

Ways and Means  
Drake, Chairperson  
Hester  
Scott

SENATE FILE 2361  
By COMMITTEE ON TRANSPORTATION

*Filed recommendation for passage*  
*3/25 (p. 1071)*  
*Amend per 5543 &*  
*Do Pass 3/27 (p. 1118)*  
**FILED MAR 19 1980**

(FORMER SSB 2281)  
*Approved 3/19 (p. 970)*

Passed Senate, Date 4/1/80 (p. 1216) Passed House, Date \_\_\_\_\_  
Vote: Ayes 47 Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

*Motion to reconsider 4/10 4/2*

# A BILL FOR

1 An Act relating to transportation by redefining motorized  
2 bicycles, repealing multiyear trailer and semitrailer  
3 registration plates, providing for release of security  
4 interest on a motor vehicle to appear on the title, pro-  
5 viding for the issuance of special registration plates  
6 to former prisoners of war and members of the national  
7 guard, providing uniform application fees for motor  
8 vehicle dealers and transporters for special plates,  
9 providing for the crediting of moneys received from the  
10 auction of abandoned vehicles in the road use tax fund,  
11 providing for the filing of a statement upon applying for  
12 refund of registration fees when a vehicle is junked,  
13 relating to minor school licenses, providing for the  
14 operation of motorcycles and motorized bicycles, increasing  
15 certain witness fees, relating to the use of lighting  
16 devices on vehicles, relating to crossing of median strips,  
17 inspection of log books, regulating motor vehicle dealers,  
18 relating to duties of sheriffs in collecting motor vehicle  
19 fees, repealing the law relating to itinerant merchants,  
20 making technical corrections, and providing penalties.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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SF 2361

5550 >  
1 Section 1. Section three hundred twenty-one point one  
2 (321.1), subsection three (3), paragraph b, Code 1979, as  
3 the section is amended by Acts of the Sixty-eighth General  
4 Assembly, 1979 Session, chapter seventy (70), sections one  
5 (1) and two (2), and chapter seventy-four (74), section twenty-  
6 two (22), is amended to read as follows:

7 b. "Motorized bicycle" or "motor bicycle" means a ~~two-~~  
8 ~~wheeled~~ motor vehicle having a saddle or a seat for the use  
9 of a rider and designed to travel on not more than three  
10 wheels in contact with the ground, with an engine having a  
11 displacement no greater than fifty cubic centimeters ~~as-fixed~~  
5611 - 12 ~~by-the-department~~ and not capable of ~~operation~~ operating at  
13 a speed in excess of twenty-five miles per hour on level  
14 ground unassisted by human power.

15 Sec. 2. Section three hundred twenty-one point twenty-  
16 three (321.23), subsection four (4), Code 1979, as the section  
17 is amended by Acts of the Sixty-eighth General Assembly, 1979  
18 Session, chapter seventy-one (71), section one (1), is amended  
19 to read as follows:

20 4. Any vehicle which does not meet the equipment re-  
21 quirements of this chapter due to the particular use for which  
22 it is designed or intended, may be registered by the department  
23 upon payment of appropriate fees and after inspection and  
24 certification by the department that the vehicle is not in  
25 an unsafe condition and will not endanger any person. A  
26 person is not required to have a certificate of title to  
27 register a vehicle under this subsection. If the owner elects  
28 to have a certificate of title issued for the vehicle, a fee  
29 of two dollars shall be paid by the person making the  
30 application upon issuance of a certificate of title. If the  
31 department's inspection reveals that that vehicle may be  
32 safely operated only under certain conditions or on certain  
33 types of roadways, the department may restrict the registration  
34 to limit operation of the vehicle to the appropriate conditions  
35 or roadways. This subsection shall not apply to snowmobiles

1 as defined in section 321G.1. Section three hundred twenty-  
2 one point three hundred eighty-two (321.382) of the Code does  
3 not apply to a vehicle registered under this subsection which  
4 is operated exclusively by a handicapped person who has  
5 obtained a special identification device as provided in section  
6 six hundred one E point six (601E.6) of the Code, providing  
7 the special identification device is carried in the vehicle  
8 and shown to any peace officer on request.

5512 9 Sec. 3. Section three hundred twenty-one point thirty-  
10 four (321.34), subsection five (5), Code 1979, as the section  
11 is amended by Acts of the Sixty-eighth General Assembly, 1979  
12 Session, chapter seventy-one (71), section three (3), is  
13 amended by striking the subsection.

5552 14 Sec. 4. Section three hundred twenty-one point thirty-  
15 four (321.34), Code 1979, as amended by Acts of the Sixty-  
16 eighth General Assembly, 1979 Session, chapter seventy-one  
17 (71), section three (3), is amended by adding the following  
18 new subsections:

19 NEW SUBSECTION. The owner of a motor vehicle subject to  
20 registration under section three hundred twenty-one point  
21 one hundred nine (321.109), subsection one (1), of the Code,  
22 light delivery truck, panel delivery truck or pickup who was  
23 a prisoner of war during the second world war at any time  
24 between December 7, 1941 and December 31, 1946, the Korean  
25 conflict at any time between June 25, 1950 and January 31,  
26 1955 or the Vietnam conflict at any time between August 5,  
27 1964 and June 30, 1973, all dates inclusive, may upon written  
5567 28 application to the county treasurer, order special registration  
29 plates bearing the letters "POW" in the lower center portion  
30 thereof. When received by the county treasurer, the special  
31 registration plates shall be issued to the applicant in  
32 exchange for the registration plates previously issued to  
33 the person. The fee for the special plates shall be five  
34 dollars, which shall be in addition to the regular annual  
35 registration fee. The county treasurer shall validate the

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1 special plates in the same manner as regular registration  
2 plates are validated under this section at an annual fee of  
3 five dollars in addition to the regular annual registration  
4 fee.

5 NEW SUBSECTION. The owner of a motor vehicle subject to  
6 registration pursuant to section three hundred twenty-one  
7 point one hundred nine (321.109), subsection one (1), of the  
8 Code, light delivery truck, panel delivery truck or pickup  
9 who is a member of the national guard, as defined in chapter  
10 twenty-nine A (29A) of the Code, may upon written application  
11 to the county treasurer, order special registration plates  
12 bearing the letters "NG" in the lower center portion thereof.  
13 When received by the county treasurer, the special registration  
14 plates shall be issued to the applicant in exchange for the  
15 registration plates previously issued to the person. The  
16 fee for the special plates shall be five dollars, which shall  
17 be in addition to the regular annual registration fee. The  
18 county treasurer shall validate the special plates in the  
19 same manner as regular registration plates are validated under  
20 this section at an annual fee of five dollars in addition  
21 to the regular annual registration fee. Special registration  
22 plates shall be surrendered in exchange for regular  
23 registration plates upon termination of the owner's membership  
24 in the active national guard.

5512 25 Sec. 5. Section three hundred twenty-one point thirty-  
26 nine (321.39), Code 1979, is amended to read as follows:

27 321.39 EXPIRATION OF REGISTRATION. Every vehicle  
28 registration under this chapter and every registration card  
29 and registration plate ~~issued-hereunder-except-multiyear~~  
30 ~~registration-plates-issued-for-trailers-or-semitrailers~~  
31 ~~registered-for-a-period-of-three-years~~ shall expire at midnight  
32 on the thirty-first day of December of each year. The  
33 provisions of this section shall do not apply to any vehicle  
34 which is registered without the payment of fees as provided  
35 in section 321.19, but the registration plate or plates issued

1 for such vehicle shall remain valid until suspended or revoked  
2 or canceled by the department.

3 Sec. 6. Section three hundred twenty-one point forty-nine  
4 (321.49), subsection one (1), Code 1979, is amended to read  
5 as follows:

6 1. Except as provided in section 321.52, if an application  
7 for transfer of registration and certificate of title is not  
8 submitted to the county treasurer of the residence of the  
9 transferee within seven days of the date of assignment or  
10 transfer of title, a penalty of ~~five~~ ten dollars shall accrue  
11 against ~~said-vehicle,~~ the applicant and no registration card  
12 or certificate of title shall ~~thereafter~~ be issued to the  
13 applicant for the vehicle until the penalty is paid.

14 Sec. 7. Section three hundred twenty-one point fifty  
15 (321.50), subsection four (4), Code 1979, is amended to read  
16 as follows:

17 4. When a security interest is discharged, the holder  
18 ~~thereof shall execute a release within fifteen days after~~  
19 ~~payment is received, such release to contain the certificate~~  
20 ~~of title number, the date of the notation, and the name and~~  
21 ~~address of the person to whom the title shall be delivered~~  
22 ~~when such delivery is requested as hereinafter provided.~~  
23 ~~The holder~~ shall also note a cancellation of same on the face  
24 of the certificate of title over the holder's signature, and  
25 deliver the ~~release and~~ certificate of title to the county  
26 treasurer where title was issued. The county treasurer shall  
27 immediately note the cancellation of ~~said~~ the security interest  
28 on the face of the certificate of title and in the county  
29 records system. The county treasurer shall on the same day  
30 deliver the certificate of title to the then first secured  
31 party or, if there is no such person, to the person as ~~directed~~  
32 ~~on the security interest release~~ directed by the owner, in  
33 writing, on a form prescribed by the department or, if there  
34 is no ~~such~~ person designated, then to the owner. ~~Said~~ The  
35 cancellation of the security interest shall be noted on the

1 certificate of title by the county treasurer without charge.  
2 The holder of a security interest discharged by payment who  
3 fails to release such the security interest ~~as herein provided~~  
4 within fifteen days after being requested in writing to do  
5 so shall forfeit to the person making such the payment the  
6 sum of twenty-five dollars. ~~Such request shall be on the~~  
7 ~~release form as prescribed by the department and shall contain~~  
8 ~~a statement signed by the owner setting forth the name and~~  
9 ~~address of the person to whom the title shall be delivered.~~

10 Sec. 8. Section three hundred twenty-one point fifty-eight  
11 (321.58), Code 1979, is amended to read as follows:

12 321.58 APPLICATION. ~~Any dealer in new or used cars~~ All  
13 dealers and transporters may, upon payment of a fee of thirty-  
14 five dollars, make application to the department upon the  
15 appropriate form for a certificate containing a general  
16 distinguishing number and for one or more special plates as  
17 appropriate to various types of vehicles subject to  
18 registration, ~~and all other dealers or transporters may, upon~~  
19 ~~the payment of a fee of twenty-five dollars, make an~~  
20 ~~application to the department in a like manner for a like~~  
21 ~~certificate and number and plates as appropriate to various~~  
22 ~~types of vehicles subject to registration.~~ The applicant  
23 shall also submit proof of the applicant's status as a bona  
24 fide transporter or dealer as may reasonably be required by  
25 the department. Dealers in new vehicles shall furnish  
26 satisfactory evidence of a valid franchise with the  
27 manufacturer of such the vehicles authorizing such the  
28 dealership.

29 Sec. 9. Section three hundred twenty-one point eighty-  
30 nine (321.89), subsection four (4), Code 1979, is amended  
31 to read as follows:

32 4. Auction of abandoned vehicles. If an abandoned vehicle  
33 has not been reclaimed as provided for in subsection 3, the  
34 police authority shall make a determination as to whether  
35 or not the vehicle shall be sold for use upon the highways.

1 If it is to be sold as a vehicle for use upon the highways,  
2 it shall first be inspected as required by section 321.238  
3 and have a valid certificate of inspection affixed. If the  
4 vehicle is not sold for use upon the highways, it shall be  
5 sold for junk, or demolished and sold as scrap or sold as  
6 provided in section ~~321.50~~ three hundred twenty-one point  
7 fifty-one (321.51) of the Code with a restricted certificate  
8 of title and not for use upon the highways. The police  
9 authority shall sell the vehicle at public auction.  
10 Notwithstanding any other provision of this section, any  
11 police authority, which has taken into possession any abandoned  
12 vehicle which lacks an engine or two or more wheels or other  
13 part which renders the vehicle totally inoperable may dispose  
14 of ~~such~~ the vehicle to a demolisher for junk after complying  
15 with the notification procedures enumerated in subsection  
16 3 and without public auction. The purchaser of the vehicle  
17 shall take title free and clear of all liens and claims of  
18 ownership, shall receive a sales receipt from the police  
19 authority, and shall be entitled to register the vehicle and  
20 receive a certificate of title if sold for use upon the  
21 highways or a restricted certificate of title ~~as-the-case~~  
22 ~~may-be~~. However, if the vehicle is sold or disposed of to  
23 a demolisher for junk, the sales receipt by itself shall be  
24 sufficient title only for purposes of transferring the vehicle  
25 to ~~such~~ the demolisher for demolition, wrecking, or dismantling  
26 and, when so transferred, no further titling of the vehicle  
27 shall be permitted. From the proceeds of the sale of an  
28 abandoned vehicle the police authority shall reimburse itself  
29 for the expenses of the auction, the costs of towing,  
30 preserving, and storing which resulted from placing the  
31 abandoned vehicle in custody, all notice and publication costs  
32 incurred pursuant to subsection 3, the cost of inspection,  
33 and any other costs incurred except costs of bookkeeping and  
34 other administrative costs. Any remainder from the proceeds  
35 of a sale shall be held for the owner of the vehicle or

1 entitled lienholder for ninety days, and shall then be  
2 deposited in the reimbursement road use tax fund received  
3 ~~by-the-department-pursuant-to-section-321-1457-subsection~~  
4 2. The costs to police authorities of auction, towing,  
5 preserving, storage, and all notice and publication costs,  
6 inspection costs and all other costs which result from placing  
7 abandoned vehicles in custody, whenever the proceeds from  
8 a sale of ~~such~~ the abandoned vehicles are insufficient to  
9 meet these expenses and costs, shall be paid from the  
10 reimbursement road use tax fund of-the-department-under-section  
11 ~~321-1457-subsection-2. In-the-event-the-reimbursement-fund~~  
12 ~~is-temporarily-exhausted,-payment-shall-be-deferred-until~~  
13 ~~the-reimbursement-fund-contains-sufficient-funds-to-meet-the~~  
14 ~~claims.~~

15 The state comptroller shall establish by rule a claims  
16 procedure to be followed by police authorities in obtaining  
17 expenses and costs from the fund.

18 Sec. 10. Section three hundred twenty-one point one hundred  
19 nine (321.109), subsection two (2), Code 1979, as the section  
20 is amended by Acts of the Sixty-eighth General Assembly, 1979  
21 Session, chapter seventy (70), section four (4), is amended  
22 to read as follows:

23 2. Dealers may, in addition to other provisions of this  
24 section, purchase from the department in-transit stickers,  
25 for which a fee of two dollars per sticker shall be paid at  
26 time of purchase. One such sticker shall be displayed on  
27 each vehicle purchased from a dealer by a nonresident for  
28 removal to the state of his or her residence, and one such  
29 sticker shall also be displayed on each vehicle not currently  
30 registered in Iowa and purchased by an Iowa dealer for removal  
31 to ~~his~~ the dealer's place of business in this state. ~~Such~~  
32 The stickers shall be void three days after issuance by the  
33 selling dealer. Each sticker shall ~~be-at-least-five-and-one-~~  
34 ~~half-inches-by-eight-inches-and-shall~~ contain the following  
35 information:

- 1 a. The words "in-transit" in ~~at-least-two-inch~~ bold type.
- 2 b. The dealer's license number.
- 3 c. The date issued.
- 4 d. The purchaser's name and address.
- 5 e. The word "Iowa" in ~~at-least-one-inch~~ bold type.
- 6 f. The words "good for three days after the date of
- 7 issuance".
- 8 g. ~~Such-ether~~ Other information as the director ~~may-require~~
- 9 requires.

10 This information shall be on the gummed side of the sticker  
 11 and the sticker shall be made of ~~such~~ a type of material as  
 12 ~~to-be~~ which is self-destructive when the sticker is removed.  
 13 The sales invoice verifying the sale shall be in the possession  
 14 of the driver of the vehicle in transit and shall be signed  
 15 by the owner or an authorized individual of the issuing  
 16 dealership.

17 Motor vehicles brought into the state on a transit sticker  
 18 for the purpose of installation of special equipment may also  
 19 be subject to the provisions of this subsection.

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20 Sec. 11. Section three hundred twenty-one point one hundred  
 21 twenty-six (321.126), subsections one (1), two (2), and three  
 22 (3), Code 1979, are amended to read as follows:

23 1. If the motor vehicle is destroyed by fire or accident,  
 24 or junked and its identity as a motor vehicle entirely  
 25 eliminated, or removed and continuously used beyond the  
 26 boundaries of this state, the owner in whose name the motor  
 27 vehicle was registered at the time of ~~such~~ destruction,  
 28 dismantling or removal from the state shall return the plates  
 29 to the county treasurer or the department, unless the  
 30 registration plates are retained and properly attached to  
 31 another motor vehicle, and within thirty days thereafter make  
 32 ~~affidavit~~ a statement of such destruction, dismantling, or  
 33 removal and make claim for refund. With reference to the  
 34 destruction or dismantling of a vehicle, ~~the-affidavit~~ no  
 35 refund shall be ~~accompanied-by-the~~ allowed unless a junking

1 ~~certificate of title, if titled in Iowa has been issued~~, as  
2 provided in section 321.52. With reference to the removal  
3 of a vehicle from this state ~~as provided herein~~, the ~~affidavit~~  
4 ~~statement~~ shall ~~contain a statement indicating~~ indicate the  
5 foreign registration number of ~~such~~ the vehicle, the name  
6 and address of the official of the foreign state to whom the  
7 Iowa certificate of title, if any, has been surrendered, and  
8 the number of the foreign certificate of title issued for  
9 ~~such~~ the vehicle if registered in a title law state.

10 2. If the motor vehicle is stolen, the owner shall give  
11 notice of ~~such~~ the theft to the county treasurer within five  
12 days, who in turn shall notify the department. If the motor  
13 vehicle is not recovered by the owner before December 1 of  
14 the year for which the registration fee was paid, the owner  
15 shall make ~~affidavit~~ a statement of ~~such~~ the theft and make  
16 claim for refund.

17 3. If the motor vehicle is placed in storage by the owner  
18 upon ~~his~~ the owner's entry into the military service of the  
19 United States, the owner shall return the plates to the county  
20 treasurer or the department and make ~~affidavit~~ a statement  
21 regarding such storage and military service and make claim  
22 for refund. Whenever the owner of a motor vehicle so placed  
23 in storage desires to again register such vehicle, the county  
24 treasurer or department shall compute and collect the fees  
25 for ~~such~~ registration in accordance with section 321.106.

557 26 Sec. 12. Section three hundred twenty-one point one hundred  
27 twenty-six (321.126), subsection four (4), Code 1979, is  
28 amended to read as follows:

29 4. If the motor vehicle is registered by the county  
30 treasurer during the registration year and the owner or lessee  
31 registers the vehicle for prorated under chapter 326, the owner  
32 of the registered vehicle shall surrender the registration  
33 plates to the county treasurer and may file a claim for refund.

34 ~~A refund for trailers and semitrailers issued a multiyear~~  
35 ~~registration plate shall be paid by the department upon~~

## 1 application.

55/2 2 Sec. 13. Section three hundred twenty-one point one hundred  
3 twenty-seven (321.127), Code 1979, is amended to read as  
4 follows:

5 321.127 AMOUNT OF REFUND. For December and each succeeding  
6 month the refund for motor vehicles shall be computed on the  
7 basis of one-fourth of the annual registration fee multiplied  
8 by the number of remaining quarters of the year from date  
9 of filing of the claim for refund with the county treasurer,  
10 computed to the nearest quarter dollar. The department,  
11 unless reasonable grounds exist for delay, shall make refund  
12 on or before the fifteenth day of the quarter following the  
13 quarter in which the claim is filed with the department.  
14 ~~For trailers or semitrailers issued a multiyear registration~~  
15 ~~plate a refund shall be paid equal to the annual fee for~~  
16 ~~twelve months times the remaining number of complete calendar~~  
17 ~~years.~~

18 Sec. 14. Section three hundred twenty-one point one hundred  
19 eighty (321.180), subsection one (1), Code 1979, is amended  
55/ 20 by adding the following new unnumbered paragraphs:

21 NEW UNNUMBERED PARAGRAPH. If the permit holder is driving  
22 a motorcycle, the qualified operator must be within audible  
23 and visual communications distance from the permit holder  
24 and is accompanying the permit holder on or in a different  
25 motor vehicle. However, only one permit holder shall be under  
26 the immediate supervision of an accompanying qualified  
27 operator, unless the qualified operator is an approved  
28 motorcycle or driver education instructor or a prospective  
29 driver or motorcycle education instructor, and the permit  
30 holder is enrolled in an approved motorcycle or driver  
31 education course, in which case no more than three students  
32 shall be under the immediate supervision of each instructor  
33 while on the highway.

55/ 34 NEW UNNUMBERED PARAGRAPH. Before a person may be issued  
35 an instruction permit to operate a motorcycle, the person

1 shall take the written examination as required under section  
2 three hundred twenty-one point one hundred eighty-six (321.186)  
3 of the Code and demonstrate an ability to exercise ordinary  
4 and reasonable control in the operation of a motorcycle.

5 Sec. 15. Section three hundred twenty-one point one hundred  
6 ninety-four (321.194), Code 1979, is amended to read as  
7 follows:

8 321.194 MINORS' SCHOOL LICENSES. ~~Whenever-the-necessity~~  
9 ~~therefor-is-shown,-a-restricted-license-may-be-issued~~ Upon  
10 certification of a special need by the school board or the  
11 superintendent of the applicant's school, the department may  
12 issue a restricted license to any person between the ages  
13 of fourteen and eighteen years which license shall entitle  
14 the holder ~~thereof~~, while having ~~such~~ the license in his or  
15 her immediate possession, to operate a motor vehicle during  
16 the hours of 7 six a.m. to 6 nine p.m. over the most direct  
17 and accessible route between the licensee's residence and  
18 ~~his~~ school of enrollment for the purpose of attending duly  
19 scheduled courses of instruction and extracurricular activities  
20 at such school or at any time when accompanied by a parent  
5472 21 or guardian who is a holder of a valid operator's or  
22 chauffeur's license, and who is actually occupying a seat  
5572 23 beside the driver. ~~Such~~ The license shall expire on the  
24 licensee's eighteenth birthday or upon issuance of a ~~temporary~~  
25 ~~driver's-permit~~ probationary operator's or operator's license.  
26 ~~For-the-purpose-of-establishing-a-need-for-the-license-provided~~  
27 ~~for-in-this-section,-each~~ Each application shall be accompanied  
28 by an ~~affidavit~~ a statement from the school board or  
29 superintendent of the applicant's school ~~which-affidavit.~~  
30 The statement shall be upon a form provided by the department  
31 ~~and-shall-state-the-facts-deemed-to-justify-the-issuance-of~~  
32 ~~a-license-to-the-applicant.~~ Neither ~~such-affidavit-nor-the~~  
33 ~~inability-to-obtain-the-same-shall-be-binding-on-the-department~~  
34 ~~but-may-be-considered-by-the-department-in-its-determining~~  
35 ~~of-whether-or-not-to-grant-the-application.~~ The department

1 of public instruction shall adopt rules pursuant to chapter  
2 seventeen A (17A) of the Code establishing criteria for issuing  
3 a statement of necessity. Upon receipt of a statement of  
4 necessity, the department shall issue a restricted license.  
5 The fact that the applicant resides at a distance less than  
6 one mile from his or her school ~~shall-be~~ is prima-facie  
7 evidence of the nonexistence of any necessity for the issuance  
8 of such a license. A license issued ~~hereunder~~ under this  
9 section is subject to suspension or revocation in like manner  
10 as any other license or permit issued under any law of this  
11 state and ~~in-addition-thereto~~ the department may also suspend  
12 such license upon receiving satisfactory evidence that the  
13 licensee has violated the restrictions of ~~such~~ the license  
14 or has been involved in two or more accidents chargeable to  
15 ~~such~~ the licensee ~~and-the~~. The department shall revoke any  
16 license issued ~~hereunder~~ under this section upon receiving  
17 a record of ~~such~~ the licensee's conviction for two or more  
18 violations of any law of this state or city ordinance, other  
19 than parking regulations, regulating the operation of motor  
20 vehicles on highways and after revoking a license ~~hereunder~~  
21 under this section the department shall not grant application  
22 for any new license or permit until the expiration of one  
23 year or until the licensee attains his or her sixteenth  
24 birthday whichever is the longer period.

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25 Sec. 16. Section three hundred twenty-one point two hundred  
26 ten (321.210), unnumbered paragraph seven (7), Code 1979,  
27 is amended to read as follows:

28 The director may, on application, issue a temporary  
29 restricted license to any person convicted whose regular  
30 employment is the operation of a motor vehicle or who cannot  
31 perform his or her regular occupation without the use of a  
32 motor vehicle, but such person shall not operate a vehicle  
33 for pleasure while holding such restricted license. However,  
34 this paragraph shall not apply to any person whose license  
35 is revoked under the provisions of subsections one (1) through

1 six (6) of section 321.209. A temporary restricted license  
2 may be issued to any person whose license is revoked under  
3 section three hundred twenty-one point two hundred nine  
4 (321.209), subsection seven (7) of the Code if the person  
5 has no previous drag racing convictions.

6 Sec. 17. Section three hundred twenty-one point two hundred  
7 twelve (321.212), Code 1979, is amended by adding the following  
8 new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. The department shall revoke  
10 a license for six months for a first offense under the  
11 provisions of section three hundred twenty-one point two  
12 hundred nine (321.209), subsection seven (7), of the Code,  
13 where the violation charged did not result in a personal  
14 injury or damage to property.

15 Sec. 18. Section three hundred twenty-one point two hundred  
16 thirty-three (321.233), Code 1979, is amended by adding the  
17 following new unnumbered paragraph:

55 18 NEW UNNUMBERED PARAGRAPH. The provisions of section three  
19 hundred twenty-one point one hundred seventy-four (321.174)  
20 of the Code requiring chauffeurs' licenses shall not apply  
21 to persons operating road construction and maintenance  
22 equipment as specified by the department while engaged in  
23 road construction or maintenance work, including the movement  
24 of the equipment to and from work. The department shall,  
25 by rules adopted pursuant to chapter seventeen A (17A) of  
26 the Code, designate that a chauffeurs' license shall not be  
27 required to operate those types of road construction and  
28 maintenance equipment, unless the operation of the equipment  
29 is covered in a written examination for a chauffeurs' license  
30 and an actual examination of operator ability.

56 31 Sec. 19. Section three hundred twenty-one point two hundred  
32 thirty-eight (321.238), subsection twenty-one (21), unnumbered  
33 paragraph six (6), Code 1979, is amended to read as follows:

34 Witnesses shall receive ~~three-dollars-for-each-day's~~  
35 ~~attendance-and-ten-cents-per-mile-for-each-mile-actually~~

1 ~~traveled---Witnesses-shall-be-compensated~~ compensation at  
2 the rates specified in section six hundred twenty-two point  
3 sixty-nine (622.69) of the Code from funds appropriated to  
4 the department. ~~The-treasurer-of-state-may-make-rules-setting~~  
5 ~~forth-the-procedure-for-such-reimbursement.~~

6 Sec. 20. Section three hundred twenty-one point two hundred  
7 thirty-eight (321.238), subsection twenty-five (25), paragraph  
8 a, Code 1979, is amended by striking paragraph a and inserting  
9 in lieu thereof the following:

10 a. "Authorized officer" means a peace officer as defined  
11 in section eight hundred one point four (801.4), subsection  
12 seven (7), paragraphs a, c, and h of the Code.

13 Sec. 21. Section three hundred twenty-one point two hundred  
14 seventy-five (321.275), Code 1979, is amended to read as  
15 follows:

16 321.275 OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES.

17 1. Every person operating a motorcycle or motorized bicycle  
18 shall be granted all of the rights and shall be subject to  
19 all of the duties applicable to the driver of any other vehicle  
20 except those rights and duties which by their nature can have  
21 no application.

22 2. A person operating shall not operate a motorcycle shall  
23 ~~ride-only-upon-the-permanent-and-regular-attached-seat-thereto,~~  
24 ~~and-such-operator-shall-not-carry-any-other-person-ner-shall~~  
25 ~~any-other-person-ride-on-a~~ on the highways with another person  
26 on the motorcycle unless such the motorcycle is designed to  
27 carry more than one person, in which event a passenger may  
28 ride upon the permanent and regular seat if designed for two  
29 persons, or upon another seat firmly attached to the motorcycle  
30 at the rear of the operator. A person operating a motorized  
31 bicycle on the highways shall not carry any other person on  
32 the motorized bicycle.

33 3. A person shall ride upon a motorcycle or motorized  
34 bicycle only when sitting astride the seat, facing forward  
35 with one leg on either side of the motorcycle or motorized

1 bicycle.

2 4. ~~No~~ A person shall not operate a motorcycle or motorized  
3 bicycle while carrying any package, bundle, or other article  
4 which prevents ~~him~~ the person from keeping both hands on the  
5 handlebars.

6 5. ~~No~~ An operator shall not carry any person, nor shall  
7 any other person ride, in a position that will interfere with  
8 the operation or control of the motorcycle or the view of  
9 the operator.

10 6. All motorcycles or motorized bicycles are entitled  
11 to full use of a lane and no motor vehicle shall be driven  
12 in such a manner as to deprive any motorcycle or motorized  
13 bicycle of the full use of a lane with the exception that  
14 this ~~shall~~ does not apply to motorcycles or motorized bicycles  
15 operated two abreast in a single lane.

16 7. The operator of a motorcycle or motorized bicycle shall  
17 not overtake and pass in the same lane occupied by the vehicle  
18 being overtaken unless the vehicle being overtaken is a  
19 motorcycle or motorized bicycle.

20 8. ~~No~~ A person shall not operate a motorcycle or motorized  
21 bicycle between lanes of traffic or between adjacent lines  
22 or rows of vehicles.

23 9. Motorcycles or motorized bicycles shall not be operated  
24 more than two abreast in a single lane.

25 10. Any motorcycle carrying a person other than in a  
26 sidecar or enclosed cab shall be equipped with foot rests  
27 for ~~such~~ the passenger.

28 11. ~~No~~ A person shall not operate any motorcycle with  
29 handlebars more than fifteen inches in height above that  
30 portion of the seat occupied by the operator.

31 12. ~~The-above-regulations-in-regard-to-motorcycles-shall~~  
32 This section does not apply to motorcycles or ~~motor-seaters~~  
33 motorized bicycles when used in a parade authorized by proper  
34 permit from local authorities.

35 13. ~~The-provisions-of-this-section-shall-apply-to-motorized~~

1 ~~bicycles~~. A person shall not operate a 1977 or later model  
 2 year motorcycle or any model year motorized bicycle upon the  
 3 highways without displaying at least one lighted headlamp  
 4 of the type described in section three hundred twenty-one  
 5 point four hundred nine (321.409) of the Code. However, this  
 6 subsection is subject to the exceptions provided in this  
 7 chapter with respect to parked vehicles.

8 Sec. 22. Section three hundred twenty-one point three  
 9 hundred seventeen (321.317), subsections three (3) and five  
 10 (5), Code 1979, are amended to read as follows:

11 3. ~~After the thirty-first day of December, 1953, it shall~~  
 12 be It is unlawful for any person to sell or offer for sale  
 13 or operate on the highways of the state ~~of Iowa~~ any vehicle  
 14 subject to registration under the provisions of this chapter  
 15 which has never been registered in this or any other state  
 16 prior to January 1, 1954, unless ~~such~~ the vehicle is equipped  
 17 with a directional signal device of a type approved by the  
 18 department and is in compliance with the provisions of  
 19 subsection 2 of this section. Motorcycles, ~~motor-seeters~~  
 20 motorized bicycles and semitrailers and trailers less than  
 21 forty inches in width are exempt from the provisions of this  
 22 section.

23 5. Whenever any vehicle or combination of vehicles is  
 24 disabled or for other reason may present a vehicular traffic  
 25 hazard requiring unusual care in approaching, overtaking or  
 26 passing ~~during the hours of darkness~~, the operator ~~of such~~  
 27 ~~vehicles~~ then may display on ~~such~~ the vehicle or combination  
 28 of vehicles four directional signals of a type complying with  
 29 the provisions of this section relating to directional signal  
 30 devices in simultaneous operation. ~~The provisions of this~~  
 31 This subsection ~~shall~~ does not ~~be construed to~~ exempt any  
 32 vehicle or combination of vehicles from compliance with the  
 33 provisions of sections 321.447 and 321.448.

34 Sec. 23. Section three hundred twenty-one point three  
 35 hundred sixty-six (321.366), Code 1979, is amended to read

1 as follows:

2 321.366 CROSSING MEDIAN STRIP OR PARKING ON FULLY  
3 CONTROLLED-ACCESS FACILITIES. It is unlawful for any person  
4 ~~(1)-to-drive,~~ except a person operating highway maintenance  
5 equipment or an authorized emergency vehicle, to do any of  
6 the following:

7 1. Drive a vehicle over, upon, or across any curb, central  
8 dividing section, or other separation or dividing line on  
9 fully controlled-access facilities, ~~--(2)-to-make facility.~~

10 2. Make a left turn or a semicircular or U-turn at a  
11 maintenance ~~cross-overs-except-by-maintenance-vehicles-and~~  
12 ~~authorized-emergency-vehicles,~~ ~~--(3)-to-drive~~ cross-over where  
13 an official sign prohibits the turn.

14 3. Drive any vehicle except in the proper lane provided  
15 for that purpose and in the proper direction and to the right  
16 of the central dividing curb, separation, section, or ~~lines,~~  
17 ~~(4)-to-drive~~ line.

18 4. Drive any vehicle into the fully controlled-access  
19 facility from a local service road ~~except-through-an-opening~~  
20 ~~provided-for-that-purpose-in-the-dividing-curb-or-dividing~~  
21 ~~section-or-dividing-line-which-separates-such-service-road~~  
22 ~~from-the-controlled-access-facility-property,~~ ~~--(5)-to-stop.~~

23 5. Stop, park, or leave standing any vehicle, whether  
24 attended or unattended, upon the paved portion, the shoulders,  
25 or the right of way except at designated rest areas or in  
26 case of an emergency or other dire necessity, ~~or-in-the-case~~  
27 ~~of-an-authorized-emergency-vehicle.~~

28 For the purpose of this section, fully controlled-access  
29 facility ~~shall-have-the-same-meaning-as-the-meaning-prescribed~~  
30 ~~in-section-306A-2~~ is a highway which gives preference to  
31 through traffic by providing access connections at interchanges  
32 with selected public roads only and by prohibiting crossings  
33 at grade or direct access at driveway connections.

34 Violations of this section ~~shall-be~~ are punishable as  
35 provided in section 321.482.

1     Sec. 24. Section three hundred twenty-one point three  
2 hundred seventy-two (321.372), subsection four (4), and  
3 unnumbered paragraph four (4), Code 1979, is amended to read  
4 as follows:

5     4. The driver of a vehicle upon a highway providing two  
6 or more lanes in each direction need not stop upon meeting  
7 a school bus which is traveling in the opposite direction  
8 even though ~~said~~ the school bus is stopped.

9     ~~This section shall not apply to "business" and "residence"~~  
10 ~~districts, unless so provided by ordinance, but shall apply~~  
11 ~~in suburban districts of cities where the speed limit is in~~  
12 ~~excess of thirty-five miles per hour.~~

13     Sec. 25. Section three hundred twenty-one point three  
14 hundred eighty-six (321.386), Code 1979, is amended to read  
15 as follows:

16     321.386 HEAD LAMPS ON MOTORCYCLES AND MOTORIZED BICYCLES.  
17 Every motorcycle and motorized bicycle shall be equipped with  
18 at least one and not more than two head lamps which shall  
19 comply with the requirements and limitations of this chapter.

20     Sec. 26. Section three hundred twenty-one point four  
21 hundred nine (321.409), Code 1979, is amended to read as  
22 follows:

23     321.409 MANDATORY LIGHTING EQUIPMENT. Except as  
24 hereinafter provided, the head lamps or the auxiliary driving  
25 lamp or the auxiliary passing lamp or combination thereof  
26 on motor vehicles other than motorcycles or ~~motor-driven~~  
27 ~~eyes~~ motorized bicycles shall be so arranged that the driver  
28 may select at will between distributions of light projected  
29 to different elevations and ~~such~~ the lamps may, in addition,  
30 be so arranged that ~~such~~ selection can be made automatically,  
31 subject to the following limitations:

32     1. There shall be an uppermost distribution of light,  
33 or composite beam, so aimed and of ~~such~~ sufficient intensity  
34 ~~as~~ to reveal persons and vehicles at a distance of at least  
35 three hundred fifty feet ahead for all conditions.

1        2. There shall be a lowermost distribution of light, or  
2 composite beam so aimed and of sufficient intensity to reveal  
3 persons and vehicles at a distance of a least one hundred  
4 feet ahead, ~~and on.~~ On a straight level road under any  
5 condition of loading none of the high-intensity portion of  
6 the beam shall be directed to strike the eyes of an approaching  
7 driver.

8        3. Every new motor vehicle, other than a motorcycle or  
9 ~~motor-driven cycle, registered in this state after January~~  
10 ~~17-1956,~~ motorized bicycle which has multiple-beam road-  
11 lighting equipment shall be equipped with a beam indicator,  
12 which shall be lighted whenever the uppermost distribution  
13 of light from the head lamps is in use, and shall not otherwise  
14 be lighted. ~~Said~~ The indicator shall be so designed and  
15 located that when lighted it will be readily visible without  
16 glare to the driver of the vehicle ~~so-equipped~~.

17        Sec. 27. Section three hundred twenty-one point four  
18 hundred fifteen (321.415), Code 1979, is amended to read as  
19 follows:

20        321.415 REQUIRED USAGE OF LIGHTING DEVICES. Whenever  
21 a motor vehicle is being operated on a roadway or shoulder  
22 ~~adjacent thereto~~ during the times specified in section 321.384,  
23 the driver shall use a distribution of light, or composite  
24 beam, directed high enough and of sufficient intensity to  
25 reveal persons and vehicles at a safe distance in advance  
26 of the vehicle, subject to the following requirements and  
27 limitations:

28        1. Whenever a driver of a vehicle approaches an oncoming  
29 vehicle within five hundred feet, ~~such~~ the driver shall use  
30 a distribution of light, or composite beam, so aimed that  
31 the glaring rays are not projected into the eyes of the  
32 oncoming driver. The lowermost distribution of light, or  
33 composite beam, specified in section 321.409, subsection 2,  
34 shall be deemed to avoid glare at all times, regardless of  
35 road contour and loading.

1     2. Whenever the driver of a vehicle follows another vehicle  
2 within two hundred feet to the rear, except when engaged in  
3 the act of overtaking and passing, ~~such~~ the driver shall use  
4 a distribution of light permissible under this chapter other  
5 than the uppermost distribution of light specified in section  
6 321.409, subsection 1.

7     3. The provisions of subsections one (1) and two (2) of  
8 this section do not apply to motorcycles or motorized bicycles  
9 being operated between sunrise and sunset.

10    Sec. 28. Section three hundred twenty-one point four  
11 hundred thirty (321.430), subsection two (2), Code 1979, is  
12 amended to read as follows:

13    2. Every motorcycle, and motorized bicycle ~~with-meter~~  
14 ~~attached~~, when operated upon a highway shall be equipped with  
15 at least one brake, which may be operated by hand or foot.

16    Sec. 29. Section three hundred twenty-one point four  
17 hundred ninety-two (321.492), Code 1979, is amended to read  
18 as follows:

19    321.492 PEACE OFFICERS' AUTHORITY. Any peace officer  
20 is authorized to stop any vehicle to require exhibition of  
21 the driver's ~~operator-or-chauffeur~~ motor vehicle license,  
22 to serve a summons or memorandum of traffic violation, to  
23 inspect the condition of the vehicle, to inspect the vehicle  
24 with reference to size, weight, cargo, log book, bills of  
25 lading or other manifest of employment, tires and safety  
26 equipment, or to inspect the registration certificate, the  
27 compensation certificate, travel order, or permit of ~~such~~  
28 the vehicle.

29    Sec. 30. Chapter three hundred twenty-one (321), Code  
30 1979, is amended by adding the following new section:

5608 31    NEW SECTION. It is unlawful for a person to solicit funds  
32 for any purpose from or sell or offer for sale any goods to  
33 occupants of vehicles traveling on or occupying the roadway  
34 or shoulder of any primary highway.

554  
556  
556 35    Sec. 31. Chapter three hundred twenty-one H (321H), Code

1 1979, is amended by adding the following new section:

2 NEW SECTION. PENALTIES. A person convicted of violating  
3 a provision of this chapter is guilty of a simple misdemeanor.

4 Sec. 32. Section three hundred twenty-two point two  
5 (322.2), subsection seven (7), Code 1979, is amended to read  
6 as follows:

7 7. "Motor vehicle" means any self-propelled vehicle subject  
8 to registration under ~~the laws of this state~~ chapter three  
9 hundred twenty-one (321) of the Code.

10 Sec. 33. Section three hundred twenty-two point four  
11 (322.4), subsection seven (7), Code 1979, is amended to read  
12 as follows:

13 7. Before the issuance of a motor vehicle dealer's license  
14 to a dealer engaged in the sale of vehicles for which a  
15 certificate of title is required, ~~under the provisions of~~  
16 ~~chapter 321, the applicant for such license~~ shall furnish  
17 a surety bond executed by the applicant as principal and  
18 executed by a corporate surety company, licensed and qualified  
19 to do business within this state, which bond shall run to  
20 the state of Iowa, be in the amount of twenty-five thousand  
21 dollars and be conditioned upon the faithful compliance by  
22 ~~said the~~ applicant as a dealer, ~~if the license be issued to~~  
23 ~~it or him, that such dealer will comply~~ with all of the  
24 statutes of this state regulating or ~~being~~ applicable to the  
25 business of ~~said dealer as~~ a dealer in motor vehicles, and  
26 indemnifying any person ~~dealing or transacting business with~~  
27 said who buys a motor vehicle from the dealer in connection  
28 ~~with any motor vehicle~~ from any loss or damage occasioned  
29 by the failure of ~~such the~~ dealer to comply with any of the  
30 provisions of chapter 321 and this chapter, including, but  
31 not limited to, the furnishing of a proper and valid  
32 certificate of title to the motor vehicle involved in ~~any~~  
33 such a transaction, and that such. The bond shall be filed  
34 with the department prior to the issuance of a license ~~provided~~  
35 ~~by law.~~ The aggregate liability of the surety ~~of all persons,~~

1 however, shall ~~in-no-event~~ not exceed the amount of ~~said~~ the  
2 bond.

3 Sec. 34. Section three hundred twenty-two point six  
4 (322.6), subsection nine (9), Code 1979, is amended to read  
5 as follows:

6 9. Has violated any of the provisions of sections ~~321-77,~~  
7 321.78, ~~321-80,~~ 321.81, 321.92, 321.97, 321.98, 321.99,  
8 321.100, 539.4, seven hundred fourteen point one (714.1) and  
9 714.16; or

10 Sec. 35. Section three hundred twenty-two point nine  
11 (322.9), unnumbered paragraph one (1), Code 1979, is amended  
12 to read as follows:

13 The department ~~is-hereby-authorized-to~~ may revoke or suspend  
14 the license of any retail motor vehicle dealer if, after  
15 notice and hearing, it finds that ~~such~~ the licensee has been  
16 guilty of any act which would have been a ground for the  
17 denial of a license under section 322.6. Witnesses shall  
18 receive the same compensation provided in section six hundred  
19 twenty-two point sixty-nine (622.69) of the Code and shall  
20 be compensated from funds appropriated to the department.

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21 Sec. 36. A multiyear registration plate issued for a  
22 trailer or semitrailer prior to the effective date of this  
23 Act shall be valid for the period for which it was issued  
24 and the requirement of obtaining an annual registration plate  
25 for a trailer or semitrailer with a valid multiyear  
26 registration plate shall not be applicable until the valid  
27 multiyear registration plate has expired.

28 Sec. 37. The provisions of section four (4) of this Act  
29 are effective December first following enactment of this Act  
30 for registration fees payable on or after December first  
31 following enactment of this Act for vehicle registrations  
32 for the succeeding calendar year.

33 Sec. 38. Chapter eighty-one (81), Code 1979, is repealed.

34 Sec. 39. Sections one hundred thirty-five D point twenty-  
35 seven (135D.27), three hundred twenty-one point one hundred

1 thirty-six (321.136), three hundred twenty-one point one  
2 hundred thirty-seven (321.137), three hundred twenty-one point  
3 one hundred thirty-eight (321.138), three hundred twenty-one  
4 point one hundred thirty-nine (321.139), three hundred twenty-  
5 one point one hundred forty (321.140), three hundred twenty-  
6 one point one hundred forty-one (321.141), three hundred  
7 twenty-one point one hundred forty-two (321.142), three hundred  
8 twenty-one point one hundred forty-three (321.143) and three  
9 hundred twenty-one point one hundred forty-four (321.144),  
10 Code 1979, are repealed.

11

EXPLANATION

12 Section 1 of the bill redefines motorized bicycle. Section  
13 2 exempts a vehicle registered to a handicapped person from  
14 the minimum speed requirements for upgrade pulls if the vehicle  
15 has a special identification device on the vehicle. Sections  
16 3, 5, 12, and 13 remove authority for and references to  
17 provisions of the law regarding the issuance of three year  
18 registration plates for trailers and semitrailers. Section  
19 4 provides for the issuance of special registration plates  
20 for former prisoners of war and members of the national guard.  
21 Section 6 provides for a ten dollar penalty against a person  
22 who fails to file an application for transfer of registration  
23 and certificate of title within seven days of acquiring a  
24 motor vehicle. Section 7 eliminates the need for a release  
25 of a security interest on a motor vehicle and provides for  
26 a cancellation to appear on the certificate of title. Section  
27 8 increases the fee for auto transporters from twenty-five  
28 dollars to thirty-five dollars so that dealers and transporters  
29 pay the same fee. Section 9 provides that moneys received  
30 from the auction of abandoned vehicles shall be credited to  
31 the road use tax fund. Section 10 permits the state department  
32 of transportation to determine the size of in-transit stickers.  
33 Section 11 amends the current law which requires the filing  
34 of an affidavit when returning registration plates from a  
35 junked or destroyed vehicle and replaces the affidavit with

1 a statement. Section 14 expands the definition of a "qualified  
2 operator" to accompany a minor with a school permit. Section  
3 15 provides that the department may issue a minor's school  
4 license upon receiving an affidavit of necessity and the  
5 department of public instruction is to adopt rules establishing  
6 guidelines or criteria for determining whether or not an  
7 affidavit should be issued. This section also allows the  
8 use of the license one hour earlier in the morning. Sections  
9 16 and 17 provide that a person who is convicted of drag  
10 racing may obtain a temporary restricted license if the person  
11 has no previous drag racing convictions and that a person  
12 convicted of drag racing is subject to a license revocation  
13 for six months if no accident is involved. Section 18 provides  
14 that persons operating certain road construction and  
15 maintenance equipment do not have to have a chauffeurs' license  
16 to operate the equipment pursuant to rules adopted by the  
17 department. Sections 19 and 35 increase certain witness fees.  
18 Section 20 redefines "authorized officer" under the motor  
19 vehicle inspection law to include all peace officers as defined  
20 in section 801.4 of the Code. Sections 21 and 22 revise and  
21 clarify the current law relating to the operation of  
22 motorcycles and motorized bicycles. Section 23 revises the  
23 current law and clarifies the law relating to the crossing  
24 of median strips. Section 24 makes section 321.372 uniform  
25 in application. Section 25 provides that all motorcycles  
26 and motorized bicycles must be equipped with headlamps but  
27 not more than two each. Section 26 makes language consistent.  
28 Section 27 relates to the use of lighting devices on vehicles.  
29 Section 28 is corrective. Section 29 permits a peace officer  
30 to check log books of vehicles. Section 30 prohibits the  
31 solicitation of funds from or sale of goods to occupants of  
32 vehicles on the roadway or shoulder of a primary highway.  
33 Section 31 imposes a penalty for violations of chapter 321H.  
34 Section 32 redefines motor vehicle to include only those  
35 vehicles subject to registration under chapter 321. Section

1 33 clarifies the current law as it relates to protection  
 2 provided to persons purchasing a vehicle from a dealer to  
 3 assure that the bond is only to protect the purchaser of a  
 4 vehicle. Section 34 allows the department to withhold a motor  
 5 vehicle dealers license from a person who violates section  
 6 714.1 which relate to theft. Section 36 grandfathers in all  
 7 multiyear registration plates which are valid for a period  
 8 of time following the effective date of this Act. Section  
 9 38 repeals the itinerant merchants chapter. Section 39 repeals  
 10 those provisions of the law relating to the duties of the  
 11 sheriff in the collection of delinquent motor vehicle fees.  
 12

SENATE FILE 2361

S-5472

1 Amend Senate File 2361 as follows:

2 1. Page 11, line 21, by inserting after the word  
 3 "guardian" the words "driver education instructor,  
 4 or prospective driver education instructor".

S-5472 FILED

MARCH 20, 1980

*Adopted 3/28 (p. 1148)*

BY JOHN W. JENSEN

RICHARD F. DRAKE

CLOYD E. ROBINSON

RICHARD COMITO

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SENATE FILE 2361

S-5550

1 Amend Senate File 2361 as follows:

2 1. Page 1, by inserting before line 1 the following  
3 new section:

4 "Section 1. Section three hundred twenty-one point  
5 one (321.1), subsection one (1), Code 1979, as amended  
6 by House File seven hundred forty-seven (747), section  
7 two (2), enacted by the Sixty-eighth General Assembly,  
8 1980 Session and as the section is amended by Acts  
9 of the Sixty-eighth General Assembly, 1979 Session,  
10 chapter seventy (70), sections one (1) and two (2),  
11 and chapter seventy-four (74), section twenty-two  
12 (22), is amended by adding the following new paragraph:

13 NEW PARAGRAPH. Any steering axle, dolly, auxiliary  
14 axle or other integral part of another vehicle which  
15 in and of itself is incapable of commercially  
16 transporting any person or property but is used  
17 primarily to support another vehicle."

18 2. Page 8, by inserting after line 19 the following  
19 new section:

20 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
21 one hundred twenty-two (321.122), subsection four  
22 (4), Code 1979, as amended by House File seven hundred  
23 forty-seven (747), section six (6), enacted by the  
24 Sixty-eighth General Assembly, 1980 Session, is amended  
25 by striking the subsection and inserting in lieu  
26 thereof the following:

27 4. This section shall not apply to a rubber-tired  
28 farm tractor not operated for hire upon the public  
29 highways."

30 3. Page 22, by inserting after line 20 the  
31 following new section:

32 "Sec. \_\_\_\_\_. House File seven hundred forty-seven  
33 (747), section twelve (12), enacted by the Sixty-  
34 eighth General Assembly, 1980 Session, is amended  
35 to read as follows:

36 Sec. 12. The department shall issue permits for  
37 the period beginning fifteen days following the  
38 effective date of this Act to December 31, 1980 to  
39 interstate and intrastate carriers that apply for  
40 registration authority at a weight higher than the  
41 current registered gross weight. The department shall  
42 assess a prorated fee from the schedule of fees set  
43 forth in section five (5) of this Act. Permit fees  
44 shall be payable on an annual basis. A minimum fee  
45 of ten dollars shall be collected by the department.  
46 ~~Trucks, motor-trucks, and truck-tractors registered~~  
47 ~~under the provisions of section three-hundred-twenty-~~  
48 ~~one-point-one-hundred-twenty-two (321.122) of the~~  
49 ~~Code on the effective date of this Act shall not be~~  
50 ~~eligible to reregister under section three-hundred~~

1 ~~twenty-one-point-one-hundred-twenty-one-(321-121)~~  
2 ~~of-the-Code-during-the-1980-registration-year.~~ The  
3 commission shall adopt temporary rules as are necessary  
4 to implement the provisions of this Act as it relates  
5 to revised registrations in 1980 and temporary rules  
6 adopted for this purpose are not rules as defined  
7 in section seventeen A point two (17A.2), subsection  
8 seven (7), of the Code and shall not be subject to  
9 chapter seventeen A (17A) of the Code."  
10 4. Renumber sections and correct internal  
11 references as may be necessary in accordance with  
12 this amendment.

S-5550 FILED  
MARCH 27, 1980

BY RICHARD F. DRAKE  
JOHN W. JENSEN

*Adopted 3/28 (p. 1147)*

SENATE FILE 2361

S-5549

1 Amend Senate File 2361 as follows:  
2 1. Page 8, by inserting after line 19 the following:  
3 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
4 one hundred twenty-three (321.123), subsection one  
5 (1), unnumbered paragraph two (2), Code 1979, is  
6 amended to read as follows:  
7 Travel trailers and fifth-wheel travel trailers,  
8 except those in manufacturer's or dealer's stock, an  
9 annual fee of twenty cents per square foot of floor  
10 space computed on the exterior overall measurements,  
11 but excluding three feet occupied by any trailer hitch  
12 as provided by and certified to by the owner, to the  
13 nearest whole dollar, which amount shall not be pro-  
14 rated or refunded; except the annual fee for travel  
15 trailers of any type, when registered in Iowa for the  
16 first time or when removed from a manufacturer's or  
17 dealer's stock, shall be prorated on a monthly basis.  
18 The registrant of a travel trailer of any type shall  
19 be issued a "travel trailer" plate. It is further  
20 provided the annual fee thus computed shall be limited  
21 to seventy-five percent of the full fee after the sixth  
22 registration."

S-5549 FILED  
MARCH 27, 1980

BY CLOYD E. ROBINSON

*Adopted 3/28 (p. 1147)*

SENATE FILE 2361

S-5547

1 Amend Senate File 2361 as follows:  
2 1. Page 13, by striking lines 18 through 30 and  
3 inserting in lieu thereof the following:  
4 "NEW UNNUMBERED PARAGRAPH. A chauffeur's license  
5 shall not be required for a person to operate road  
6 construction and maintenance equipment while engaged  
7 in road construction and maintenance work, including  
8 the movement of the road construction and maintenance  
9 equipment to and from the work site under its own  
10 power. The department shall adopt rules pursuant  
11 to chapter seventeen A (17A) of the Code specifying  
12 each type of road construction and maintenance  
13 equipment for which a chauffeur's license is not  
14 required for the operation of the equipment."

S-5547 FILED  
MARCH 27, 1980

BY RICHARD F. DRAKE

*Adopted 3/28 (p. 1148)*

S-5552

- 1 Amend Senate File 2361 as follows:  
 2 1. Page 2, by striking lines 14 through 35.  
 3 2. Page 3, by striking lines 1 through 24.  
 4 3. Renumber sections and correct internal  
 5 references as may be necessary in accordance with  
 6 this amendment.

S-5552 FILED  
 MARCH 27, 1980  
*Last 2/28 (p. 1148)*

BY EDGAR H. HOLDEN

## SENATE FILE 2361

S-5557

- 1 Amend Senate File 2361 as follows:  
 2 1. Page 2, lines 34 and 35, by striking the words  
 3 "dollars, which shall be in addition to the regular  
 4 annual registration fee." and inserting in lieu thereof  
 5 the word "dollars."  
 6 2. Page 3, lines 3 and 4, by striking the words  
 7 "in addition to the regular annual registration fee".

S-5557 FILED  
 MARCH 27, 1980

BY BASS VAN GILST  
 C. W. HUTCHINS

*Placed out of order 4/1 (p. 1214)*

## SENATE FILE 2361

S-5559

- 1 Amend Senate File 2361 as follows:  
 2 1. Page 8, by inserting after line 19 the following  
 3 new section:  
 4 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
 5 one hundred twenty-two (321.122), Code 1979, is amended  
 6 by adding the following new subsection:  
 7 NEW SUBSECTION. In lieu of annual or semiannual  
 8 registration as required in section three hundred  
 9 twenty-one point one hundred five (321.105) of the  
 10 Code, a motor truck which is used primarily in highway  
 11 construction and maintenance may be registered for  
 12 a period of nine months for a fee equal to three-  
 13 fourths of the annual registration fee. Any motor  
 14 truck registered under this subsection shall not be  
 15 used during the months of January, February, and March  
 16 of the year in which it is registered at three-fourths  
 17 of the annual registration fee and shall be stored  
 18 on private property. A motor truck only registered  
 19 for three quarters in any year shall not be eligible  
 20 for a refund of the registration fees. If a motor  
 21 truck registered under this subsection is registered  
 22 for a nine-month period and the motor truck is used  
 23 on the highways of the state during the months of  
 24 January, February, or March, the motor truck shall  
 25 immediately be registered for the full year and any  
 26 penalties or interest for late registration shall  
 27 accrue and be payable at the time of registration."

