

eligible for benefits from, or to participate in any manner in, the Iowa comprehensive petroleum underground storage tank fund.

2. If a person or class of persons is entitled to a refund of any amount of the environmental protection charge previously collected or is otherwise relieved of any liability to the Iowa comprehensive petroleum underground storage tank fund under this Act, that person or class of persons shall be liable for the refund of all benefits previously received from the fund and shall not be eligible for benefits or to participate in any manner in the fund. The fund is entitled to a setoff of any environmental protection charge refund liability against the person's liability to the fund to refund any benefits received. Insurance premiums previously received shall not be refundable even though a person becomes ineligible for participation in the fund or for the receipt of benefits from the fund after payment.

Any contract entered into by a tank owner or operator, or other recipient of fund benefits, in the course of administration or implementation of this Act, shall include as a condition of the contract, terms consistent with this section, to assure reciprocity of obligation and benefits as provided.

Sec. 60. The Code editor shall codify sections 101.101 through 101.108 as a new division II of chapter 101.

Sec. 61. Section 455G.11 is repealed effective July 1, 2004, subject to the qualifications of section 455G.11, subsection 6.

Sec. 62. Section 455G.10 is repealed effective July 1, 1999, except such repeal shall not effect any outstanding contractual rights.

Sec. 63. Sections 455G.6 and 455G.7 are repealed effective July 1, 2009, except as such sections apply with respect to any outstanding bonds issued thereunder, or refinancing of such outstanding bonds.

Sec. 64. Section 214A.18, Code 1989, is repealed.

Sec. 65. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 5, 1989

CHAPTER 132

AUTHORITY AT FIRE SCENES AND EMERGENCIES

H.F. 241

AN ACT relating to the authority of fire chiefs and their officers at fire scenes and emergencies, and providing a penalty for violations.

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

Section 1. **NEW SECTION.** 100B.1 DEFINITIONS.

As used in this chapter, "fire department" means the fire department of a city, township, or benefited fire district.

Sec. 2. **NEW SECTION.** 100B.2 AUTHORITY AT FIRES.

A fire chief or other authorized officer of a fire department in charge of a fire scene which involves the protection of life or property, may direct an operation as necessary to extinguish or control a fire, perform a rescue operation, investigate the existence of a suspected or reported fire, gas leak, or other hazardous condition, or take any other action as deemed necessary in

the reasonable performance of the department's duties. In exercising this power, a fire chief may prohibit an individual, vehicle, or vessel from approaching a fire scene and may remove from the scene any object, vehicle, vessel, or individual that may impede or interfere with the operations of the fire department.

Sec. 3. NEW SECTION. 100B.3 AUTHORITY TO BARRICADE.

The fire chief or other authorized officer of the fire department in charge of a fire scene may place or erect ropes, guards, barricades, or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the fire fighting efforts of the fire department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

Sec. 4. NEW SECTION. 100B.4 TRAFFIC CONTROL.

Notwithstanding a contrary provision of this chapter, if a peace officer is on the scene, the peace officer is in charge of traffic control and a peace officer shall not be prohibited from performing the duties of a peace officer at the fire scene.

Sec. 5. NEW SECTION. 100B.5 PENALTY.

A person who disobeys an order of a fire chief, other officer of a fire department, or peace officer assisting the fire department which is issued pursuant to section 100B.2 or 100B.3, is guilty of a simple misdemeanor.

Approved May 5, 1989

CHAPTER 133

MORTGAGE BROKERS AND MORTGAGE BANKERS

H.F. 645

AN ACT relating to mortgage brokers and mortgage bankers.

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

Section 1. Section 535B.1, subsection 1, paragraph c, Code 1989, is amended to read as follows:

c. Services at least four first mortgage loans on residential real property located in this state. However, a natural person who services less than fifteen first mortgage loans on residential real estate within the state and who does not sell or transfer first mortgage loans, is exempt from this paragraph if that person is otherwise exempt from the provisions of this chapter.

Sec. 2. Section 535B.1, subsection 4, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. "Natural person" means an individual who is not an association, joint venture, or joint stock company, partnership, limited partnership, business corporation, nonprofit corporation, other business entity, or any other group of individuals or business entities, however organized.

Sec. 3. Section 535B.1, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 8. "Registrant" means a person registered under section 535B.3.

Sec. 4. Section 535B.2, unnumbered paragraph 1, Code 1989, is amended to read as follows:
This chapter, except for sections 535B.3, 535B.11, 535B.12, and 535B.13, does not apply to any of the following: