

Motor Vehicle.
March 13, 1931.

House File No. 458. ⁴⁴
By SNYDER. ⁴

A BILL FOR

An Act (1) to amend section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relating to the time of forwarding motor vehicle or trailer license fee receipts to the secretary of state; (2) to amend section forty-eight hundred eighty (4880) of the code, 1927, relating to time when the vendee of a motor vehicle shall make application for registration of said motor vehicle; (3) to amend section forty-nine hundred twenty-four (4924) of the code, 1927, relating to refunds of motor vehicle license fees and specifying time for filing claim and amount of refund; (4) to amend section forty-nine hundred twenty-five (4925) of the code, 1927, relating to the time of payment of refunds upon motor vehicle license fees; (5) to amend section forty-nine hundred twenty-seven (4927) of the code, 1927, to provide that registration fees upon motor vehicles of dealers and used car dealers are in lieu of other taxes; (6) to amend section fifty hundred twelve (5012) of the code, 1927, by providing for the retention by the county treasurer of twenty-five cents (25c) for each motor vehicle license transferred; (7) to amend section fifty hundred thirteen (5013) of the code, 1927, relating to the date of report of county treasurer to the motor vehicle department pertaining to fees and penalties; (8) to amend chapter two hundred fifty-one (251) of the code, 1927, by inserting therein sections fifty hundred eighteen-d one (5018-d1), fifty hundred eighteen-d two (5018-d2), fifty hundred eighteen-d three (5018-d3), fifty hundred eighteen-d four (5018-d4), fifty hundred eighteen-d five (5018-d5), fifty hundred eighteen-d six (5018-d6) and fifty hundred eighteen-d seven (5018-d7) providing for a period for an official inspection of the safety equipment of motor vehicles upon proclamation by the governor, and authorizing the motor vehicle department to designate, furnish instructions to, and supervise official inspection stations, and authorizing the issuance of official certificates of inspection, and specifying the conditions upon which certificates of inspection may be issued, and authorizing the issuance of regulations pertaining to equipment and condition of repair of motor vehicles, and requiring compliance by owners and operators of motor vehicles with minimum requirements of such regulations, and requiring reports to be made by official inspection stations, and authorizing revocation of the designation of official inspection sta-

tions; and prohibiting the operation of motor vehicles upon the highways in certain cases, and providing a penalty for violation of the provisions relating to operation of motor vehicles found not in such condition to comply with the minimum requirements of regulations of the motor vehicle department, and for violation of provisions relating to the operation of motor vehicles without inspection; (9) to amend section ten thousand three hundred forty-three (10343) of the code, 1927, relating to artisan's liens; (10) to amend section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, to change the penalty for violation of the provisions of chapter five hundred eighty-two-A one (582-A1) of the code, 1927.

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

1 Section 1. Section six (6) of chapter one hundred twenty-two
2 (122) acts of the forty-third (43rd) general assembly is amended by
3 inserting after the word "department" in line six (6) thereof,
4 the following: "on the day the license is issued".

1 Sec. 2. Section forty-eight hundred eighty (4880) of the
2 code, 1927, is amended by striking from line three (3) thereof
3 the words "at once" and inserting in lieu thereof the words
4 "within forty-eight hours".

1 Sec. 3. Section forty-nine hundred twenty-four (4924)
2 of the code, 1927, as amended by chapter one hundred twenty-three
3 (123), acts of the forty-third (43rd) general assembly is repealed
4 and the following enacted in lieu thereof:

5 "4924. If during the year for which a motor vehicle was
6 registered and the required registration fee paid therefor,
7 such motor vehicle is destroyed by fire or accident, or junked
8 and identity as a motor vehicle entirely eliminated, or stolen,
9 and not recovered by the owner before the expiration of the

10 registration period for which such fee was paid, or sold, and
11 continuously used beyond the boundaries of the state, said owner
12 shall, upon the furnishing of adequate proof of such theft, or
13 destruction by accident, or the junking and entire elimination
14 of identity of a motor vehicle, or sale, be paid a refund on
15 account of the unused portion of the motor vehicle license fee
16 paid for such year. Such refund shall be computed upon a
17 quarterly basis to the end that when the use of such motor vehicle
18 license terminates in the first quarter of the year and proper
19 proof thereof is furnished during such quarter, the amount of
20 refund shall be three-fourths ($\frac{3}{4}$) of the total license fee for
21 the year, and in like manner when the use of such motor vehicle
22 license terminates during the second and third quarters of the
23 year and proper proof of such termination is furnished during
24 such quarter, the amount of refund shall be either one-half ($\frac{1}{2}$)
25 or one-fourth ($\frac{1}{4}$) of the total amount of license fee for the
26 year, as the case may be. No refunds shall be made when the
27 use of such motor vehicle license terminates in the last quarter
28 of the year or when the amount thereof is less than one dollar
29 (\$1.00); and if the use of such motor vehicle license terminates
30 in a particular quarter of the year and proper proof thereof
31 is not furnished to the department until during a succeeding
32 quarter of the year the refunds shall be computed as though the
33 use of the motor vehicle license terminated in the same quarter
34 during which the proof of termination is furnished.