S-5559 FILED  
 MARCH 27, 1980

BY CLARENCE CARNEY

*Placed out of order 2/28 (p. 1148)*

SENATE FILE 2361

S-5610

1 Amend Senate File 2361 as follows:

2 1. Page 13, by inserting after line 30 the following  
3 new section:

4 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
5 two hundred thirty-six (321.236), Code 1979, is amended  
6 by adding the following new subsection:

7 NEW SUBSECTION. Providing by ordinance that a person  
8 holding a valid chauffeur's or operator's license may  
9 operate a self-propelled golf cart on city streets  
10 during the period beginning one-half hour after sunrise  
11 and ending one-half hour before sunset. Self-propelled  
12 golf carts are excepted from the licensing requirements  
13 of this chapter for that purpose if otherwise in  
14 compliance with the applicable city ordinance. Golf  
15 carts operated on city streets shall meet lighting,  
16 braking, or other safety requirements ~~required~~ required by  
17 statute or ordinance."

S-5610 FILED

APRIL 1, 1980

RULED OUT OF ORDER (p. 12/16)

BY DICK RAMSEY

JAMES BRILES

SUE YENGER

NORMAN RODGERS

SENATE FILE 2361

S-5565

1 Amend the Carney amendment S-5559 to Senate File  
2 2361 as follows:  
3 1. Page 1, lines 10 and 11, by striking the words  
4 "which is used primarily in highway construction and  
5 maintenance".

S-5565 FILED BY BERL E. PRIEBE  
MARCH 28, 1980  
RULED OUT OF ORDER (p. 1148)

SENATE FILE 2361

S-5567

1 Amend Senate File 2361 as follows:  
2 1. Page 20, by inserting after line 34 the  
3 following:  
4 "Sec. \_\_\_\_ Chapter three hundred twenty-one (321),  
5 Code 1979, is amended by adding the following new  
6 section:  
7 NEW SECTION. Notwithstanding the provisions of  
8 this chapter, a city may, by ordinance, prohibit  
9 persons under sixteen years of age from operating a  
10 motorized bicycle upon the streets or highways within  
11 the corporate limits of the city."  
12 2. Page 20, by inserting after line 34 the follow-  
13 ing:  
14 "Sec. \_\_\_\_ Chapter three hundred twenty-one (321),  
15 Code 1979, is amended by adding the following new  
16 section:  
17 NEW SECTION. A person under eighteen years of  
18 age shall not operate or ride a motorcycle or motorized  
19 bicycle upon the public streets and highways of this  
20 state without wearing protective headgear."

S-5567 FILED BY COMMITTEE ON WAYS AND MEANS  
MARCH 28, 1980 ROLF V. CRAFT, CHAIRPERSON  
DIVISION A - ADOPTED (p. 1149)  
DIVISION B - DEFERRED *Ruled out of order 4/1/80 p. 12153*

SENATE FILE 2361

S-5560

1 Amend Senate File 2361 as follows:

2 1. Page 20, by inserting after line 34 the  
3 following new sections:

4 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
5 Code 1979, is amended by adding the following new  
6 section:

7 NEW SECTION. Notwithstanding the provisions of  
8 this chapter, a city may, by ordinance, prohibit  
9 persons under sixteen years of age to operate a  
10 motorized bicycle upon the streets or highways within  
11 the corporate limits of the city.

12 Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
13 Code 1979, is amended by adding the following new  
14 section:

15 NEW SECTION. A person under eighteen years of  
16 age shall not operate or ride a motorcycle or motorized  
17 bicycle upon the public streets and highways of this  
18 state without wearing protective headgear."

S-5560 FILED  
MARCH 28, 1980  
WITHDRAWN (p. 1149)

BY COMMITTEE ON WAYS AND MEANS  
ROLF V. CRAFT, CHAIRPERSON

SENATE FILE 2361

S-5561

1 Amend Senate File 2361 as follows:

2 1. Page 22, by inserting after line 20 the following  
3 new sections:

4 "Sec. \_\_\_\_\_. Section eight hundred five point eight  
5 (805.8), subsection two (2), paragraph b, Code 1979,  
6 is amended to read as follows:

7 b. For registration violations under sections  
8 ~~321.17~~, 321.32, 321.34, 321.37, 321.38, 321.41, and  
9 321.189, subsection 3, the scheduled fine is five  
10 dollars. For violations of sections 321.32 and  
11 321.189, subsection 3, the case shall be dismissed  
12 without imposition of fine or costs if a license  
13 or registration valid at the time of the issuance  
14 of the citation is presented by the defendant to  
15 the magistrate or scheduled violations office.

16 Sec. \_\_\_\_\_. Section eight hundred five point eight  
17 (805.8), subsection two (2), paragraph n, Code 1979,  
18 is amended to read as follows:

19 n. For violation of registration provisions under  
20 section three hundred twenty-one point seventeen  
21 (321.17); For violation of intrastate hauling on  
22 foreign registration under sections 321.54 and 321.55;  
23 use of registration under section 321.99; and display  
24 of registration or plates under 321.98, the scheduled  
25 fine is twenty dollars."

S-5561 FILED & ADOPTED (p. 1149) BY LUCAS J. DeKOSTER  
MARCH 28, 1980 RICHARD F. DRAKE

SENATE FILE 2361

S-5572

1 Amend Senate File 2361 as follows:

2 1. Page 11, by striking lines 23 and 24 and  
3 inserting in lieu thereof the words "beside the driver.  
4 Such The license shall expire on the expiration of  
5 the special need, on the licensee's eighteenth birthday  
6 or upon issuance of a temporary".

7 2. Page 11, line 25, by inserting after the word  
8 "license" the words ", whichever comes first".

S-5572 FILED  
MARCH 28, 1980

BY JOHN S. MURRAY

*Lost 41 (p. 1215)*

SENATE FILE 2361

S-5608

1 Amend Senate File 2361 as follows:

2 1. Page 20, lines 31 and 32, by striking the words  
3 "solicit funds for any purpose from or sell or".

4 2. Page 20, line 34, by inserting after the word  
5 "highway." the words "Solicitation of funds by charitable  
6 and non-profit organizations is lawful."

S-5608 FILED  
APRIL 1, 1980

BY C. W. HUTCHINS

LOST (*p. 1215*)

SENATE FILE 2361

S-5609

1 Amend Senate File 2361 as follows:

2 1. Page 12, by inserting after line 24 the following  
3 new section:

4 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
5 two hundred ten (321.210), subsection four (4), Code  
6 1979, is amended to read as follows:

7 4. ~~Is incompetent to drive a motor vehicle~~ Is  
8 physically or mentally incapable of safely operating  
9 a motor vehicle."

S-5609 FILED  
APRIL 1, 1980

BY ROBERT M. CARR

ADOPTED (*p. 1216*)

SENATE FILE 2361

S-5611

1 Amend the Ramsey et al. amendment S-5610 to Senate  
2 File 2361 as follows:

3 1. Page 1, line 12, by striking the word "licensing"  
4 and inserting in lieu thereof the word "registration".

S-5611 FILED  
APRIL 1, 1980

BY DICK RAMSEY

RULED OUT OF ORDER (*p. 1216*)

SENATE FILE 2361

S-5569

1 Amend Senate File 2361

2 1. Page 2, by striking lines 28 through page 3,  
3 line 4, and inserting in lieu thereof the words  
4 "application to the department of transportation,  
5 order special registration plates designed by the  
6 department of transportation in cooperation with  
7 the adjutant general which plates signify that  
8 the applicant was a prisoner of war as defined  
9 in this subsection. The application shall be  
10 approved by the department of transportation,  
11 in consultation with the adjutant general, and  
12 the special registration plates shall be issued  
13 to the applicant in exchange for the registration  
14 plates previously issued to the person. The fee  
15 for the special plates shall be five dollars. The  
16 department of transportation shall validate the  
17 special plates in the same manner as regular re-  
18 gistration plates are validated under this section  
19 at the regular annual registration fee.

20 2. Page 3, by striking lines 11 through 21,  
21 and inserting in lieu thereof the words "to the  
22 department of transportation, order special re-  
23 gistration plates designed by the department of  
24 transportation in cooperation with the adjutant  
25 general which plates signify that the applicant  
26 is a member of the national guard. The application  
27 shall be approved by the department of transportation,  
28 in consultation with the adjutant general, and the  
29 special registration plates shall be issued to the  
30 applicant in exchange for the registration plates  
31 previously issued to the person. The fee for  
32 the special plates shall be the regular annual  
33 registration fee. The department of transportation  
34 shall validate the special plates in the same manner  
35 as regular registration plates are validated under  
36 this section at the regular annual registration  
37 fee. Special registration".

S-5569 FILED  
MARCH 28, 1980  
*Adopted 4/1 (p. 1214)*

BY SUE YENGER  
BASS VAN GILST

SENATE FILE 2361

S-5568

1 Amend the Committee on Ways and Means amendment  
2 S-5567 to Senate File 2361 as follows:  
3 1. Page 1, line 17, by striking the word "eighteen"  
4 and inserting in lieu thereof the word "sixteen".  
5 2. Page 1, line 18, by striking the words "motor-  
6 cycle or".

S-5568 FILED  
MARCH 28, 1980  
*Placed out of order 4/1 (p. 1215)*

BY RICHARD COMITO

MARCH 31, 1980

SENATE FILE 2361

REVISED FISCAL NOTE

REQUESTED BY SENATOR CRAFT, MARCH 25, 1980

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 2361 pursuant to Joint Rule 16.

Senate File 2361, An Act relating to transportation.

This proposed legislation impacts the Road Use Tax Fund in 3 areas. Section 4 provides for special registration plates to be issued to former prisoners of war and members of the National Guard for an additional fee of \$5.00 above the normal registration fee. This proposal also increases the fine for failure to transfer registration and certificate of title from \$5.00 to \$10.00 and increases the fee for dealers and transporters authority from \$25.00 to \$35.00. The following assumptions were made in order to prepare the fiscal note:

- (1) 2,000 former prisoners of war are estimated to live in Iowa.
- (2) 4,800 National Guard members are entitled to the special registration plates. For validation years a 25 percent turnover is assumed.
- (3) 15,000 people were fined in 1979 for failure to transfer their registration and certificates of title in the allowed time period. The same figure is assumed for 1980.

It is estimated that this proposed legislation will generate \$92,670 increased revenue to the Road Use Tax Fund.

	No. of POW's	Costs/Plate & Admin. Costs	Cost to Purchase Plate	Net Increase to RUTF
First year	\$ 2,000	\$ 5.00	\$ 5.00	0
Validation years	2,000	2.50	5.00	\$ 5,000

  

	No. of N.G. Members	Costs/Plate & Admin. Costs	Cost to Purchase Plate	Net Increase to RUTF
First year	4,800	\$ 5.00	\$ 5.00	0
Validation years	3,600	2.50	5.00	\$ 9,000
	1,200	5,000	5,000	0

  

	No. People Fined	Current Fine	Proposed Fine	Net Increase to RUTF
Registration & Certificate of Title fines	15,000	\$ 5.00	\$ 10.00	\$ 75,000

  

	No. Dealers Effected	Current Fee	Proposed Fee	Net Increase to RUTF
Increased fees for dealers & transp. authority	367	\$ 25.00	\$ 35.00	\$ 3,670
			Total Revenue to RUTF	<u>92,670</u>

SOURCE: DEPT. OF TRANSPORTATION  
DEPT. OF VETERANS AFFAIRS

FILED:  
MARCH 28, 1980

BY GERRY RANKIN, DIRECTOR  
LEGISLATIVE FISCAL BUREAU

SENATE FILE 2361  
FISCAL NOTE

REQUESTED BY SENATOR CRAFT, March 20, 1980

*Revised*  
*3/25*

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 2361 pursuant to Joint Rule 16.

S.F. 2361, An Act relating to transportation.

This proposed legislation impacts the Road Use Tax Fund in three areas. Section 4 provides for special registration plates to be issued to former prisoners of war and members of the National Guard for an additional fee of \$5.00 above the normal registration fee. This proposal also increases the fine for failure to transfer registration and certificate of title from \$5.00 to \$10.00.

The following assumptions were made in order to prepare the fiscal note:

- 1) 30,000 former prisoners of war are estimated to live in Iowa. This estimate was made, and is explained in the fiscal note to S.F. 2041.
- 2) 4,800 National Guard members are entitled to the special registration plates. For validation years a 25% turnover is assumed.
- 3) 15,000 people were fined in 1979 for failure to transfer their registration and certificates of title in the allowed time period. The same figure is assumed for 1980.

It is estimated that this proposed legislation will generate \$159,000 increased revenue to the Road Use Tax Fund.

	<u>No. of POW's</u>	<u>Cost/ Plate &amp; Admin. Costs</u>	<u>Cost to Purchase Plate</u>	<u>Net Increase to RUTF</u>
First year	30,000	\$ 5.00	\$ 5.00	0
Validation years	30,000	2.50	5.00	\$ 75,000
	<u>No. of N.G. Member</u>	<u>Cost/Plate Admin. Costs</u>	<u>Cost to Purchase Plate</u>	<u>Net Increase to RUTF</u>
First year	4,800	\$ 5.00	\$ 5.00	0
Validation years	3,600	2.50	5.00	\$ 9,000
	1,200	5.00	5.00	0
	<u>No. People Fined</u>	<u>Current Fine</u>	<u>Proposed Fine</u>	<u>Net Increase to RUTF</u>
Registration & Certificate of Title fines	15,000	\$ 5.00	\$ 10.00	\$ 75,000
Total Revenue to RUTF				\$ <u>159,000</u>

SOURCE: DEPT OF TRANSPORTATION

FILED:  
MARCH 20, 1980

BY GERRY RANKIN, DIRECTOR  
LEGISLATIVE FISCAL BUREAU

SENATE FILE 2361  
FISCAL NOTE

REQUESTED BY SENATOR ROLF CRAFT, MARCH 20, 1980

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 2361 pursuant to Joint Rule 16.

Senate File 2361, An Act relating to transportation.

This proposed legislation impacts the Road Use Tax Fund in three areas. Section 4 provides for special registration plates to be issued to former prisoners of war and members of the National Guard for an additional fee of \$5.00 above the normal registration fee. This proposal also increases the fine for failure to transfer registration and certificate of title from \$5.00 to \$10.00.

The following assumptions were made in order to prepare the fiscal note:

- (1) 30,000 former prisoners of war are estimated to live in Iowa. This estimate was made, and is explained in the fiscal note to S.F. 2041.
- (2) 4,800 National Guard members are entitled to the special registration plates. For validation years a 25 percent turnover is assumed.
- (3) 15,000 people were fined in 1979 for failure to transfer their registration and certificates of title in the allowed time period. The same figure is assumed for 1980.

It is estimated that this proposed legislation will generate \$162,670 increased revenue to the Road Use Tax Fund.

	No. of POW's	Costs/Plate & Admin. Costs	Cost to Purchase Plate	Net Increase to RUTF
First year	30,000	\$ 5.00	\$ 5.00	0
Validation years	30,000	2.50	5.00	\$ 75,000
	No. of N.G. Members	Costs/Plate & Admin. Costs	Cost to Purchase Plate	Net Increase to RUTF
First year	4,800	\$ 5.00	\$ 5.00	0
Validation years	3,600	2.50	5.00	\$ 9,000
	1,200	5,000	5,000	0
	No. People Fined	Current Fine	Proposed Fine	Net Increase to RUTF
Registration & Certificate of Title fines	15,000	\$ 5.00	\$ 10.00	\$ 75,000
	No. Dealers Effected	Current Fee	Proposed Fee	Net Increase to RUTF
Increased fees for dealers & trans. authority	367	\$ 25.00	\$ 35.00	\$ 3,670
Total Revenue to RUTF				<del>\$162,670</del>

SOURCE: DEPT. OF TRANSPORTATION

FILED:  
MARCH 25, 1980

BY GERRY RANKIN, DIRECTOR  
LEGISLATIVE FISCAL BUREAU

House Transportation 4/2  
Do Pass 4/2 (p. 1349)  
Referred to Ap & Means 4/3  
Amended a/w 6/19/79 Do Pass 4/17

SENATE FILE 2361

By COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE APRIL 1, 1980)

Passed Senate, Date 4/26/80 (p. 1349) Passed House, Date 4/22/80 (p. 1929)  
Vote: Ayes 42 Nays 5 Vote: Ayes 82 Nays 6  
Approved May 20 1980

## A BILL FOR

1 An Act relating to transportation by redefining motorized  
2 bicycles, repealing multiyear trailer and semitrailer  
3 registration plates, providing for release of security  
4 interest on a motor vehicle to appear on the title, pro-  
5 viding for the issuance of special registration plates  
6 to former prisoners of war and members of the national  
7 guard, providing uniform application fees for motor  
8 vehicle dealers and transporters for special plates,  
9 providing for the crediting of moneys received from the  
10 auction of abandoned vehicles in the road use tax fund,  
11 providing for the filing of a statement upon applying for  
12 refund of registration fees when a vehicle is junked,  
13 relating to minor school licenses, providing for the  
14 operation of motorcycles and motorized bicycles, increasing  
15 certain witness fees, relating to the use of lighting  
16 devices on vehicles, relating to crossing of median strips,  
17 inspection of log books, regulating motor vehicle dealers,  
18 relating to duties of sheriffs in collecting motor vehicle  
19 fees, repealing the law relating to itinerant merchants,  
20 making technical corrections, and providing penalties.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

22

23

————— = New Language by the Senate

24

\* = Language Stricken by the Senate

25

5945  
6194

1 Section 1. Section three hundred twenty-one point one  
2 (321.1), subsection one (1), Code 1979, as amended by House  
3 File seven hundred forty-seven (747), section two (2), enacted  
4 by the Sixty-eighth General Assembly, 1980 Session and as  
5 the section is amended by Acts of the Sixty-eighth General  
6 Assembly, 1979 Session, chapter seventy (70), sections one  
7 (1) and two (2), and chapter seventy-four (74), section twenty-  
8 two (22), is amended by adding the following new paragraph:

9 NEW PARAGRAPH. Any steering axle, dolly, auxiliary axle  
10 or other integral part of another vehicle which in and of  
11 itself is incapable of commercially transporting any person  
12 or property but is used primarily to support another vehicle.

5439

13 Sec. 2. Section three hundred twenty-one point one (321.1),  
14 subsection three (3), paragraph b, Code 1979, as the section  
15 is amended by Acts of the Sixty-eighth General Assembly, 1979  
16 Session, chapter seventy (70), sections one (1) and two (2),  
17 and chapter seventy-four (74), section twenty-two (22), is  
18 amended to read as follows:

19 b. "Motorized bicycle" or "motor bicycle" means a ~~two-~~  
20 ~~wheeled~~ motor vehicle having a saddle or a seat for the use  
21 of a rider and designed to travel on not more than three  
22 wheels in contact with the ground, with an engine having a  
23 displacement no greater than fifty cubic centimeters as-fixed  
24 ~~by-the-department~~ and not capable of ~~operation~~ operating at  
25 a speed in excess of twenty-five miles per hour on level  
26 ground unassisted by human power.

