

c. An owner or an owner's agent of a multiple-unit residential building or single-family dwelling shall supply light-emitting smoke detectors, upon request, for a tenant with a hearing impairment.

Sec. 3. Section 100.18, subsection 3, Code 1991, is amended by striking the subsection.

Sec. 4. Section 100.18, subsection 5, Code 1991, is amended to read as follows:

5. The state fire marshal shall enforce the requirements of subsection 2 and ~~shall~~ may implement a program of inspections to monitor compliance with the provisions of that subsection. Upon inspection, the state fire marshal shall issue a written notice to the owner or manager of a multiple-unit residential building or single-family dwelling informing the owner or manager of compliance or noncompliance with this section. The state fire marshal may contract with any political subdivision without fee assessed to either the state fire marshal or the political subdivision, for the performance of the inspection and notification responsibilities. The inspections authorized under this section are limited to the placement, repair, and operability of smoke detectors. Any broader inspection authority is not derived from this section. The state fire marshal shall adopt rules under chapter 17A as necessary to enforce this section including rules concerning the placement of smoke detectors and the use of acceptable smoke detectors. The smoke detectors shall display a label or other identification issued by an approved testing agency or another label specifically approved by the state fire marshal. ~~The state fire marshal shall not require other than single-station smoke detectors. If smoke detectors are not required under subsection 4 due to the presence of an automatic smoke detection system, the state fire marshal shall not require other than the automatic smoke detection system.~~

Sec. 5. Section 100.18, subsection 7, Code 1991, is amended to read as follows:

7. If a smoke detector is found to be inoperable the owner or manager of the multiple-unit residential building or single-family dwelling shall correct the situation within fourteen days after written notification to the owner or manager by the tenant, guest, roomer, state fire marshal, fire marshal's subordinates, chiefs of local fire departments, building inspectors, or other fire, building, or safety officials. If the owner or manager of a multiple-unit residential building fails to correct the situation within the fourteen days the tenant, guest, or roomer may cause the smoke detector to be repaired or purchase and install a ~~single-station~~ smoke detector required under this section and may deduct the repair cost or purchase price from the next rental payment or payments made by the tenant, guest, or roomer. However, a lessor or owner may require a lessee, tenant, guest, or roomer who has a residency of longer than thirty days to provide the battery for a battery operated smoke detector.

Sec. 6. Section 100.18, subsection 9, unnumbered paragraph 2, Code 1991, is amended by striking the paragraph.

Approved April 29, 1991

CHAPTER 65

MORTGAGE BANKERS AND BROKERS — REGULATORY AUTHORITY

S.F. 435

AN ACT relating to the transfer of regulatory authority over mortgage bankers and brokers from the superintendent of savings and loans to the superintendent of banking.

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

Section 1. Section 535B.1, subsection 6, Code 1991, is amended to read as follows:

6. "Administrator" means the superintendent of the division of savings and loans banking of the department of commerce.

Sec. 2. Section 535B.13, subsection 1, paragraph a, Code 1991, is amended to read as follows:

a. For the purposes of this subsection, "administrator" means either the superintendent of savings and loans banking or the official or agency charged with enforcing this chapter, or parts thereof, against the person under investigation.

Approved April 29, 1991

CHAPTER 66

LIGHT RAIL STUDY

S.F. 454

AN ACT authorizing the state department of transportation to contract for a light rail study.

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

Section 1. INTENT. It is the intent of the general assembly to increase energy conservation and efficiency, to reduce air pollution, and to provide efficient and convenient transportation to metropolitan airport facilities through use of a light rail system within the state.

Sec. 2. LIGHT RAIL SYSTEM. The state department of transportation shall contract with a private consultant to study the feasibility of operating a light rail system within the state. The routes studied shall include a route from West Des Moines through metropolitan Des Moines, a route from the Des Moines airport through Ankeny to Ames, and a route from Iowa City through North Liberty to Cedar Rapids. The department shall only contract for the light rail system feasibility study authorized by this section if the study is financed from adequate funds made available by the federal government or the private sector. The department is authorized to accept and use any available federal or private funds for conducting the study. The department shall submit a report of findings and recommendations to the general assembly.

Approved April 29, 1991

CHAPTER 67

DEPARTMENTAL RULES ON RECOVERY FOR DAMAGE TO HIGHWAYS

H.F. 275

AN ACT requiring the state department of transportation to adopt administrative rules relating to damage to highways and highway structures.

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

Section 1. Section 321.475, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall adopt rules pursuant to chapter 17A, stating the department's policy for recovery of damages to highways or highway structures pursuant to this section. The policy shall exclude from recoverable damages the costs of traffic control at the scene of an accident.