1 Sec. 4. Section forty-nine hundred twenty-five (4925) of

2 the code, 1927, as amended by chapter one hundred twenty-three
3 (123), acts of the forty-third (43rd) general assembly, is
4 amended by inserting after the comma (,) in line three (3)
5 thereof, the words "during the quarter following the date".

1 Sec. 5. Section forty-nine hundred twenty-seven (4927) of
2 the code, 1927, is amended by striking from lines three (3) and
3 four (4) thereof the following: "and dealers and used car
4 dealers".

1 Sec. 6. Section fifty hundred twelve (5012) of the code,
2 1927, is amended:

3 1. By inserting in line four (4) thereof after the word
4 "issued" the following: "and twenty-five (25) cents for each
5 motor vehicle license transferred";

6 2. By inserting in line six (6) thereof after the word
7 "registration" the words "and the transfer".

1 Sec. 7. That section fifty hundred thirteen (5013) of the
2 code, 1927, is hereby amended by striking from line one (1)
3 thereof the word "fifteenth" and inserting in lieu thereof
4 the word "fifth".

1 Sec. 8. Chapter two hundred fifty-one (251) of the code,
2 1927, is hereby amended by inserting therein immediately
3 following section fifty hundred eighteen (5018) thereof, the
4 following:

5 "5018-d1. It shall be the duty of the department, upon
6 proclamation by the governor designating a period for an
7 official inspection of the safety equipment of motor vehicles,

8 to require every resident owner of a motor vehicle being operated
9 in this state, except motorcycles and bicycles with motor
10 attached, to submit such motor vehicle to such inspection of
11 its safety mechanism and equipment as may be designated by the
12 department.

13 “5018-d2. The department shall, upon issuance of such
14 proclamation by the governor, designate, furnish instructions
15 to, and supervise official inspection stations which shall,
16 when duly authorized, make official inspections of such motor
17 vehicles and issue official certificates of inspection for
18 every motor vehicle so inspected. Such official certificate
19 shall be of a form and tenor designated by the department.

20 “5018-d3. No certificate of inspection shall be issued
21 by any official inspection station or displayed on any motor
22 vehicle by the owner or operator thereof, unless the motor
23 vehicle for which the certificate of inspection is issued is
24 so equipped and in such condition of repair as to comply with
25 regulations pertaining thereto which are hereby authorized to
26 be issued by the department and furnished to the official
27 inspection stations; and when it appears upon inspection that
28 it is necessary that adjustments, corrections, replacements,
29 or repairs be made in order to place such motor vehicle within
30 the minimum requirements of such regulations, it shall be
31 unlawful for the owner of such motor vehicle to operate or
32 permit the operation of such motor vehicle until such adjustments,
33 corrections, replacements or repairs, as are necessary to comply

34 with the minimum requirements of such regulations, have been
35 made upon such motor vehicle.

36 “5018-d4. Official inspection stations designated by the
37 department as provided in the second preceding section shall
38 report all inspections to the motor vehicle department on
39 forms furnished by the department, which reports shall indicate
40 thereon any refusal on the part of any owner or operator of any
41 motor vehicle subject to inspection to make or have made any
42 adjustments, corrections, replacements and repairs necessary to
43 comply with the minimum requirements of the department regu-
44 lations authorized in the last preceding section.”

45 “5018-d5. Whenever the department shall determine upon
46 investigation that any official inspection station has knowingly
47 failed to comply with the instructions and regulations pertaining
48 to official inspections, the department may revoke the designation
49 of any such official inspection station.

50 “5018-d6. It shall be unlawful for any person to operate
51 any motor vehicle upon the highways unless within thirty (30)
52 days following the expiration of the inspection period designated
53 in the governor’s proclamation, the motor vehicle shall have
54 been inspected; and at any time during such period any peace
55 officer may, upon exhibiting his badge or other sign of authority,
56 stop any motor vehicle and inquire of the owner or operator
57 whether or not an official certificate of inspection has been
58 issued for the motor vehicle.

59 “5018-d7. Any person violating the provisions of the

60 foregoing sections fifty hundred eighteen-d four (5018-d4) and
61 and fifty hundred eighteen-d six (5018-d6) shall be guilty of
62 a misdemeanor, and upon conviction thereof shall be fined not
63 to exceed ten dollars (\$10.00) or be imprisoned in the county
64 jail not to exceed five (5) days.”

1 Sec. 9. Section ten thousand three hundred forty-three
2 (10343) of the code, 1927, is amended:

3 1. By striking from lines eight (8), nine (9) and ten (10)
4 thereof the words “while such property is lawfully in his
5 possession, which possession he may retain until such compen-
6 sation is paid”;

7 2. By adding thereto the following: “Whenever such
8 property shall lawfully come into possession of such lienholder
9 he may retain such possession until such compensation is paid.”.

1 Sec. 10. Section thirteen thousand one hundred eleven-
2 a five (13111-a5) of the code, 1927, is amended by striking
3 from the last line thereof the following: “, or both”.