

Reported Recommending.....
Ind. Postponed.....
Passed House
Failed to Pass House.....
Passed Senate
Failed to Pass Senate.....

House File 483

March 25, 1943.
To Sifting Committee.

By COMMITTEE ON MOTOR
VEHICLES AND TRANSPORTATION.

A BILL FOR

An Act to repeal sections five thousand three and one hundredths (5003.01), five thousand three and two hundredths (5003.02), five thousand three and three hundredths (5003.03), and five thousand three and four hundredths (5003.04), Code, 1939, and to enact substitutes therefor; to amend chapter two hundred fifty-one and one tenth (251.1), Code, 1939, relating to the use of the highways of this state by nonresidents; authorizing the Commissioner of Public Safety to enter into reciprocal agreements exempting nonresidents from payment of any motor vehicle fees or taxes; providing for permit fees for nonresidents and authorizing the Commissioner of Public Safety to exempt residents, or registrants, of this state engaged exclusively in interstate commerce from payment of motor carrier tax provided for in Chapter 252.2, Code, 1939.

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

- 1 Section 1. Section five thousand three and one hundredth
- 2 (5003.01), Code, 1939, is hereby repealed and the following
- 3 enacted in lieu thereof:
- 4 "5003.01. The Commissioner shall have the authority
- 5 and it shall be his duty to make agreements with the duly
- 6 authorized representative of other states, territories or
- 7 countries, using the highways of this state from the pay-
- 8 ment of all or part of any taxes, fees or other charges
- 9 imposed under the provisions of Chapters 251.1, 252.2 and

10 252.3, Code, 1939, with such restrictions, conditions and
11 privileges, or lack of them, as he may deem advisable,
12 providing that all vehicles owned by nonresidents shall
13 be properly registered in the state, territory or country
14 of the residence of the owner, or domicile of vehicle,
15 and shall conspicuously display a valid registration card
16 and registration plate or plates issued for such vehicle
17 at the place of registration, and that residents or regis-
18 trants of this state, when using the highways of such other
19 states, territories or countries shall receive exemption
20 of a similar kind to a like degree. The Commissioner shall
21 also have authority to exempt vehicles operated by
22 residents or registrants of this state, when said vehicles
23 are operated exclusively in interstate commerce, from the
24 payment of the tax provided for motor carriers under Chap-
25 ter 252.2, Code, 1939, when such an exemption will prevent
26 inequality as between Iowa operators and operators domiciled
27 or registered in other states and when the grant of
28 exemption will produce license fee revenue from a vehicle
29 in excess of compensation tax revenue. The Commissioner
30 shall advise the Iowa State Commerce Commission of all
31 agreements, restrictions, conditions and privileges, or
32 lack of them, that affect the use of the highways of this
33 state by nonresidents.”

1 Sec. 2. Section five thousand three and two hundredths
2 (5003.02), Code, 1939, is hereby repealed and the following

3 enacted in lieu thereof:

4 "5003.02 Nonresident owners of foreign vehicles
5 operated within this state for the intrastate transportation
6 of persons or property for compensation or for the intra-
7 state transportation of merchandise, shall register each
8 such vehicle and pay the same fees therefor as is required
9 with reference to like vehicles owned by residents of this
10 state."

1 Sec. 3. Section five thousand three and three hundredths
2 (5003.03), Code, 1939, is hereby repealed and the following
3 enacted in lieu thereof:

4 "5003.00 In addition to those mentioned in section
5 5003.02, foreign corporations, partnerships and individuals
6 owning, maintaining or operating places of business in
7 this state and using vehicles subject to registration in
8 connection with such places of business, shall comply with
9 the registration provisions of this chapter insofar as the
10 vehicles used in connection with such places of business
11 are concerned."

1 Sec. 4. Section five thousand three and four hundredths
2 (5003.04), Code, 1939, is hereby repealed and the following
3 enacted in lieu thereof:

4 "5003.04 Nonresident cars shall be listed within
5 ten days after entering the state, with the county treasurer
6 or department on forms provided by the department. The
7 department will issue a permit for the period of exemption."

