

CHAPTER 1171

MOTOR VEHICLE OPERATORS' LICENSES

S. F. 1145

AN ACT relating to the issuance of cards and licenses by the state department of transportation and providing penalties.

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1975, is amended
2 by adding the following new section:

3 NEW SECTION. **Issuance of nonoperator's identification cards—fee.** The
4 department shall, upon application and payment of the required fee, issue to an
5 applicant a nonoperator's identification card, which card shall bear a
6 distinguishing number assigned to the card holder, the full name, date of birth,
7 sex, residence address, a brief description and a colored photograph of the card
8 holder, the usual signature of the card holder, and such other information as the
9 department may by rule require. The card, including the colored photograph,
10 shall be issued to the applicant at the time of application and no positive or
11 negative photograph shall be retained. The department shall, by rule, establish
12 procedures for the application for, and issuance of, a nonoperator's identification
13 card. An identification card shall not be valid unless it bears the usual signature
14 of the card holder.

15 The department shall use a process or processes for issuance of a nonoperator's
16 identification card, that prevents, as nearly as possible, the opportunity for
17 alteration or reproduction of, and the superimposition of a photograph on the
18 nonoperator's identification card without ready detection.

19 The fee for a nonoperator's identification card shall be one dollar and the card
20 shall be valid for the purpose of identification for a period of four years from the
21 date of issuance. A fee of one dollar shall be charged for the voluntary
22 replacement of an identification card.

23 The nonoperator's identification card fees shall be transmitted by the
24 department to the treasurer of state who shall credit such fees to the general fund
25 of the state.

1 SEC. 2. Chapter three hundred twenty-one (321), Code 1975, is amended by
2 adding the following new section:

3 NEW SECTION. **Unlawful use of nonoperator's identification cards.** It is a
4 misdemeanor, punishable as provided in section three hundred twenty-one point
5 four hundred eighty-two (321.482) of the Code, for any person:

6 1. To display or permit to be displayed or possess any fictitious or fraudulently
7 altered nonoperator's identification card.

8 2. To lend his or her nonoperator's identification card to any person or
9 knowingly permit the use of such card by another person.

10 3. To display or represent as one's own a nonoperator's identification card not
11 issued to such person.

12 4. To fail or refuse to surrender to the department upon its lawful demand an
13 expired or invalid nonoperator's identification card.

14 5. To use a false or fictitious name in any application for a nonoperator's
15 identification card or to knowingly make a false statement or to knowingly
16 conceal a material fact or otherwise commit a fraud in any such application.

17 6. To permit any unlawful use of a nonoperator's identification card issued to
18 such person.

1 SEC. 3. Chapter three hundred twenty-one (321), Code 1975, is amended by
2 adding the following new section:

3 NEW SECTION. **Colored photograph—procedures.** The department shall in
4 issuing licenses, permits and nonoperator's identification cards bearing a colored
5 photograph of the licensee, permittee or card holder use such processes that
6 prevent to the maximum extent possible, the alteration or reproduction of the
7 license, permit or card including the ability to superimpose a photograph on a
8 license, permit or card without ready detection.

1 SEC. 4. Section three hundred twenty-one point one hundred eighty-one
2 (321.181), Code 1975, is amended by adding the following new unnumbered
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. The temporary driver's permit shall bear a
5 colored photograph of the permittee and shall contain such other information as
6 the department may by rule require. The department shall not retain a positive or
7 negative photograph of the permittee.

1 SEC. 5. Section three hundred twenty-one point one hundred eighty-nine
2 (321.189), Code 1975, is amended to read as follows:

3 **321.189 Licenses issued.** The department shall upon payment of the required
4 fee, issue to every applicant qualifying therefor an operator's or chauffeur's
5 license as applied for, which license shall bear thereon a distinguishing number
6 assigned to the licensee, the full name, date of birth, occupation, sex, residence
7 address, a *colored photograph and a brief description of the licensee, and the usual*
8 *signature of the licensee. The number of places where licenses are available shall not*
9 *be reduced because of procedures or equipment required in placing colored*
10 *photographs on licenses or permits. The department shall provide a space on every*
11 *license where the licensee may affix a decal or sticker indicating that the licensee is a*
12 *donor under the Uniform Anatomical Gift Act and a space shall be provided where the*
13 *licensee may affix a symbol indicating the presence of a medical condition. The*
14 *license may contain such other information as the department may by rule require.*
15 *No license shall be valid unless it bears the usual signature of the licensee. The*
16 *department shall not retain a positive or negative photograph of the licensee.*