27 Sec. 3. Section three hundred twenty-one point twenty-  
28 three (321.23), subsection four (4), Code 1979, as the section  
29 is amended by Acts of the Sixty-eighth General Assembly, 1979  
30 Session, chapter seventy-one (71), section one (1), is amended  
31 to read as follows:

32 4. Any vehicle which does not meet the equipment re-  
33 quirements of this chapter due to the particular use for which  
34 it is designed or intended, may be registered by the department  
35 upon payment of appropriate fees and after inspection and

1 certification by the department that the vehicle is not in  
2 an unsafe condition and will not endanger any person. A  
3 person is not required to have a certificate of title to  
4 register a vehicle under this subsection. If the owner elects  
5 to have a certificate of title issued for the vehicle, a fee  
6 of two dollars shall be paid by the person making the  
7 application upon issuance of a certificate of title. If the  
8 department's inspection reveals that that vehicle may be  
9 safely operated only under certain conditions or on certain  
10 types of roadways, the department may restrict the registration  
11 to limit operation of the vehicle to the appropriate conditions  
12 or roadways. This subsection shall not apply to snowmobiles  
13 as defined in section 321G.1. Section three hundred twenty-  
14 one point three hundred eighty-two (321.382) of the Code does  
15 not apply to a vehicle registered under this subsection which  
16 is operated exclusively by a handicapped person who has  
17 obtained a special identification device as provided in section  
18 six hundred one E point six (601E.6) of the Code, providing  
19 the special identification device is carried in the vehicle  
20 and shown to any peace officer on request.

21 Sec. 4. Section three hundred twenty-one point thirty-  
22 four (321.34), subsection five (5), Code 1979, as the section  
23 is amended by Acts of the Sixty-eighth General Assembly, 1979  
24 Session, chapter seventy-one (71), section three (3), is  
25 amended to read as follows:

26 5. MULTIYEAR PLATES. In lieu of issuing annual  
27 registration plates for trailers and semitrailers, the county  
28 treasurer-or department may issue a multiyear registration  
29 plate plates for a three-year period for trailers and  
30 semitrailers licensed under chapter three hundred twenty-six  
31 (326) of the Code upon payment of the appropriate registration  
32 fee. Fees from three-year payments shall not be reduced or  
33 prorated under-the-provisions-of-chapter-326.

34 Sec. 5. Section three hundred twenty-one point thirty-  
35 four (321.34), Code 1979, as amended by Acts of the Sixty-

1 eighth General Assembly, 1979 Session, chapter seventy-one  
2 (71), section three (3), is amended by adding the following  
3 new subsections:

5892 >  
5916 >  
628

4 NEW SUBSECTION. The owner of a motor vehicle subject to  
5 registration under section three hundred twenty-one point  
6 one hundred nine (321.109), subsection one (1), of the Code,  
7 light delivery truck, panel delivery truck or pickup who was  
8 a prisoner of war during the second world war at any time  
9 between December 7, 1941 and December 31, 1946, the Korean  
10 conflict at any time between June 25, 1950 and January 31,  
11 1955 or the Vietnam conflict at any time between August 5,  
12 1964 and June 30, 1973, all dates inclusive, may upon written  
13 application to the department of transportation, order special  
14 registration plates designed by the department of  
15 transportation in cooperation with the adjutant general which  
16 plates signify that the applicant was a prisoner of war as  
17 defined in this subsection. The application shall be approved  
18 by the department of transportation, in consultation with  
19 the adjutant general, and the special registration plates  
20 shall be issued to the applicant in exchange for the  
21 registration plates previously issued to the person. The  
22 fee for the special plates shall be five dollars. The  
23 department of transportation shall validate the special plates  
24 in the same manner as regular registration plates are validated  
25 under this section at the regular annual registration fee.

5916  
619

26 NEW SUBSECTION. The owner of a motor vehicle subject to  
27 registration pursuant to section three hundred twenty-one  
28 point one hundred nine (321.109), subsection one (1), of the  
29 Code, light delivery truck, panel delivery truck or pickup  
30 who is a member of the national guard, as defined in chapter  
31 twenty-nine A (29A) of the Code, may upon written application  
32 to the department of transportation, order special re-  
33 gistration plates designed by the department of transportation  
34 in cooperation with the adjutant general which plates signify  
35 that the applicant is a member of the national guard. The

1 application shall be approved by the department of  
2 transportation, in consultation with the adjutant general,  
3 and the special registration plates shall be issued to the  
4 applicant in exchange for the registration plates previously  
5 issued to the person. The fee for the special plates shall  
6 be the regular annual registration fee. The department of  
7 transportation shall validate the special plates in the same  
8 manner as regular registration plates are validated under  
9 this section at the regular annual registration fee. Special  
10 registration plates shall be surrendered in exchange for  
11 regular registration plates upon termination of the owner's  
12 membership in the active national guard.

\* 13 Sec. 6. Section three hundred twenty-one point forty-nine  
14 (321.49), subsection one (1), Code 1979, is amended to read  
15 as follows:

16 1. Except as provided in section 321.52, if an application  
17 for transfer of registration and certificate of title is not  
18 submitted to the county treasurer of the residence of the  
19 transferee within seven days of the date of assignment or  
20 transfer of title, a penalty of ~~five~~ ten dollars shall accrue  
21 against ~~said-vehicle,~~ the applicant and no registration card  
22 or certificate of title shall ~~thereafter~~ be issued to the  
23 applicant for the vehicle until the penalty is paid.

24 Sec. 7. Section three hundred twenty-one point fifty  
25 (321.50), subsection four (4), Code 1979, is amended to read  
26 as follows:

27 4. ~~When a security interest is discharged, the holder~~  
28 ~~thereof shall execute a release within fifteen days after~~  
29 ~~payment is received, such release to contain the certificate~~  
30 ~~of title number, the date of the notation, and the name and~~  
31 ~~address of the person to whom the title shall be delivered~~  
32 ~~when such delivery is requested as hereinafter provided.~~  
33 ~~The holder~~ shall also note a cancellation of same on the face  
34 of the certificate of title over the holder's signature, and  
35 deliver the ~~release and~~ certificate of title to the county

1 treasurer where title was issued. The county treasurer shall  
2 immediately note the cancellation of said the security interest  
3 on the face of the certificate of title and in the county  
4 records system. The county treasurer shall on the same day  
5 deliver the certificate of title to the then first secured  
6 party or, if there is no such person, to the person as ~~directed~~  
7 ~~on-the-security-interest-release~~ directed by the owner, in  
8 writing, on a form prescribed by the department or, if there  
9 is no such person designated, then to the owner. ~~Said~~ The  
10 cancellation of the security interest shall be noted on the  
11 certificate of title by the county treasurer without charge.  
12 The holder of a security interest discharged by payment who  
13 fails to release such the security interest ~~as-herein-provided~~  
14 within fifteen days after being requested in writing to do  
15 so shall forfeit to the person making such the payment the  
16 sum of twenty-five dollars. ~~Such-request-shall-be-on-the~~  
17 ~~release-form-as-prescribed-by-the-department-and-shall-contain~~  
18 ~~a-statement-signed-by-the-owner-setting-forth-the-name-and~~  
19 ~~address-of-the-person-to-whom-the-title-shall-be-delivered.~~

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6203 20 Sec. 8. Section three hundred twenty-one point fifty-eight  
21 (321.58), Code 1979, is amended to read as follows:

22 321.58 APPLICATION. ~~Any-dealer-in-new-or-used-cars~~ All  
23 dealers and transporters may, upon payment of a fee of thirty-  
24 five dollars, make application to the department upon the  
25 appropriate form for a certificate containing a general  
26 distinguishing number and for one or more special plates as  
27 appropriate to various types of vehicles subject to  
28 registration, ~~and-all-other-dealers-or-transporters-may,-upon~~  
29 ~~the-payment-of-a-fee-of-twenty-five-dollars,-make-an~~  
30 ~~application-to-the-department-in-a-like-manner-for-a-like~~  
31 ~~certificate-and-number-and-plates-as-appropriate-to-various~~  
32 ~~types-of-vehicles-subject-to-registration.~~ The applicant  
33 shall also submit proof of the applicant's status as a bona  
34 fide transporter or dealer as may reasonably be required by  
35 the department. Dealers in new vehicles shall furnish

1 satisfactory evidence of a valid franchise with the  
2 manufacturer of ~~such~~ the vehicles authorizing ~~such~~ the  
3 dealership.

4 Sec. 9. Section three hundred twenty-one point eighty-  
5 nine (321.89), subsection four (4), Code 1979, is amended  
6 to read as follows:

7 4. Auction of abandoned vehicles. If an abandoned vehicle  
8 has not been reclaimed as provided for in subsection 3, the  
9 police authority shall make a determination as to whether  
10 or not the vehicle shall be sold for use upon the highways.  
11 If it is to be sold as a vehicle for use upon the highways,  
12 it shall first be inspected as required by section 321.238  
13 and have a valid certificate of inspection affixed. If the  
14 vehicle is not sold for use upon the highways, it shall be  
15 sold for junk, or demolished and sold as scrap or sold as  
16 provided in section ~~321.88~~ three hundred twenty-one point  
17 fifty-one (321.51) of the Code with a restricted certificate  
18 of title and not for use upon the highways. The police  
19 authority shall sell the vehicle at public auction.  
20 Notwithstanding any other provision of this section, any  
21 police authority, which has taken into possession any abandoned  
22 vehicle which lacks an engine or two or more wheels or other  
23 part which renders the vehicle totally inoperable may dispose  
24 of ~~such~~ the vehicle to a demolisher for junk after complying  
25 with the notification procedures enumerated in subsection  
26 3 and without public auction. The purchaser of the vehicle  
27 shall take title free and clear of all liens and claims of  
28 ownership, shall receive a sales receipt from the police  
29 authority, and shall be entitled to register the vehicle and  
30 receive a certificate of title if sold for use upon the  
31 highways or a restricted certificate of title ~~as-the-case~~  
32 ~~may-be~~. However, if the vehicle is sold or disposed of to  
33 a demolisher for junk, the sales receipt by itself shall be  
34 sufficient title only for purposes of transferring the vehicle  
35 to ~~such~~ the demolisher for demolition, wrecking, or dismantling

1 and, when so transferred, no further titling of the vehicle  
2 shall be permitted. From the proceeds of the sale of an  
3 abandoned vehicle the police authority shall reimburse itself  
4 for the expenses of the auction, the costs of towing,  
5 preserving, and storing which resulted from placing the  
6 abandoned vehicle in custody, all notice and publication costs  
7 incurred pursuant to subsection 3, the cost of inspection,  
8 and any other costs incurred except costs of bookkeeping and  
9 other administrative costs. Any remainder from the proceeds  
10 of a sale shall be held for the owner of the vehicle or  
11 entitled lienholder for ninety days, and shall then be  
12 deposited in the reimbursement road use tax fund received  
13 ~~by the department pursuant to section 321.145, subsection~~  
14 2. The costs to police authorities of auction, towing,  
15 preserving, storage, and all notice and publication costs,  
16 inspection costs and all other costs which result from placing  
17 abandoned vehicles in custody, whenever the proceeds from  
18 a sale of ~~such~~ the abandoned vehicles are insufficient to  
19 meet these expenses and costs, shall be paid from the  
20 reimbursement road use tax fund of the department under section  
21 321.145, subsection 2. ~~In the event the reimbursement fund~~  
22 ~~is temporarily exhausted, payment shall be deferred until~~  
23 ~~the reimbursement fund contains sufficient funds to meet the~~  
24 ~~claims.~~

25 The state comptroller shall establish by rule a claims  
26 procedure to be followed by police authorities in obtaining  
27 expenses and costs from the fund.

28 Sec. 10. Section three hundred twenty-one point one hundred  
29 nine (321.109), subsection two (2), Code 1979, as the section  
30 is amended by Acts of the Sixty-eighth General Assembly, 1979  
31 Session, chapter seventy (70), section four (4), is amended  
32 to read as follows:

33 2. Dealers may, in addition to other provisions of this  
34 section, purchase from the department in-transit stickers,  
35 for which a fee of two dollars per sticker shall be paid at

1 time of purchase. One such sticker shall be displayed on  
2 each vehicle purchased from a dealer by a nonresident for  
3 removal to the state of his or her residence, and one such  
4 sticker shall also be displayed on each vehicle not currently  
5 registered in Iowa and purchased by an Iowa dealer for removal  
6 to ~~his~~ the dealer's place of business in this state. ~~Such~~  
7 The stickers shall be void three days after issuance by the  
8 selling dealer. Each sticker shall ~~be-at-least-five-and-one-~~  
9 ~~half-inches-by-eight-inches-and-shall~~ contain the following  
10 information:

- 11 a. The words "in-transit" in ~~at-least-two-inch~~ bold type.
- 12 b. The dealer's license number.
- 13 c. The date issued.
- 14 d. The purchaser's name and address.
- 15 e. The word "Iowa" in ~~at-least-one-inch~~ bold type.
- 16 f. The words "good for three days after the date of  
17 issuance".
- 18 g. ~~Such-ether~~ Other information as the director ~~may-require~~  
19 requires.

20 This information shall be on the gummed side of the sticker  
21 and the sticker shall be made of ~~such~~ a type of material as  
22 ~~to-be~~ which is self-destructive when the sticker is removed.  
23 The sales invoice verifying the sale shall be in the possession  
24 of the driver of the vehicle in transit and shall be signed  
25 by the owner or an authorized individual of the issuing  
26 dealership.

27 Motor vehicles brought into the state on a transit sticker  
28 for the purpose of installation of special equipment may also  
29 be subject to the provisions of this subsection.

30 Sec. 11. Section three hundred twenty-one point one hundred  
31 twenty-two (321.122), subsection four (4), Code 1979, as  
32 amended by House File seven hundred forty-seven (747), section  
33 six (6), enacted by the Sixty-eighth General Assembly, 1980  
34 Session, is amended by striking the subsection and inserting  
35 in lieu thereof the following:

1 4. This section shall not apply to a rubber-tired farm  
2 tractor not operated for hire upon the public highways.

3 Sec. 12. Section three hundred twenty-one point one hundred  
4 twenty-three (321.123), subsection one (1), unnumbered  
5 paragraph two (2), Code 1979, is amended to read as follows:

6 Travel trailers and fifth-wheel travel trailers, except  
7 those in manufacturer's or dealer's stock, an annual fee of  
8 twenty cents per square foot of floor space computed on the  
9 exterior overall measurements, but excluding three feet  
10 occupied by any trailer hitch as provided by and certified  
11 to by the owner, to the nearest whole dollar, which amount  
12 shall not be prorated or refunded; except the annual fee for  
13 travel trailers of any type, when registered in Iowa for the  
14 first time or when removed from a manufacturer's or dealer's  
15 stock, shall be prorated on a monthly basis. The registrant  
16 of a travel trailer of any type shall be issued a "travel  
17 trailer" plate. It is further provided the annual fee thus  
18 computed shall be limited to seventy-five percent of the full  
19 fee after the sixth registration.

20 Sec. 13. Section three hundred twenty-one point one hundred  
21 twenty-six (321.126), subsections one (1), two (2), and three  
22 (3), Code 1979, are amended to read as follows:

23 1. If the motor vehicle is destroyed by fire or accident,  
24 or junked and its identity as a motor vehicle entirely  
25 eliminated, or removed and continuously used beyond the  
26 boundaries of this state, the owner in whose name the motor  
27 vehicle was registered at the time of such destruction,  
28 dismantling or removal from the state shall return the plates  
29 to the county treasurer or the department, unless the  
30 registration plates are retained and properly attached to  
31 another motor vehicle, and within thirty days thereafter make  
32 affidavit a statement of such destruction, dismantling, or  
33 removal and make claim for refund. With reference to the  
34 destruction or dismantling of a vehicle, the-affidavit no  
35 refund shall be accompanied-by-the allowed unless a junking

1 ~~certificate of title, if titled in Iowa~~ has been issued, as  
2 provided in section 321.52. With reference to the removal  
3 of a vehicle from this state ~~as provided herein~~, the ~~affidavit~~  
4 ~~statement~~ shall ~~contain a statement indicating~~ indicate the  
5 foreign registration number of ~~such~~ the vehicle, the name  
6 and address of the official of the foreign state to whom the  
7 Iowa certificate of title, if any, has been surrendered, and  
8 the number of the foreign certificate of title issued for  
9 ~~such~~ the vehicle if registered in a title law state.

10 2. If the motor vehicle is stolen, the owner shall give  
11 notice of ~~such~~ the theft to the county treasurer within five  
12 days, who in turn shall notify the department. If the motor  
13 vehicle is not recovered by the owner before December 1 of  
14 the year for which the registration fee was paid, the owner  
15 shall make ~~affidavit~~ a statement of ~~such~~ the theft and make  
16 claim for refund.

17 3. If the motor vehicle is placed in storage by the owner  
18 upon ~~his~~ the owner's entry into the military service of the  
19 United States, the owner shall return the plates to the county  
20 treasurer or the department and make ~~affidavit~~ a statement  
21 regarding such storage and military service and make claim  
22 for refund. Whenever the owner of a motor vehicle so placed  
23 in storage desires to again register such vehicle, the county  
24 treasurer or department shall compute and collect the fees  
25 for ~~such~~ registration in accordance with section 321.106.

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26 Sec. 14. Section three hundred twenty-one point one hundred  
27 eighty (321.180), subsection one (1), Code 1979, is amended  
28 by adding the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. If the permit holder is driving  
30 a motorcycle, the qualified operator must be within audible  
31 and visual communications distance from the permit holder  
32 and is accompanying the permit holder on or in a different  
33 motor vehicle. However, only one permit holder shall be under  
34 the immediate supervision of an accompanying qualified  
35 operator, unless the qualified operator is an approved

1 motorcycle or driver education instructor or a prospective  
2 driver or motorcycle education instructor, and the permit  
3 holder is enrolled in an approved motorcycle or driver  
4 education course, in which case no more than three students  
5 shall be under the immediate supervision of each instructor  
6 while on the highway.

