, the salary of the director shall not exceed thirty-five thousand
18 dollars.

19 The director shall appoint persons qualified and experienced in
20 the fields of management, finance, and planning to assist in organiza-
21 tion of the department, subject to the approval of the commission.

22 Nothing in this section shall prohibit the director from drawing
23 upon expertise and personnel of the state highway commission and the
24 Iowa aeronautics commission or any other public agency.

1 **SEC. 34. Information and assistance.** The commission may call
2 upon the state highway commission, board of regents institutions of
3 higher learning, Iowa reciprocity board, department of public safety,
4 Iowa state commerce commission, and the Iowa aeronautics commis-
5 sion for such information and assistance as may be needed in the per-
6 formance of its duties and these agencies shall furnish such assistance,
7 information, and cooperation insofar as the same shall be within the
8 resources and authority of the agencies.

9 All personnel who are employed by the state highway commission,
10 Iowa reciprocity board, department of public safety, Iowa state com-
11 merce commission, or the Iowa aeronautics commission and render
12 services for the department shall remain employees of their respective
13 agencies during the fiscal year commencing July 1, 1974 and ending
14 June 30, 1975 and shall receive compensation for services rendered
15 from the state highway commission, Iowa reciprocity board, depart-
16 ment of public safety, Iowa state commerce commission, or the Iowa
17 aeronautics commission from funds appropriated to such agencies.

1 **SEC. 35. Location of offices.** The commission shall furnish suffi-
2 cient office space for the use of the state department of transportation
3 during the fiscal year commencing July 1, 1974 and ending June 30,
4 1975.

1 **SEC. 36.** Any person employed by the director on or after July 1,
2 1974 and not later than June 30, 1975, whose duty assignments will be
3 terminated because of this Act may be reassigned to other duties in
4 the department on July 1, 1975. The Iowa merit employment com-
5 mission shall promulgate rules and regulations to carry out any reas-
6 signment and shall arbitrate and decide any written appeal made by
7 any employee concerning reassignment or reclassification made neces-
8 sary by this Act. No employee shall lose any benefits he may have

9 accrued, including but not limited to salary, retirement, vacation, sick
10 leave, or longevity, because of reassignment provided for in this sec-
11 tion.

DIVISION III

1 SEC. 37. NEW SECTION. **Members—organization.** The Iowa state
2 commerce commission shall be composed of three members, not more
3 than two of whom shall be from the same political party, and each
4 commissioner appointed shall serve for six years from July first of
5 the year of his appointment. Within sixty days after the convening
6 of each regular session of the general assembly, the governor shall
7 appoint, with the approval of two-thirds of the senate, a successor to
8 the member of the Iowa state commerce commission whose term will
9 expire on July first following. Vacancies occurring while the general
10 assembly is in session shall be filled for the unexpired portion of the
11 term as full-term appointments are filled. Vacancies occurring while
12 the general assembly is not in session shall be filled by the governor,
13 but such appointments shall terminate at the end of thirty days after
14 the convening of the next regular session of the general assembly and
15 the vacancy shall be filled for the unexpired portion of the term as
16 full-term appointments are filled.

17 On the second Tuesday of July of each year, the Iowa state commerce
18 commission shall organize by electing one of its members as chairman,
19 and appointing a secretary, who shall take the same oath as the com-
20 missioners. The commission may employ such additional personnel as
21 it may find necessary.

22 As used in sections thirty-seven (37) through forty-five (45) of this
23 Act, the words "commerce commission" mean the Iowa state com-
24 merce commission.

1 SEC. 38. NEW SECTION. **Certain persons barred from office.** No
2 person in the employ of any common carrier or other public utility,
3 or owning any bonds, stock, or property in any railroad company or
4 other public utility shall be eligible to the office of Iowa state com-
5 merce commissioner or secretary of the commerce commission; and
6 the entering into the employ of any common carrier or other public
7 utility or the acquiring of any stock or other interest in any common
8 carrier or other public utility by such commissioner or secretary after
9 his appointment shall disqualify him to hold the office or perform the
10 duties thereof.

1 SEC. 39. NEW SECTION. **Proceedings.** The commerce commission
2 may in all cases conduct its proceedings, when not otherwise pre-
3 scribed by law, in such manner as will best conduce to the proper dis-
4 patch of business and the attainment of justice.

1 SEC. 40. NEW SECTION. **Quorum—personal interest.** A majority
2 of the commerce commission shall constitute a quorum for the trans-
3 action of business, but no commissioner shall participate in any hearing
4 or proceeding in which he has any pecuniary interest.

1 SEC. 41. NEW SECTION. **Rules, forms, and service.** The com-
2 merce commission may from time to time make or amend such general
3 rules or orders as may be necessary for the preservation of order and
4 the regulation of proceedings before it, including forms of notice and

5 the service thereof, which shall conform as nearly as may be to those
6 in use in the courts of the state.

1 SEC. 42. NEW SECTION. **Appearances—record of votes—public**
2 **hearings.** Any party may appear before the commerce commission
3 and be heard in person or by attorney. Every vote and official action
4 thereof shall be entered of record, and, upon the request of either
5 party or person interested, its proceedings shall be public.

1 SEC. 43. NEW SECTION. **Seal.** The commerce commission shall
2 have a seal, of which courts shall take judicial notice.

1 SEC. 44. NEW SECTION. **Office—time employed—expense.** The
2 commerce commission shall have an office at the seat of government
3 and each member shall devote his whole time to the duties of the office,
4 and the members and secretary and other employees shall receive their
5 actual necessary traveling expenses while in the discharge of their
6 official duties away from the general offices.

1 SEC. 45. NEW SECTION. **General jurisdiction.** The commerce
2 commission shall have general supervision of all pipelines and all lines
3 for the transmission, sale, and distribution of electrical current for
4 light, heat, and power pursuant to the provisions of chapters four hun-
5 dred eighty-nine (489), four hundred ninety (490), four hundred
6 ninety A (490A), and five hundred forty-three (543) of the Code and
7 such other duties as may be provided by law.

DIVISION IV

1 SEC. 46. Section eight A point five (8A.5), subsection four (4),
2 Code 1973, is amended to read as follows:

3 4. The chairman of the ~~Iowa~~ *highway state transportation* com-
4 mission.

1 SEC. 47. Section thirteen point seven (13.7), Code 1973, is amended
2 to read as follows:

3 13.7 **Special counsel.** No compensation shall be allowed to any per-
4 son for services as an attorney or counselor to any department of the
5 state government, or the head thereof, or to any state board or com-
6 mission, but the executive council may employ legal assistance, at a
7 reasonable compensation, in any pending action or proceeding to pro-
8 tect the interests of the state, but only upon a sufficient showing, in
9 writing, made by the attorney general, that his department cannot
10 for reasons stated by him perform said service, which reasons and
11 action of the council shall be entered upon its records. This section
12 shall not affect the office of the commerce counsel, *the transportation*
13 *regulation board counsel, or the* ~~nor~~ legal counsel of the Iowa employ-
14 ment security commission.

1 SEC. 48. Section seventeen point thirty (17.30), unnumbered para-
2 graph one (1), Code 1973, is amended to read as follows:

3 Each state board, commission, department and division of state
4 government and each institution under the control of the department
5 of social services and the *state* board of regents and each ~~subdivision~~
6 *division* of the ~~highway commission~~ *state department of transportation*
7 shall be responsible for keeping a written, detailed, up-to-date inven-
8 tory of all real and personal property belonging to the state and under

9 their charge, control and management. Such inventories shall be in
10 such form as may be prescribed by the director of the department of
11 general services.

1 SEC. 49. Section nineteen A point three (19A.3), Code 1973, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. The director of transportation, his deputy, and
4 his divisional administrators, one secretary or stenographer for each,
5 and one administrative assistant or deputy for each.

1 SEC. 50. Section twenty point one (20.1), Code 1973, as amended
2 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
3 hundred twenty (120), section ten (10), is amended to read as follows:

4 **20.1 Board created.** A state war surplus commodities board is
5 hereby created and established hereinafter referred to as the "board",
6 to consist of the commissioner of the department of social services or
7 any division director assigned by him, a member of the state board of
8 regents, a member of the ~~Iowa state highway transportation~~ *highway transportation* commis-
9 sion, a member of the executive council of the state, a member of the
10 *state* conservation commission ~~of the state~~, the commissioner of the
11 Iowa state department of health, a member of the department of public
12 instruction, a member of the Iowa development commission, and direc-
13 tor of the department of general services.

1 SEC. 51. Section sixty-four point six (64.6), subsection twenty-
2 three (23), Code 1973, is amended to read as follows:

3 23. Members state ~~highway transportation~~ *highway transportation* commission, ~~five ten~~
4 thousand dollars.

1 SEC. 52. Section sixty-eight B point two (68B.2), subsection four
2 (4), Code 1973, as amended by Acts of the Sixty-fifth General Assem-
3 bly, 1973 Session, chapter one hundred thirty-nine (139), section one
4 (1), is amended to read as follows:

5 4. "Regulatory agency" means department of agriculture, indus-
6 trial commissioner, bureau of labor, employment security commission,
7 department of banking, insurance department of *Iowa*, state depart-
8 ment of health, department of public safety, department of public in-
9 struction, *state* board of regents, department of social services, *state*
10 department of revenue, *Iowa state* commerce commission, *Iowa beer*
11 *and liquor control* ~~commission department~~, board of pharmacy exam-
12 iners, state conservation commission, ~~aeronautics commission~~, *state*
13 ~~highway commission~~ *state department of transportation*, *Iowa state*
14 civil rights commission, department of soil conservation, *department*
15 *of public defense*, and *Iowa* natural resources council.

1 SEC. 53. Section eighty point nine (80.9), subsection two (2),
2 paragraph b, Code 1973, is amended to read as follows:

3 b. To enforce all laws relating to traffic on the public highways of
4 the state, including those relating to the safe and legal operation of
5 passenger cars, motorcycles, motor trucks and buses; ~~to issue opera-~~
6 ~~tors' and chauffeurs' licenses;~~ to see that proper safety rules are ob-
7 served and to give first aid to the injured;

1 SEC. 54. Section four hundred sixty point eight (460.8), Code
2 1973, is amended to read as follows:

3 460.8 **Payment from road funds.** The amount fixed by the final
4 order of the board of supervisors to be paid:

5 1. On account of the primary road system, shall be payable by the
6 state ~~highway commission~~ department of transportation on due cer-
7 tification of the amount by the county treasurer to ~~said commission~~ the
8 state department of transportation out of the primary road fund.

9 2. On account of the secondary road system, may be payable from
10 the secondary road construction fund, or from the secondary road
11 maintenance fund, or from both of said funds.

1 SEC. 55. Section four hundred seventy-one point ten (471.10),
2 Code 1973, is amended to read as follows:

3 471.10 **Finding by ~~commerce~~ ~~commission~~ transportation regulation**
4 **board.** The company, before instituting condemnation proceedings
5 under section 471.9, shall apply in writing to the Iowa state ~~commerce~~
6 ~~commission~~ transportation regulation board, for permission to so con-
7 demn. ~~Said commission~~ The transportation regulation board shall give
8 notice to the landowner, and examine into the matter, and report by
9 certificate to the clerk of the district court in the county in which the
10 land is situated, the amount and description of the additional lands
11 necessary for such purposes, present and prospective, of such com-
12 pany; whereupon the company shall have power to condemn the lands
13 so certified by the ~~commission~~ transportation regulation board.

1 SEC. 56. Section four hundred seventy-one point eleven (471.11),
2 Code 1973, is amended to read as follows:

3 471.11 **Lands for water stations—how set aside.** Lands which are
4 sought to be condemned for water stations, dams, or reservoirs, includ-
5 ing all the overflowed lands, if any, shall, if requested by the owner, be
6 set aside in a square or rectangular shape by the Iowa state ~~commerce~~
7 ~~commission~~ transportation regulation board.

1 SEC. 57. Section four hundred seventy-two point nineteen
2 (472.19), Code 1973, is amended to read as follows:

3 472.19 **Service of notice—highway matters.** Such notice of appeal
4 shall be served in the same manner as an original notice. In case of
5 condemnation proceedings instituted by the state ~~highway commission~~
6 department of transportation, when the owner appeals from the assess-
7 ment made, such notice of appeal shall be served upon the attorney
8 general, or the special assistant attorney general acting as department
9 general counsel to ~~said commission~~ the state department of transporta-
10 tion, or the chief highway engineer for ~~said commission~~ the depart-
11 ment. When service of notice of appeal cannot be made as provided in
12 this section, the district court of the county in which the real estate is
13 situated, on application, shall direct what notice shall be sufficient.

1 SEC. 58. Section four hundred seventy-two point forty-two
2 (472.42), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 472.42 **Eminent domain—payment to displaced persons.**

5 1. Any utility or railroad subject to section four hundred seventy-
6 four point ten (474.10), chapter four hundred ninety (490), or chap-
7 ter four hundred ninety A (490A) of the Code, authorized by law to
8 acquire property by condemnation that does acquire the property of
9 any person who is displaced thereby after July 1, 1971, shall pay to

10 such person in addition to all other sums of money required by law a
11 displacement allowance in accordance with and in the same manner
12 as provided for acquisition for highway projects in sections three hun-
13 dred sixteen point four (316.4), three hundred sixteen point five
14 (316.5), three hundred sixteen point six (316.6) and three hundred
15 sixteen point eight (316.8) of the Code.

16 2. The displacement allowance to be paid by a utility subject to the
17 provisions of chapters four hundred ninety (490) or four hundred
18 ninety A (490A) of the Code, shall be paid in the manner provided
19 in sections three hundred sixteen point four (316.4), three hundred
20 sixteen point five (316.5), three hundred sixteen point six (316.6),
21 and three hundred sixteen point eight (316.8) of the Code and pursu-
22 ant to rules promulgated by the Iowa state commerce commission.
23 Any person aggrieved by a determination as to eligibility for a pay-
24 ment or the amount of the payment may, upon application, have the
25 matter reviewed by the Iowa state commerce commission. The deci-
26 sion of the Iowa state commerce commission upon review shall be final
27 as to all parties.

28 3. The displacement allowance to be paid by a railroad subject to
29 the provisions of section four hundred seventy-four point ten (474.10)
30 of the Code, shall be paid in the manner provided in sections three
31 hundred sixteen point four (316.4), three hundred sixteen point five
32 (316.5), three hundred sixteen point six (316.6), and three hundred
33 sixteen point eight (316.8) of the Code and pursuant to rules promul-
34 gated by the transportation regulation board. Any person aggrieved
35 by a determination as to eligibility for a payment or the amount of
36 the payment may, upon application, have the matter reviewed by the
37 transportation regulation board. The decision of the transportation
38 regulation board upon review shall be final as to all parties.

