

reprisal for a disclosure of information by that employee to a member of the general assembly, the legislative service bureau, the legislative fiscal bureau, or the respective caucus staffs of the general assembly, or a disclosure of information which the employee reasonably believes evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. This subsection does not apply if the disclosure of that information is prohibited by statute.

Approved March 16, 1984

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**CHAPTER 1016**  
**CHILD RESTRAINT SYSTEMS REQUIRED**  
*S.F. 2089*

**AN ACT** requiring children under the age of six being transported in certain motor vehicles to be secured by child restraint systems, seat belts, or harnesses and providing a penalty and effective date.

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

Section 1. NEW SECTION. 321.446 CHILD RESTRAINT DEVICES.

1. A child under three years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten thousand pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by a child restraint system which meets federal motor vehicle safety standards and the system shall be used in accordance with the manufacturer's instructions.

2. A child at least three years of age but under six years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten thousand pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by either a child restraint system that meets federal motor vehicle safety standards and is used in accordance with the manufacturer's instructions, or by a safety belt or safety harness of a type approved under section 321.445.

3. This section does not apply to nonresidents of Iowa or to peace officers acting on official duty. This section also does not apply to the transportation of children in 1965 model year or older vehicles. This section does not apply to the transportation of a child who has been certified by a physician licensed under chapter 148, 150, or 150A as having a medical, physical, or mental condition which prevents or makes inadvisable securing the child in a child restraint system, safety belt or safety harness.

4. The operator who violates subsection 1 or 2 is guilty of a misdemeanor and subject only to the penalty provisions of section 5 of this Act.

5. A person who is first charged for a violation of subsection 1 and who has not purchased or otherwise acquired a child restraint system shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or otherwise acquired a

child restraint system which meets federal motor vehicle safety standards.

6. Failure to use a child restraint system, safety belts, or safety harnesses as required by this section does not constitute negligence nor is the failure admissible as evidence in a civil action.

Sec. 2. Section 321.210, Code 1983, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** The department shall not consider or assess any points for violations of section 321.446, in determining a license suspension under this section.

Sec. 3. Section 321.445, unnumbered paragraph 5, Code 1983, is amended to read as follows:

Failure to use seat belts installed in a motor vehicle shall is not be a crime or a public offense except as provided in section 321.446.

Sec. 4. Section 321.555, subsection 2, Code 1983, is amended to read as follows:

2. Six or more of any separate and distinct offenses within a two-year period in the operation of a motor vehicle which are required to be reported to the department by section 321.207 or chapter 321C, except equipment violations, violations of parking regulations of cities, violations of registration laws, violations of section 321.446, operating a vehicle with an expired license or permit, failure to appear, and weights and measures violations and speeding violations of less than fifteen miles per hour over the legal speed limit.

Sec. 5. Section 805.8, subsection 2, Code Supplement 1983, is amended by adding the following new lettered paragraph:

**NEW LETTERED PARAGRAPH.** For failing to secure a child with a child restraint system, safety belt, or harness in violation of section 321.446, the scheduled fine is ten dollars.

Sec. 6. This Act takes effect January 1, 1985.

Approved March 16, 1984

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## CHAPTER 1017

### INTEREST ON LIFE INSURANCE POLICY LOANS

H.F. 2263

**AN ACT** to regulate interest rates on life insurance policy loans.

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

Section 1. **NEW SECTION.**

1. Life insurance policies issued after July 1, 1984 may provide interest rates on policy loans in accordance with either of the following:

- a. A maximum interest rate of not more than eight percent per annum.
- b. An adjustable maximum interest rate established as permitted under this section.

2. The rate of interest charged on a policy loan made under subsection 1, paragraph "b", shall not exceed the greater of the following: