

23 to apprise the person responsible for the obstruction that the obstruction  
 24 will be removed at the expense of such person after the notice is  
 25 given.

26 Such removal and assessment of cost in the case of primary roads  
 27 shall be by the highway commission and in the case of secondary roads  
 28 by the board of supervisors.

29 Upon removal of the obstruction, the highway authority may im-  
 30 mediately send a statement of the cost of removal to the person re-  
 31 sponsible for the obstruction. If within ten days after sending the  
 32 statement the cost is not paid, the highway authority may institute  
 33 proceeding in the district court system to collect the cost of removal.

1 SEC. 4. Chapter three hundred nineteen (319), Code 1973, is  
 2 amended by adding the following new section:

3 **NEW SECTION. Permit required.** A person shall not excavate, fill  
 4 or make any physical change within the right-of-way of a public road  
 5 or highway without obtaining a permit from the highway authority  
 6 having jurisdiction of such public road or highway. Any work per-  
 7 formed under the permit shall be performed in conformity with the  
 8 specifications prescribed by the highway authority. If the excavation,  
 9 fill or physical change within the right-of-way of a public road or high-  
 10 way does not conform to the specifications that accompany the permit  
 11 the person shall be notified to make such conforming changes. If after  
 12 twenty days the changes have not been made, the public road or high-  
 13 way authority may make the necessary changes and immediately send  
 14 a statement of the cost to the person responsible for the work done not  
 15 in conformance to the specifications. If within ten days after sending  
 16 the statement the cost is not paid, the highway authority may institute  
 17 proceedings in the district court system to collect the cost of correc-  
 18 tion. Utility companies are exempt from the provisions of this section.

Approved May 11, 1974

## CHAPTER 1183

### VAN BOXES ON MOTOR VEHICLES

H. F. 308

AN ACT relating to definition of vehicle and legalizing the operation of existing motor vehicles with van boxes fastened thereon.

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

1 SECTION 1. Section three hundred twenty-one point one (321.1),  
 2 subsection one (1), Code 1973, is amended to read as follows:

3 1. "Vehicle" means every device in, upon, or by which any person  
 4 or property is or may be transported or drawn upon a highway;  
 5 ~~excepting devices moved by human power or used exclusively upon~~  
 6 ~~stationary rails or tracks.~~ "Vehicle" does not include:

7 a. Any device moved by human power.

8 b. Any device used exclusively upon stationary rails or tracks.

9 c. Any steering axle, dolly, or other integral part of another vehicle,  
 10 except an auxiliary axle as defined in subsection sixty-nine (69) of this

11 *section, which in and of itself is incapable of commercially transport-*  
 12 *ing any person or property but is used primarily to support another*  
 13 *vehicle.*

14 *d. Any integral part of a truck tractor or road tractor which is*  
 15 *mounted on the frame of the truck tractor or road tractor immediately*  
 16 *behind the cab and which may be used to transport persons and prop-*  
 17 *erty but which cannot be drawn upon the highway by the truck tractor*  
 18 *or another motor vehicle.*

1 SEC. 2. Combinations of vehicles consisting of a motor vehicle upon  
 2 which a van box is fastened and which draws and bears a portion of  
 3 the weight of a semitrailer purchased by an Iowa resident prior to the  
 4 effective date of this Act may be operated on the highways of this state  
 5 with a length exceeding fifty-five feet but not exceeding sixty feet, if  
 6 a special overlength permit is obtained from the state highway com-  
 7 mission for such operation. The special overlength permit shall be  
 8 issued for the vehicle and such permit shall be valid until such time  
 9 as the vehicle is no longer operable or until the owner of the vehicle  
 10 transfers title to the vehicle to a nonresident. All such vehicles pur-  
 11 chased after the effective date of this Act shall not be allowed to oper-  
 12 ate on the highways of this state.

1 SEC. 3. This Act, being deemed of immediate importance, shall  
 2 take effect and be in force from and after its publication in the Musca-  
 3 tine Journal, a newspaper published in Muscatine, Iowa, and in the  
 4 Times-Democrat, a newspaper published in Davenport, Iowa.

Approved April 8, 1974

I hereby certify that the foregoing Act, House File 308, was published in the Musca-  
 tine Journal, Muscatine, Iowa, April 12, 1974, and in the Times-Democrat, Davenport,  
 Iowa, April 15, 1974.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 1184

### TITLES TO VEHICLES

#### S. F. 1043

AN ACT relating to the issuance of duplicate certificates of title for vehicles.

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

1 SECTION 1. Section three hundred twenty-one point forty-two  
 2 (321.42), unnumbered paragraph two (2), Code 1973, is amended to  
 3 read as follows:

4 In the event of any lost or destroyed certificate of title, application  
 5 shall be made to the department *or county treasurer who issued the*  
 6 *original document* by the owner of such vehicle, or the holder of a lien  
 7 thereon, for a certified copy of the *original certificate of title same*  
 8 *upon a form prescribed by the department* and accompanied by a fee  
 9 of five dollars. Such application shall be signed by the person making  
 10 the same. Thereupon the department ~~shall mail~~ *or county treasurer*  
 11 *shall, after a period of five days, issue* a certified copy to the person  
 12 entitled to receive the certificate of title as indicated by the records