

Sec. 4. Section 321.218, subsection 4, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the department receives a record of a conviction of a person under this section but the person's driving record does not indicate what the original grounds of suspension were, the period of suspension under this subsection shall be for a period not to exceed six months.

Sec. 5. Section 321A.17, subsection 5, Code 1993, is amended to read as follows:

5. An individual applying for a motor vehicle license following a period of suspension or revocation under section 321.210, subsection 1, paragraph "d", or section 321.210A, ~~321.216~~ 321.216B, or 321.513, or following a period of suspension under section 321.194, is not required to maintain proof of financial responsibility under this section.

Sec. 6. **LEGISLATIVE INTENT.** It is the intent of the general assembly that suspensions of the motor vehicle license or nonresident operating privileges of minors under section 321.210, subsection 1, paragraph "d", for a violation of section 321.216B, not be used to raise or otherwise negatively impact the insurance rates of those individuals. While the suspension of a motor vehicle license may serve as a useful deterrent to unlawful possession of alcohol, thereby achieving the effect that the general assembly intends, the general assembly intends that only those suspensions that are a result of moving violations be used as the basis for an increase in a person's premium rate for motor vehicle insurance.

Approved May 28, 1993

CHAPTER 165

MULTIPURPOSE VEHICLE REGISTRATION FEES FOR DISABLED PERSONS

H.F. 409

AN ACT relating to multipurpose vehicle registration fees for disabled persons.

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

Section 1. Section 321.109, subsection 1, unnumbered paragraph 2, Code 1993, is amended to read as follows:

The annual registration fee for a multipurpose vehicle with permanently installed equipment manufactured for and necessary to assist a ~~handicapped~~ disabled person who is either the owner or a member of the owner's household in entry and exit of the vehicle or for a multipurpose vehicle if the vehicle's owner or a member of the vehicle owner's household uses a wheelchair as the only means of mobility shall be seventy-five sixty dollars for the first through fifth model years and shall be fifty-five dollars for each model year thereafter. ~~To qualify under this paragraph, the owner's income and earnings must not exceed one hundred fifty percent of the federal poverty level as published by the United States department of health and human services. For purposes of this unnumbered paragraph, "uses a wheelchair" does not include use of a wheelchair due to a temporary injury or medical condition.~~

Sec. 2. Section 321.124, subsection 3, paragraph h, subparagraph (6), Code 1993, is amended to read as follows:

(6) The annual registration fee for a multipurpose vehicle with permanently installed equipment manufactured for and necessary to assist a ~~handicapped~~ disabled person who is either the owner or a member of the owner's household in entry and exit of the vehicle or for a multipurpose vehicle if the vehicle's owner or a member of the vehicle owner's household uses a wheelchair as the only means of mobility shall be seventy-five sixty dollars for the first through

fifth model years and shall be fifty-five dollars for each model year thereafter. To qualify under this subparagraph, the owner's income and earnings must not exceed one hundred fifty percent of the federal poverty level as published by the United States department of health and human services. For purposes of this subparagraph, "uses a wheelchair" does not include use of a wheelchair due to a temporary injury or medical condition.

Sec. 3. 1993 Iowa Acts, Senate File 232,* sections 17 and 18, are repealed.

Approved May 28, 1993

CHAPTER 166

VICTIM COUNSELORS

S.F. 293

AN ACT relating to the presence of victim counselors in proceedings pertaining to the offense.

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

Section 1. **NEW SECTION. 910A.20 PRESENCE OF VICTIM COUNSELORS.**

1. As used in this section, unless the context otherwise requires:

a. "Proceedings related to the offense" means any activities engaged in or proceedings commenced by a law enforcement agency, judicial district department of correctional services, or a court pertaining to the commission of a public offense against the victim, in which the victim is present, as well as examinations of the victim in an emergency medical facility due to injuries from the public offense which do not require surgical procedures. "Proceedings related to the offense" includes, but is not limited to, law enforcement investigations, pretrial court hearings, trial and sentencing proceedings, and proceedings relating to the preparation of a presentence investigation report in which the victim is present.

b. "Victim counselor" means a victim counselor as defined in section 236A.1.

2. A victim counselor who is present as a result of a request by a victim shall not be denied access to any proceedings related to the offense.

3. This section does not affect the inherent power of the court to regulate the conduct of discovery pursuant to the Iowa rules of criminal or civil procedure or to preside over and control the conduct of criminal or civil hearings or trials.

Approved May 28, 1993

*Chapter 169 herein