

two consecutive hours, except in emergencies, or until the time of leaving the state, whichever first occurs.

2. The permit shall cover only one commercial motor vehicle and is not transferable.

3. Single trip interstate fuel permits may be made available from sources other than indicated in this section at the discretion of the director of revenue.

Sec. 5. This Act is effective January 1, 1978.

Approved June 30, 1977

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## CHAPTER 108 AIR CARRIER SERVICE

S. F. 377

AN ACT relating to the development of air carrier service in the state by the state department of transportation.

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

Section 1. Section three hundred twenty-eight point one (328.1), Code 1977, is amended by adding the following new subsections:

NEW SUBSECTION. "Air taxi operator" means an operator who engages in the air transportation of passengers, property, and mail by aircraft on public demand for compensation and does not directly or indirectly utilize aircraft with a capacity of more than thirty passengers or seventy-five hundred pounds maximum payload, unless exempted by the aeronautics division of the department.

NEW SUBSECTION. "Commuter air carrier" means an air taxi operator which operates not less than five round trips per week between two or more points and publishes flight schedules which specify the times, days of the week, and places between which such flights are performed or transports mail pursuant to a current contract with the United States postal service.

Sec. 2. Section three hundred twenty-eight point twelve (328.12), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. Commuter air carrier demonstration projects. The department may encourage the development of commuter air carrier service in the state by:

a. Recommending routes between cities that may support

such service.

b. Making available funding for demonstration projects from any federal funds made available to the state. Nothing in this subsection shall be construed to permit moneys appropriated to the state department of transportation to be expended to develop or assist in the development of commuter air carrier service in this state.

c. Establishing specifications, operational requirements, terms and conditions under which demonstration projects will be participated in by the state.

Approved July 12, 1977

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## CHAPTER 109 PUBLIC DEFENDERS

H. F. 279

AN ACT relating to the salaries of, and time devoted to office by, public defenders and assistant public defenders in certain counties.

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

Section 1. Section three hundred thirty-six A point five (336A.5), subsection one (1), Code 1977, is amended to read as follows:

1. The compensation of the public defender shall be fixed by the board(s) of supervisors. ~~The compensation shall not be more than that paid the highest paid county attorney of the county or counties the public defender serves.~~

Sec. 2. Section three hundred thirty-six A point eleven (336A.11), Code 1977, is amended to read as follows:

336A.11 PROHIBITED CONDUCT. No public defender or assistant public defender ~~who is subject to the preceding section~~ shall directly or indirectly refer any legal matter or civil or criminal litigation to any particular lawyer or lawyers or directly or indirectly recommend or suggest to any person the employment of any particular lawyer or lawyers to counsel in, conduct, defend, or prosecute any legal matter or litigation, if the county is or is likely to be a party thereto or have a substantial interest therein; or receive any direct or indirect fee or compensation for or in connection with any such referral, recommendation, or suggestion.

However, he or she may recommend a lawyer when requested to