

designated under section eight hundred one point four (801.4), subsection seven (7), paragraphs a, b, c, g, and h of the Code.

Sec. 2. Section three hundred twenty-one point two hundred nine (321.209), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Eluding or attempting to elude a law enforcement vehicle as provided in section one (1) of this Act.

Approved April 7, 1980

CHAPTER 1106
AUTOMOBILE LIABILITY INSURANCE
S. F. 2337

AN ACT relating to the increase in financial requirements for auto liability insurance policies.

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

Section 1. Section three hundred twenty-one A point one (321A.1), subsection ten (10), Code 1979, is amended to read as follows:

10. PROOF OF FINANCIAL RESPONSIBILITY. Proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of ~~said the~~ the proof, arising out of the ownership, maintenance, or use of a motor vehicle, in ~~the amount of ten~~ amounts as follows: With respect to accidents occurring on or after the effective date of this Act, and prior to January 1, 1983, the amount of fifteen thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to said the limit for one person, in the amount of twenty thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of five ten thousand dollars because of injury to or destruction of property of others in any one accident; and with respect to accidents occurring on or after January 1, 1983, the amount of twenty thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, the amount of forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and the amount of fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 2. Section three hundred twenty-one A point five (321A.5), subsection three (3), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

~~No-such~~ A policy or bond ~~shall-be~~ is not effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that if ~~such the~~ the motor vehicle was not registered in this state, or was a motor vehicle which was registered

elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, ~~such the~~ policy or bond ~~shall is~~ not be effective under this section unless the insurance company or surety company if not authorized to do business in this state ~~shall-execute~~ executes a power of attorney authorizing the director to accept service on its behalf of notice or process in any action upon ~~such the~~ policy or bond arising out of ~~such the~~ accident, ~~--provided,--however.~~ However, with respect to accidents occurring on or after the effective date of this Act and before January 1, 1983, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than ~~ten~~ fifteen thousand dollars because of bodily injury to or death of one person in any one accident and, subject to ~~said the~~ limit for one person, to a limit of not less than ~~twenty~~ thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than ~~five ten~~ thousand dollars because of injury to or destruction of property of others in any one accident; and with respect to accidents occurring on or after January 1, 1983, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than twenty thousand dollars because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of not less than forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 3. Section three hundred twenty-one A point fifteen (321A.15), subsection one (1), Code 1979, is amended to read as follows:

1. a. Judgments ~~herein~~ referred to in this chapter and rendered upon claims arising from accidents occurring on or after the effective date of this Act and before January 1, 1983, shall, for the purpose of this chapter only, be deemed satisfied when the following occur:

a- (1) When ~~ten~~ fifteen thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident,--~~ex.~~

b- (2) When, subject to ~~such the~~ limit of ~~ten~~ fifteen thousand dollars because of bodily injury to or death of one person, the sum of ~~twenty~~ thirty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident,--~~ex.~~

e- (3) When ~~five ten~~ thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident,--

b. Judgments referred to in this chapter and rendered upon claims arising from accidents occurring on or after January 1, 1983, shall, for the purpose of this chapter only, be deemed satisfied when the following occur:

(1) When twenty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident.

(2) When, subject to the limit of twenty thousand dollars because of bodily injury to or death of one person, the sum of forty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident.

(3) When fifteen thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

Sec. 4. Section three hundred twenty-one A point twenty-one (321A.21), subsection two (2), paragraph b, Code 1979, is amended to read as follows:

b. Shall insure the person named ~~therein~~ in the policy and any other person, as insured, using ~~any such motor vehicle or~~ the motor vehicles with the express or implied permission of ~~such~~ the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of ~~such motor vehicle or~~ the motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: ~~Ten~~ With respect to all accidents which occur on or after the effective date of this Act and before January 1, 1983, fifteen thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, ~~twenty~~ thirty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and ~~five~~ ten thousand dollars because of injury to or destruction of property of others in any one accident; and with respect to all accidents which occur on or after January 1, 1983, twenty thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, forty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and fifteen thousand dollars because of injury to or destruction of property of others in any one accident.