7 Sec. 15. Section three hundred twenty-one point one hundred  
8 ninety-four (321.194), Code 1979, is amended to read as  
9 follows:

6199 10 321.194 MINORS' SCHOOL LICENSES. ~~Whenever-the-necessity~~  
11 ~~therefer-is-shown,-a-restricted-license-may-be-issued~~ Upon  
12 certification of a special need by the school board or the  
13 superintendent of the applicant's school, the department may  
14 issue a restricted license to any person between the ages  
15 of fourteen and eighteen years which license shall entitle  
16 the holder ~~thereof~~, while having ~~such~~ the license in his or  
17 her immediate possession, to operate a motor vehicle during  
18 the hours of 7 six a.m. to 6 nine p.m. over the most direct  
19 and accessible route between the licensee's residence and  
20 ~~his~~ school of enrollment for the purpose of attending duly  
21 scheduled courses of instruction and extracurricular activities  
22 at such school or at any time when accompanied by a parent  
23 or guardian, driver education instructor, or prospective  
24 driver education instructor who is a holder of a valid  
25 operator's or chauffeur's license, and who is actually  
26 occupying a seat beside the driver. ~~Such~~ The license shall  
27 expire on the licensee's eighteenth birthday or upon issuance  
28 of a ~~temporary-driver's-permit~~ probationary operator's or  
29 operator's license. For-the-purpose-of-establishing-a-need  
30 ~~for-the-license-provided-for-in-this-section,-each~~ Each  
31 application shall be accompanied by ~~an-affidavit~~ a statement  
32 from the school board or superintendent of the applicant's  
33 school ~~which-affidavit~~. The statement shall be upon a form  
34 provided by the department ~~and-shall-state-the-facts-deemed~~  
35 ~~to-justify-the-issuance-of-a-license-to-the-applicant.~~ Neither

1 ~~such-affidavit-nor-the-inability-to-obtain-the-same-shall~~  
 2 ~~be-binding-on-the-department-but-may-be-considered-by-the~~  
 3 ~~department-in-its-determining-of-whether-or-not-to-grant-the~~  
 4 ~~application.~~ The department of public instruction shall adopt  
 5 rules pursuant to chapter seventeen A (17A) of the Code  
 6 establishing criteria for issuing a statement of necessity.  
 7 Upon receipt of a statement of necessity, the department shall  
 8 issue a restricted license. The fact that the applicant resides  
 9 at a distance less than one mile from his or her school ~~shall~~  
 10 ~~be~~ is prima-facie evidence of the nonexistence of any necessity  
 11 for the issuance of such a license. A license issued ~~hereunder~~  
 12 under this section is subject to suspension or revocation  
 13 in like manner as any other license or permit issued under  
 14 any law of this state and ~~in-addition-thereto~~ the department  
 15 may also suspend such license upon receiving satisfactory  
 16 evidence that the licensee has violated the restrictions of  
 17 ~~such~~ the license or has been involved in two or more accidents  
 18 chargeable to ~~such~~ the licensee ~~and-the.~~ The department shall  
 19 revoke any license issued ~~hereunder~~ under this section upon  
 20 receiving a record of ~~such~~ the licensee's conviction for two  
 21 or more violations of any law of this state or city ordinance,  
 22 other than parking regulations, regulating the operation of  
 23 motor vehicles on highways and after revoking a license  
 24 ~~hereunder~~ under this section the department shall not grant  
 25 application for any new license or permit until the expiration  
 26 of one year or until the licensee attains his or her sixteenth  
 27 birthday whichever is the longer period.

28 Sec. 16. Section three hundred twenty-one point two hundred  
 29 ten (321.210), subsection four (4), Code 1979, is amended  
 30 to read as follows:

31 4. ~~is-incompetent-to-drive-a-motor-vehicle~~ Is physically  
 32 or mentally incapable of safely operating a motor vehicle.

33 Sec. 17. Section three hundred twenty-one point two hundred  
 34 ten (321.210), unnumbered paragraph seven (7), Code 1979,  
 35 is amended to read as follows:

1 The director may, on application, issue a temporary  
2 restricted license to any person convicted whose regular  
3 employment is the operation of a motor vehicle or who cannot  
4 perform his or her regular occupation without the use of a  
5 motor vehicle, but such person shall not operate a vehicle  
6 for pleasure while holding such restricted license. However,  
7 this paragraph shall not apply to any person whose license  
8 is revoked under the provisions of subsections one (1) through  
9 six (6) of section 321.209. A temporary restricted license  
10 may be issued to any person whose license is revoked under  
11 section three hundred twenty-one point two hundred nine  
12 (321.209), subsection seven (7) of the Code if the person  
13 has no previous drag racing convictions.

14 Sec. 18. Section three hundred twenty-one point two hundred  
15 twelve (321.212), Code 1979, is amended by adding the following  
16 new unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. The department shall revoke  
18 a license for six months for a first offense under the  
19 provisions of section three hundred twenty-one point two  
20 hundred nine (321.209), subsection seven (7), of the Code,  
21 where the violation charged did not result in a personal  
22 injury or damage to property.

23 Sec. 19. Section three hundred twenty-one point two hundred  
24 thirty-three (321.233), Code 1979, is amended by adding the  
25 following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. A chauffeur's license shall  
27 not be required for a person to operate road construction  
28 and maintenance equipment while engaged in road construction  
29 and maintenance work, including the movement of the road  
30 construction and maintenance equipment to and from the work  
31 site under its own power. The department shall adopt rules  
32 pursuant to chapter seventeen A (17A) of the Code specifying  
33 each type of road construction and maintenance equipment for  
34 which a chauffeur's license is not required for the operation  
35 of the equipment.

1 Sec. 20. Section three hundred twenty-one point two hundred  
2 thirty-eight (321.238), subsection twenty-one (21), unnumbered  
3 paragraph six (6), Code 1979, is amended to read as follows:

4 Witnesses shall receive ~~three-dollars-fer-each-day's~~  
5 ~~attendance-and-ten-cents-per-mile-fer-each-mile-actually~~  
6 ~~traveled.--Witnesses-shall-be-compensated~~ compensation at  
7 the rates specified in section six hundred twenty-two point  
8 sixty-nine (622.69) of the Code from funds appropriated to  
9 the department. ~~The-treasurer-of-state-may-make-rules-setting~~  
10 ~~forth-the-procedure-fer-such-reimbursement.~~

11 Sec. 21. Section three hundred twenty-one point two hundred  
12 thirty-eight (321.238), subsection twenty-five (25), paragraph  
13 a, Code 1979, is amended by striking paragraph a and inserting  
14 in lieu thereof the following:

15 a. "Authorized officer" means a peace officer as defined  
16 in section eight hundred one point four (801.4), subsection  
17 seven (7), paragraphs a, c, and h of the Code.

18 Sec. 22. Section three hundred twenty-one point two hundred  
19 seventy-five (321.275), Code 1979, is amended to read as  
20 follows:

21 321.275 OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES.

22 1. Every person operating a motorcycle or motorized bicycle  
23 shall be granted all of the rights and shall be subject to  
24 all of the duties applicable to the driver of any other vehicle  
25 except those rights and duties which by their nature ~~can~~ have  
26 no application.

27 2. A person ~~operating~~ shall not operate a motorcycle ~~shall~~  
28 ~~ride-only-upon-the-permanent-and-regular-attached-seat-thereto,~~  
29 ~~and-such-operator-shall-not-carry-any-ether-person-ner-shall~~  
30 ~~any-ether-person-ride-on-a~~ on the highways with another person  
31 on the motorcycle unless ~~such~~ the motorcycle is designed to  
32 carry more than one person, in which event a passenger may  
33 ride upon the permanent and regular seat if designed for two  
34 persons, or upon another seat firmly attached to the motorcycle  
35 at the rear of the operator. A person operating a motorized

1 bicycle on the highways shall not carry any other person on  
5891 2 the motorized bicycle.

3 3. A person shall ride upon a motorcycle or motorized  
4 bicycle only when sitting astride the seat, facing forward  
5 with one leg on either side of the motorcycle or motorized  
6 bicycle.

7 4. No A person shall not operate a motorcycle or motorized  
8 bicycle while carrying any package, bundle, or other article  
9 which prevents ~~him~~ the person from keeping both hands on the  
10 handlebars.

11 5. No An operator shall not carry any person, nor shall  
12 any other person ride, in a position that will interfere with  
13 the operation or control of the motorcycle or the view of  
14 the operator.

15 6. All motorcycles or motorized bicycles are entitled  
16 to full use of a lane and no motor vehicle shall be driven  
17 in such a manner as to deprive any motorcycle or motorized  
18 bicycle of the full use of a lane with the exception that  
19 this ~~shall~~ does not apply to motorcycles or motorized bicycles  
20 operated two abreast in a single lane.

21 7. The operator of a motorcycle or motorized bicycle shall  
22 not overtake and pass in the same lane occupied by the vehicle  
23 being overtaken unless the vehicle being overtaken is a  
24 motorcycle or motorized bicycle.

25 8. No A person shall not operate a motorcycle or motorized  
26 bicycle between lanes of traffic or between adjacent lines  
27 or rows of vehicles.

28 9. Motorcycles or motorized bicycles shall not be operated  
29 more than two abreast in a single lane.

30 10. Any motorcycle carrying a person other than in a  
31 sidecar or enclosed cab shall be equipped with foot rests  
32 for ~~such~~ the passenger.

33 11. No A person shall not operate any motorcycle with  
34 handlebars more than fifteen inches in height above that  
35 portion of the seat occupied by the operator.

1 12. ~~The-above-regulations-in-regard-to-motorcycles-shall~~  
2 This section does not apply to motorcycles or ~~motor-seeters~~  
3 motorized bicycles when used in a parade authorized by proper  
4 permit from local authorities.

5 13. ~~The-provisions-of-this-section-shall-apply-to-motorized~~  
6 ~~bicycles.~~ A person shall not operate a 1977 or later model  
7 year motorcycle or any model year motorized bicycle upon the  
8 highways without displaying at least one lighted headlamp  
9 of the type described in section three hundred twenty-one  
10 point four hundred nine (321.409) of the Code. However, this  
11 subsection is subject to the exceptions provided in this  
12 chapter with respect to parked vehicles.

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13 Sec. 23. Section three hundred twenty-one point three  
14 hundred seventeen (321.317), subsections three (3) and five  
15 (5), Code 1979, are amended to read as follows:

16 3. ~~After-the-thirty-first-day-of-December, 1953, it shall~~  
17 be It is unlawful for any person to sell or offer for sale  
18 or operate on the highways of the state ~~of Iowa~~ any vehicle  
19 subject to registration under the provisions of this chapter  
20 which has never been registered in this or any other state  
21 prior to January 1, 1954, unless ~~such~~ the vehicle is equipped  
22 with a directional signal device of a type approved by the  
23 department and is in compliance with the provisions of  
24 subsection 2 of this section. Motorcycles, ~~motor-seeters~~  
25 motorized bicycles and semitrailers and trailers less than  
26 forty inches in width are exempt from the provisions of this  
27 section.

28 5. Whenever any vehicle or combination of vehicles is  
29 disabled or for other reason may present a vehicular traffic  
30 hazard requiring unusual care in approaching, overtaking or  
31 passing ~~during-the-hours-of-darkness~~, the operator ~~of-such~~  
32 ~~vehicles~~ then may display on ~~such~~ the vehicle or combination  
33 of vehicles four directional signals of a type complying with  
34 the provisions of this section relating to directional signal  
35 devices in simultaneous operation. ~~The-provisions-of-this~~

1 ~~This~~ subsection ~~shall~~ does not ~~be construed to~~ exempt any  
2 vehicle or combination of vehicles from compliance with the  
3 provisions of sections 321.447 and 321.448.

4 Sec. 24. Section three hundred twenty-one point three  
5 hundred sixty-six (321.366), Code 1979, is amended to read  
6 as follows:

7 321.366 CROSSING MEDIAN STRIP OR PARKING ON FULLY  
8 CONTROLLED-ACCESS FACILITIES. It is unlawful for any person  
9 ~~(1) to drive~~, except a person operating highway maintenance  
10 equipment or an authorized emergency vehicle, to do any of  
11 the following:

12 1. Drive a vehicle over, upon, or across any curb, central  
13 dividing section, or other separation or dividing line on  
14 fully controlled-access facilities, ~~--(2) to make facility.~~

15 2. Make a left turn or a semicircular or U-turn at a  
16 maintenance ~~cross-overs except by maintenance vehicles and~~  
17 ~~authorized emergency vehicles~~, ~~--(3) to drive~~ cross-over where  
18 an official sign prohibits the turn.

19 3. Drive any vehicle except in the proper lane provided  
20 for that purpose and in the proper direction and to the right  
21 of the central dividing curb, separation, section, or ~~lines~~,  
22 ~~(4) to drive~~ line.

23 4. Drive any vehicle into the fully controlled-access  
24 facility from a local service road ~~except through an opening~~  
25 ~~provided for that purpose in the dividing curb or dividing~~  
26 ~~section or dividing line which separates such service road~~  
27 ~~from the controlled-access facility property~~, ~~--(5) to stop.~~

28 5. Stop, park, or leave standing any vehicle, whether  
29 attended or unattended, upon the paved portion, the shoulders,  
30 or the right of way except at designated rest areas or in  
31 case of an emergency or other dire necessity, ~~or in the case~~  
32 ~~of an authorized emergency vehicle.~~

33 For the purpose of this section, fully controlled-access  
34 facility ~~shall have the same meaning as the meaning prescribed~~  
35 in section 306A-2 is a highway which gives preference to

1 through traffic by providing access connections at interchanges  
2 with selected public roads only and by prohibiting crossings  
3 at grade or direct access at driveway connections.

4 Violations of this section ~~shall be~~ are punishable as  
5 provided in section 321.482.

6 Sec. 25. Section three hundred twenty-one point three  
7 hundred seventy-two (321.372), subsection four (4), and  
8 unnumbered paragraph four (4), Code 1979, is amended to read  
9 as follows:

10 4. The driver of a vehicle upon a highway providing two  
11 or more lanes in each direction need not stop upon meeting  
12 a school bus which is traveling in the opposite direction  
13 even though ~~said~~ the school bus is stopped.

14 ~~This section shall not apply to "business" and "residence"~~  
15 ~~districts, unless so provided by ordinance, but shall apply~~  
16 ~~in suburban districts of cities where the speed limit is in~~  
17 ~~excess of thirty-five miles per hour.~~

18 Sec. 26. Section three hundred twenty-one point three  
19 hundred eighty-six (321.386), Code 1979, is amended to read  
20 as follows:

21 321.386 HEAD LAMPS ON MOTORCYCLES AND MOTORIZED BICYCLES.  
22 Every motorcycle and motorized bicycle shall be equipped with  
23 at least one and not more than two head lamps which shall  
24 comply with the requirements and limitations of this chapter.

25 Sec. 27. Section three hundred twenty-one point four  
26 hundred nine (321.409), Code 1979, is amended to read as  
27 follows:

28 321.409 MANDATORY LIGHTING EQUIPMENT. Except as  
29 hereinafter provided, the head lamps or the auxiliary driving  
30 lamp or the auxiliary passing lamp or combination thereof  
31 on motor vehicles other than motorcycles or ~~motor-driven~~  
32 ~~eyes~~ motorized bicycles shall be so arranged that the driver  
33 may select at will between distributions of light projected  
34 to different elevations and ~~such~~ the lamps may, in addition,  
35 be so arranged that ~~such~~ selection can be made automatically,

1 subject to the following limitations:

2 1. There shall be an uppermost distribution of light,  
3 or composite beam, so aimed and of ~~such~~ sufficient intensity  
4 as to reveal persons and vehicles at a distance of at least  
5 three hundred fifty feet ahead for all conditions.

6 2. There shall be a lowermost distribution of light, or  
7 composite beam so aimed and of sufficient intensity to reveal  
8 persons and vehicles at a distance of a least one hundred  
9 feet ahead, ~~and on~~. On a straight level road under any  
10 condition of loading none of the high-intensity portion of  
11 the beam shall be directed to strike the eyes of an approaching  
12 driver.

13 3. Every new motor vehicle, other than a motorcycle or  
14 ~~motor-driven-cycle, registered in this state after January~~  
15 ~~17, 1956,~~ motorized bicycle which has multiple-beam road-  
16 lighting equipment shall be equipped with a beam indicator,  
17 which shall be lighted whenever the uppermost distribution  
18 of light from the head lamps is in use, and shall not otherwise  
19 be lighted. ~~Said~~ The indicator shall be so designed and  
20 located that when lighted it will be readily visible without  
21 glare to the driver of the vehicle ~~so-equipped~~.

22 Sec. 28. Section three hundred twenty-one point four  
23 hundred fifteen (321.415), Code 1979, is amended to read as  
24 follows:

25 321.415 REQUIRED USAGE OF LIGHTING DEVICES. Whenever  
26 a motor vehicle is being operated on a roadway or shoulder  
27 ~~adjacent thereto~~ during the times specified in section 321.384,  
28 the driver shall use a distribution of light, or composite  
29 beam, directed high enough and of sufficient intensity to  
30 reveal persons and vehicles at a safe distance in advance  
31 of the vehicle, subject to the following requirements and  
32 limitations:

33 1. Whenever a driver of a vehicle approaches an oncoming  
34 vehicle within five hundred feet, ~~such~~ the driver shall use  
35 a distribution of light, or composite beam, so aimed that

1 the glaring rays are not projected into the eyes of the  
2 oncoming driver. The lowermost distribution of light, or  
3 composite beam, specified in section 321.409, subsection 2,  
4 shall be deemed to avoid glare at all times, regardless of  
5 road contour and loading.

6 2. Whenever the driver of a vehicle follows another vehicle  
7 within two hundred feet to the rear, except when engaged in  
8 the act of overtaking and passing, ~~such~~ the driver shall use  
9 a distribution of light permissible under this chapter other  
10 than the uppermost distribution of light specified in section  
11 321.409, subsection 1.

12 3. The provisions of subsections one (1) and two (2) of  
13 this section do not apply to motorcycles or motorized bicycles  
14 being operated between sunrise and sunset.

15 Sec. 29. Section three hundred twenty-one point four  
16 hundred thirty (321.430), subsection two (2), Code 1979, is  
17 amended to read as follows:

18 2. Every motorcycle, and motorized bicycle with-meter  
19 ~~attached~~, when operated upon a highway shall be equipped with  
20 at least one brake, which may be operated by hand or foot.

21 Sec. 30. Section three hundred twenty-one point four  
22 hundred ninety-two (321.492), Code 1979, is amended to read  
23 as follows:

24 321.492 PEACE OFFICERS' AUTHORITY. Any peace officer  
25 is authorized to stop any vehicle to require exhibition of  
26 the driver's ~~operator-or-chauffeur~~ motor vehicle license,  
27 to serve a summons or memorandum of traffic violation, to  
28 inspect the condition of the vehicle, to inspect the vehicle  
29 with reference to size, weight, cargo, log book, bills of  
30 lading or other manifest of employment, tires and safety  
31 equipment, or to inspect the registration certificate, the  
32 compensation certificate, travel order, or permit of ~~such~~  
33 the vehicle.

630 34 Sec. 31. Chapter three hundred twenty-one (321), Code  
35 1979, is amended by adding the following new section:

1 NEW SECTION. It is unlawful for a person to solicit funds  
2 for any purpose from or sell or offer for sale any goods to  
3 occupants of vehicles traveling on or occupying the roadway  
4 or shoulder of any primary highway.

6192  
5887  
5407  
6194

5 Sec. 32. Chapter three hundred twenty-one (321), Code  
6 1979, is amended by adding the following new section:

7 NEW SECTION. Notwithstanding the provisions of this  
8 chapter, a city may, by ordinance, prohibit persons under  
9 sixteen years of age from operating a motorized bicycle upon  
10 the streets or highways within the corporate limits of the  
11 city.

6211

12 Sec. 33. Chapter three hundred twenty-one H (321H), Code  
13 1979, is amended by adding the following new section:

14 NEW SECTION. PENALTIES. A person convicted of violating  
15 a provision of this chapter is guilty of a simple misdemeanor.

16 Sec. 34. Section three hundred twenty-two point two  
17 (322.2), subsection seven (7), Code 1979, is amended to read  
18 as follows:

19 7. "Motor vehicle" means any self-propelled vehicle subject  
20 to registration under ~~the laws of this state~~ chapter three  
21 hundred twenty-one (321) of the Code.

