

four (327G.64), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

327G.64 SPUR TRACKS.

1. Every railroad corporation may acquire, by condemnation or purchase, the necessary rights-of-way and may construct, connect, operate and maintain a reasonably adequate and suitable spur track if the construction and operation is not unsafe and is in the public interest.

2. Any party may make application to the board to require a railroad corporation to construct a spur track. The board shall consider the location, necessity and expense of such a track and other equitable considerations.

3. A railroad corporation or any other party may make application to the board for permission to discontinue service on or remove a spur track. The board shall consider the location, necessity and expense of maintaining such track and other equitable considerations. The board may order the railroad company to discontinue service or remove the spur track, and may allocate the cost of removal between the parties in an equitable manner.

4. Any action commenced under the provisions of subsection two (2) or three (3) of this section shall be completed within one year from the effective date of the board order. The board shall make a final determination of any action commenced under subsection two (2) or three (3) of this section within one year from the date of the application.

Sec. 3. The provisions of this Act shall become effective January 1, 1979.

Approved April 17, 1978

CHAPTER 1117
AIR TRANSPORTATION
S. F. 2169

AN ACT relating to air transportation regulation.

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

Section 1. Acts of the Sixty-seventh General Assembly, 1977 Session, chapter one hundred eight (108), section two (2), is amended to read as follows:

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 or from any state funds appropriated for such purposes. ~~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.

Sec. 2. Section three hundred twenty-eight point twelve (328.12), subsection twelve (12), Code 1977, is amended to read as follows:

12. SUFFICIENCY RATINGS. It shall issue sufficiency ratings for all airports in the state, which are owned and operated by a governmental subdivision, based on the functional classification of those airports as set out in the department's annual transportation plan.

Sec. 3. Section three hundred twenty-eight point twenty-one (328.21), Code 1977, is amended to read as follows:

328.21 AIRCRAFT REGISTRATION FEES. There shall be paid to the department at the time of such registration an annual registration fee for each such aircraft, to be computed as follows:

1. ~~For~~ Unless otherwise provided in this section, for the first registration, a sum equal to one and one-half percent of the manufacturer's list price of the aircraft.

2. After said aircraft has been registered once the registration fee shall be seventy-five percent of the rate as fixed for the first registration; after two times fifty percent; and after three times twenty-five percent; provided, however, that no aircraft shall be registered for a registration fee of less than ~~ten~~ fifteen dollars.

3. Where there is no delinquency and the registration is made in August or succeeding months to and including May, the fee shall be computed on the basis of one-twelfth of the annual registration fee multiplied by the number of the unexpired months of the year and said amount shall be the fee collected. No fee shall be required for the month of

June for a new aircraft, in good faith delivered in that month, providing said aircraft is registered at the time of purchase for the following year.

4. The registration fee for an aircraft operated in scheduled interstate airline operation, owned by an Iowa person and operated part-time within this state shall be a fee of ~~ten~~ thirty-five dollars ~~each-for-the-first-two-years-of-registration-and-thereafter-a-sum-equal-to-a-percentage-of-the-aircraft-registration-fee-hereinbefore-provided-for-in-subsections-2-and-3-of-this-section, which percentage shall be computed by dividing the total number of hours during which said aircraft is operated within this state by the total number of hours during which said aircraft is operated in scheduled interstate airline operation.~~ ~~The full registration fee shall be paid at the beginning of the registration period and adjustment and refund shall be made by the department following the close of the registration period upon application therefor by the person in whose name the aircraft was registered,~~ ~~said.~~ The application to for registration shall be supported by such records as the department shall prescribe.

5. Should the department find and determine that no established manufacturer's list price exists for any such aircraft the department is hereby authorized and empowered to ~~thereupon~~ determine and fix the fair value of such aircraft which fair value shall be used in lieu of a manufacturers' list price in computing the registration fee for each such aircraft as otherwise provided by this section.

When the fee as so computed results in a fractional part of a dollar, it shall be computed to the nearest quarter of a dollar.

6. Any aircraft thirty years old, or older, which is used exclusively for noncommercial purposes shall be registered as an antique aircraft for a registration fee of fifteen dollars.

Sec. 4. Section three hundred twenty-eight point forty-one (328.41), unnumbered paragraph four (4), Code 1977, is amended by striking the unnumbered paragraph.

Approved April 13, 1978