

that identifies a person, including a person's photograph, social security number, driver's license number, name, address, telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status or a person's zip code.

Notwithstanding other provisions of this section to the contrary, the department shall not release personal information to a person, other than to an officer or employee of a law enforcement agency, if the information is requested by the presentation of a registration plate number. However, a law enforcement agency may release the name, address, and telephone number of a motor vehicle registrant to a person requesting the information by the presentation of a registration plate number if the law enforcement agency believes that the information is necessary to prevent an unlawful act. A person seeking the information shall state in writing the nature of the unlawful act that the person is attempting to prevent.

Sec. 2. **CONDITIONAL REPEAL.** In the event that the requirements to provide for closure of records of the state department of transportation as contained in 18 U.S.C. § 2721 et seq., are repealed, or are declared to be unconstitutional by a federal court of competent jurisdiction, the amendment to section 321.11, as contained in this Act, is repealed. The director of the state department of transportation shall make a determination that the federal law has been repealed or declared unconstitutional and in that event shall provide for immediate implementation of section 321.11, as it existed prior to the enactment of this Act, through the rulemaking procedures of chapter 17A. The director shall also propose to the general assembly pursuant to section 2.16 necessary changes of the Code. The Code editor may also include such necessary changes in the next Code editor's bill.

Sec. 3. **EFFECTIVE DATE.** This Act takes effect September 13, 1997.

Approved April 16, 1996

CHAPTER 1103

SECONDARY ROADS – AREA SERVICE CLASSIFICATION

H.F. 419

AN ACT providing for class "C" area service system roads and providing a penalty.

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

Section 1. Section 309.57, Code 1995, is amended to read as follows:
309.57 AREA SERVICE CLASSIFICATION.

The county board of supervisors, after consultation with the county engineer, and for purposes of specifying levels of maintenance effort and access, may classify the area service system into ~~two~~ three classifications termed area service "A", ~~and area service "B."~~ "B", and area service "C". The area service "A" classification shall be maintained in conformance with applicable statutes. ~~Roads on the area~~ Area service "B" classification roads may have a lesser level of maintenance as specified by the county board of supervisors, after consultation with the county engineer. Area service "C" classification roads may have restricted access and a minimal level of maintenance as specified by the county board of supervisors after consultation with the county engineer.

Roads within area service "B" ~~classification~~ and "C" classifications shall have appropriate signs, conforming to the Iowa state sign manual, installed and maintained by the county at

all access points to roads on this system from other public roads, to adequately warn the public they are entering a section of road which has a lesser level of maintenance effort than other public roads. In addition, area service "C" classification roads shall adequately warn the public that access is limited.

Roads may only be classified as area service "C" by ordinance or resolution upon petition signed by all landowners adjoining the road. The ordinance or resolution shall specify the level of maintenance effort and the persons who will have access rights to the road. The county shall only allow access to the road to the owner, lessee, or person in lawful possession of any adjoining land, or the agent or employee of the owner, lessee, or person in lawful possession, or to any peace officer, magistrate, or public employee whose duty it is to supervise the use or perform maintenance of the road. Access to the road shall be restricted by means of a gate or other barrier.

Notwithstanding section 716.7, subsection 4, entering or remaining upon an area service "C" road without justification after being notified or requested to abstain from entering or to remove or vacate the road by any person lawfully allowed access shall be a trespass as defined in section 716.7.

A road with an area service "C" classification shall retain the classification until such time as a petition for reclassification is submitted to the board of supervisors. The petition shall be signed by adjoining landowners. The board of supervisors shall approve or deny the request for reclassification within sixty days of receipt of the petition.

The county and officers, agents, and employees of the county are not liable for injury to any person or for damage to any vehicle or equipment, or contents of any vehicle or equipment, which occurs proximately as a result of the maintenance of a road which is classified as area service "B," "B" or "C" if the road has been maintained to the level required for roads classified as area service "B," "B" or "C".

Approved April 16, 1996

CHAPTER 1104

CONTINUING APPROPRIATIONS FOR CITY PUBLIC IMPROVEMENTS

S.F. 2131

AN ACT relating to a continuing appropriation for city public improvements.

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

Section 1. Section 384.20, Code 1995, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Continuing appropriation means the unexpended portion of the cost of public improvements, as defined in section 384.95, which cost was adopted through a public hearing pursuant to section 384.102 and was included in an adopted or amended budget of a city. A continuing appropriation does not expire at the conclusion of a fiscal year. A continuing appropriation continues until the public improvement is completed, but expenditures under the continuing appropriation shall not exceed the resources available for paying for the public improvement.

Approved April 16, 1996