39 4. Any utility or railroad subject to the provisions of this section
40 that proposes to acquire the property of any person who will be dis-
41 placed by such acquisition shall inform the person of his right to
42 receive a displacement allowance and, if his right to the displacement
43 allowance or the amount of the allowance is in dispute, his right to
44 appeal to the Iowa state commerce commission or the transportation
45 regulation board.

1 SEC. 59. Sections eight point two (8.2), eleven point three (11.3),
2 seventeen point nine (17.9), seventy-nine point one (79.1), one hun-
3 dred eleven point twenty (111.20), one hundred eleven point twenty-
4 three (111.23), one hundred eleven point fifty-eight (111.58), one
5 hundred eleven B point eight (111B.8), three hundred four point
6 twelve (304.12), three hundred five A point two (305A.2), three hun-
7 dred five A point five (305A.5), four hundred twenty-two point forty-
8 five (422.45), four hundred fifty-five point one hundred eighteen
9 (455.118), four hundred seventy-two point twenty-six (472.26), four
10 hundred ninety point twenty-five (490.25), five hundred seventy-
11 three point eight (573.8), five hundred seventy-three point fifteen
12 (573.15), five hundred seventy-three point twenty-four (573.24), six
13 hundred thirteen point twelve (613.12), and six hundred thirteen
14 point thirteen (613.13), Code 1973, are amended by striking from
15 such sections the words "highway commission", "state highway com-
16 mission", and "Iowa state highway commission" and inserting in lieu
17 thereof the words "state department of transportation".

1 SEC. 60. Chapter three hundred six (306), Code 1973, is amended
2 by adding the following new section:

3 NEW SECTION. **Definitions.** As used in this chapter, unless the con-
4 text otherwise requires:

5 1. "Department" means the state department of transportation.

6 2. "Agency" means any governmental body which exercises juris-
7 diction over any road as provided in section three hundred six point
8 four (306.4) of the Code.

1 SEC. 61. Sections three hundred six point four (306.4), three hun-
2 dred six point five (306.5), three hundred six point six (306.6), three
3 hundred six point seven (306.7), three hundred six point twelve
4 (306.12), three hundred six point fourteen (306.14), and three hun-
5 dred six point sixteen (306.16), Code 1973, are amended by striking
6 from such sections the words "state highway commission" and "Iowa
7 state highway commission" and inserting in lieu thereof the word
8 "department".

1 SEC. 62. Sections three hundred six point ten (306.10), three hun-
2 dred six point eleven (306.11), three hundred six point twelve
3 (306.12), three hundred six point fourteen (306.14), three hundred six
4 point sixteen (306.16), three hundred six point seventeen (306.17),
5 three hundred six point eighteen (306.18), three hundred six point
6 nineteen (306.19), three hundred six point twenty-two (306.22),*
7 three hundred six point twenty-three (306.23), three hundred six
8 point thirty-eight (306.38), three hundred six point thirty-nine
9 (306.39), and three hundred six point forty-one (306.41), Code 1973,
10 are amended by striking from such sections the words "board or com-
11 mission", "board", "commission", and "commission, board or boards"
12 and inserting in lieu thereof the word "agency".

1 SEC. 63. Section three hundred six A point ten (306A.10), Code
2 1973, is amended to read as follows:

3 306A.10 **Notice to relocate—costs paid by state.** Whenever the
4 Iowa state highway ~~commission~~ *department of transportation* shall
5 determine that relocation or removal of any utility facility now located
6 in, over, along, or under any highway or street, is necessitated by the
7 construction of a project on routes of the national system of interstate
8 and defense highways including extensions within cities and towns,
9 the utility owning or operating such facility shall relocate or remove
10 the same in accordance with statutory notice. The costs of relocation
11 or removal, including the costs of installation in a new location, shall
12 be ascertained by the Iowa state highway ~~commission~~ *department of*
13 *transportation* or as determined in condemnation proceedings for such
14 purposes and paid by the state out of the primary road fund as part of
15 the cost of such federally aided project.

1 SEC. 64. Section three hundred six B point one (306B.1), Code
2 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. "Department" means the state department of
4 transportation.

1 SEC. 65. Sections three hundred six B point two (306B.2), three
2 hundred six B point three (306B.3), three hundred six B point four

*See 65 GA, ch 1178, §1

3 (306B.4), three hundred six B point five (306B.5), three hundred six
4 B point six (306B.6), three hundred six B point seven (306B.7), and
5 three hundred six B point eight (306B.8), Code 1973, are amended by
6 striking from such sections the words "commission" and "state high-
7 way commission" and inserting in lieu thereof the word "department".

1 SEC. 66. Section three hundred six C point one (306C.1), subsec-
2 tion five (5), Code 1973, is amended by striking the subsection and in-
3 sserting in lieu thereof the following:

4 5. "Department" means the state department of transportation.

1 SEC. 67. Section three hundred six C point ten (306C.10), subsec-
2 tion one (1), Code 1973, is amended by striking the subsection and
3 inserting in lieu thereof the following:

4 1. "Department" means the state department of transportation.

1 SEC. 68. Sections three hundred six C point one (306C.1), three
2 hundred six C point two (306C.2), three hundred six C point three
3 (306C.3), three hundred six C point four (306C.4), three hundred six
4 C point five (306C.5), three hundred six C point six (306C.6), three
5 hundred six C point eight (306C.8), three hundred six C point ten
6 (306C.10), as amended by Acts of the Sixty-fifth General Assem-
7 bly, 1973 Session, chapter two hundred one (201), section one (1),
8 three hundred six C point eleven (306C.11), as amended by Acts of
9 the Sixty-fifth General Assembly, 1973 Session, chapter two hundred
10 one (201), section two (2), three hundred six C point thirteen
11 (306C.13), as amended by Acts of the Sixty-fifth General Assembly,
12 1973 Session, chapter two hundred one (201), sections three (3) and
13 four (4), three hundred six C point fourteen (306C.14), as amended
14 by Acts of the Sixty-fifth General Assembly, 1973 Session, chapter
15 two hundred one (201), section five (5), three hundred six C point
16 fifteen (306C.15), as amended by Acts of the Sixty-fifth General
17 Assembly, 1973 Session, chapter two hundred one (201), section six
18 (6), three hundred six C point seventeen (306C.17), as amended by
19 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two
20 hundred one (201), section seven (7), three hundred six C point eigh-
21 teen (306C.18), as amended by Acts of the Sixty-fifth General Assem-
22 bly, 1973 Session, chapter two hundred one (201), section eight (8),
23 three hundred six C point nineteen (306C.19), as amended by Acts of
24 the Sixty-fifth General Assembly, 1973 Session, chapter two hundred
25 one (201), section nine (9), three hundred six C point twenty
26 (306C.20), and three hundred six C point twenty-one (306C.21), Code
27 1973, are amended by striking from such sections the word "commis-
28 sion" and inserting in lieu thereof the word "department".

1 SEC. 69. Chapter three hundred seven (307), Code 1973, is
2 amended by adding the following new section:

3 NEW SECTION. **Definitions.** As used in this chapter, unless the
4 context otherwise requires:

5 1. "Commission" means the state transportation commission of the
6 state department of transportation.

7 2. "Department" means the state department of transportation.

1 SEC. 70. Section three hundred seven point five (307.5), subsec-
2 tions three (3), four (4), five (5), six (6), twelve (12), and thirteen
3 (13), Code 1973, are amended to read as follows:

4 3. ~~Appoint all assistants necessary to carry on the work of the com-~~
5 ~~mission, define their duties, fix their compensation, and provide for~~
6 ~~necessary bonds and the amounts thereof. The term of employment of~~
7 ~~all such assistants may be terminated by the commission, at any time~~
8 ~~and for any cause. When in the interest of the state, the commission~~
9 ~~may allow not to exceed forty-five days a subsistence expense to an~~
10 ~~employee of the highway division of the department for continuous~~
11 ~~stay in one location while on duty away from established headquarters~~
12 ~~and place of domicile or either for a period not to exceed forty-five~~
13 ~~days; allow automobile expenses in accordance with section 79.9, for~~
14 ~~moving an employee and his family from place of present domicile to~~
15 ~~new domicile, and actual transportation expense for moving not to~~
16 ~~exceed seven thousand pounds of household goods. Such household~~
17 ~~goods shall not include pets or animals.~~

18 4. Investigate highway conditions in any county, and report all vio-
19 lations of duty to the ~~attorney general~~ *department general counsel*.

20 5. Make surveys, plans, and estimates of cost, for the elimination of
21 danger at railroad crossings on highways, and confer with local, and
22 railroad officials, ~~and with the Iowa state commerce commission with~~
23 ~~reference to such elimination of the danger.~~

24 6. Assist the board of supervisors and the ~~attorney general~~ *depart-*
25 *ment general counsel* in the defense of suits wherein infringement of
26 patents, relative to highway construction, is alleged.

27 12. Construct, reconstruct, improve and maintain state institu-
28 tional roads and state park roads as defined in section 306.3 and
29 bridges on such roads, upon the request of the state board, department
30 or commission which has jurisdiction over such roads. This shall be
31 done in such manner as may be agreed upon by the ~~highway~~ commis-
32 sion and the state board, department or commission which has juris-
33 diction. The ~~highway~~ commission may contract with any county or
34 municipality for the construction, reconstruction, improvement or
35 maintenance of such roads and bridges. Any state park road which
36 is an extension of either a primary or secondary highway which both
37 enters and exits from a state park at separate points shall be con-
38 structed, reconstructed, improved and maintained as provided in sec-
39 tion 306.4.

40 13. Prepare, adopt and cause to be published a long-range program
41 for the primary road system, *in conjunction with the state transporta-*
42 *tion plan adopted by the commission*. Such program shall be prepared
43 for a period of at least five years and shall be revised, brought up to
44 date and republished at least once every year in order to have a con-
45 tinuing five-year program. The program shall include, insofar as such
46 estimates can be made, an estimate of the money expected to become
47 available during the period covered by the program and a statement
48 of the construction, maintenance, and other work planned to be per-
49 formed during such period. The commission shall conduct periodic re-
50 inspections of the primary roads in order to revise, from time to time,
51 its estimates of future needs to conform to the physical and service
52 conditions of the primary roads. The commission shall annually cause
53 to be published a sufficiency rating report showing the relative condi-
54 tions of the primary roads. Before the last day of December of each
55 year, the commission shall adopt and cause to be published from its
56 long-range program, a plan of improvements to be accomplished dur-

57 ing the next calendar year. This annual program shall list definite
 58 projects in order of urgency and shall include a reasonable year's work
 59 with the funds estimated to be available. The annual program shall be
 60 final and followed by the commission in the next year except that devi-
 61 ations may be made in case of disaster or other unforeseen emergen-
 62 cies or difficulties. The relative urgency of the proposed improvements
 63 shall be determined by a consideration of the physical condition, safety,
 64 and service characteristics of the various primary roads.

1 SEC. 71. Section three hundred seven point ten (307.10), Code
 2 1973, is amended to read as follows:

3 **307.10 State-owned lands—assessment.** Municipalities and coun-
 4 ties may assess the cost of a public improvement when such improve-
 5 ment benefits property owned by the state and under the jurisdiction
 6 and control of the ~~state highway commission~~ *highway division of the*
 7 *department*. The commission shall pay from the primary road fund
 8 such portion of the cost of the improvement as would be legally assess-
 9 able against the land if privately owned.

10 Assessments against property under the jurisdiction of the ~~state~~
 11 ~~highway commission~~ *highway division of the department* shall be made
 12 in the same manner as those made against private property, except
 13 that the municipality or county making the assessment shall cause a
 14 copy of the public notice of hearing to be mailed to the commission by
 15 restricted certified mail.

16 Assessments against property owned by the state and not under the
 17 jurisdiction and control of the ~~state highway commission~~ *highway*
 18 *division of the department* shall be made in the same manner as those
 19 made against private property and payment thereof shall be made by
 20 the executive council from any funds of the state not otherwise appro-
 21 priated.

22 No such assessment in excess of twenty thousand dollars shall be
 23 valid unless it is provided for by or contained within a capital appro-
 24 priation by the general assembly.

1 SEC. 72. Section three hundred seven point twelve (307.12), Code
 2 1973, is amended to read as follows:

3 **307.12 Materials and equipment revolving fund.** There is appropri-
 4 ated out of the primary road fund the sum of one hundred thousand
 5 dollars which shall be known as the ~~highway commission~~ materials and
 6 equipment revolving fund. From this fund shall be paid all materials
 7 and supplies, inventoried stock supplies, maintenance and operational
 8 costs of equipment and equipment replacements incurred in the oper-
 9 ation of centralized purchasing for the *highway division of the*
 10 *department*. Direct salaries and expenses properly chargeable thereto
 11 shall be paid from said fund. For each month the ~~highway commission~~
 12 shall render a statement to each department within the ~~commission~~
 13 *highway division* for the actual cost of materials and supplies, opera-
 14 tional and maintenance costs of equipment, and equipment depreciation
 15 used by ~~such department~~ *the highway division*. Such expense shall be
 16 paid by ~~said department~~ *the highway division* in the same manner as
 17 other interdepartmental billings are paid and when such expense is
 18 paid by the ~~department~~ *highway division*, such sum shall be cred-
 19 ited to the ~~highway commission~~ materials and equipment revolving
 20 fund. If any surplus accrues to said revolving fund in excess of one

21 hundred thousand dollars for which there is no anticipated need or use,
 22 the governor shall order such surplus reverted to the primary road
 23 fund. *When the highway division shares equipment with other divi-*
 24 *sions of the department, the director of transportation shall prorate*
 25 *the costs of the equipment among the divisions using the equipment.*

1 SEC. 73. Section three hundred seven point thirteen (307.13),
 2 Code 1973, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. Any employee of the state highway commission
 4 who becomes an employee of the state department of transportation
 5 on July 1, 1974 shall retain all rights to longevity pay so long as he
 6 continues employment with the state department of transportation.

1 SEC. 74. Sections three hundred seven point six (307.6), three
 2 hundred seven point seven (307.7), and three hundred seven point
 3 eleven (307.11), Code 1973, are amended by striking from such sec-
 4 tions the words "state highway commission" and inserting in lieu
 5 thereof the word "commission".

1 SEC. 75. Sections three hundred eight point one (308.1), three
 2 hundred eight point two (308.2), three hundred eight point three
 3 (308.3), three hundred eight point four (308.4), and three hundred
 4 eight point five (308.5), Code 1973, are amended by striking the words
 5 "Iowa state highway commission", "state highway commission", and
 6 "highway commission" and inserting in lieu thereof the words "state
 7 transportation commission".