22 Sec. 35. Section three hundred twenty-two point four  
23 (322.4), subsection seven (7), Code 1979, is amended to read  
24 as follows:

25 7. Before the issuance of a motor vehicle dealer's license  
26 to a dealer engaged in the sale of vehicles for which a  
27 certificate of title is required, under ~~the provisions of~~  
28 chapter 321, the applicant ~~for such license~~ shall furnish  
29 a surety bond executed by the applicant as principal and  
30 executed by a corporate surety company, licensed and qualified  
31 to do business within this state, which bond shall run to  
32 the state of Iowa, be in the amount of twenty-five thousand  
33 dollars and be conditioned upon the faithful compliance by  
34 ~~said the~~ applicant as a dealer, ~~if the license be issued to~~  
35 ~~it or him, that such dealer will comply~~ with all of the

1 statutes of this state regulating or being applicable to the  
 2 business of ~~said-dealer-as~~ a dealer in motor vehicles, and  
 3 indemnifying any person ~~dealing-or-transacting-business-with~~  
 4 ~~said~~ who buys a motor vehicle from the dealer in-connection  
 5 ~~with-any-motor-vehicle~~ from any loss or damage occasioned  
 6 by the failure of ~~such~~ the dealer to comply with any of the  
 7 provisions of chapter 321 and this chapter, including, but  
 8 not limited to, the furnishing of a proper and valid  
 9 certificate of title to the motor vehicle involved in any  
 10 ~~such a transaction,--and-that-such.~~ The bond shall be filed  
 11 with the department prior to the issuance of a license provided  
 12 ~~by-law.~~ The aggregate liability of the surety ~~of-all-persons,~~  
 13 however, shall ~~in-no-event~~ not exceed the amount of ~~said~~ the  
 14 bond.

15 Sec. 36. Section three hundred twenty-two point six  
 16 (322.6), subsection nine (9), Code 1979, is amended to read  
 17 as follows:

18 9. Has violated any of the provisions of sections ~~321.77,~~  
 19 ~~321.78,~~ ~~321.80,~~ 321.81, 321.92, 321.97, 321.98, 321.99,  
 20 321.100, 539.4, seven hundred fourteen point one (714.1) and  
 21 714.16; or

22 Sec. 37. Section three hundred twenty-two point nine  
 23 (322.9), unnumbered paragraph one (1), Code 1979, is amended  
 24 to read as follows:

25 The department ~~is-hereby-authorized-to~~ may revoke or suspend  
 26 the license of any retail motor vehicle dealer if, after  
 27 notice and hearing, it finds that ~~such~~ the licensee has been  
 28 guilty of any act which would have been a ground for the  
 29 denial of a license under section 322.6. Witnesses shall  
 30 receive the same compensation provided in section six hundred  
 31 twenty-two point sixty-nine (622.69) of the Code and shall  
 32 be compensated from funds appropriated to the department.

33 Sec. 38. House File seven hundred forty-seven (747),  
 34 section twelve (12), enacted by the Sixty-eighth General  
 35 Assembly, 1980 Session, is amended to read as follows:

1 SEC. 12. The department shall issue permits for the period  
2 beginning fifteen days following the effective date of this  
3 Act to December 31, 1980 to interstate and intrastate carriers  
4 that apply for registration authority at a weight higher than  
5 the current registered gross weight. The department shall  
6 assess a prorated fee from the schedule of fees set forth  
7 in section five (5) of this Act. Permit fees shall be payable  
8 on an annual basis. A minimum fee of ten dollars shall be  
9 collected by the department. ~~Trucks, motor trucks, and truck~~  
10 ~~tractors registered under the provisions of section three~~  
11 ~~hundred twenty one point one hundred twenty two (321.122)~~  
12 ~~of the Code on the effective date of this Act shall not be~~  
13 ~~eligible to reregister under section three hundred twenty~~  
14 ~~one point one hundred twenty one (321.121) of the Code during~~  
15 ~~the 1980 registration year.~~ The commission shall adopt  
16 temporary rules as are necessary to implement the provisions  
17 of this Act as it relates to revised registrations in 1980  
18 and temporary rules adopted for this purpose are not rules  
19 as defined in section seventeen A point two (17A.2), subsection  
20 seven (7), of the Code and shall not be subject to chapter  
21 seventeen A (17A) of the Code.

22 Sec. 39. Section eight hundred five point eight (805.8),  
23 subsection two (2), paragraph b, Code 1979, is amended to  
24 read as follows:

25 b. For registration violations under sections ~~321.17,~~  
26 ~~321.32, 321.34, 321.37, 321.38, 321.41, and 321.189,~~ subsection  
27 3, the scheduled fine is five dollars. For violations of  
28 sections 321.32 and 321.189, subsection 3, the case shall  
29 be dismissed without imposition of fine or costs if a license  
30 or registration valid at the time of the issuance of the  
31 citation is presented by the defendant to the magistrate or  
32 scheduled violations office.

33 Sec. 40. Section eight hundred five point eight (805.8),  
34 subsection two (2), paragraph n, Code 1979, is amended to  
35 read as follows:

1 n. For violation of registration provisions under section  
2 three hundred twenty-one point seventeen (321.17); For  
3 violation of intrastate hauling on foreign registration under  
4 sections 321.54 and 321.55; use of registration under section  
5 321.99; and display of registration or plates under 321.98,  
6 the scheduled fine is twenty dollars.

7 Sec. 41. A multiyear registration plate issued by the  
8 county treasurer for a trailer or semitrailer prior to the  
9 effective date of this Act shall be valid for the period for  
10 which it was issued and the requirement of obtaining an annual  
11 registration plate for a trailer or semitrailer with a valid  
12 multiyear registration plate shall not be applicable until  
13 the valid multiyear registration plate has expired.

14 Sec. 42. The provisions of section five (5) of this Act  
15 are effective December first following enactment of this Act  
16 for registration fees payable on or after December first  
17 following enactment of this Act for vehicle registrations  
18 for the succeeding calendar year.

19 Sec. 43. Chapter eighty-one (81), Code 1979, is repealed.

20 Sec. 44. Sections one hundred thirty-five D point twenty-  
21 seven (135D.27), three hundred twenty-one point one hundred  
22 thirty-six (321.136), three hundred twenty-one point one  
23 hundred thirty-seven (321.137), three hundred twenty-one point  
24 one hundred thirty-eight (321.138), three hundred twenty-one  
25 point one hundred thirty-nine (321.139), three hundred twenty-  
26 one point one hundred forty (321.140), three hundred twenty-  
27 one point one hundred forty-one (321.141), three hundred  
28 twenty-one point one hundred forty-two (321.142), three hundred  
29 twenty-one point one hundred forty-three (321.143) and three  
30 hundred twenty-one point one hundred forty-four (321.144),  
31 Code 1979, are repealed.

32  
33  
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H-5891

SENATE FILE 2361

- 1 Amend Senate File 2361 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 15, by striking line 2 and inserting
- 4 in lieu thereof the following: "the motorized
- 5 bicycle unless the driver is eighteen years of age
- 6 or older and the motorized bicycle has foot rests
- 7 and a larger seat designed to carry a passenger."

H-5891 FILED  
APRIL 3, 1980

BY BRUNER of Story

*Placed out of order 4/22 (p. 1924)*

SENATE FILE 2361

H-5887

- 1 Amend Senate File 2361 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 21, by striking lines 5 through 11.
- 4 2. By renumbering sections as necessary.

H-5887 FILED  
APRIL 3, 1980

BY KIRKENSLAGER of Des Moines

*Placed out of order 4/22 (p. 1926)*

S-5511

- 1 Amend Senate File 2361 as follows:  
 2 1. Page 10, line 20, by striking the word  
 3 "paragraphs" and inserting in lieu thereof the word  
 4 "paragraph".  
 5 2. Page 10, by striking lines 34 and 35.  
 6 3. Page 11, by striking lines 1 through 4.

S-5511 FILED  
 MARCH 24, 1980

BY JOHN W. JENSEN  
 RICHARD F. DRAKE

*Adopted 3/28 (p. 1148)*

## SENATE FILE 2361

S-5512

- 1 Amend Senate File 2361 as follows:  
 2 1. Page 2, by striking lines 9 through 13 and  
 3 inserting in lieu thereof the following new section:  
 4 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
 5 thirty-four (321.34), subsection five (5), Code 1979,  
 6 as the section is amended by Acts of the Sixty-eighth  
 7 General Assembly, 1979 Session, chapter seventy-one  
 8 (71), section three (3), is amended to read as follows:  
 9 5. MULTIYEAR PLATES. In lieu of issuing annual  
 10 registration plates for trailers and semitrailers,  
 11 the ~~county-treasurer-or~~ department may issue a  
 12 multiyear registration plate plates for a three-year  
 13 period for trailers and semitrailers licensed under  
 14 chapter three hundred twenty-six (326) of the Code  
 15 upon payment of the appropriate registration fee.  
 16 Fees from three-year payments shall not be reduced  
 17 or prorated ~~under the provisions of chapter 326.~~"  
 18 2. Page 3, by striking lines 25 through 35.  
 19 3. Page 4, by striking lines 1 and 2.  
 20 4. Page 9, by striking lines 26 through 35.  
 21 5. Page 10, by striking lines 1 through 17.  
 22 6. Page 22, line 21, by inserting after the word  
 23 "issued" the words "by the county treasurer".  
 24 7. Renumber sections and correct internal  
 25 references as may be necessary in accordance with  
 26 this amendment.

S-5512 FILED  
 MARCH 24, 1980

BY JOHN W. JENSEN  
 RICHARD F. DRAKE

*Adopted 3/28 (p. 1147)*

SENATE FILE 2361

S-5543

1 Amend Senate File 2361 as follows:

2 1. Page 20, by inserting after line 34 the  
3 following new sections:

4 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
5 Code 1979, is amended by adding the following new  
6 section:

7 NEW SECTION. Notwithstanding the provisions of  
8 this chapter, a city may, by ordinance, prohibit the  
9 operation of a motorized bicycle upon the streets  
10 or highways within the corporate limits of the city.

11 Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
12 Code 1979, is amended by adding the following new  
13 section:

14 NEW SECTION. A person under eighteen years of  
15 age shall not operate or ride a motorcycle or motorized  
16 bicycle upon the public streets and highways of this  
17 state without wearing protective headgear."

S-5543 FILED  
MARCH 27, 1980

*H/d 3/28 (71147)*

BY COMMITTEE ON WAYS & MEANS  
ROLF V. CRAFT, CHAIRPERSON

Conference Committee Appointed April 25, 1980

Senators Jensen (Chair), Drake, Comito, Robinson, Small (p. 1768)  
Representatives Bennett (Chair), Schroeder, Egenes, Woods, Jay (p.2141)

PASSED PER CONFERENCE COMMITTEE REPORT 4/26/80

Senate \_\_\_\_\_

House 83-14 (p. 2231)

SENATE FILE 2361

893

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 10, by inserting after line 25 the follow-  
4 ing:

5 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
6 one hundred seventy-seven (321.177), subsection one  
7 (1), Code 1979, is amended to read as follows:

8 1. To any person, as an operator, who is under  
9 the age of eighteen years, without his or her first  
10 having successfully completed an approved driver  
11 education course, in which case, the minimum age shall  
12 be sixteen years. However, the department may issue  
13 a restricted license as provided in section 321.194,  
14 or an instruction permit as provided in section  
15 321.180, to any person who is at least fourteen years  
16 of age. The department may issue a license restricted  
17 only for use for motorized bicycles as provided in  
18 section 321.189, subsection 2, ~~to any person fourteen~~  
19 ~~years of age or older who has successfully completed~~  
20 ~~a written examination on the rules of the road and~~  
21 ~~a vision test."~~

22 2. Page 11, by inserting before line 7 the follow-  
23 ing:

24 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
25 one hundred eighty-nine (321.189), subsection one  
26 (1), Code 1979, is amended by adding the following  
27 new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. After July 1, 1981,  
29 a person under the age of eighteen applying for a  
30 motor vehicle license valid for the operation of a  
31 motorcycle shall be required to successfully complete  
32 a motorcycle education course approved and established  
33 by the department of public instruction or successfully  
34 complete an approved motorcycle education course at  
35 a private or commercial driver education school  
36 licensed by the department. A public school district  
37 may charge a student a fee which shall not exceed  
38 the actual cost of instruction.

39 Sec. \_\_\_\_ . Section three hundred twenty-one point  
40 one hundred eighty-nine (321.189), subsection two  
41 (2), paragraph a, Code 1979, is amended to read as  
42 follows:

43 a. The department may issue a motorized bicycle  
44 license to any a person fourteen years of age or older  
45 who has passed a vision test and a written examination  
46 on the rules of the road. After July 1, 1981, persons  
47 under the age of sixteen applying for a motorized  
48 bicycle license shall also be required to successfully  
49 complete a motorized bicycle education course approved  
50 and established by the department of public instruction

APRIL 8, 1980

PAGE THREE

H-5893

Page Two

1 or successfully complete an approved motorized bicycle  
2 education course at a private or commercial driver  
3 education school licensed by the department. A public  
4 school district may charge a student a fee which shall  
5 not exceed the actual cost of instruction. A motorized  
6 bicycle license shall-entitle entitles the licensee  
7 to operate a motorized bicycle upon the highway while  
8 having the license in the licensee's immediate  
9 possession on-the-highways-of-the-state-for-a-period  
10 of-two-years. The license is valid for a period of  
11 two years, subject to termination or cancellation  
12 as provided in this section."  
13 3. By renumbering sections as necessary.

H-5893 FILED

BY KIRKENSLAGER of Des Moines

APRIL 3, 1980

*Adopted as amended by 6234 4/22 (p.1916)*

SENATE FILE 2361

H-5892

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, by inserting after line 3 the following:  
4 "NEW SUBSECTION. CHURCH BUS PLATES. For a vehicle  
5 being registered for the 1981 or later calendar year,  
6 if the motor vehicle is designed to carry nine  
7 passengers or more and is owned and used exclusively  
8 by a church or religious organization to transport  
9 passengers to and from activities of or sponsored  
10 by the church or religious organization and is not  
11 for rent or hire for purposes which are unrelated  
12 to the activities of the church or religious  
13 organization, the vehicle is exempt from motor vehicle  
14 registration fees except as provided in this  
15 subsection. Upon application and payment of an annual  
16 fee of twenty-five dollars, the department shall issue  
17 a registration certificate and shall also issue  
18 registration plates upon which the words "Church Bus"  
19 shall be imprinted and a distinguishing number assigned  
20 to the applicant. The plates shall be attached to  
21 the front and rear of each vehicle registered under  
22 this subsection."

BY DAGGETT of Taylor  
HULLINGER of Decatur  
SMALLEY of Polk  
VAN MAANEN of Mahaska  
DAVITT of Warren  
BYERLY of Polk  
JOHNSON of Howard

H-5892 FILED

APRIL 3, 1980

*H/D 4/22 (p.1896)*

SENATE FILE 2361

H-5939

1 Amend Senate File 2361, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 12 the following  
4 new section:

5 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
6 one hundred nine (321.109), Code 1979, as amended  
7 by Acts of the Sixty-eighth General Assembly, 1979  
8 Session, chapter seventy (70), section four (4), is  
9 amended by adding the following new subsection:

10 NEW SUBSECTION. For 1981 and subsequent model  
11 year motor vehicles registered in this state, the  
12 owner of the motor vehicle shall be allowed a credit  
13 against the registration fee as computed under sub-  
14 section one (1) of this section. The credit for such  
15 motor vehicles shall be allowed for each year such  
16 motor vehicles are registered in this state. The  
17 amount of the credit shall be determined on the basis  
18 of the average estimate gasoline mileage rating in  
19 miles per gallon calculated on an average for city  
20 and highway driving as determined by the department.  
21 The amount of credit to be allowed shall be as follows:

Average Miles Per Gallon	Percent of Credit
24 25-28	5
25 29-30	7
26 31-32	9
27 33-35	11
28 36-40	13
29 Over 40	15"

30 2. Renumber sections and correct internal  
31 references as are necessary in accordance with this  
32 amendment.

BY KREWSON of Polk	CUSACK of Scott
WALTER of Pottawattamie	SHIMANEK of Jones
LORENZEN of Scott	HIBBS of Johnson
POFFENBERGER of Dallas	RITSEMA of Sioux

H-5939 FILED  
APRIL 9, 1980

*Filed in German  
4/22 (p. 893)*

SENATE FILE 2361

H-5944

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 24, by inserting after line 18 the  
4 following:

5 "Sec. \_\_\_\_\_. Except as provided in section forty-  
6 two (42) of this Act, this Act, being deemed of  
7 immediate importance, takes effect from and after  
8 its publication in the Muscatine Journal, a newspaper  
9 published in Muscatine, Iowa, and in the Marengo  
10 Pioneer-Republican, a newspaper published in Marengo,  
11 Iowa."

12 2. By renumbering sections and internal references  
13 as necessary.

H-5944 FILED APRIL 9, 1980 BY TYRRELL of Iowa

*Placed out of order 4/22 (p. 1926)*

H-5907

- 1 Amend Senate File 2361, as follows:  
 2 1. On Page 21, by striking lines 5 through 11.  
 3 2. By renumbering sections and internal  
 4 references as necessary in accordance with this  
 5 amendment.

H-5907 FILED BY JOHNSON of Howard

APRIL 8, 1980

*Placed out of order 4/22 (p. 1926)*

## SENATE FILE 2361

H-5915

- 1 Amend Senate File 2361, as amended, passed and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 16, by inserting after line 12 the  
 4 following:  
 5 " . A person shall not operate a motorized  
 6 bicycle upon a highway which has a speed limit of  
 7 thirty-five miles per hour or greater. However this  
 8 subsection does not apply to a person crossing a  
 9 highway at an intersection."

H-5915 FILED BY TYRRELL of Iowa

APRIL 8, 1980

*Placed out of order 4/22 (p. 1924)*

SENATE FILE 2361

H-5916

- 1 Amend Senate File 2361 as amended, passed, and  
 2 reprinted by the Senate as follows:  
 3 1. Page 3, line 13, by striking the words "of  
 4 transportation".  
 5 2. Page 3, lines 14 and 15, by striking the words  
 6 "of transportation".  
 7 3. Page 3, line 18, by striking the words "of  
 8 transportation".  
 9 4. Page 3, line 22, by inserting after the word  
 10 "dollars" the words "which shall be in addition to  
 11 the regular annual registration fee".  
 12 5. Page 3, line 23, by striking the words "of  
 13 transportation".  
 14 6. Page 3, line 32, by striking the words "of  
 15 transportation".  
 16 7. Page 3, line 33, by striking the words "of  
 17 transportation".  
 18 8. Page 4, lines 1 and 2, by striking the words  
 19 "of transportation".  
 20 9. Page 4, line 5, by inserting after the word  
 21 "shall" the words "be five dollars which shall".  
 22 10. Page 4, by striking lines 6 and 7 and inserting  
 23 in lieu thereof the following: "be in addition to  
 24 the regular annual registration fee. The department  
 25 shall validate the special plates in the same".