1 Sec. 5. Chapter two hundred fifty-one and one tenth (252.1),
2 Code, 1939, is hereby amended by adding thereto the following
3 new section:
4 “5003.05 Vehicles duly registered in a state,
5 territory or country, which are not allowed complete
6 exemption as provided for in section 5003.01, may, in the
7 discretion of the Public Safety Commissioner, be permitted
8 the same use and privilege of the highways of this state
9 as provided for similar vehicles regularly licensed in
10 this state, by payment to the Iowa State Commerce Commission
11 of a trip permit fee for each trip any such vehicle is
12 operated into or across this state. The Commission shall
13 issue a trip permit upon forms and under rules and regula-
14 tions adopted by the Commission and upon the payment to
15 the Commission of the sum of three dollars (\$3.00) for
16 each trip permit for vehicles with a gross weight of
17 thirty-four thousand pounds or less, and five dollars
18 (\$5.00) for each trip permit for vehicles with a gross
19 weight in excess of thirty-four thousand pounds. No permit
20 shall issue unless applicant has on file with said Commis-
21 sion a certificate from the Commissioner of Public Safety
22 indicating that the applicant is eligible to purchase
23 said permit. Said certificate, when issued, shall specify
24 the period for which the applicant is eligible to purchase
25 permits but the certificate of eligibility shall not
26 provide for a longer period than twelve months from the

27 date of issuance without renewal. The trip permit shall
28 be valid for such period of time as the Commission may from
29 time to time prescribe and the Commission is further
30 authorized to issue an annual trip permit on the payment of
31 a fee in accordance with the schedule provided in section
32 5103.02, Code, 1939. The trip permit and annual trip
33 permit fees shall be in addition to and not a substitute
34 for the compensation tax which is levied upon a vehicle
35 if said vehicle is a motor carrier and subject to the fees
36 or taxes provided for in Chapter 252.2, Code, 1939.

37 "Provided, however, that nothing herein contained
38 shall prevent the owner of vehicles from other states,
39 territories or countries from licensing such vehicles in
40 the state of Iowa under the same terms and the same fees
41 as like vehicles are licensed by the owners residing in
42 this state."

1 Sec. 6. Chapter two hundred fifty-one and one-tenth
2 (251.1), Code, 1939, is further amended by adding thereto the
3 following section:

4 "5003.06. In the event that a foreign vehicle re-
5 quired to have a trip permit is operated upon the highways
6 of this state without first obtaining a trip permit, the
7 owner shall be deemed to have elected to pay the annual
8 registration fee as provided in Chapter 251.1, Code, 1939."

1 Sec. 7. Chapter two hundred fifty-one and one tenth
2 (251.1), Code, 1939, is further amended by adding thereto the

3 following new section :

4 “5003.7. The Iowa State Commerce Commission shall
5 account for moneys collected for trip permits and distribute
6 the proceeds thereof in the same manner as it remits and
7 distributes moneys under the provisions of Chapter 252.2,
8 Code, 1939.”

1 Sec. 8. Chapter two hundred fifty-one and one tenth
2 (251.1), Code, 1939, is further amended by adding thereto the
3 following new section :

4 “5003.08. The Public Safety Commissioner and the Iowa
5 State Commerce Commission are authorized to employ such
6 persons as may be necessary to carry out the provisions of
7 this Act, and all salaries and expenses arising out of the
8 administration of this law shall be paid out of any funds
9 in the state treasury not otherwise appropriated.”

EXPLANATION OF H. F. 483

The purpose of this bill is to eliminate traffic barriers existing between Iowa and other states; to obtain exemptions to Iowa registered vehicles from payment of registration or other fees in foreign states; to charge an equalization fee to vehicles from states imposing charges upon Iowa registered vehicles; and to permit registration in Iowa of vehicles engaged in Interstate Commerce without imposing the compensation tax when such tax would cause inequalities.