17 *The licensee may affix a decal or sticker on the license in the space provided which*
18 *indicates that the licensee is a donor under the Uniform Anatomical Gift Act. The*
19 *decal shall not be larger than one-half inch in diameter.*

20 *The use of the decal or sticker on the license shall be authorized only if the licensee*
21 *has complied with the provisions for making a gift under the Uniform Anatomical Gift*
22 *Act and shall be effective only if the licensee carries on or about the licensee's person*
23 *a duly signed and executed donor card as authorized by the Uniform Anatomical Gift*
24 *Act.*

1 SEC. 6. Section three hundred twenty-one point one hundred ninety-five
2 (321.195), Code 1975, is amended to read as follows:

3 **321.195 Duplicate certificates.** In the event that an instruction permit or
4 operator's or chauffeur's license or extension certificate issued under the
5 provisions of this chapter is lost or destroyed, the person to whom the same was
6 issued may upon payment of a fee of two dollars for an operator's or chauffeur's
7 license, or *one dollar for an extension certificate*, obtain a duplicate, or substitute
8 thereof, upon furnishing proof satisfactory to the department that such permit,
9 license, or extension certificate has been lost or destroyed. *A fee of one dollar shall*
10 *be charged for the voluntary replacement of an instruction permit or an operator's or*
11 *chauffeur's license.*

1 SEC. 7. If a person desires to obtain an operator's or chauffeur's license in the
2 form authorized by this Act prior to the person's renewal date, such license may
3 be issued as a voluntary replacement upon payment of the required fee.

1 SEC. 8. The provisions of sections one (1) through seven (7) of this Act shall
2 become effective January 1, 1977, except that the department may begin issuing
3 temporary driver's permits, operator's and chauffeur's licenses and nonoperator's

4 identification cards in the form authorized by this Act upon payment of the fee
 5 prescribed in section three hundred twenty-one point one hundred ninety-one
 6 (321.191) of the Code for licenses and permits or the fee prescribed in section one
 7 (1) of this Act for an identification card commencing July 1, 1976.

Approved May 28, 1976

CHAPTER 1172

TRANSPORTATION OF HAZARDOUS MATERIALS

H. F. 736

AN ACT relating to the reporting of accidents involving the transportation of hazardous materials.

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1975, is amended
 2 by adding the following new section:
 3 NEW SECTION. Any carrier transporting hazardous materials by rail, air,
 4 water, or upon a public highway in this state, in the case of an accident involving
 5 the transportation of hazardous materials, shall immediately notify the police
 6 radio broadcasting system established by the commissioner of public safety
 7 pursuant to section seven hundred fifty point one (750.1) of the Code or shall
 8 notify a peace officer of the county, township, or municipality in which the
 9 accident occurs. When a local law enforcement agency is informed of the
 10 accident, the agency shall notify the Iowa highway safety patrol. For purposes of
 11 this section "hazardous substances" shall mean hazardous substances as defined
 12 in the federal Transportation Safety Act of 1974 (Public Law ninety-three dash
 13 six hundred thirty-three (93-633), section one hundred three (103)). A person who
 14 violates any provision of this section shall, upon conviction, be guilty of a
 15 misdemeanor.

Approved February 20, 1976

CHAPTER 1173

HAZARDOUS MATERIALS TRANSPORTED

S. F. 1306

AN ACT relating to the reporting of accidents involving the transportation of hazardous materials and providing a penalty.

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1975, is amended
 2 by adding the following new section:
 3 NEW SECTION. Any carrier transporting hazardous materials by rail, air,
 4 water, or upon a public highway in this state, in the case of an accident involving
 5 the transportation of hazardous materials, shall immediately notify the police
 6 radio broadcasting system established by the commissioner of public safety