

Withdrawn 3/5/71

SENATE FILE 11

By CURRAN, SMITH, and NEU
(Drake, Fisher of Greene,
and Shaw)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to motor vehicle fees collected by county
2 treasurers, and to the amount of such fees retained by
3 the county.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S.F. 11 H.F. _____

1 Section 1. Section three hundred twenty-one point
2 forty-two (321.42), Code 1971, is amended as follows:

3 321.42. LOST OR DAMAGED CERTIFICATES, CARDS, AND PLATES.
4 In the event any registration card or registration plate is
5 lost, mutilated, or becomes illegible the owner shall
6 immediately make application for and may obtain a dupli-
7 cate upon the applicant furnishing information satisfac-
8 tory to the department together with the payment of a fee
9 of fifty-cents two dollars for each such plate or registra-
10 tion card.

11 In the event of any lost or destroyed certificate of
12 title, application shall be made to the department by the
13 owner of such vehicle, or the holder of a lien thereon, for
14 a certified copy of the same upon a form prescribed by the
15 department and accompanied by a fee of ~~two~~ five dollars.
16 Such application shall be signed by the person making the
17 same. Thereupon the department shall mail a certified copy
18 to the person entitled to receive the certificate of title
19 as indicated by the records of the department at his most
20 recent address shown by such records. Such certified copy
21 shall clearly be marked "duplicate" and shall be identical
22 in every respect to the original to include notation upon
23 the face thereon of liens or encumbrances disclosed by the
24 records of the department. Upon issuance of title the
25 previous certificate last issued shall be void. The new
26 purchaser or transferee shall be entitled to receive an
27 original title upon presentation of the assigned duplicate
28 copy to the county treasurer of the county where such new
29 purchaser or transferee resides. Any purchaser of such
30 vehicle may, at the time of purchase, require the seller
31 of same to indemnify him and all subsequent purchasers of
32 such vehicle against any loss which he or they may suffer
33 by reason of any claim or claims presented upon the original
34 certificate. Any person recovering an original certificate
35 of title for which a duplicate has been issued shall forth-

1 with surrender the same to a county treasurer or the depart-
2 ment.

3 Sec. 2. Section three hundred twenty-one point forty-
4 six (321.46), unnumbered paragraph two (2), Code 1971, is
5 amended as follows:

6 Upon filing the application for a registration transfer
7 and a new title, the applicant shall pay a fee of ~~one-dollar~~
8 two dollars. The county treasurer, if satisfied of the
9 genuineness and regularity of the application and that
10 applicant has complied with all the requirements of this
11 chapter, shall forthwith issue a new certificate of title
12 and registration card to the purchaser or transferee and
13 shall forward the necessary copies to the department on the
14 date of issuance, as prescribed in section 321.24.

15 Sec. 3. Section three hundred twenty-one point forty-
16 eight (321.48), subsection two (2), Code 1971, is amended
17 as follows:

18 2. Any foreign registered vehicle purchased or otherwise
19 acquired by a dealer for the purpose of resale shall be
20 issued a certificate of title thereto by the county treasurer
21 of the dealer's residence upon proper application therefor as
22 provided in this chapter and upon payment of a fee of one
23 dollar-fifty-cents two dollars and such dealer shall be
24 exempt from the payment of any and all registration fees
25 for such vehicle. Such application for certificate of title
26 shall be made within forty-eight hours after said vehicle
27 comes within the border of the state.

28 Sec. 4. Section three hundred twenty-one point fifty
29 (321.50), subsection one (1), Code 1971, is amended as
30 follows:

31 1. A security interest in a vehicle subject to registra-
32 tion under the laws of this state, except trailers whose
33 empty weight is two thousand pounds or less, and wagon box
34 trailers subject to a registration fee of five dollars or
35 less, and new or used vehicles held by a dealer or

S.F. 11 H.F. _____

1 manufacturer as inventory for sale, is perfected by the
2 delivery to the county treasurer of the county where the
3 certificate of title was issued or, in the case of a new
4 certificate, to the county treasurer where the certificate
5 will be issued of an application for certificate of title
6 which lists such security interest, or an application for
7 notation of security interest signed by the owner, or a
8 certificate of title from another jurisdiction which shows
9 such security interest, and a fee of ~~one-dollar~~ two dollars
10 for each security interest shown. If the owner or secured
11 party is in possession of the certificate of title, it must
12 also be delivered at this time in order to perfect the
13 security interest. If a vehicle is subject to a security
14 interest when brought into this state, the validity of the
15 security interest and the date of perfection is determined
16 by the Uniform Commercial Code, section 554.9103.