Sec. 5. Section three hundred twenty-one A point twenty-five (321A.25), subsection one (1), Code 1979, is amended to read as follows:

1. ~~Proof~~ With respect to accidents occurring on or after the effective date of this Act and before January 1, 1983, proof of financial responsibility may be evidenced by the certificate of the state treasurer that the person named ~~therein~~ in the certificate has deposited with ~~him~~ the treasurer ~~twenty-five~~ forty thousand dollars in cash, or securities such as may legally be purchased by a state bank or for trust funds of a market value of ~~twenty-five~~ forty thousand dollars; and with respect to accidents occurring on or after January 1, 1983, proof of financial responsibility may be evidenced by the certificate of the state treasurer that the person named in the certificate has deposited with the treasurer fifty-five thousand dollars in cash, or securities such as may legally be purchased by a state bank or for trust funds of a market value of fifty-five thousand dollars. The state treasurer shall not accept ~~any--such~~ a deposit and issue a

certificate ~~therefor~~ for it and the director shall not accept ~~such~~ the certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

Sec. 6. Section five hundred sixteen A point one (516A.1), Code 1979, is amended to read as follows:

516A.1 COVERAGE INCLUDED IN EVERY LIABILITY POLICY--REJECTION BY INSURED. No automobile liability or motor vehicle liability insurance policy insuring against liability for bodily injury or death arising out of the ownership, maintenance, or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state, unless coverage is provided in such policy or supplemental thereto, for the protection of persons insured under such policy who are legally entitled to recover damages from the owner or operator of an uninsured motor vehicle or a hit-and-run motor vehicle or an underinsured motor vehicle because of bodily injury, sickness, or disease, including death resulting therefrom, caused by accident and arising out of the ownership, maintenance, or use of such uninsured or underinsured motor vehicle, or arising out of physical contact of such hit-and-run motor vehicle with the person insured or with a motor vehicle which the person insured is occupying at the time of the accident. ~~Such~~ Both the uninsured motor vehicle or hit-and-run motor vehicle coverage, and the underinsured motor vehicle coverage shall include limits for bodily injury or death at least equal to those stated in subsection 10 of section 321A.1. The form and provisions of such coverage shall be examined and approved by the commissioner of insurance.

However, the named insured shall have the right to reject all of such coverage, or to reject the uninsured motor vehicle or hit-and-run motor vehicle coverage, or to reject the underinsured motor vehicle coverage, by written rejections signed by the named insured. If such rejection is made on a form or document furnished by an insurance company or insurance agent, it shall be on a separate sheet of paper which contains only such rejection and information directly related thereto. Such coverage need not be provided in or supplemental to a renewal policy where the named insured has rejected such coverage in connection with a policy previously issued to him by the same insurer.

Sec. 7. Section five hundred sixteen A point two (516A.2), Code 1979, is amended to read as follows:

516A.2 CONSTRUCTION--MINIMUM COVERAGE. ~~Nothing~~ Except with respect to a policy containing both underinsured motor vehicle coverage and uninsured or hit-and-run motor vehicle coverage, nothing contained in this chapter shall be construed as requiring forms of coverage provided pursuant hereto, whether alone or in combination with similar coverage afforded under other automobile liability or motor vehicle liability policies, to afford limits in excess of those that would be afforded had the insured thereunder been involved in an accident with a motorist who was insured under a policy of liability insurance with the minimum limits for bodily injury or death prescribed in subsection 10 of section 321A.1. Such forms of coverage may include terms,

exclusions, limitations, conditions, and offsets which are designed to avoid duplication of insurance or other benefits.

Sec. 8. This Act takes effect January first following its enactment.

Sec. 9. Sections six (6) and seven (7) of this Act apply only to policies of insurance issued or renewed on or after the effective date of this Act.

Approved May 24, 1980

CHAPTER 1107

VEHICLES OF EXCESS SIZE AND WEIGHT

S. F. 2272

AN ACT relating to the movement of vehicles of excessive size and weight.

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

Section 1. Section three hundred twenty-one E point seven (321E.7), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-three (73), section one (1), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Special mobile equipment, as defined in section three hundred twenty-one point one (321.1), subsection seventeen (17), of the Code, is not subject to the requirements for distance in feet between the extremes of any group of axles or the extreme axles of the vehicle or combination of vehicles as required by this chapter when being moved upon the highways, except the interstate road system, as defined in section three hundred six point three (306.3), subsection three (3), of the Code.

Sec. 2. Section three hundred twenty-one E point eight (321E.8), subsections one (1) and two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-three (73), sections two (2) and three (3), are amended to read as follows:

1. Vehicles with indivisible loads having an overall width not to exceed twelve feet, five inches or mobile homes including appurtenances not to exceed twelve feet, five inches and an overall length not to exceed seventy-seventy-five feet, zero inches may be moved for unlimited distances. The vehicle and load shall not exceed the height of thirteen feet, ten inches and the total gross weight as prescribed in section 321.463.

2. Vehicles with indivisible loads having an overall width not to exceed fourteen feet, zero inches and an overall length not to exceed eighty eighty-five feet, zero inches shall be restricted to trip distances not to exceed fifty highway and street miles in total aggregate. The vehicle and load shall not exceed the height as prescribed in section 321.456 and the total gross weight as prescribed in section 321.463.

Sec. 3. Section three hundred twenty-one E point nine (321E.9), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session,