1 SEC. 76. Section three hundred eight A point one (308A.1), Code
 2 1973, is amended to read as follows:

3 **308A.1 Conservation commission and ~~highway state transportation~~**
 4 **commission to co-operate.** The state conservation commission, in con-
 5 sultation with the ~~highway state transportation~~ commission, is hereby
 6 authorized to establish recreational bikeways within this state for the
 7 use, enjoyment, and participation of the public in nonmotorized bicy-
 8 cling. The routes established for such bikeways shall be designed to
 9 maximize the safety of cyclists and motorists and may utilize second-
 10 ary roads when the normal flow of motor vehicle traffic will not be
 11 hindered, as well as other infrequently traveled roads, streets, park-
 12 ways, and appropriate thoroughfares. Such bikeways shall be routed,
 13 wherever possible, to allow the enjoyment of scenic views and points
 14 of historical interest, and may connect state parks and other recrea-
 15 tional areas throughout the state.

16 Bikeway routes shall be clearly marked with appropriate signs to
 17 guide cyclists and to alert motorists. Such signs shall be placed at
 18 intervals and designed in such form as prescribed by the conservation
 19 commission in consultation with the ~~highway state transportation~~
 20 commission.

21 The conservation commission is hereby authorized to co-operate
 22 with county conservation boards, boards of supervisors, city or town
 23 councils, or any private organizations interested in the establishment
 24 of bikeways, and may consult with such groups in the planning of
 25 appropriate bikeway routes and related activities.

1 SEC. 77. Chapter three hundred nine (309), Code 1973, is
 2 amended by adding the following new section:

3 **NEW SECTION. Definition.** As used in this chapter, unless the con-
4 text otherwise requires, "department" means the state department of
5 transportation.

1 **SEC. 78.** Sections three hundred nine point sixteen (309.16), three
2 hundred nine point twenty-two (309.22), three hundred nine point
3 forty-two (309.42), three hundred nine point forty-six (309.46),
4 three hundred nine point fifty-six (309.56), three hundred nine point
5 sixty-eight (309.68), three hundred nine point sixty-nine (309.69),
6 three hundred nine point seventy (309.70), three hundred nine point
7 seventy-one (309.71), three hundred nine point seventy-three
8 (309.73), three hundred nine point seventy-nine (309.79), three hun-
9 dred nine point eighty (309.80), three hundred nine point eighty-two
10 (309.82), three hundred nine point ninety-three (309.93), three hun-
11 dred nine point ninety-four (309.94), three hundred nine point ninety-
12 five (309.95), and three hundred nine point ninety-six (309.96), Code
13 1973, are amended by striking from such sections the words "commis-
14 sion", "highway commission", and "state highway commission" and
15 inserting in lieu thereof the word "department".

1 **SEC. 79.** Section three hundred ten point one (310.1), Code 1973,
2 is amended by adding the following new subsection:

3 **NEW SUBSECTION.** "Department" means the state department of
4 transportation.

1 **SEC. 80.** Section three hundred ten point one (310.1), subsection
2 two (2), Code 1973, is amended to read as follows:

3 2. "Federal aid" or "federal aid secondary road fund" shall mean
4 funds allotted to the state of Iowa by the federal government to aid
5 in the construction of secondary roads and which funds must be
6 matched with funds under the control of the state ~~highway commission~~
7 *department*.

1 **SEC. 81.** Sections three hundred ten point six (310.6), three hun-
2 dred ten point eight (310.8), three hundred ten point nine (310.9),
3 three hundred ten point ten (310.10), three hundred ten point eleven
4 (310.11), three hundred ten point thirteen (310.13), three hundred
5 ten point fourteen (310.14), three hundred ten point eighteen
6 (310.18), three hundred ten point twenty-seven (310.27), three hun-
7 dred ten point twenty-eight (310.28), three hundred ten point twenty-
8 nine (310.29), three hundred ten point thirty-two (310.32), three hun-
9 dred ten point thirty-four (310.34), three hundred ten point thirty-
10 five (310.35), and three hundred ten point thirty-six (310.36), Code
11 1973, are amended by striking from such sections the words "commis-
12 sion", "highway commission" and "state highway commission" and
13 inserting in lieu thereof the word "department".

1 **SEC. 82.** Section three hundred eleven point seven (311.7), unnum-
2 bered paragraph five (5), Code 1973, is amended to read as follows:

3 If the engineer's estimated cost of the grading, bridges, culverts,
4 and draining of the road proposed to be included in any special assess-
5 ment district project under this section, exceeds an average of seven
6 thousand dollars per mile, the board of supervisors of said county
7 may appeal to the state ~~highway transportation~~ commission as to
8 whether the county shall proceed with the construction of said project.

9 The state ~~highway~~ *transportation* commission shall hold a hearing on
 10 said matter, at a time and place of which the petitioners and the
 11 county board shall be duly notified, and shall have an opportunity to
 12 appear and be heard. After such hearing the state ~~highway~~ *transportation*
 13 commission shall determine whether the county shall proceed
 14 with said project, which determination shall be final.

1 SEC. 83. Chapter three hundred twelve (312), Code 1973, is
 2 amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, unless the con-
 4 text otherwise requires, "department" means the state department of
 5 transportation.

1 SEC. 84. Sections three hundred twelve point three (312.3), three
 2 hundred twelve point four (312.4), three hundred twelve point five
 3 (312.5), three hundred twelve point ten (312.10), three hundred
 4 twelve point twelve (312.12), three hundred twelve point fourteen
 5 (312.14), and three hundred twelve point fifteen (312.15), Code 1973,
 6 are amended by striking from such sections the words "state highway
 7 commission" and inserting in lieu thereof the word "department".

1 SEC. 85. Chapter three hundred thirteen (313), Code 1973, is
 2 amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, unless the con-
 4 text otherwise requires, "department" means the state department of
 5 transportation.

1 SEC. 86. Sections three hundred thirteen point one (313.1), three
 2 hundred thirteen point two (313.2), three hundred thirteen point four
 3 (313.4), as amended by Acts of the Sixty-fifth General Assembly, 1973
 4 Session, chapter one hundred two (102), section nine (9), three
 5 hundred thirteen point five (313.5), three hundred thirteen point
 6 six (313.6), three hundred thirteen point eight (313.8), three hun-
 7 dred thirteen point nine (313.9), three hundred thirteen point ten
 8 (313.10), three hundred thirteen point twelve (313.12), three hun-
 9 dred thirteen point thirteen (313.13), three hundred thirteen point
 10 sixteen (313.16), three hundred thirteen point eighteen (313.18),
 11 three hundred thirteen point nineteen (313.19), three hundred thir-
 12 teen point twenty (313.20), three hundred thirteen point twenty-one
 13 (313.21), three hundred thirteen point twenty-two (313.22), three
 14 hundred thirteen point twenty-three (313.23), three hundred thirteen
 15 point twenty-four (313.24), three hundred thirteen point twenty-
 16 seven (313.27), three hundred thirteen point twenty-eight (313.28),
 17 three hundred thirteen point twenty-nine (313.29), three hundred
 18 thirteen point thirty-six (313.36), three hundred thirteen point thirty-
 19 seven (313.37), three hundred thirteen point forty-four (313.44),
 20 three hundred thirteen point fifty-eight (313.58), three hundred thir-
 21 teen point fifty-nine (313.59), three hundred thirteen point sixty
 22 (313.60), three hundred thirteen point sixty-one (313.61), three hun-
 23 dred thirteen point sixty-two (313.62), three hundred thirteen point
 24 sixty-three (313.63), three hundred thirteen point sixty-four (313.64),
 25 three hundred thirteen point sixty-five (313.65), three hundred thir-
 26 teen point sixty-six (313.66), and three hundred thirteen point sixty-
 27 seven (313.67), Code 1973, are amended by striking from such sections

28 the words "commission", "highway commission", "state highway com-
29 mission", and "Iowa highway commission" and inserting in lieu there-
30 of the word "department".

1 SEC. 87. Section three hundred thirteen A point one (313A.1),
2 Code 1973, is amended to read as follows:

3 313A.1 **Definitions.** The following words or terms, as used in this
4 chapter, shall have the respective meanings as stated:

5 1. "Toll bridge" shall mean an interstate bridge constructed, pur-
6 chased or acquired under the provisions of this chapter, upon which
7 tolls are charged, together with all appurtenances, additions, altera-
8 tions, improvements, and replacements thereof, and the approaches
9 thereto, and all lands and interests therein used therefor, and buildings
10 and improvements thereon.

11 2. "~~Commission~~ *Department*" shall mean the state highway commis-
12 sion, ~~the agency of the state of Iowa created and provided for under~~
13 ~~the provisions of chapter 397~~ *department of transportation*.

14 3. "Construct, constructing, construction or constructed" shall in-
15 clude the completion, reconstruction, remodeling, repair, or improve-
16 ment of any existing toll bridge or any partially constructed interstate
17 bridge, as well as the construction of any new toll bridge.

18 4. "Acquisition by purchase, gift, or condemnation" as used in this
19 chapter shall mean acquisition by the state highway ~~commission~~ *de-*
20 *partment*, whether such terms "purchase, gift, or condemnation" are
21 used singularly or in sequence.

22 5. "Federal bridge commission" shall mean any bridge commission
23 organized and operating pursuant to an Act of the Congress of the
24 United States, even though such Act of Congress may declare the
25 bridge commission not to be an agency of the federal government.

1 SEC. 88. Section three hundred thirteen A point thirty-four
2 (313A.34), unnumbered paragraph one (1), Code 1973, is amended
3 to read as follows:

4 The ~~commission is authorized to~~ *director of transportation may, sub-*
5 *ject to the approval of the state transportation commission*, enter into
6 such agreement or agreements with other state highway commissions
7 and the governmental agencies or subdivisions of the state of Iowa or
8 other states and with federal bridge commissions as they shall find
9 necessary or convenient to carry out the purposes of this chapter, and
10 is authorized to do any and all acts contained in such agreement or
11 agreements that are necessary or convenient to carry out the purposes
12 of this chapter. Such agreements may include, but shall not be re-
13 stricted to, the following provisions:

1 SEC. 89. Sections three hundred thirteen A point two (313A.2),
2 three hundred thirteen A point three (313A.3), three hundred thir-
3 teen A point four (313A.4), three hundred thirteen A point five
4 (313A.5), three hundred thirteen A point six (313A.6), three hun-
5 dred thirteen A point seven (313A.7), three hundred thirteen A
6 point eight (313A.8), three hundred thirteen A point nine (313A.9),
7 three hundred thirteen A point ten (313A.10), three hundred thir-
8 teen A point eleven (313A.11), three hundred thirteen A point twelve
9 (313A.12), three hundred thirteen A point thirteen (313A.13), three
10 hundred thirteen A point fourteen (313A.14), three hundred thirteen

11 A point fifteen (313A.15), three hundred thirteen A point sixteen
 12 (313A.16), three hundred thirteen A point seventeen (313A.17),
 13 three hundred thirteen A point eighteen (313A.18), three hundred
 14 thirteen A point nineteen (313A.19), three hundred thirteen A point
 15 twenty (313A.20), three hundred thirteen A point twenty-one
 16 (313A.21), three hundred thirteen A point twenty-two (313A.22),
 17 three hundred thirteen A point twenty-three (313A.23), three hun-
 18 dred thirteen A point twenty-four (313A.24), three hundred thirteen
 19 A point twenty-five (313A.25), three hundred thirteen A point twenty-
 20 six (313A.26), three hundred thirteen A point twenty-seven
 21 (313A.27), three hundred thirteen A point twenty-eight (313A.28),
 22 three hundred thirteen A point twenty-nine (313A.29), three hun-
 23 dred thirteen A point thirty-one (313A.31), three hundred thirteen A
 24 point thirty-two (313A.32), three hundred thirteen A point thirty-
 25 four (313A.34), three hundred thirteen A point thirty-five (313A.35),
 26 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
 27 chapter one hundred thirty-six (136), section three hundred forty-
 28 nine (349), and three hundred thirteen A point thirty-six (313A.36),
 29 Code 1973, are amended by striking from such sections the words
 30 "state highway commission", "Iowa highway commission", and "com-
 31 mission" and inserting in lieu thereof the word "department".

1 SEC. 90. Chapter three hundred fourteen (314), Code 1973, is
 2 amended by adding the following new section:

3 NEW SECTION. **Definitions.** As used in this chapter, unless the con-
 4 text otherwise requires:

- 5 1. "Department" means the state department of transportation.
- 6 2. "Agency" means any governmental body which exercises juris-
 7 diction over any road as provided by law.

1 SEC. 91. Sections three hundred fourteen point one (314.1) and
 2 three hundred fourteen point three (314.3), Code 1973, are amended
 3 by striking from such sections the words "state highway commission"
 4 and "highway commission" and inserting in lieu thereof the word
 5 "department".

1 SEC. 92. Sections three hundred fourteen point one (314.1), three
 2 hundred fourteen point three (314.3), three hundred fourteen point
 3 four (314.4), three hundred fourteen point five (314.5), three hun-
 4 dred fourteen point nine (314.9), three hundred fourteen point ten
 5 (314.10), three hundred fourteen point eleven (314.11), and three hun-
 6 dred fourteen point twelve (314.12), Code 1973, are amended by strik-
 7 ing from such sections the words "board or commission" and "boards,
 8 commissions" and inserting in lieu thereof the word "agency".

1 SEC. 93. Section three hundred sixteen point one (316.1), subsec-
 2 tion seven (7), Code 1973, is amended by striking the subsection and
 3 inserting in lieu thereof the following:

- 4 7. "Department" means the state department of transportation.

1 SEC. 94. Sections three hundred sixteen point one (316.1), three
 2 hundred sixteen point four (316.4), three hundred sixteen point five
 3 (316.5), three hundred sixteen point six (316.6), three hundred six-
 4 teen point seven (316.7), three hundred sixteen point eight (316.8),
 5 three hundred sixteen point nine (316.9), three hundred sixteen point

6 ten (316.10), three hundred sixteen point thirteen (316.13), three
7 hundred sixteen point fourteen (316.14), and three hundred sixteen
8 point fifteen (316.15), Code 1973, are amended by striking from such
9 sections the words "commission" and "state highway commission" and
10 inserting in lieu thereof the word "department".

1 SEC. 95. Section three hundred seventeen point eleven (317.11),
2 Code 1973, is amended to read as follows:

3 **317.11 Weeds on roads or highways.** The board of supervisors
4 shall destroy noxious weeds growing in secondary roads, and the ~~high-~~
5 ~~way commission~~ *state department of transportation* shall destroy nox-
6 ious weeds growing on primary roads. Nothing herein shall prevent
7 the landowner from harvesting, in proper season, the grass grown on
8 the road along his land.