17 Sec. 5. Section three hundred twenty-one point one
18 hundred fifty-two (321.152), Code 1971, is amended as follows:

19 321.152 FEE FOR COUNTY. Each county treasurer shall be
20 allowed to retain; ~~-for-the-use-and-benefit-of-the-county~~
21 ~~general-fund; -seventy-five-cents-for-each-vehicle-registration~~
22 ~~issued-by-him-out-of-money-collected-in-each-year-for-the~~
23 ~~registration-of-such-vehicles-and-sixty-five-cents-for-each~~
24 ~~certificate-of-title-and-sixty-five-cents-for-each-notation~~
25 ~~of-a-lien-or-encumbrance-when-a-fee-therefor-is-prescribed~~
26 ~~by-the-provisions-of-this-chapter; -the-same-to~~ for deposit
27 in the county general fund, seventy-five cents for each
28 annual vehicle registration and each duplicate registration
29 card or plate issued; sixty-five percent of all fees collected
30 for certificates of title and notations of lien or encumbrance;
31 and one dollar for each duplicate certificate of title. The
32 moneys retained shall be deducted, and reported to the
33 department, when the county treasurer transfers the money
34 collected under the provisions of this chapter; provided,
35 however, that no such deduction shall be lawful unless the

1 county treasurer has complied with the provisions of sections
2 321.24 and 321.153.

3 EXPLANATION

4 This bill implements Recommendation #10, page 96,
5 Governor's Economy Committee Report as well as suggestions
6 submitted by the Department of Public Safety at the request
7 of a legislative subcommittee. The bill increases the fee
8 for a motor vehicle registration transfer and new title
9 from one to two dollars; the fee for registration of a
10 foreign vehicle from \$1.50 to \$2.00; the fee for each
11 security interest shown on a certificate of title from \$1
12 to \$2; and the fee for duplicate registration plates and
13 registration certificates from 50¢ to \$2. The bill permits
14 county treasurers to keep 75¢ for each duplicate registration
15 plate or card issued; 65% of the fees collected for certifi-
16 cates of title and notations of lien or encumbrance; and
17 one dollar for each duplicate certificate of title.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

LSB 92

Senate File 11

FISCAL NOTE

Date prepared December 21, 1970

Requested by: Representative Fisher and Representative Drake

Prepared in regard to LSB 92 A Bill for an Act relating to motor vehicle fees collected by county treasurers, and to the amount of fees retained by the county.

following is the fiscal effect in dollars of the legislative proposal as required by House Rule 48.

DUPLICATE REGISTRATION RECEIPT FEE

(Based on issuance of 39,917 duplicate registration receipts which constitutes the number issued in 1969)

Fees Collected in 1969	:	Projected Fees, \$2.00 Duplicate Fe
\$19,958.50		\$79,834.00
State Share \$19,958.50		State Share \$49,896.25
County Share None		County Share 29,937.75
	State Increase	\$29,937.75
	County Increase	29,937.75

DUPLICATE REGISTRATION (LICENSE) PLATE FEES

(Based on issuance of 14,347 duplicate plates, which constitutes the number issued in 1969)

Fees Collected in 1969	:	Projected Fees, \$2.00 Duplicate Fe
\$7,173.50		\$28,694.00
State Share \$7,173.50		State Share \$17,993.75
County Share None		County Share 10,760.25
	State Increase	\$10,819.50
	County Retention	10,760.25

S. J. 11

Page 2
Fiscal Note
Representative Fisher and Representative Drake
LSB 92

DUPLICATE TITLE CERTIFICATE FEES

(Based on issuance of 20,997 duplicate title certificates, which constitutes the number issued in 1969)

Fees Collected in 1969	Projected Fees, \$5.00 Duplicate Fee
\$41,994.00	\$104,985.00
State Share \$41,994.00	State Share \$83,988.00
County Share None	County Share 20,997.00
State Increase \$41,994.00	
County Retention 20,997.00	

CERTIFICATE OF TITLE FEES

(Based on issuance of 816,326 title certificates, which constitutes number issued in 1969)

Fees Collected in 1969	Projected Fees, \$2.00 Title Fee
\$868,783.00	\$1,632,652.00
State Share \$338,171.10	State Share \$ 571,428.20
County Share 530,611.90	County Share 1,061,123.80
State Increase \$233,257.10	
County Increase 530,611.90	

SECURITY INTEREST (LIEN) NOTATION FEES

(Based on notation of 265,685 security interests which constitutes number issued in 1969)

Fees Collected in 1969	Projected Fees, \$2.00 Notation Fee
\$265,685.00	\$531,370.00
State Share \$ 92,989.75	State Share \$185,979.50
County Share 173,695.25	County Share 345,390.50
State Increase \$ 92,989.75	
County Increase 173,695.25	

TOTAL STATE INCREASE \$408,998.10
TOTAL COUNTY INCREASE \$766,002.15

The above data is based on the calendar year 1969, which is the most recent available.
Source: Department of Public Safety, Motor Vehicle Division