

CHAPTER 1083

OPERATING A MOTOR VEHICLE — SPEED, CONTROL, AND ACCIDENTS

H.F. 2228

AN ACT relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to change lanes or reduce speed in specific situations, and providing penalties.

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

Section 1. Section 321.285, subsection 2, paragraph a, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Unless otherwise provided by this section, or except as posted pursuant to sections 262.68, 321.236, subsection 5, section 321.288, subsection 6 2, paragraph “f”, sections 321.289, 321.290, 321.293, 321.295, and 461A.36, the following shall be the lawful speed and any speed in excess thereof shall be unlawful:

Sec. 2. Section 321.288, Code 2011, is amended to read as follows:

321.288 Control of vehicle — reduced speed.

1. A person operating a motor vehicle shall have the vehicle under control at all times ~~and~~.
2. A person operating a motor vehicle shall reduce the speed to a reasonable and proper rate:

1. a. When approaching and passing a person walking in the traveled portion of the public highway.

2. b. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

3. c. When approaching and traversing a crossing or intersection of public highways, or a bridge, sharp turn, curve, or steep descent, in a public highway.

4. d. When approaching and passing an emergency warning device displayed in accordance with rules adopted under section 321.449, or an emergency vehicle displaying a revolving or flashing light.

5. e. When approaching and passing a slow moving vehicle displaying a reflective device or alternative reflective device as provided by section 321.383.

6. f. When approaching and passing through a ~~sign-posted~~ road work zone ~~upon the public highway~~.

Sec. 3. Section 321.323A, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 3. a. A person convicted of a violation of this section commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 11.

b. A person convicted of a violation of this section which resulted in an accident causing bodily injury to or the death of another person may be subject to the following penalties in addition to the penalty provided for a scheduled violation in section 805.8A, subsection 11, or any other penalty provided by law:

(1) For a violation causing bodily injury to another person, a fine of five hundred dollars.

(2) For a violation causing death, a fine of one thousand dollars.

c. Upon receiving a record of a person’s conviction for a violation under paragraph “a” which resulted in an accident causing damage to the property of another person or bodily injury to or death of another person, the department shall suspend the person’s driver’s license or operating privileges, upon thirty days’ notice and without preliminary hearing, as follows:

(1) For a violation causing damage to the property of another person, but not resulting in bodily injury or death of to another person, the department shall suspend the violator’s driver’s license or operating privileges for ninety days.¹

¹ See chapter 1138, §63 herein

(2) For a violation causing bodily injury to another person, the department shall suspend the violator's driver's license or operating privileges for one hundred eighty days.

(3) For a violation causing death, the department shall suspend the violator's driver's license or operating privileges for one year.

Sec. 4. Section 321.482A, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Notwithstanding section 321.482, a person who is convicted of operating a motor vehicle in violation of section 321.178, subsection 2, paragraph "a", subparagraph (2), section 321.180B, subsection 6, section 321.194, subsection 1, paragraph "c", section 321.256, section 321.257, section 321.275, subsection 4, section 321.276, 321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306, 321.307, 321.308, section 321.309, subsection 2, or section 321.311, 321.319, 321.320, 321.321, 321.322, 321.323, ~~321.323A~~, 321.324, 321.324A, 321.327, 321.329, or 321.333 causing serious injury to or the death of another person may be subject to the following penalties in addition to the penalty provided for a scheduled violation in section 805.8A or any other penalty provided by law:

Sec. 5. PUBLIC AWARENESS AND COMPLIANCE PROGRAMS. The department of transportation, in conjunction with the department of public safety, shall establish programs to foster public awareness of and compliance with the requirements of section 321.323A.

Approved April 12, 2012