1 SEC. 96. Chapter three hundred nineteen (319), Code 1973, is
2 amended by adding the following new section:

3 **NEW SECTION. Definition.** As used in this chapter, unless the con-
4 text otherwise requires, "department" means the state department of
5 transportation.

1 SEC. 97. Section three hundred nineteen point eleven (319.11),
2 Code 1973, is amended to read as follows:

3 **319.11 Enforcement.** Boards of supervisors and county attorneys
4 as to secondary roads, and the ~~state highway commission~~ *department*
5 and the ~~attorney general~~ *department general counsel* as to primary
6 roads, shall enforce section 319.10 by appropriate civil or criminal pro-
7 ceeding or by both such proceedings.

1 SEC. 98. Sections three hundred nineteen point one (319.1), three
2 hundred nineteen point five (319.5), three hundred nineteen point
3 nine (319.9), and three hundred nineteen point thirteen (319.13), Code
4 1973, are amended by striking from such sections the words "state
5 highway commission" and "highway commission" and inserting in lieu
6 thereof the word "department".

1 SEC. 99. Sections three hundred twenty point four (320.4) and
2 three hundred twenty point eight (320.8), Code 1973, are amended
3 by striking from such sections the words "state highway commission"
4 and inserting in lieu thereof the words "state department of transpor-
5 tation".

1 SEC. 100. Section three hundred twenty-one point one (321.1),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter two hundred seven (207), section one (1), is
4 amended by striking subsections thirty-three (33) and thirty-four
5 (34) and inserting in lieu thereof the following:

6 33. "Department" means the state department of transportation.

7 34. "Director" means the director of the state department of trans-
8 portation or his designee.

1 SEC. 101. Section three hundred twenty-one point two (321.2),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 **321.2 Department.** The state department of transportation shall
5 administer and enforce the provisions of this chapter.

6 The division of the highway safety patrol of the department of public
7 safety shall enforce the provisions of this chapter relating to traffic
8 on the public highway of the state, including those relating to the
9 safe and legal operation of passenger cars, motorcycles, motor trucks,
10 and buses, and to see that proper safety rules are observed.

11 The state department of transportation and the department of public
12 safety shall cooperate to insure the proper and adequate enforcement
13 of the provisions of this chapter.

1 SEC. 102. Section three hundred twenty-one point six (321.6),
2 Code 1973, is amended to read as follows:

3 **321.6 Reciprocal enforcement—patrol beats in towns.** There shall
4 be reciprocal co-operation between the members of the *department*,
5 *the* state department of public safety and local authorities in the
6 enforcing of local and state traffic laws and in making inspections,
7 although this *section* shall not be construed to give the state depart-
8 ment of public safety any right to establish regular patrol beats inside
9 municipal limits unless requested for a special occasion or emergency
10 by the mayor of such city or town or the sheriff of the county.

1 SEC. 103. Section three hundred twenty-one point ninety-four
2 (321.94), Code 1973, is amended to read as follows:

3 **321.94 Test to determine true number.** Where it appears that a
4 factory, serial or motor number has been altered, defaced or tam-
5 pered with, any sheriff, state agent or peace officer of the department
6 of justice, or inspector employed by the ~~motor vehicle~~ department, or
7 any other person acting under their direction, may apply any recog-
8 nized process or test to the part containing such number for the pur-
9 pose of determining the true number.

1 SEC. 104. Section three hundred twenty-one point one hundred
2 forty-six (321.146), Code 1973, is amended to read as follows:

3 **321.146 Unexpended balances.** The treasurer of state shall at the
4 end of said fiscal year ascertain the cost of ~~maintenance of the motor~~
5 ~~vehicle department~~ *administering the motor vehicle registration pro-*
6 *visions of this chapter* and transfer to the road use tax fund the ascer-
7 tained difference between the amount retained in the general fund
8 under the provision of this chapter and the maintenance cost of said
9 department, together with any unexpended balance in the reimburse-
10 ment fund.

1 SEC. 105. Section three hundred twenty-one point two hundred
2 fifty-nine (321.259), unnumbered paragraph one (1), Code 1973, is
3 amended to read as follows:

4 No person shall place, maintain, or display upon or in view of any
5 highway any sign, signal, marking, or device which purports to be or
6 is an imitation of or resembles an official parking sign, curb or other
7 marking, traffic-control device or railroad sign or signal, or which at-
8 tempts to direct the movement of traffic, or which hides from view
9 or interferes with the effectiveness of any official traffic-control device
10 or any railroad sign or signal, if such sign, signal, marking, or device
11 has not been authorized by the ~~state highway commission with refer-~~
12 ~~ence to highways under their jurisdiction,~~ *department and* local author-
13 ities with reference to streets and highways under their jurisdiction,
14 ~~and the Iowa state commerce commission with reference to railroad~~

15 crossings, and no person shall place or maintain nor shall any public
 16 authority permit upon any highway any traffic sign or signal bearing
 17 thereon any commercial advertising. This shall not be deemed to pro-
 18 hibit the erection upon private property adjacent to highways of signs
 19 giving useful directional information of a type that cannot be mistaken
 20 for official signs.

1 SEC. 106. Section three hundred twenty-one point four hundred
 2 forty-five (321.445), unnumbered paragraph one (1), Code 1973, is
 3 amended to read as follows:

4 Every new or used car, pickup or school bus, 1966 model or newer,
 5 sold, offered for sale, or subject to registration in Iowa except com-
 6 mercial vehicles registered with the ~~commerce commission~~ *department*,
 7 shall be equipped with at least two sets of safety belts or safety har-
 8 nesses installed for use in the front seat of such vehicle; however,
 9 when a pickup or school bus has only an operator's seat, such vehicle
 10 need be equipped with only one safety belt or safety harness installed
 11 for use by the operator thereof. The safety belts or safety harnesses
 12 required shall not be removed unless replaced with approved safety
 13 belts or safety harnesses as long as the vehicle is subject to registra-
 14 tion.

1 SEC. 107. Section three hundred twenty-one point four hundred
 2 seventy-seven (321.477), Code 1973, is amended to read as follows:

3 **321.477 Employees as peace officers.** The ~~state highway commis-~~
 4 ~~sion department~~ may designate by resolution certain of its employees
 5 upon each of whom there is hereby conferred the authority of a peace
 6 officer to control and direct traffic and weigh vehicles, and to make
 7 arrests for violations of the motor vehicle laws relating to the *operat-*
 8 *ing authority*, registration, size, weight, and load of motor vehicles and
 9 trailers and registration of a motor carrier's interstate transportation
 10 service with the ~~Iowa commerce commission~~ *department*.

1 SEC. 108. Section three hundred twenty-one point five hundred
 2 (321.500), Code 1973, is amended to read as follows:

3 **321.500 Original notice—form.** The original notice of suit filed
 4 with the ~~commissioner~~ *director of transportation* shall be in form and
 5 substance the same as now provided in suits against residents of this
 6 state, except that that part of said notice pertaining to the return day
 7 shall be in substantially the following form, to wit:

8 "and unless you appear thereto and defend in the district court of
 9 Iowa in and for county at the courthouse in, Iowa
 10 before noon of the sixtieth day following the filing of this notice with
 11 the ~~commissioner of the public safety department~~ *director of trans-*
 12 *portation* of this state, default will be entered and judgment rendered
 13 against you by the court."

1 SEC. 109. Section three hundred twenty-one point five hundred
 2 two (321.502), Code 1973, is amended to read as follows:

3 **321.502 Notification to nonresident—form.** The notification, pro-
 4 vided for in section 321.501, shall be in substantially the following
 5 form, to wit:

6 "To (Here insert the name of each defendant and
 7 his residence or last known place of abode as definitely as known.)

8 You will take notice that an original notice of suit against you, a
 9 copy of which is hereto attached, was duly served upon you at Des
 10 Moines, Iowa, by filing a copy of said notice on the day of
 11, 19....., with the ~~commissioner of the public safety depart-~~
 12 ~~ment~~ *director of transportation* of the state of Iowa.

13 Dated at, Iowa, this day of, 19.....

14
 15 Plaintiff.

16 By

17 Attorney for plaintiff."

1 SEC. 110. Sections three hundred twenty-one point three (321.3),
 2 three hundred twenty-one point four (321.4), three hundred twenty-
 3 one point eight (321.8), three hundred twenty-one point nine (321.9),
 4 three hundred twenty-one point ten (321.10), three hundred twenty-
 5 one point twelve (321.12), three hundred twenty-one point thirty-five
 6 (321.35), as amended by Acts of the Sixty-fifth General Assembly,
 7 1973 Session, chapter two hundred nine (209), section two (2), three
 8 hundred twenty-one point forty-three (321.43), three hundred twenty-
 9 one point forty-four (321.44), three hundred twenty-one point eighty-
 10 six (321.86), three hundred twenty-one point one hundred five
 11 (321.105), as amended by Acts of the Sixty-fifth General Assembly,
 12 1973 Session, chapter two hundred twelve (212), section one (1),
 13 three hundred twenty-one point one hundred nine (321.109), three
 14 hundred twenty-one point one hundred sixty-five (321.165), three
 15 hundred twenty-one point one hundred seventy-seven (321.177),
 16 three hundred twenty-one point one hundred eighty-seven (321.187),
 17 three hundred twenty-one point one hundred ninety-six (321.196),
 18 three hundred twenty-one point two hundred ten (321.210), three
 19 hundred twenty-one point two hundred eleven (321.211), three hun-
 20 dred twenty-one point two hundred fifteen (321.215),* three hundred
 21 twenty-one point two hundred thirty-eight (321.238), as amended by
 22 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter two
 23 hundred eight (208), sections three (3) through seven (7), and chap-
 24 ter two hundred fifteen (215), section one (1), three hundred twenty-
 25 one point two hundred sixty-one (321.261), three hundred twenty-one
 26 point three hundred eighty-three (321.383), three hundred twenty-one
 27 point four hundred twenty-three (321.423), three hundred twenty-one
 28 point four hundred twenty-four (321.424), three hundred twenty-one
 29 point four hundred twenty-eight (321.428), three hundred twenty-one
 30 point four hundred twenty-nine (321.429), three hundred twenty-one
 31 point four hundred thirty (321.430), three hundred twenty-one point
 32 four hundred forty (321.440), three hundred twenty-one point four
 33 hundred forty-four (321.444), three hundred twenty-one point four
 34 hundred forty-five (321.445), three hundred twenty-one point four
 35 hundred fifty-one (321.451), three hundred twenty-one point four
 36 hundred sixty-two (321.462), three hundred twenty-one point four
 37 hundred sixty-four (321.464), three hundred twenty-one point four
 38 hundred eighty-four (321.484), three hundred twenty-one point four
 39 hundred ninety-eight (321.498), three hundred twenty-one point five
 40 hundred one (321.501), three hundred twenty-one point five hundred
 41 five (321.505), and three hundred twenty-one point five hundred nine

*Repealed by 65 GA, ch 1090, §131

42 (321.509), Code 1973, are amended by striking from such sections the
 43 words "commissioner", "commissioner of public safety", "safety com-
 44 missioner", and "commissioner of the public safety department" and
 45 inserting in lieu thereof the word "director".

1 SEC. 111. Sections three hundred twenty-one point nineteen
 2 (321.19), as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred twenty-one (121), section seventeen
 4 (17), three hundred twenty-one point sixty-six (321.66), three hun-
 5 dred twenty-one point seventy-one (321.71), as amended by Acts of
 6 the Sixty-fifth General Assembly, 1973 Session, chapter two hundred
 7 ten (210), sections one (1), two (2), and three (3), three hundred
 8 twenty-one point eighty-nine (321.89), three hundred twenty-one point
 9 one hundred seventy-four (321.174), three hundred twenty-one point
 10 one hundred seventy-eight (321.178), three hundred twenty-one point
 11 two hundred ten (321.210), three hundred twenty-one point two hun-
 12 dred thirty-eight (321.238), as amended by Acts of the Sixty-fifth
 13 General Assembly, 1973 Session, chapter two hundred eight (208),
 14 sections three (3) through seven (7), and chapter two hundred fifteen
 15 (215), section one (1), three hundred twenty-one point two hundred
 16 seventy-one (321.271), and three hundred twenty-one point three hun-
 17 dred seventy-six (321.376), Code 1973, are amended by striking from
 18 such sections the words "state department of public safety" and "de-
 19 partment of public safety" and inserting in lieu thereof the word
 20 "department".

1 SEC. 112. Sections three hundred twenty-one point one hundred
 2 seven (321.107) and three hundred twenty-one point one hundred
 3 twenty-six (321.126), Code 1973, are amended by striking from such
 4 sections the words "Iowa reciprocity board" and inserting in lieu
 5 thereof the word "department".

1 SEC. 113. Sections three hundred twenty-one point one hundred
 2 forty-eight (321.148), three hundred twenty-one point two hundred
 3 thirty-seven (321.237), three hundred twenty-one point two hundred
 4 forty-nine (321.249), three hundred twenty-one point two hundred
 5 fifty-two (321.252),* three hundred twenty-one point two hundred
 6 fifty-four (321.254), three hundred twenty-one point two hundred
 7 fifty-nine (321.259), three hundred twenty-one point two hundred
 8 eighty-five (321.285), three hundred twenty-one point two hundred
 9 eighty-nine (321.289), three hundred twenty-one point two hundred
 10 ninety (321.290), three hundred twenty-one point two hundred ninety-
 11 three (321.293), three hundred twenty-one point two hundred ninety-
 12 five (321.295), three hundred twenty-one point three hundred forty-
 13 two (321.342), three hundred twenty-one point three hundred forty-
 14 five (321.345), three hundred twenty-one point three hundred forty-
 15 seven (321.347), three hundred twenty-one point three hundred
 16 forty-eight (321.348), three hundred twenty-one point four hundred
 17 forty-three (321.443), as amended by Acts of the Sixty-fifth General
 18 Assembly, 1973 Session, chapter two hundred eighteen (218), section
 19 two (2), three hundred twenty-one point four hundred seventy-four
 20 (321.474), as amended by Acts of the Sixty-fifth General Assembly,
 21 1973 Session, chapter two hundred twenty (220), section three (3),

*Section 321.253 omitted

22 three hundred twenty-one point four hundred seventy-six (321.476),
 23 three hundred twenty-one point four hundred seventy-nine (321.479),
 24 and three hundred twenty-one point four hundred eighty (321.480),
 25 Code 1973, are amended by striking from such sections the words
 26 "highway commission" and "state highway commission" and inserting
 27 in lieu thereof the word "department".

