

Sec. 8. NEW SECTION. 533C.8 WAIVER.

1. A credit services organization shall not attempt to cause a buyer to waive a right under this chapter.
2. A waiver by a buyer of any part of this chapter is void.

Sec. 9. NEW SECTION. 533C.9 ACTION FOR DAMAGES.

1. A buyer injured by a violation of this chapter may bring an action for recovery of damages. The damages awarded shall not be less than the amount paid by the buyer to the credit services organization, plus reasonable attorney's fees and court costs.
2. The buyer may also be awarded punitive damages.

Sec. 10. NEW SECTION. 533C.10 INJUNCTION.

1. The attorney general or a buyer may bring an action in a district court to enjoin a violation of this chapter.

Sec. 11. NEW SECTION. 533C.11 STATUTE OF LIMITATIONS.

An action shall not be brought under section 533C.9 after ten years after the date of the execution of the contract for services to which the action relates.

An action shall not be brought under section 533C.12 after four years after the date of the execution of the contract for services to which the action relates.

Sec. 12. NEW SECTION. 533C.12 CRIMINAL PENALTY.

A person who violates a provision of this chapter commits a serious misdemeanor.

Sec. 13. NEW SECTION. 533C.13 BURDEN OF PROVING EXEMPTION.

In an action under this chapter, the burden of proving an exemption under section 533C.2, subsection 2, is upon the person claiming the exemption.

Sec. 14. NEW SECTION. 533C.14 REMEDIES CUMULATIVE.

The remedies provided by this chapter are in addition to other remedies provided by law.

Approved May 22, 1989

CHAPTER 184

MOTORIZED BICYCLE SAFETY FLAGS

H.F. 663

AN ACT requiring motorized bicycles to be equipped with bicycle safety flags and providing a penalty.

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

Section 1. Section 321.275, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 9. BICYCLE SAFETY FLAGS REQUIRED ON MOTORIZED BICYCLES. When operated on a highway, a motorized bicycle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the motorized bicycle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches, and be day-glow in color.

Sec. 2. Section 805.8, subsection 2, paragraph h, Code 1989, is amended to read as follows:

h. For operating, passing, turning and standing violations under sections 321.236, subsections 3, 4, 9 and 12, 321.275, subsections 1 through 8, 321.295, 321.297, 321.299, 321.303, 321.304, subsections 1 and 2, 321.305, 321.306, 321.311, 321.312, 321.314, 321.315, 321.316, 321.318, 321.323,

321.340, 321.344, 321.353, 321.354, 321.363, 321.365, 321.366, 321.368, 321.382 and 321.395, the scheduled fine is fifteen dollars.

Sec. 3. Section 805.8, subsection 2, Code 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. u. For failure of having a bicycle safety flag on a motorized bicycle in violation of section 321.275, subsection 9, the scheduled fine is five dollars.

Approved May 22, 1989

CHAPTER 185

MOTOR VEHICLE REGISTRATIONS AND CERTIFICATES OF TITLE

H.F. 784

AN ACT relating to motor vehicle registrations and certificates of title and providing penalties and effective dates.

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

Section 1. Section 321.24, unnumbered paragraph 3, Code 1989, is amended to read as follows:

The certificate of title shall contain upon its face the identical information required upon the face of the registration receipt. In addition, the certificate of title shall contain a statement of the owner's title, the amount of tax paid pursuant to section 423.7, the name and address of the previous owner, and a statement of all security interests and encumbrances as shown in the application, upon the vehicle described, including the nature of the security interest, date of notation, and name and address of the secured party. If the prior certificate of title was a salvage, rebuilt, or junking certificate of title in any other state, or if the prior certificate of title in any other state indicates that the vehicle was salvaged, rebuilt, or junked, the new certificate of title shall contain the same information together with the name of the state issuing the prior salvage, rebuilt, or junking certificate of title and a salvage, rebuilt, or junking designation together with the name of the state issuing the prior salvage, rebuilt, or junking certificate of title shall be retained on all subsequent Iowa certificates of title for the vehicle, except as provided in section 321.52. In the event a vehicle which previously had a salvage certificate of title from another state is repaired and a regular certificate of title is to be issued for it pursuant to section 321.52 without the designation rebuilt, the regular certificate of title shall indicate the state which had issued the prior salvage certificate of title in the same location in which Iowa certificates of title show the designation salvage or rebuilt, in addition to the name and address of the previous owner, in lieu of the salvage designation. The name of the state which had issued the prior salvage certificate of title shall remain in that location on every Iowa certificate of title issued thereafter for the vehicle. The department shall adopt rules to determine how other states' designations are to be indicated on Iowa titles. The certificate shall bear the seal of the county treasurer or of the department, and the signature of the county treasurer, the deputy county treasurer, or the department director or deputy designee. The certificate shall provide space for the signature of the owner. The owner shall sign the certificate of title in the space provided with pen and ink upon its receipt. The certificate of title shall contain upon the reverse side a form for assignment of title or interest and warranty by the owner, for reassignments by a licensed dealer, ~~and for~~ Attached to the certificate of title shall be an application for a new certificate of title by the transferee as provided in this chapter. However, titles for mobile homes shall not be reassigned by licensed dealers. All certificates of title shall be typewritten or printed by other mechanical means.