

CHAPTER 1243
MOTOR VEHICLE REQUIREMENTS
H.F. 2180

AN ACT relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year.

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

Section 1. Section 321.47, unnumbered paragraph 1, Code 1983, is amended to read as follows:

In the event of the transfer of ownership of ~~any~~ a vehicle by operation of law as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin, foreclosure or execution sale, abandoned vehicle sale, or ~~whenever when~~ the engine of a motor vehicle is replaced by another engine, or ~~whenever~~ a vehicle is sold to satisfy an artisan's lien as provided in chapter 577, ~~or is sold to satisfy~~ a landlord's lien as provided in chapter 570, or a storage lien as provided in chapter 579, or repossession is had upon default in performance of the terms of a security agreement, the ~~treasurer of the county in which the last certificate of title to any such vehicle was issued~~ county treasurer in the transferee's county of residence, upon the surrender of the prior certificate of title or the manufacturer's or importer's certificate, or when that is not possible, upon presentation of satisfactory proof to the county treasurer of ownership and right of possession to ~~such~~ the vehicle and upon payment of a fee of two dollars and the presentation of an application for registration and certificate of title, may issue to the applicant a registration card for ~~such~~ the vehicle and a certificate of title ~~thereto to it~~. The ~~person or~~ persons entitled under the laws of descent and distribution of an intestate's property to the possession and ownership of a vehicle owned in whole or in part by a decedent, upon filing an affidavit stating the name and date of death of the decedent, the right to possession and ownership of the persons filing ~~said~~ the affidavit, and that there has been no administration of the ~~said~~ decedent's estate, which instrument shall also contain an agreement to indemnify ~~any~~ creditors of the decedent who would be entitled to levy execution upon ~~said~~ the motor vehicle to the extent of the value of ~~said~~ the motor vehicle, ~~shall be are~~ entitled upon fulfilling the other requirements of this chapter, to the issuance of a registration card for the interest of the decedent in ~~such~~ the vehicle and a certificate of title ~~thereto to it~~. No requirement of either chapter 450 or 451 shall be considered satisfied by the filing of the affidavit provided for in this section. If, from the records in the office of the county treasurer, there appear to be any ~~lien or~~ liens on ~~such~~ the vehicle, ~~such~~ the certificate of title shall contain a statement of such liens unless the application is accompanied by proper evidence of their satisfaction or extinction. Evidence of extinction may consist of, but is not limited to, an affidavit of the applicant stating that a security interest was foreclosed as provided in Uniform Commercial Code, chapter 554, Article 9, Part 5.

Sec. 2. Section 321.71, subsection 7, Code 1983, is amended to read as follows:

7. As to motor vehicles of a model year subsequent to the model year 1968 less than eleven model years old which were equipped with an odometer by the manufacturer, no certificate of title shall be issued unless an odometer statement which is in compliance with federal law and regulations has been made by the transferor of such a vehicle and is furnished with the application for certificate of title. The new certificate of title shall record on the its face thereof the odometer reading and if the odometer reading is not the true mileage or the true mileage is unknown, then the word "unknown" shall be recorded. However, a certificate of title may be issued for a motor vehicle to a person who moves into this state if such the person acquired ownership of the motor vehicle prior to moving to this state. The provisions of this This subsection shall does not apply to motor vehicles transferred by operation of law pursuant to section 321.47 nor to motor vehicles having a registered gross vehicle weight of more than sixteen thousand pounds.

Sec. 3. Section 321.71, subsection 9, Code 1983, is amended to read as follows:

9. An Iowa licensed motor vehicle dealer shall not have in his possession as inventory for sale any a used motor vehicle acquired by the dealer after January 1, 1972 the eleventh model year prior to the current registration year, for which he the dealer does not have in his possession possess an odometer statement by the transferor which is in compliance with federal law and regulations unless a certificate of title has been issued for such the vehicle in the name of the dealer.

Approved May 9, 1984

CHAPTER 1244
CORRECTIONAL PROCEDURES
H.F. 2348

AN ACT relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole.

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

Section 1. Section 247A.2, Code Supplement 1983, is amended to read as follows:

247A.2 PROGRAM. The Iowa department of corrections shall establish a work release program under which inmates sentenced to an institution under the jurisdiction of the department may be granted the privilege of leaving actual confinement during necessary and reasonable hours for the purpose of working at gainful employment. Under appropriate conditions the program may also include release for the purpose of seeking employment and attendance at an educational institution. In the case of inmates who have children in their homes