1 SEC. 114. Section three hundred twenty-one A point one (321A.1),
 2 Code 1973, is amended by striking subsection one (1) and inserting
 3 in lieu thereof the following:

4 1. "Director" means the director of transportation or his designee.

1 SEC. 115. Section three hundred twenty-one A point two (321A.2),
 2 subsection one (1), Code 1973, is amended to read as follows:

3 1. The ~~commissioner~~ *director* shall administer and enforce the pro-
 4 visions of this chapter and may make rules necessary for its admin-
 5 istration and shall provide for hearings upon request of persons
 6 aggrieved by orders or acts of the ~~commissioner~~ *director* under the
 7 provisions of sections 321A.4 to 321A.11, inclusive.

8 Such hearings shall be held before the ~~commissioner or his duly~~
 9 ~~authorized agent~~ *director* as early as practicable within not to exceed
 10 twenty days after receipt of such request in the county wherein the
 11 requesting person resides unless the ~~commissioner~~ *director* and such
 12 person agree that such hearing may be held in some other county.
 13 Upon such hearing the ~~commissioner or his duly authorized agent~~
 14 *director* may administer oaths and may issue subpoenas for the at-
 15 tendance of witnesses and the production of relevant books and papers
 16 and may require an examination under oath of the person requesting
 17 such hearing.

1 SEC. 116. Section three hundred twenty-one A point thirty-five
 2 (321A.35), Code 1973, is amended to read as follows:

3 **321A.35 Past application of chapter.** This chapter shall not apply
 4 with respect to any accident, or judgment arising therefrom, or vio-
 5 lation of the motor vehicle laws of this state, occurring prior to Octo-
 6 ber 1, 1947. Any person who has before October 1, 1947, had his
 7 operator's license suspended or has had his motor vehicle registration
 8 plates suspended or who has been refused registration or license
 9 to operate a motor vehicle upon the highways of the state of Iowa,
 10 under the provisions of sections of the Code in effect before October 1,
 11 1947, and has not had such suspension removed, as therein provided,
 12 shall not be issued an operator's license nor be entitled to regis-
 13 tration of a motor vehicle in this state until proof is filed with the
 14 county treasurer and the *state* department of ~~public safety~~ *transportation*
 15 that the judgment against him rendered by the court has been
 16 stayed, satisfied or otherwise discharged of record.

1 SEC. 117. Sections three hundred twenty-one A point two
 2 (321A.2), three hundred twenty-one A point three (321A.3), three
 3 hundred twenty-one A point four (321A.4), three hundred twenty-
 4 one A point five (321A.5), three hundred twenty-one A point six
 5 (321A.6), three hundred twenty-one A point seven (321A.7), three
 6 hundred twenty-one A point nine (321A.9), three hundred twenty-one
 7 A point ten (321A.10), three hundred twenty-one A point eleven
 8 (321A.11), three hundred twenty-one A point twelve (321A.12), three

9 hundred twenty-one A point thirteen (321A.13), three hundred
 10 twenty-one A point sixteen (321A.16), three hundred twenty-one A
 11 point seventeen (321A.17), three hundred twenty-one A point nine-
 12 teen (321A.19), three hundred twenty-one A point twenty (321A.20),
 13 three hundred twenty-one A point twenty-two (321A.22), three hun-
 14 dred twenty-one A point twenty-four (321A.24), three hundred
 15 twenty-one A point twenty-five (321A.25), three hundred twenty-one
 16 A point twenty-six (321A.26), three hundred twenty-one A point
 17 twenty-seven (321A.27), three hundred twenty-one A point twenty-
 18 eight (321A.28), three hundred twenty-one A point twenty-nine
 19 (321A.29), three hundred twenty-one A point thirty-one (321A.31),
 20 and three hundred twenty-one A point thirty-four (321A.34), Code
 21 1973, are amended by striking from such sections the word "com-
 22 missioner" and inserting in lieu thereof the word "director".

1 SEC. 118. Section three hundred twenty-one B point two
 2 (321B.2), Code 1973, is amended by adding the following new para-
 3 graph:

4 NEW PARAGRAPH. As used in this chapter, unless the context other-
 5 wise requires, "director" means the director of transportation or his
 6 designee, and "department" means the state department of transpor-
 7 tation.

1 SEC. 119. Sections three hundred twenty-one B point seven
 2 (321B.7), three hundred twenty-one B point eight (321B.8), three
 3 hundred twenty-one B point nine (321B.9), three hundred twenty-one
 4 B point thirteen (321B.13),* three hundred twenty-one B point twenty
 5 (321B.20), and three hundred twenty-one B point twenty-four
 6 (321B.24), Code 1973, are amended by striking from such sections the
 7 words "commissioner", "commissioner of public safety", "commissioner
 8 or his authorized agent", "commissioner or his duly authorized agent",
 9 "commissioner or his agent", and "commissioner of public safety or
 10 his authorized agent" and inserting in lieu thereof the word "direc-
 11 tor".

1 SEC. 120. Sections three hundred twenty-one B point thirteen
 2 (321B.13), three hundred twenty-one B point sixteen (321B.16), three
 3 hundred twenty-one B point eighteen (321B.18), three hundred
 4 twenty-one B point twenty (321B.20), three hundred twenty-one B
 5 point twenty-four (321B.24), and three hundred twenty-one B point
 6 twenty-six (321B.26), Code 1973, are amended by striking from such
 7 sections the words "department of public safety" and inserting in lieu
 8 thereof the word "department".

1 SEC. 121. Section three hundred twenty-one C point one (321C.1),
 2 unnumbered paragraph one (1), Code 1973, is amended to read as
 3 follows:

4 ~~The commissioner of public safety is hereby authorized to~~ *director of*
 5 *transportation may, subject to the approval of the state transportation*
 6 *commission, enter into drivers license compacts with other jurisdic-*
 7 *tions legally joining therein in substantially the following form.*

1 SEC. 122. Section three hundred twenty-one D point one (321D.1),
 2 unnumbered paragraph one (1), Code 1973, is amended to read as
 3 follows:

*Not applicable

4 The ~~commissioner of public safety is hereby authorized to~~ director of
5 transportation may, subject to the approval of the state transportation
6 commission, enter into vehicle equipment safety compacts with other
7 jurisdictions legally joining therein in substantially the following
8 form.

1 SEC. 123. Chapter three hundred twenty-one E (321E), Code
2 1973, is amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, unless the con-
4 text otherwise requires, "department" means the state department of
5 transportation.

1 SEC. 124. Section three hundred twenty-one E point twenty-two
2 (321E.22), Code 1973, is amended to read as follows:

3 321E.22 **Service of process.** Service of such process shall be made
4 by serving a copy upon or filing a copy in the office of the secretary
5 of state. The service shall be sufficient service upon the person if
6 notice of the service and a copy of the process are within ten days
7 sent by registered mail by the ~~attorney general~~ department general
8 counsel to the permit holder at the last known address of said permit
9 holder. An affidavit of compliance therewith of the ~~attorney general~~
10 ~~or an assistant attorney general~~ department general counsel shall be
11 appended to the summons. The issuing authority may order such con-
12 tinuances as may be necessary to afford the permit holder reasonable
13 opportunity to defend the action. The secretary of state shall keep a
14 record of all such processes which shall show the day and hour of such
15 service.

1 SEC. 125. Sections three hundred twenty-one E point one (321E.1),
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Session,
3 chapter two hundred thirteen (213), section three (3), three hundred
4 twenty-one E point two (321E.2), three hundred twenty-one E point
5 ten (321E.10), three hundred twenty-one E point fourteen (321E.14),
6 three hundred twenty-one E point fifteen (321E.15), three hundred
7 twenty-one E point nineteen (321E.19), and three hundred twenty-
8 one E point twenty-five (321E.25), Code 1973, are amended by strik-
9 ing from such sections the words "commission", "state highway com-
10 mission", and "Iowa state highway commission" and inserting in lieu
11 thereof the word "department".

1 SEC. 126. Section three hundred twenty-one F point one (321F.1),
2 Code 1973, is amended by striking subsection eight (8), and inserting
3 in lieu thereof the following:

4 8. "Director" means the director of transportation or his designee.

1 SEC. 127. Sections three hundred twenty-one F point three
2 (321F.3), three hundred twenty-one F point five (321F.5), three hun-
3 dred twenty-one F point six (321F.6), three hundred twenty-one F
4 point seven (321F.7), and three hundred twenty-one F point eleven
5 (321F.11), Code 1973, are amended by striking from such sections
6 the word "commissioner" and inserting in lieu thereof the word "di-
7 rector".

1 SEC. 128. Sections three hundred twenty-one G point two
2 (321G.2) and three hundred twenty-one G point fourteen (321G.14),
3 Code 1973, are amended by striking from such sections the words

4 "commissioner of public safety" and inserting in lieu thereof the
5 words "director of transportation".

1 SEC. 129. Section three hundred twenty-two point one (322.1),
2 Code 1973, is amended to read as follows:

3 **322.1 Administration.** The administration of this chapter shall be
4 vested in the ~~commissioner of public safety~~ *director of transportation*.
5 The ~~commissioner~~ *department* may employ such employees as are
6 necessary for the administration of this chapter, provided the amount
7 expended in any one year shall not exceed the revenue derived from
8 the provisions of this chapter.

1 SEC. 130. Section three hundred twenty-two point two (322.2),
2 subsection two (2), Code 1973, is amended to read as follows:

3 2. "Department" means the *state* department of ~~public safety~~ *trans-*
4 *portation*.

1 SEC. 131. Section three hundred twenty-two point twelve
2 (322.12), Code 1973, is amended by striking unnumbered paragraph
3 two (2).

1 SEC. 132. Section three hundred twenty-two point twenty-four
2 (322.24), Code 1973, is amended to read as follows:

3 **322.24 Hearing.** The ~~commissioner of public safety~~ *director of*
4 *transportation* shall have the power to issue subpoenas to compel the
5 attendance of witnesses and the production of documents, papers,
6 books, records and other evidence before him in any matter over which
7 he has jurisdiction, control or supervision pertaining to this chapter.

8 If any person shall refuse to obey any such subpoena, or to give
9 testimony, or to produce evidence as required thereby, any judge of the
10 district court of the state of Iowa in and for Polk county may, upon
11 application and proof of such refusal, make an order awarding process
12 of subpoena, or subpoena duces tecum, out of the said court, for the
13 witness to appear before the ~~commissioner~~ *director of transportation*
14 and to give testimony, and to produce evidence as required thereby.
15 Upon filing such order in the office of the clerk of said court, the clerk
16 shall issue process of subpoena, as directed, under the seal of said
17 court, requiring the person to whom it is directed to appear at the time
18 and place therein designated.

1 SEC. 133. Section three hundred twenty-two A point one (322A.1),
2 subsection eight (8), Code 1973, is amended by striking the subsection
3 and inserting in lieu thereof the following:

4 8.* "Board" means the transportation regulation board of the state
5 department of transportation.

1 SEC. 134. Sections three hundred twenty-two A point six (322A.6),
2 three hundred twenty-two A point seven (322A.7), three hundred
3 twenty-two A point eight (322A.8), three hundred twenty-two A point
4 nine (322A.9), three hundred twenty-two A point ten (322A.10),
5 three hundred twenty-two A point thirteen (322A.13), three hundred
6 twenty-two A point fifteen (322A.15), three hundred twenty-two A
7 point sixteen (322A.16), and three hundred twenty-two A point seven-
8 teen (322A.17), Code 1973, are amended by striking from such sec-
9 tions the word "commission" and inserting in lieu thereof the word
10 "board".

*"7" probably intended

1 SEC. 135. Section three hundred twenty-five point one (325.1), sub-
2 section four (4), Code 1973, is amended by striking the subsection and
3 inserting in lieu thereof the following:

4 4. "Board" means the transportation regulation board of the state
5 department of transportation.

1 SEC. 136. Section three hundred twenty-five point one (325.1),
2 Code 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. "Department" means the state department of
4 transportation.

1 SEC. 137. Section three hundred twenty-five point twenty-two
2 (325.22),* Code 1973, is amended to read as follows:

3 325.22 **Transcript on appeal.** Upon appeal being taken, the secre-
4 tary of the ~~commission board~~ shall make and certify a transcript of all
5 papers, records, and proceedings in connection with such application
6 and hearing and file the same with the clerk of said court within
7 twenty days following the taking of such appeal.

1 SEC. 138. Sections three hundred twenty-five point two (325.2),
2 three hundred twenty-five point three (325.3), three hundred twenty-
3 five point four (325.4), three hundred twenty-five point six (325.6),
4 three hundred twenty-five point seven (325.7), three hundred twenty-
5 five point nine (325.9), three hundred twenty-five point ten (325.10),
6 three hundred twenty-five point twelve (325.12), three hundred
7 twenty-five point thirteen (325.13), three hundred twenty-five point
8 fourteen (325.14), three hundred twenty-five point sixteen (325.16),
9 three hundred twenty-five point twenty (325.20), three hundred
10 twenty-five point twenty-one (325.21), three hundred twenty-five
11 point twenty-three (325.23),** three hundred twenty-five point twenty-
12 five (325.25), three hundred twenty-five point twenty-six (325.26),
13 three hundred twenty-five point thirty-one (325.31), three hundred
14 twenty-five point thirty-two (325.32), three hundred twenty-five point
15 thirty-three (325.33), three hundred twenty-five point thirty-five
16 (325.35), three hundred twenty-five point thirty-eight (325.38), and
17 three hundred twenty-five point thirty-nine (325.39), Code 1973, are
18 amended by striking from such sections the words "commission" and
19 "state commerce commission" and inserting in lieu thereof the word
20 "board".

1 SEC. 139. Sections three hundred twenty-five point three (325.3),
2 three hundred twenty-five point eighteen (325.18), three hundred
3 twenty-five point twenty-eight (325.28), three hundred twenty-five
4 point twenty-nine (325.29), as amended by Acts of the Sixty-fifth
5 General Assembly, 1973 Session, chapter one hundred forty (140),
6 section thirty-seven (37), three hundred twenty-five point thirty-three
7 (325.33), three hundred twenty-five point thirty-eight (325.38),***
8 and three hundred twenty-five point thirty-nine (325.39),*** Code
9 1973, are amended by striking from such sections the words "state
10 department of public safety", "department of public safety", "com-
11 missioner", and "commissioner of public safety" and inserting in lieu
12 thereof the word "department".

*Repealed by 65 GA, ch 1090, §211

**Repealed by 65 GA, ch 1090, §211

***Not applicable

1 SEC. 140. Section three hundred twenty-six point one (326.1),*
 2 subsections one (1) and two (2), Code 1973, are amended by strik-
 3 ing such subsections and inserting in lieu thereof the following:

4 1. "Department" means the state department of transportation.

5 2. "Director" means the director of transportation or his designee.

1 SEC. 141. Section three hundred twenty-six point five (326.5),
 2 Code 1973, is amended to read as follows:

3 **326.5 Authority to agree to reciprocity.** The ~~board~~ *director* may,
 4 *subject to the approval of the transportation commission*, enter into
 5 reciprocity agreements with the duly authorized representatives of
 6 any jurisdiction exempting nonresidents of this state using the high-
 7 ways of this state from the registration requirements of chapter 321
 8 and payment of any fees to this state with such conditions, restrictions,
 9 and privileges or lack of same as the ~~board~~ *director* deems advisable.

1 SEC. 142. Section three hundred twenty-six point fourteen
 2 (326.14), Code 1973, is amended to read as follows:

3 **326.14 Plates and receipts from safety department.** The ~~board~~
 4 ~~shall obtain registration plates and receipts to be issued pursuant to~~
 5 ~~apportionment agreements or arrangements authorized under this~~
 6 ~~chapter from the department of public safety in accordance with law.~~
 7 The ~~board~~ *department* shall then issue such registration plates and
 8 receipts pursuant to apportionment agreements or arrangements
 9 authorized under this chapter.

1 SEC. 143. Section three hundred twenty-six point eighteen
 2 (326.18), Code 1973, is amended to read as follows:

3 **326.18 Fully registered for interstate movement.** When a nonresi-
 4 dent fleet owner has registered vehicles on a prorated basis, the vehi-
 5 cles shall be considered fully registered insofar as interstate com-
 6 merce is concerned. The privileges granted to a nonresident pursuant
 7 to this chapter shall permit the operation of a vehicle which is simul-
 8 taneously engaged in interstate movements and intrastate commerce,
 9 provided that the owner has intrastate authority or rights granted by
 10 the ~~Iowa state commerce commission~~ *transportation regulation board*.
 11 Each vehicle upon which an Iowa base plate is required to be displayed
 12 under this chapter shall be considered fully registered for both inter-
 13 state commerce and intrastate commerce.

1 SEC. 144. Section three hundred twenty-six point thirty-one
 2 (326.31), Code 1973, is amended to read as follows:

3 **326.31 Filing incorrect information—effect.** Whenever the ~~reci-~~
 4 ~~procity board~~ *director* has reason to believe that a fleet owner has filed
 5 incorrect information with the ~~reciprocity board~~, ~~department of public~~
 6 ~~safety, department~~ or the department of revenue, for the purpose of
 7 reducing the fleet owner's obligation for registration fees or fuel taxes,
 8 the ~~reciprocity board~~ *director* may cancel the apportioned registra-
 9 tion privileges on all of the vehicles owned by such person. Any person
 10 who has such privileges canceled shall be subject to the payment of the
 11 full annual registration fee for all vehicles operated on the highways
 12 of this state for a period of at least five years thereafter. The ~~com-~~
 13 ~~missioner of public safety and the director of revenue~~ shall co-operate
 14 with the ~~reciprocity board~~ *department* in ascertaining the accuracy of
 15 all reports filed pertaining to registration fees and motor fuel taxes.

*"326.2" probably intended

16 Any person whose privileges are canceled may request an adminis-
 17 trative hearing of said action *before the transportation regulation*
 18 *board*, and during the period pending the hearing the apportioned
 19 registration privileges shall be reinstated if the fleet owner posts secu-
 20 rity with the ~~reciprocity board~~ *department* in an amount sufficient to
 21 pay such full annual fees if an adverse decision is rendered at the
 22 hearing. At such hearing the fleet owner shall have the burden of
 23 proof as to the accuracy of any report filed by the fleet owner with the
 24 ~~reciprocity board, department of public safety, department~~ or the
 25 department of revenue. Any person aggrieved by a decision reached
 26 at the administrative hearing may appeal from such decision *of the*
 27 *transportation regulation board* to the district court.*

1 SEC. 145. Section three hundred twenty-six point thirty-four
 2 (326.34), subsections one (1) and two (2), Code 1973, are amended by
 3 striking the subsections and inserting in lieu thereof the following:

- 4 1. "Director" means the director of transportation or his designee.
- 5 2. "Participating agencies" means the state department of trans-
 6 portation and the department of revenue.

1 SEC. 146. Sections three hundred twenty-six point six (326.6),
 2 three hundred twenty-six point seven (326.7), three hundred twenty-
 3 six point ten (326.10), three hundred twenty-six point eleven (326.11),
 4 three hundred twenty-six point twelve (326.12), three hundred twenty-
 5 six point thirteen (326.13), three hundred twenty-six point fifteen
 6 (326.15), three hundred twenty-six point sixteen (326.16), three hun-
 7 dred twenty-six point nineteen (326.19), three hundred twenty-six
 8 point twenty (326.20), three hundred twenty-six point twenty-one
 9 (326.21), three hundred twenty-six point twenty-two (326.22), three
 10 hundred twenty-six point twenty-three (326.23), three hundred
 11 twenty-six point twenty-four (326.24), three hundred twenty-six
 12 point twenty-five (326.25), three hundred twenty-six point twenty-six
 13 (326.26), three hundred twenty-six point twenty-seven (326.27), three
 14 hundred twenty-six point twenty-eight (326.28), and three hundred
 15 twenty-six point twenty-nine (326.29), Code 1973, are amended by
 16 striking from such sections the words "board", "reciprocity board",
 17 and "Iowa reciprocity board" and inserting in lieu thereof the word
 18 "department".

1 SEC. 147. Sections three hundred twenty-six point thirteen
 2 (326.13), three hundred twenty-six point nineteen (326.19), three
 3 hundred twenty-six point twenty-eight (326.28), three hundred
 4 twenty-six point thirty-six (326.36), three hundred twenty-six point
 5 thirty-seven (326.37), and three hundred twenty-six point thirty-eight
 6 (326.38),** Code 1973, are amended by striking from such sections
 7 the words "executive secretary" and inserting in lieu thereof the word
 8 "director".

1 SEC. 148. Section three hundred twenty-seven point one (327.1),
 2 subsection four (4), Code 1973, is amended by striking the subsection
 3 and inserting in lieu thereof the following:

- 4 4. "Board" means the transportation regulation board of the state
 5 department of transportation.

*Cannot apply, see 65 GA, ch 1090, §138

**Not applicable

1 SEC. 149. Section three hundred twenty-seven point one (327.1),
2 Code 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. "Department" means the state department of
4 transportation.

1 SEC. 150. Sections three hundred twenty-seven point two (327.2),
2 three hundred twenty-seven point three (327.3), three hundred
3 twenty-seven point four (327.4), three hundred twenty-seven point
4 six (327.6), three hundred twenty-seven point eight (327.8), three
5 hundred twenty-seven point nine (327.9), three hundred twenty-
6 seven point eleven (327.11), three hundred twenty-seven point fourteen
7 (327.14), three hundred twenty-seven point fifteen (327.15), three
8 hundred twenty-seven point sixteen (327.16), three hundred twenty-
9 seven point nineteen (327.19), three hundred twenty-seven point
10 twenty-one (327.21), and three hundred twenty-seven point twenty-
11 three (327.23), Code 1973, are amended by striking from such sections
12 the words "commission" and "Iowa state commerce commission" and
13 inserting in lieu thereof the word "board".

1 SEC. 151. Sections three hundred twenty-seven point two (327.2),
2 three hundred twenty-seven point three (327.3), three hundred twenty-
3 seven point eight (327.8), three hundred twenty-seven point ten
4 (327.10), three hundred twenty-seven point sixteen (327.16), three
5 hundred twenty-seven point seventeen (327.17), three hundred twenty-
6 seven point eighteen (327.18), three hundred twenty-seven point twenty
7 (327.20), and three hundred twenty-seven point twenty-two (327.22),
8 Code 1973, are amended by striking the words "department of public
9 safety", "commissioner of public safety", and "reciprocity board" and
10 inserting in lieu thereof the word "department".

1 SEC. 152. Section three hundred twenty-seven A point one
2 (327A.1), subsection five (5), Code 1973, is amended by striking the
3 subsection and inserting in lieu thereof the following:

4 5. "Board" means the transportation regulation board of the state
5 department of transportation.

1 SEC. 153. Section three hundred twenty-seven A point one
2 (327A.1), Code 1973, is amended by adding the following new subsec-
3 tion:

4 NEW SUBSECTION. "Department" means the state department of
5 transportation.

1 SEC. 154. Sections three hundred twenty-seven A point two
2 (327A.2), three hundred twenty-seven A point four (327A.4), three
3 hundred twenty-seven A point five (327A.5), three hundred twenty-
4 seven A point eight (327A.8), three hundred twenty-seven A point
5 nine (327A.9), three hundred twenty-seven A point twelve (327A.12),
6 three hundred twenty-seven A point fourteen (327A.14), three hun-
7 dred twenty-seven A point eighteen (327A.18), three hundred
8 twenty-seven A point nineteen (327A.19), and three hundred twenty-
9 seven A point twenty (327A.20), Code 1973, are amended by striking
10 from such sections the words "commission" and "state commerce com-
11 mission" and inserting in lieu thereof the word "board".

1 SEC. 155. Sections three hundred twenty-seven A point six
2 (327A.6), three hundred twenty-seven A point seven (327A.7), as
3 amended by Acts of the Sixty-fifth General Assembly, 1973 Session,

4 chapter one hundred forty (140), section thirty-eight (38), three
 5 hundred twenty-seven A point nine (327A.9), three hundred twenty-
 6 seven A point twelve (327A.12), and three hundred twenty-seven A
 7 point seventeen (327A.17), Code 1973, are amended by striking from
 8 such sections the words "department of public safety", "state depart-
 9 ment of public safety", and "commissioner of public safety" and in-
 10 serting in lieu thereof the word "department".

1 SEC. 156. Sections three hundred twenty-seven B point one
 2 (327B.1), three hundred twenty-seven B point two (327B.2), three
 3 hundred twenty-seven B point three (327B.3),* and three hundred
 4 twenty-seven B point four (327B.4),* Code 1973, are amended by strik-
 5 ing from such sections the words "commission" and "Iowa state com-
 6 merce commission" and inserting in lieu thereof the words "state
 7 department of transportation".

1 SEC. 157. Section three hundred twenty-eight point one (328.1),
 2 subsection eleven (11), Code 1973, is amended by striking the subsec-
 3 tion and inserting in lieu thereof the following:

4 11. a. "Commission" means the state transportation commission of
 5 the state department of transportation.

6 b. "Department" means the state department of transportation.

7 c. "Director" means the director of transportation or his designee.

1 SEC. 158. Section three hundred twenty-eight point twelve
 2 (328.12), Code 1973, is amended to read as follows:

3 **328.12 Powers and duties.** The commission *in carrying out its*
 4 *duties relating to aeronautics* shall have the following powers and
 5 duties:

6 1. Promotion of aeronautics. It is empowered and directed to en-
 7 courage, foster and assist in the general development and promotion
 8 of aeronautics in this state, and to make disbursements from the state
 9 aviation fund for such purposes.

10 2. Rules and regulations. It shall have power to make such reason-
 11 able rules and regulations, consistent with the provisions of this chap-
 12 ter, as may be deemed by the commission to be necessary and expedient
 13 for the administration of the affairs of the commission, and the admin-
 14 istration and enforcement of this chapter, and to amend said rules and
 15 regulations at any time.

16 3. Filing of rules. It shall keep on file at the office of the commis-
 17 sion, for public inspection, a copy of all its *aeronautic* rules and regu-
 18 lations with all amendments thereto, and mail copy thereof to all
 19 registered landing areas in this state.

20 4. Technical services available. It shall, insofar as is reasonably
 21 possible, make available the engineering and other technical services
 22 of the ~~commission~~ *department*, without charge, in connection with
 23 aeronautics.

24 5. Intervention. It may participate as party plaintiff or defendant,
 25 or as intervenor, complainant or movant, on behalf of the state or any
 26 municipality or citizen thereof, in any proceeding having to do with
 27 aeronautics; provided, however, that in any application before the
 28 civil aeronautics board the commission shall take no position as be-
 29 tween applicants or municipalities.

*Not applicable

30 6. Enforcement of aeronautics laws. It shall be the duty of the
 31 ~~commission, its members and employees, and the director of aeronau-~~
 32 ~~ties, department~~ to enforce and assist in the enforcement of this chap-
 33 ter and of all rules and regulations issued pursuant thereto, and of all
 34 other laws of this state relating to aeronautics; and, in the aid of such
 35 enforcement and within the scope of such duties general powers of
 36 peace officers are hereby conferred upon the commission, ~~each of its~~
 37 ~~members, the director of aeronautics, and such of the officers and~~
 38 ~~employees of the commission department~~ as may be designated by ~~it~~
 39 ~~the commission~~ to exercise such powers. The commission is further
 40 authorized, in the name of this state, to enforce the provisions of this
 41 chapter and the rules and regulations issued pursuant thereto by
 42 injunction in the courts of this state.

43 7. Use of existing facilities. The commission, in the discharge of
 44 all functions prescribed by this chapter, law enforcement, technical,
 45 and other, to every feasible extent shall use the facilities of other
 46 agencies of the state, and such agencies are authorized and directed
 47 to make available to the commission such facilities and services.

48 8. Investigations. The commission, ~~any member thereof, the direc-~~
 49 ~~tor of aeronautics, or any officer or employee of the commission depart-~~
 50 ~~ment~~ designated by it, when acting for, and with the authority of the
 51 commission, shall have the power to hold investigations, inquiries, and
 52 hearings concerning matters covered by the provisions of this chapter
 53 and orders, rules, and regulations of the commission. In any such
 54 inquiry, investigation, or hearing, the person acting for the commis-
 55 sion shall have power to administer oaths and affirmations, certify to
 56 all official acts, issue subpoenas, and compel the attendance and testi-
 57 mony of witnesses, and the production of papers, books, and docu-
 58 ments.

59 9. Reports of investigations—limitations on use. The reports of
 60 investigations or hearings, or any part thereof, shall not be admitted
 61 in evidence or used for any purpose in any civil suit, growing out of
 62 any matter referred to in said investigation, hearing, or report thereof,
 63 except in case of criminal or other proceedings instituted in behalf of
 64 the commission or this state under the provisions of this chapter and
 65 other laws of this state relating to aeronautics.

66 10. Authority to contract. It may enter into any contracts neces-
 67 sary to the execution of the powers granted it by this chapter.

68 11. No exclusive rights granted. It shall grant no exclusive right
 69 for the use of any airway, airport, landing area, or other air naviga-
 70 tion facility under its jurisdiction.

1 SEC. 159. Sections three hundred twenty-eight point nineteen
 2 (328.19), three hundred twenty-eight point twenty (328.20), three
 3 hundred twenty-eight point twenty-one (328.21), three hundred
 4 twenty-eight point twenty-six (328.26), three hundred twenty-eight
 5 point twenty-seven (328.27), three hundred twenty-eight point
 6 twenty-nine (328.29), three hundred twenty-eight point thirty
 7 (328.30), three hundred twenty-eight point thirty-one (328.31), three
 8 hundred twenty-eight point thirty-two (328.32), three hundred
 9 twenty-eight point thirty-three (328.33), three hundred twenty-eight
 10 point thirty-four (328.34), three hundred twenty-eight point thirty-
 11 six (328.36), three hundred twenty-eight point thirty-seven (328.37),
 12 three hundred twenty-eight point thirty-eight (328.38), three hundred
 13 twenty-eight point thirty-nine (328.39), three hundred twenty-eight

14 point forty (328.40), three hundred twenty-eight point forty-one
 15 (328.41), three hundred twenty-eight point forty-three (328.43),
 16 three hundred twenty-eight point forty-four (328.44), three hundred
 17 twenty-eight point forty-five (328.45), three hundred twenty-eight
 18 point forty-nine (328.49), and three hundred twenty-eight point
 19 fifty-two (328.52), Code 1973, are amended by striking from such
 20 sections the words "commission" and "aeronautics commission" and
 21 inserting in lieu thereof the word "department".

1 SEC. 160. Section three hundred twenty-nine point one (329.1),
 2 subsection nine (9), Code 1973, is amended by striking the subsection
 3 and inserting in lieu thereof the following:

4 9. "Department" means the state department of transportation.

1 SEC. 161. Section three hundred twenty-nine point six (329.6),
 2 Code 1973, is amended by striking the words "aeronautics commission
 3 of the state" and inserting in lieu thereof the word "department".

1 SEC. 162. Section three hundred thirty point nine (330.9), unnum-
 2 bered paragraph one (1), Code 1973, is amended to read as follows:

3 Before an airport is acquired by any such city or town the plans and
 4 specifications therefor shall be submitted to the ~~Iowa state aeronautics~~
 5 ~~commission~~ *department of transportation* which shall require that they
 6 show:

1 SEC. 163. Chapter four hundred seventy-four (474), Code 1973,
 2 is amended by adding the following new section:

3 **NEW SECTION. Definition.** As used in this chapter, unless the con-
 4 text otherwise requires "department" means the state department of
 5 transportation.

1 SEC. 164. Section four hundred seventy-four point ten (474.10),
 2 Code 1973, is amended to read as follows:

3 **474.10 General jurisdiction.** The ~~commission~~ *state department of*
 4 *transportation* shall have general supervision of all railroads in the
 5 state, express companies, car companies, sleeping-car companies,
 6 freight and freight-line companies, interurban railway companies,
 7 motor carriers, and any common carrier engaged in the transportation
 8 of passengers or freight by railroads, except street railroads, and also
 9 ~~all lines for the transmission, sale, and distribution of electrical current~~
 10 ~~for light, heat, or power, except in cities and towns.~~ It shall investigate
 11 any alleged neglect or violation of law by any such common carrier,
 12 its agents, officers, or employees.

1 SEC. 165. Section four hundred seventy-four point twenty-four
 2 (474.24), Code 1973, is amended to read as follows:

3 **474.24 Jurisdiction of courts to enforce order.** The district courts
 4 of this state shall have jurisdiction to enforce, by proper decrees, in-
 5 junctions, and orders, the rulings, orders and regulations affecting
 6 public rights, made by the ~~commission~~ *state department of transpor-*
 7 *tation* as authorized by law for the direction and observance of rail-
 8 roads in this state. The proceedings therefor shall be by equitable
 9 action in the name of the state, and shall be instituted by the ~~com-~~
 10 ~~merce~~ ~~counsel~~ *department general counsel*, whenever advised by the ~~com-~~
 11 ~~mission~~ *department* that any railway corporation, or person oper-
 12 ating a line of road in this state, is violating and refusing to comply
 13 with any rule, order, or regulation made by the ~~commission~~ *depart-*
 14 *ment*, and applicable to such railroad or person.

1 SEC. 166. Section four hundred seventy-four point thirty-nine
2 (474.39), Code 1973, is amended to read as follows:

3 **474.39 Duty of ~~commerce~~ general counsel and county attorney.**
4 When any proceeding has been instituted under sections 474.37 and
5 474.38, the ~~commerce~~ department general counsel shall prosecute the
6 same, and the county attorney of the county in which such proceeding
7 is pending shall render such assistance as the ~~commerce~~ department
8 general counsel may require of him.

1 SEC. 167. Section four hundred seventy-four point forty-three
2 (474.43), Code 1973, is amended to read as follows:

3 **474.43 Suits by ~~commission~~ department.** When the ~~commission~~
4 department has reason to believe that any common carrier has been
5 guilty of extortion or unjust discrimination, it shall immediately cause
6 actions to be commenced and prosecuted against such carrier. Such
7 action may be brought in any county through or into which any line
8 of railway owned or operated by such carrier may extend. No actions
9 thus commenced shall be dismissed unless the ~~commission~~ department
10 and the ~~commerce~~ department general counsel consent thereto. The
11 court in which any such action is pending may, in its discretion, give
12 preference as to the time of trial of such action over other business,
13 except criminal cases.

1 SEC. 168. Section four hundred seventy-four point fifty-three
2 (474.53), subsection ten (10), Code 1973, is amended to read as fol-
3 lows:

4 10. Such statistics of the road and of its transportation business for
5 the year as may, in the judgment of the ~~commissioners~~ department, be
6 necessary and proper for the information of the general assembly or
7 as may be required by the governor.

1 SEC. 169. Sections four hundred seventy-four point eleven
2 (474.11), four hundred seventy-four point twelve (474.12), four hun-
3 dred seventy-four point thirteen (474.13), four hundred seventy-four
4 point fourteen (474.14), four hundred seventy-four point fifteen
5 (474.15), four hundred seventy-four point sixteen (474.16), four
6 hundred seventy-four point seventeen (474.17), four hundred seventy-
7 four point eighteen (474.18), four hundred seventy-four point nine-
8 teen (474.19), four hundred seventy-four point twenty (474.20), four
9 hundred seventy-four point twenty-two (474.22), four hundred
10 seventy-four point twenty-five (474.25), four hundred seventy-four
11 point twenty-six (474.26), four hundred seventy-four point twenty-
12 seven (474.27), four hundred seventy-four point twenty-eight
13 (474.28), four hundred seventy-four point twenty-nine (474.29), four
14 hundred seventy-four point thirty-one (474.31), four hundred seventy-
15 four point thirty-two (474.32), four hundred seventy-four point thirty-
16 three (474.33), four hundred seventy-four point thirty-four (474.34),
17 four hundred seventy-four point thirty-five (474.35), four hundred
18 seventy-four point thirty-six (474.36), four hundred seventy-four
19 point thirty-seven (474.37), four hundred seventy-four point thirty-
20 eight (474.38), four hundred seventy-four point forty (474.40), four
21 hundred seventy-four point forty-two (474.42), four hundred seventy-
22 four point forty-four (474.44), four hundred seventy-four point forty-
23 six (474.46), four hundred seventy-four point forty-seven (474.47),
24 four hundred seventy-four point forty-nine (474.49), four hundred

25 seventy-four point fifty (474.50), four hundred seventy-four point
 26 fifty-one (474.51), four hundred seventy-four point fifty-two (474.52),
 27 and four hundred seventy-four point fifty-three (474.53), Code 1973,
 28 are amended by striking from such sections the words "commission",
 29 "state commerce commission", and "Iowa state commerce commission"
 30 and inserting in lieu thereof the word "department".

1 SEC. 170. Section four hundred seventy-five point seven (475.7),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **475.7 Duties.** The commerce counsel shall:

5 1. Act as attorney for, and legal advisor of, the Iowa state com-
 6 merce commission.

7 2. Investigate the legality of all rates, charges, rules, regulations,
 8 and practices of all persons under the jurisdiction of the commission,
 9 and institute civil proceedings before the commission or any court to
 10 correct any illegality on the part of any such person and prosecute the
 11 same to final determination.

12 3. Appear for the commission or for the state and its citizens and
 13 industries in all actions instituted in any state or federal court which
 14 involves the validity of any rule, regulation, or order of the commis-
 15 sion, and prosecute in any state or federal court in the name of the
 16 state, all actions necessary to enforce, or to restrain the violation of
 17 any rule, order, or regulation of the commission.

1 SEC. 171. Section four hundred seventy-six point eighteen
 2 (476.18), Code 1973, is amended to read as follows:

3 **476.18 Preferred stock.** Any railway corporation may increase its
 4 capital stock by the issuance of preferred stock in one or more classes
 5 entitled to such rate or rates of preferred dividends not exceeding
 6 eight percent per annum, and to such other preferences including
 7 accumulation thereon for future payment of any dividends not earned
 8 or paid in any fiscal or corporate year, and with such other priv-
 9 ileges and rights as may be authorized by the stockholders pursuant
 10 hereto, and may issue the same either in exchange for property upon
 11 compliance with the provisions of sections 492.5 to 492.8, inclusive, or
 12 for sale for cash at par or for the retirement of its indebtedness at
 13 the rate of par for par; no such stock increase shall be made, and no
 14 such preferred stock shall be issued, unless authorized by the vote
 15 of not less than seventy-five percent of the total amount of the capital
 16 stock of such corporation at the time outstanding, expressed at a
 17 meeting called for the purpose, upon not less than thirty days' notice
 18 inserted in a newspaper published in the city or town wherein such
 19 corporation may have its principal place of business in this state, and
 20 mailed to each stockholder of record at his address appearing upon
 21 the stock books of such corporation, provided that the plan and pur-
 22 pose for the issuance of any preferred stock under the provisions of
 23 this section, shall first be submitted to and receive the approval of the
 24 ~~Iowa state commerce commission~~ *department of transportation*.

1 SEC. 172. Section four hundred seventy-seven point thirty-six
 2 (477.36), Code 1973, is amended to read as follows:

3 **477.36 Duty to enforce.** It shall be the duty of the ~~said Iowa state~~
 4 ~~commerce commission~~ *department of transportation* to enforce the
 5 provisions of section 477.35, and, upon a complaint signed by five or

6 more shippers of livestock, it shall be its duty to investigate the stock-
7 yards and loading facilities at any such station and determine their
8 adequacy and shall have power to make such order for the improve-
9 ment of said yards as shall, in its judgment, seem necessary.

1 SEC. 173. Section four hundred seventy-seven point forty-eight
2 (477.48), Code 1973, is amended to read as follows:

3 477.48 **Investigation by ~~commission~~ department.** It shall be the
4 duty of the ~~lowa state commeree commission~~ *department of transpor-*
5 *tation* to receive written statements of violations of section 477.45, and
6 when so requested to hold the same without disclosure of the name of
7 the person making such statement, and to investigate each and every
8 complaint filed alleging such violation.

1 SEC. 174. Section four hundred seventy-seven point forty-nine
2 (477.49), Code 1973, is amended to read as follows:

3 477.49 **Hearing—report.** The ~~commission~~ *state department of*
4 *transportation* in making such investigation shall have the power to
5 administer oaths, interrogate witnesses, take testimony, and require
6 the production of books and papers, and must file a report of such
7 investigation in writing with a full statement of its finding to the
8 governor.

1 SEC. 175. Section four hundred seventy-seven point fifty (477.50),
2 Code 1973, is amended to read as follows:

3 477.50 **Prosecutions.** In all cases of violation of said provisions,
4 the state ~~commeree commission~~ *department of transportation*, through
5 the ~~attorney general~~ *general counsel division*, must at once begin the
6 prosecution of all parties against whom evidence of violation is found;
7 but said provisions shall not be construed to prevent any other person
8 from beginning prosecution for violation thereof.

1 SEC. 176. Section four hundred seventy-seven point fifty-eight
2 (477.58), Code 1973, is amended to read as follows:

3 477.58 **Changing names of stations.** In all cases where any railway
4 company shall fail or refuse to make the name of the railway station
5 conform to the name of the village, incorporated town, or city within the
6 limits of which it is situated, it shall be the duty of the state ~~commeree~~
7 ~~commission~~ *department of transportation* to order a change of the
8 name of said railway station to effect such uniformity, within sixty
9 days after a petition in writing by the town council of said incorpo-
10 rated town or city, or, in the case of a village, by the township
11 trustees, asking for such order, is filed with said ~~the state commeree~~
12 ~~commission~~ *department of transportation*.

1 SEC. 177. Section four hundred seventy-seven point fifty-nine
2 (477.59), Code 1973, is amended to read as follows:

3 477.59 **Notice.** When the ~~commissioners~~ *state department of*
4 *transportation* shall order a change in the name of a railway station,
5 ~~they~~ it shall give the company owning or operating the same notice of
6 such order, and if it is not complied with within thirty days from the
7 date of service of such notice, the ~~commissioners~~ *state department of*
8 *transportation* shall notify the ~~attorney general~~ *thereof, who general*
9 *counsel division* which shall begin proceedings in the proper court to
10 compel the enforcement of said order.

1 SEC. 178. Section four hundred seventy-seven point sixty (477.60),
2 Code 1973, is amended to read as follows:

3 **477.60 Violations.** A failure to comply with the order of the ~~com-~~
4 ~~missioners~~ *state department of transportation* within thirty days from
5 service of such notice shall also be a misdemeanor, for which said com-
6 pany shall be subject to a fine of one thousand dollars, and noncompli-
7 ance for each thirty days thereafter shall constitute a separate and
8 distinct offense, subject to a fine of one thousand dollars.

1 SEC. 179. Section four hundred seventy-eight point twenty-one
2 (478.21), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter two hundred four (204), section two
4 (2), is amended to read as follows:

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

1 SEC. 180. Chapter four hundred seventy-eight (478), Code 1973,
2 is amended by adding the following new section:

3 **NEW SECTION. Definition.** As used in this chapter, unless the con-
4 text otherwise requires, the term "department" means the state de-
5 partment of transportation.

1 SEC. 181. Sections four hundred seventy-eight point thirteen
2 (478.13), four hundred seventy-eight point fourteen (478.14), four
3 hundred seventy-eight point fifteen (478.15), four hundred seventy-
4 eight point sixteen (478.16), four hundred seventy-eight point seven-
5 teen (478.17), four hundred seventy-eight point eighteen (478.18),
6 four hundred seventy-eight point twenty-two (478.22), four hundred
7 seventy-eight point twenty-three (478.23), four hundred seventy-eight
8 point twenty-six (478.26), as amended by Acts of the Sixty-fifth Gen-
9 eral Assembly, 1973 Session, chapter two hundred four (204), section
10 three (3), four hundred seventy-eight point twenty-nine (478.29), four
11 hundred seventy-eight point thirty (478.30), four hundred seventy-
12 eight point thirty-three (478.33), four hundred seventy-eight point

13 thirty-four (478.34), four hundred seventy-eight point thirty-five
 14 (478.35), and four hundred seventy-eight point thirty-six (478.36),
 15 Code 1973, are amended by striking from such sections the words
 16 "commission", "commissioners", and "state commerce commission"
 17 and inserting in lieu thereof the word "department".

1 SEC. 182. Section four hundred seventy-nine point two (479.2),
 2 unnumbered paragraph four (4), Code 1973, is amended to read as fol-
 3 lows:

4 The term "switching service" is hereby defined to be shifting of a
 5 car or of cars between two points, both of which points are within the
 6 industrial vicinity of an industry, a group of industries, a station, a
 7 village, or a city, as such industrial vicinity may be defined by the
 8 state ~~commerce~~ ~~commission~~ department.

1 SEC. 183. Section four hundred seventy-nine point two (479.2),
 2 Code 1973, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. The term "department", as used in this chapter,
 4 means the state department of transportation.

1 SEC. 184. Section four hundred seventy-nine point forty-eight
 2 (479.48), unnumbered paragraph one (1), Code 1973, is amended by
 3 striking such paragraph and inserting in lieu thereof the following:

4 As used in this chapter, unless the context otherwise requires:

1 SEC. 185. Sections four hundred seventy-nine point five (479.5),
 2 four hundred seventy-nine point ten (479.10), four hundred seventy-
 3 nine point fourteen (479.14), four hundred seventy-nine point twenty-
 4 one (479.21), four hundred seventy-nine point twenty-five (479.25),
 5 four hundred seventy-nine point twenty-seven (479.27), four hundred
 6 seventy-nine point thirty-seven (479.37), four hundred seventy-nine
 7 point thirty-eight (479.38), four hundred seventy-nine point thirty-
 8 nine (479.39), four hundred seventy-nine point forty-one (479.41),
 9 four hundred seventy-nine point forty-three (479.43), four hundred
 10 seventy-nine point forty-four (479.44), four hundred seventy-nine
 11 point forty-six (479.46), four hundred seventy-nine point forty-nine
 12 (479.49), four hundred seventy-nine point fifty (479.50), four hundred
 13 seventy-nine point fifty-one (479.51), four hundred seventy-nine point
 14 fifty-four (479.54), four hundred seventy-nine point fifty-six (479.56),
 15 four hundred seventy-nine point fifty-seven (479.57), four hundred
 16 seventy-nine point fifty-eight (479.58), four hundred seventy-nine
 17 point fifty-nine (479.59), four hundred seventy-nine point sixty-one
 18 (479.61), four hundred seventy-nine point sixty-two (479.62), four
 19 hundred seventy-nine point sixty-three (479.63), four hundred seventy-
 20 nine point sixty-four (479.64), four hundred seventy-nine point sixty-
 21 five (479.65), four hundred seventy-nine point sixty-six (479.66),
 22 four hundred seventy-nine point sixty-seven (479.67), four hundred
 23 seventy-nine point sixty-eight (479.68), four hundred seventy-nine
 24 point sixty-nine (479.69), four hundred seventy-nine point seventy
 25 (479.70), four hundred seventy-nine point seventy-one (479.71), four
 26 hundred seventy-nine point seventy-two (479.72), four hundred
 27 seventy-nine point seventy-three (479.73), four hundred seventy-nine
 28 point seventy-four (479.74), four hundred seventy-nine point eighty-
 29 one (479.81), four hundred seventy-nine point eighty-two (479.82),
 30 four hundred seventy-nine point eighty-three (479.83), four hundred

31 seventy-nine point eighty-four (479.84), four hundred seventy-nine
 32 point ninety-eight (479.98), four hundred seventy-nine point one hun-
 33 dred three (479.103), four hundred seventy-nine point one hundred
 34 nine (479.109), four hundred seventy-nine point one hundred ten
 35 (479.110), four hundred seventy-nine point one hundred eleven
 36 (479.111), four hundred seventy-nine point one hundred twelve
 37 (479.112), four hundred seventy-nine point one hundred thirteen
 38 (479.113), and four hundred seventy-nine point one hundred fourteen
 39 (479.114), Code 1973, are amended by striking from such sections the
 40 words "commission", "state commerce commission", and "Iowa state
 41 commerce commission" and inserting in lieu thereof the word "depart-
 42 ment".

1 SEC. 186. Chapter four hundred eighty-one (481), Code 1973, is
 2 amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, "department"
 4 means the state department of transportation.

1 SEC. 187. Sections four hundred eighty-one point one (481.1),
 2 four hundred eighty-one point three (481.3), four hundred eighty-one
 3 point four (481.4), four hundred eighty-one point five (481.5), four
 4 hundred eighty-one point six (481.6), four hundred eighty-one point
 5 seven (481.7), and four hundred eighty-one point eight (481.8), Code
 6 1973, are amended by striking the words "commission", "commission-
 7 ers", and "state commerce commission" and inserting in lieu thereof
 8 the word "department".

1 SEC. 188. Section four hundred eighty-two point two (482.2),
 2 Code 1973, is amended to read as follows:

3 482.2 **Eminent domain.** Every corporation formed under the pro-
 4 visions of section 482.1 shall have power to take and hold, for the pur-
 5 poses therein mentioned, such real estate as may be found necessary
 6 by the state ~~commerce commission~~ *department of transportation* for
 7 the location of its depot and approaches, which it may acquire by pur-
 8 chase or condemnation as provided for the taking of private property
 9 for works of internal improvement.

1 SEC. 189. Section four hundred eighty-three point three (483.3),
 2 Code 1973, is amended to read as follows:

3 483.3 **Exception — approval by ~~commission~~ department.** No tax
 4 shall be levied to aid in the electrification of any steam railway for the
 5 benefit of any person, firm, or individual, who is not the owner in fee
 6 simple of said steam railway, unless with or prior to the presentation
 7 of the petition to the board of supervisors asking for said election, the
 8 agreement between the person, firm, or corporation proposing to elec-
 9 trify said steam railway and the owner of said steam railway, for its
 10 electrification and use, has been presented to the state ~~commerce com-~~
 11 ~~mission~~ *department of transportation*, and its duration, terms, and
 12 conditions found suitable by said ~~commission~~ *department*, and said
 13 approval made a matter of record in the proceedings of said ~~commis-~~
 14 ~~sion~~ *department*, and certified to such board of supervisors.

1 SEC. 190. Section four hundred eighty-four point one (484.1),
 2 Code 1973, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. As used in this chapter, "department" means the
4 state department of transportation.

1 SEC. 191. Sections four hundred eighty-four point sixteen
2 (484.16), four hundred eighty-four point seventeen (484.17), four
3 hundred eighty-four point eighteen (484.18),* four hundred eighty-
4 four point twenty-three (484.23), four hundred eighty-four point
5 twenty-four (484.24), and four hundred eighty-four point twenty-five
6 (484.25), Code 1973, are amended by striking the words "commis-
7 sion" and "state commerce commission" and inserting in lieu thereof
8 the word "department".

1 SEC. 192. Chapter four hundred eighty-five (485), Code 1973, is
2 amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, unless the con-
4 text otherwise requires, "department" means the state department of
5 transportation.

1 SEC. 193. Section four hundred eighty-five point three (485.3),
2 unnumbered paragraph three (3), Code 1973, is amended to read as
3 follows:

4 Such notice of appeal shall be served and proof of service thereof
5 made in the same manner as an original notice in a civil action, and
6 shall be filed with the ~~secretary of the state commerce commission~~
7 *department*. Service of such notice of appeal may be made upon any
8 attorney appearing for any party in the proceedings before the ~~state~~
9 ~~commerce commission~~ *department* with the same force and effect as if
10 served upon such party.

1 SEC. 194. Sections four hundred eighty-five point two (485.2),
2 four hundred eighty-five point three (485.3), four hundred eighty-five
3 point four (485.4), four hundred eighty-five point five (485.5), and
4 four hundred eighty-five point six (485.6), Code 1973, are amended
5 by striking the words "commission", "state commerce commission",
6 and "Iowa state commerce commission" and inserting in lieu thereof
7 the word "department".

1 SEC. 195. Chapter four hundred eighty-six (486), Code 1973, is
2 amended by adding the following new section:

3 NEW SECTION. **Definition.** As used in this chapter, unless the con-
4 text otherwise requires, "department" means the state department
5 of transportation.

1 SEC. 196. Sections four hundred eighty-six point two (486.2), four
2 hundred eighty-six point three (486.3), four hundred eighty-six point
3 four (486.4), four hundred eighty-six point five (486.5), and four hun-
4 dred eighty-six point six (486.6), Code 1973, are amended by striking
5 the words "commission", "state commerce commission", and "Iowa
6 state commerce commission" and inserting in lieu thereof the word
7 "department".

1 SEC. 197. Sections three hundred seven point one (307.1), three
2 hundred seven point two (307.2), three hundred seven point three
3 (307.3), three hundred seven point four (307.4), three hundred seven
4 point eight (307.8), three hundred seven point nine (307.9), three
5 hundred twenty-six point three (326.3), three hundred twenty-six

*Cannot apply, see 65 GA, ch 1090, §163

6 point four (326.4), three hundred twenty-eight point two (328.2),
7 three hundred twenty-eight point three (328.3), three hundred twenty-
8 eight point four (328.4), three hundred twenty-eight point five
9 (328.5), three hundred twenty-eight point six (328.6), as amended by
10 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
11 hundred twenty-four (124), section sixteen (16), three hundred
12 twenty-eight point seven (328.7), three hundred twenty-eight point
13 eight (328.8), three hundred twenty-eight point nine (328.9), three
14 hundred twenty-eight point ten (328.10), three hundred twenty-
15 eight point eleven (328.11), three hundred twenty-eight point seven-
16 teen (328.17), three hundred twenty-eight point eighteen (328.18),
17 four hundred seventy-four point one (474.1), four hundred seventy-
18 four point two (474.2), four hundred seventy-four point three (474.3),
19 four hundred seventy-four point four (474.4), four hundred seventy-
20 four point five (474.5), four hundred seventy-four point six (474.6),
21 four hundred seventy-four point seven (474.7), and four hundred
22 seventy-four point eight (474.8), Code 1973, are repealed.

1 SEC. 198. All rules, regulations, forms, orders, and directives pro-
2 mulgated by and in effect for the Iowa aeronautics commission on the
3 effective date of this Act shall continue in full force and effect as
4 rules, regulations, forms, orders, and directives of the state depart-
5 ment of transportation until amended or supplemented by affirmative
6 action of the state transportation commission.

7 All rules, regulations, forms, orders, and directives promulgated by
8 and in effect for the state highway commission on the effective date
9 of this Act shall continue in full force and effect as rules, regulations,
10 forms, orders, and directives of the state department of transporta-
11 tion until amended or supplemented by affirmative action of the state
12 transportation commission.

13 All rules, regulations, forms, orders, and directives promulgated by
14 and in effect for the Iowa reciprocity board on the effective date of
15 this Act shall continue in full force and effect as rules, regulations,
16 forms, orders, and directives of the state department of transporta-
17 tion until amended or supplemented by affirmative action of the state
18 transportation commission.

19 All rules, regulations, forms, orders, and directives promulgated by
20 and in effect for the department of public safety under the provisions
21 of chapter three hundred twenty-one (321) of the Code relating to
22 the registration of motor vehicles, motor vehicle inspection, and the
23 licensing of drivers of motor vehicles, chapter three hundred twenty-
24 one A (321A) of the Code relating to financial responsibility, chapter
25 three hundred twenty-one B (321B) of the Code relating to the im-
26 plied consent law, chapter three hundred twenty-one F (321F) of the
27 Code relating to leasing and renting of vehicles, and chapter three
28 hundred twenty-two (322) of the Code relating to motor vehicle dealer
29 licensing shall continue in full force and effect as rules, regulations,
30 forms, orders, and directives of the state department of transportation
31 until amended or supplemented by affirmative action of the state trans-
32 portation commission.

33 All rules, regulations, forms, orders, and directives promulgated by
34 and in effect for the Iowa state commerce commission pursuant to the
35 provisions of chapters three hundred twenty-two A (322A), three
36 hundred twenty-five (325), three hundred twenty-seven (327), three

37 hundred twenty-seven A (327A), and three hundred twenty-seven B
 38 (327B.), and chapters four hundred seventy-four (474) through four
 39 hundred eighty-six (486), inclusive, of the Code shall continue in full
 40 force and effect as rules of the state department of transportation
 41 until amended or supplemented by affirmative action of the state
 42 transportation commission.

1 SEC. 199. All employees of the state highway commission, Iowa
 2 aeronautics commission, and Iowa reciprocity board are transferred to
 3 the state department of transportation. Any employee of the Iowa state
 4 commerce commission and the department of public safety whose duty
 5 assignments will be terminated because of this Act may be reassigned
 6 to other duties or may be transferred to the state department of trans-
 7 portation. The Iowa merit employment commission shall promulgate
 8 rules and regulations to carry out such reassignment or transfer and
 9 shall arbitrate and decide any written appeal made by any employee
 10 concerning any transfer, reassignment, or reclassification made neces-
 11 sary by this Act. No employee shall lose any benefits he may have
 12 accrued, including but not limited to salary, retirement, vacation, sick
 13 leave, or longevity, because of reassignment provided in this section.

1 SEC. 200. The provisions of divisions one (I) and two (II) of this
 2 Act shall become effective July 1, 1974. The provisions of divisions
 3 three (III) and four (IV) of this Act shall become effective July 1,
 4 1975.

Approved May 29, 1974

CHAPTER 1181

GREAT RIVER ROAD

H. F. 1465

AN ACT relating to the great river road and to scenic and recreational parkways.

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

1 SECTION 1. Section three hundred eight point three (308.3), Code
 2 1973, is amended by striking the section and inserting in lieu thereof
 3 the following:

4 **308.3 Definitions.** As used in this chapter:

5 1. "Secretary", "parkway", "scenic landscape", "slightly or safety
 6 easement", "access", "parkway road", "parkway development",
 7 "frontage", and other similar terms have the same meaning as defined
 8 in any act of the Congress of the United States related to a national
 9 parkway.

10 2. "National parkway" has the same meaning as defined in Public
 11 Law ninety-three dash eighty-seven (93-87), first session, Ninety-third
 12 Congress of the United States.

13 3. "Great river road" means a scenic and recreational highway con-
 14 sisting of a designated system of roads and streets along the Missis-
 15 sippi River in this state.