H-5916 FILED

BY SCHROEDER of Pottawattamie

APRIL 8, 1980

*H/S 4/22 (p. 1897)*

## SENATE FILE 2361

H-5940

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 5, by inserting before line 20 the  
4 following:

5 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
6 fifty-seven (321.57), unnumbered paragraph one (1),  
7 Code 1979, is amended to read as follows:

8 A dealer owning any vehicle of a type otherwise  
9 required to be registered ~~hereunder~~ under this chapter  
10 may operate or move the same vehicle upon the highways  
11 solely for purposes of transporting, testing,  
12 demonstrating or selling the same vehicle without  
13 registering each-~~such~~ the vehicle upon condition that  
14 any-~~such~~ the vehicle display in the manner prescribed  
15 in sections 321.37 and 321.38 a special plate issued  
16 to ~~such~~ the owner as provided in sections 321.58 to  
17 321.62. In addition to the foregoing, a new ~~car~~  
18 ~~dealer~~ or a used car dealer or a service customer  
19 of the dealer may operate or move upon the highways  
20 any new or used car or trailer owned by ~~him~~ the dealer  
21 for either private or business purposes without  
22 registering the same vehicle providing, (1) ~~such~~ the  
23 new or used car or trailer is in the dealer's inventory  
24 and is continuously offered for sale at retail, and  
25 (2) there is displayed ~~thereon~~ on the vehicle a special  
26 plate issued to ~~such~~ the dealer as provided in sections  
27 321.58 to 321.62, and (3) for service customers, the  
28 customer is operating the vehicle while having his  
29 or her own vehicle serviced by the dealer."

30 2. By renumbering sections as necessary.

H-5940 FILED APRIL 9, 1980 BY SHIMANEK of Jones

*4/22 (p. 1891)*

## SENATE FILE 2361

H-5945

1 Amend Senate File 2361, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section two hundred eighty-five point  
6 fourteen (285.14), Code 1979, is amended by adding  
7 the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. A vehicle used for an  
9 approved driver education course in which the driver  
10 education teacher transports driver education students  
11 from their residences for street or highway driving  
12 is not a school bus."

13 2. By numbering and renumbering sections as  
14 necessary.

H-5945 FILED

BY HORN of Linn

APRIL 9, 1980

*Billed not germane*  
*4/22 (p. 1891)*

SENATE FILE 2361

H-5971

- 1 Amend Senate File 2361 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 24, by inserting after line 18 the
- 4 following:
- 5 "Sec. \_\_\_\_\_. Except as otherwise provided, this
- 6 Act, being deemed of immediate importance, takes
- 7 effect from and after its publication in the Muscatine
- 8 Journal, a newspaper published in Muscatine, Iowa,
- 9 and in The Pioneer-Republican, a newspaper published
- 10 in Marengo, Iowa."
- 11 2. By renumbering sections and internal references
- 12 as necessary.

H-5971 FILED

BY TYRRELL of Iowa

APRIL 10, 1980

*Placed out of order 4/22 (p. 1926)*

SENATE FILE 2361

H-6196

1 Amend Senate File 2361, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 21, line 4, by striking the words "primary  
4 highway" and inserting in lieu thereof the words  
5 "fully-controlled access, divided, multilaned highway  
6 including the national system of interstate highways  
7 designated by the federal highway administration and  
8 this state".

H-6196 FILED APRIL 17, 1980 BY DAVITT of Warren

*Placed out of order 4/22 (p. 1945)*

SENATE FILE 2361

H-6194

1 Amend Senate File 2361 as amended, passed and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "Section 1. Section three hundred seven point  
6 twelve (307.12), Code 1979, is amended by adding the  
7 following new subsection:  
8 NEW SUBSECTION. Enter into reciprocal agreements  
9 relating to motor vehicle inspections with authorized  
10 officials of any other state, subject to approval  
11 by the commission. The director may exempt or impose  
12 requirements upon nonresident motor vehicles consistent  
13 with those imposed upon vehicles of Iowa residents  
14 operated in other states."

15 2. Page 24, by inserting before line 14 the  
16 following:  
17 "Sec. \_\_\_\_\_. The director of transportation shall  
18 investigate the inspection requirements imposed by  
19 other states on Iowa vehicles displaying a valid  
20 certificate of inspection issued in Iowa. The director  
21 may recommend to the Sixty-ninth General Assembly,  
22 1981 Session, legislation to encourage other states  
23 to afford equitable treatment to motor vehicles  
24 displaying a valid certificate of inspection issued  
25 in Iowa."

26 3. By renumbering sections and internal references  
27 as necessary. BY KIRKENS LAGER of Des Moines CONNOLLY of Dubuque  
WELSH of Dubuque SCHNEKLOTH of Scott  
COREY of Louisa PELTON of Clinton  
SPEAR of Lee BINA of Scott  
CONLON of Muscatine JOCHUM of Dubuque  
HOFFMANN of Muscatine LORENZEN of Scott  
CLARK of Lee

H-6194 FILED  
APRIL 17, 1980

*Filed not germane 4/22  
(p. 1892)  
was suspended, reconsidered  
& adopted 4/22 (p. 1898)*

SENATE FILE 2361

H-6107

1 Amend Senate File 2361, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 22, by inserting after line 32 the  
4 following new sections:

5 "Sec. \_\_\_\_\_. Section six hundred one E point six  
6 (601E.6), subsection two (2), Code 1979, is amended  
7 to read as follows:

8 2. A ~~city-or-ether~~ political subdivision of the  
9 state which provides on-street parking areas or off-  
10 street parking facilities shall in all cases where  
11 so required by chapters 103A and 104A, and may in  
12 all other cases, set aside special parking places  
13 designated only for parking motor vehicles displaying  
14 a special identification device issued under this  
15 section. The use of parking spaces which are so  
16 designated and are located on public property by a  
17 motor vehicle not displaying such a device, or by  
18 a motor vehicle displaying such a device but not being  
19 used as operator or passenger by the individual to  
20 whom the device has been issued or another individual  
21 physically handicapped to the extent described by  
22 this section, shall be a misdemeanor for which a fine  
23 ~~not-to-exceed-one-hundred-dollars~~ may be imposed upon  
24 the owner of the motor vehicle. The fine for the  
25 first violation within a twelve month period shall  
26 be ten dollars, for the second violation, twenty-five  
27 dollars, and for the third or subsequent violations  
28 within a twelve month period, one hundred dollars.  
29 Proof of conviction of three or more such violations  
30 involving improper use of the same special  
31 identification device shall be is grounds for  
32 revocation by the department of the holder's privilege  
33 to use the device.

34 Sec. \_\_\_\_\_. Chapter six hundred one E (601E), Code  
35 1979, is amended by adding the following new section.

36 NEW SECTION. HANDICAPPED PARKING SPACE. A  
37 handicapped parking space shall be at least one hundred  
38 forty-four inches wide, or, if two or more spaces  
39 are adjacent to each other, each space shall be at  
40 least one hundred twenty inches wide with at least  
41 a forty-eight inch walkway between the spaces."

42 2. Renumber sections and correct internal  
43 references as may be necessary in accordance with  
44 this amendment.

H-6107 FILED APRIL 16, 1980

BY KIRKENSLAGER of Des Moines

*Adopted 4/22 (p. 1928)*

SENATE FILE 2361

H-6199

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 3, line 13, by striking the words "of  
4 transportation".

5 2. Page 3, lines 14 and 15, by striking the words  
6 "of transportation".

7 3. Page 3, line 18, by striking the words "of  
8 transportation".

9 4. Page 3, line 22, by inserting after the word  
10 "dollars" the words "which shall be in addition to  
11 the regular annual registration fee".

12 5. Page 3, line 23, by striking the words "of  
13 transportation".

14 6. Page 3, line 32, by striking the words "of  
15 transportation".

16 7. Page 3, line 33, by striking the words "of  
17 transportation".

18 8. Page 4, lines 1 and 2, by striking the words  
19 "of transportation".

20 9. Page 4, line 5, by inserting after the word  
21 "shall" the words "be five dollars which shall".

22 10. Page 4, by striking lines 6 and 7 and inserting  
23 in lieu thereof the following: "be in addition to  
24 the regular annual registration fee. The department  
25 shall validate the special plates in the same".

26 11. Page 8, by inserting before line 30 the  
27 following:

28 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
29 Code 1979, is amended by adding the following new  
30 section as section three hundred twenty-one point  
31 one hundred nineteen (321.119) of the Code:

32 NEW SECTION. 321.119 CHURCH BUSES. For motor  
33 vehicles designed to carry nine passengers or more  
34 which are owned and used exclusively by a church or  
35 religious organization to transport passengers to  
36 and from activities of or sponsored by the church  
37 or religious organization and not operated for rent  
38 or hire for purposes unrelated to the activities of  
39 the church or religious organization, the annual fee  
40 shall be twenty-five dollars. At the initial  
41 registration and at every other annual registration  
42 thereafter, the county treasurer shall not register  
43 a motor vehicle under this section unless there is  
44 affixed to the motor vehicle a valid certificate of  
45 inspection issued for the motor vehicle within the  
46 last sixty days."

47 12. Page 12, line 17, by striking the word "two"  
48 and inserting in lieu thereof the words "two one".

49 13. Page 12, lines 18 and 19, by striking the  
50 words "shall revoke" and inserting in lieu thereof

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- 1 the words "~~shall-revoke~~ may suspend".
- 2 14. Page 12, line 20, by inserting after the word
- 3 "for" the words "one violation and shall revoke the
- 4 license upon receiving a record of conviction for".
- 5 15. Page 13, by striking lines 14 through 22.
- 6 16. Page 21, by striking lines 5 through 11.
- 7 17. Page 24, by inserting after line 18 the
- 8 following:
- 9 "Sec. \_\_\_\_\_. Section three hundred twenty-one point
- 10 one hundred nineteen (321.119) of the Code takes
- 11 effect December first following enactment of this
- 12 Act for vehicles registered for the 1981 or succeeding
- 13 calendar years."
- 14 18. Page 24, by inserting after line 18 the
- 15 following:
- 16 "Sec. \_\_\_\_\_. Sections one (1), eleven (11) and
- 17 thirty-eight (38) of this Act, being deemed of
- 18 immediate importance, take effect from and after their
- 19 publication in the Fort Dodge Messenger, a newspaper
- 20 published in Fort Dodge, Iowa, and in The Humboldt
- 21 Independent, a newspaper published in Humboldt, Iowa."
- 22 19. By renumbering sections and internal references
- 23 as necessary.

H-6199 FILED BY COMMITTEE ON WAYS AND MEANS  
APRIL 17, 1980 WEST, Chair  
*Adopted as amended by 6237  
4/22 (p. 1891)*

SENATE FILE 2361

H-6203

- 1 Amend Senate File 2361 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 5, by inserting after line 19 the
- 4 following:
- 5 "Sec. \_\_\_\_\_ Section three hundred twenty-one point
- 6 fifty-seven (321.57), Code 1979, is amended by in-
- 7 serting the following new unnumbered paragraph after
- 8 unnumbered paragraph one (1):
- 9 NEW UNNUMBERED PARAGRAPH. In addition, while a
- 10 service customer is having his or her own vehicle
- 11 serviced or repaired by the dealer, the service cus-
- 12 tomer of the dealer may operate upon the highways a
- 13 motor vehicle owned by the dealer, except a motor truck
- 14 or truck tractor, upon which there is displayed a
- 15 special plate issued to the dealer, provided all of
- 16 the requirements of this section are complied with."

H-6203 FILED APRIL 17, 1980 BY SHIMANEK of Jones  
*Adopted 4/22 (p. 1897)*

SENATE FILE 2361

H-6227

1 Amend Senate File 2361, as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 14, by striking lines 18 through page  
4 16, line 12 and inserting in lieu thereof the  
5 following:

6 "Sec. 22. Section three hundred twenty-one point  
7 two hundred seventy-five (321.275), Code 1979, is  
8 amended by striking the section and inserting in lieu  
9 thereof the following:

10 321.275 OPERATION OF MOTORCYCLES AND MOTORIZED  
11 BICYCLES.

12 1. GENERAL. The motor vehicle laws apply to the  
13 operators of motorcycles and motorized bicycles to  
14 the extent practically applicable.

15 2. RIDERS.

16 • a. MOTORIZED BICYCLES. A person operating a  
17 motorized bicycle on the highways shall not carry  
18 any other person on the vehicle.

19 b. MOTORCYCLES. A person shall not operate or  
20 ride a motorcycle on the highways with another person  
21 on the motorcycle unless the motorcycle is designed  
22 to carry more than one person. The additional  
23 passenger may ride upon the permanent and regular  
24 seat if designed for two persons, or upon another  
25 seat firmly attached to the motorcycle at the rear  
26 of the operator. The motorcycle shall be equipped  
27 with footrests for the passenger unless the passenger  
28 is riding in a sidecar or enclosed cab. The motorcycle  
29 operator shall not carry any person nor shall any  
30 other person ride in a position that will interfere  
31 with the operation or control of the motorcycle or  
32 the view of the operator.

33 3. SITTING POSITION. A person operating a  
34 motorcycle or motorized bicycle shall ride only upon  
35 the vehicle's permanent and regular attached seat.  
36 Every person riding upon the vehicle shall be sitting  
37 astride the seat, facing forward with one leg on  
38 either side of the vehicle.

39 4. USE OF TRAFFIC LANES. Persons shall not operate  
40 motorcycles or motorized bicycles more than two abreast  
41 in a single lane. Except for persons operating such  
42 vehicles two abreast, a motor vehicle shall not be  
43 operated in a manner depriving a motorcycle or  
44 motorized bicycle operator of the full use of a lane.  
45 A motorcycle or motorized bicycle shall not be operated  
46 between lanes of traffic or between adjacent lines  
47 or rows of vehicles. The operator of a motorcycle  
48 or motorized bicycle shall not overtake and pass in  
49 the same lane occupied by the vehicle being overtaken  
50 unless the vehicle being overtaken is a motorcycle

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Page Two

- 1 or motorized bicycle.
- 2 5. HEADLIGHTS ON. A person shall not operate
- 3 a 1977 or later model year motorcycle or any model
- 4 year motorized bicycle upon the highways without
- 5 displaying at least one lighted headlamp of the type
- 6 described in section three hundred twenty-one point
- 7 four hundred nine (321.409) of the Code. However,
- 8 this subsection is subject to the exceptions with
- 9 respect to parked vehicles as provided in this chapter.
- 10 6. PACKAGES. The operator of a motorcycle or
- 11 motorized bicycle shall not carry any package, bundle,
- 12 or other article which prevents the operator from
- 13 keeping both hands on the handlebars.
- 14 7. HANDLEBARS. A person shall not operate a
- 15 motorcycle or motorized bicycle with handlebars more
- 16 than fifteen inches in height above that portion of
- 17 the seat occupied by the operator.
- 18 8. PARADES. The provisions of this section do
- 19 not apply to motorcycles or motorized bicycles when
- 20 used in a parade authorized by proper permit from
- 21 local authorities."

H-6227 FILED APRIL 18, 1980 BY EGENES of Story

*Adopted 4/22 (p. 1924)*

SENATE FILE 2361

H-6214

- 1 Amend Senate File 2361 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by inserting before line 26 the
- 4 following:
- 5 "Sec. \_\_. Section three hundred twenty-one point
- 6 one hundred seventy-eight (321.178), subsection one
- 7 (1), unnumbered paragraph one (1), Code 1979, is
- 8 amended to read as follows:
- 9 An approved driver education course as programmed
- 10 by the department of public instruction shall consist
- 11 of at least thirty clock hours of classroom
- 12 instruction, and six or more clock hours of laboratory
- 13 instruction of which at least three clock hours shall
- 14 consist of street or highway driving. However, the
- 15 instructor of an approved driver education course
- 16 may waive, to the extent deemed appropriate by the
- 17 instructor, the required hours of laboratory and
- 18 street or highway driving instruction for a student,
- 19 if the student demonstrates to the instructor an
- 20 ability to properly operate a motor vehicle. A student
- 21 receiving that portion of laboratory instruction
- 22 consisting of street or highway driving shall not
- 23 operate the motor vehicle during such instruction
- 24 more than thirty minutes without interruption or more
- 25 than sixty minutes in a single day."
- 26 2. By renumbering sections and internal references
- 27 as necessary.

H-6214 FILED APRIL 18, 1980 BY HUMMEL of Benton

*H/D 4/22 (p. 1714)*

SENATE FILE 2361

H-6264

1 Amend Senate File 2361 as amended, passed and  
2 reprinted by the Senate as follows:  
3 1. Page 10, by inserting before line 26 the  
4 following:  
5 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
6 one hundred sixty-six (321.166), subsection two (2),  
7 Code 1979, is amended to read as follows:  
8 2. Every registration plate or pair of plates  
9 shall display a registration plate number which shall  
10 consist of alphabetical or numerical characters or  
11 a combination thereof and the name of this state,  
12 which may be abbreviated. Every registration plate  
13 issued by the county treasurer shall display the name  
14 of the county except plates issued for motor trucks,  
15 truck tractors, motorcycles, motorized bicycles,  
16 travel trailers, mobile homes, semitrailers and  
17 trailers. However, every new series of registration  
18 plates that succeed the series of registration plates  
19 first issued for the 1979 calendar year shall display  
20 the name of the county if the plates are issued by  
21 the county treasurer for motor trucks with a combined  
22 gross weight not exceeding four tons. The year of  
23 expiration or the date of expiration shall be displayed  
24 on vehicle registration plates, except plates issued  
25 under the provisions of section 321.19. Registration  
26 plates issued for motor trucks and truck tractors  
27 shall be designed in such a manner that the gross  
28 weight for which the vehicle is registered may be  
29 displayed on the plate. Special truck registration  
30 plates shall display the word "special."  
31 2. By renumbering sections and correcting internal  
32 references as necessary in accordance with this  
33 amendment.

H-6264 FILED APRIL 21, 1980 By HORN of Linn

*4/22 (p. 1917)*

SENATE FILE 2361

H-6263

1 Amend Senate File 2361 as follows:  
2 1. Page 16, line 12, by adding after the  
3 period the following: "No motorized bicycle may be  
4 operated unless a red flag or cloth, at least eight  
5 inches square, is attached to a pole affixed to the  
6 motorized bicycle, and at a sufficient height so as  
7 to be clearly visible to both the front and rear of  
8 the motorized bicycle during its operation."

H-6263 FILED APRIL 21, 1980 By DE GROOT of Lyon

*4/22 (p. 1924)*

SENATE FILE 2361

H-6260

1 Amend Senate File 2361, as amended, passed and  
2 reprinted by the Senate, as follows:

3 1. Page 11, by inserting after line 6 the follow-  
4 ing:

5 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
6 one hundred eighty-two (321.182), Code 1979, is amended  
7 to read as follows:

8 321.182 APPLICATION FOR LICENSE OR PERMIT--  
9 APPLICANT OFFERED OPPORTUNITY TO REGISTER TO VOTE.

10 1. Every application for an instruction permit,  
11 or an operator's or chauffeur's license, a temporary  
12 driver's permit or a motorized bicycle license shall  
13 be made upon a form furnished by the department and  
14 shall be verified by the applicant before a person  
15 authorized to administer oaths, and officers and  
16 employees of the department are hereby authorized  
17 to administer such oaths without charge. The applicant  
18 shall write his or her usual signature with pen and  
19 ink upon the application in the space provided for  
20 signature.

21 2. Every person who submits an application under  
22 this section, other than an application for an  
23 instruction permit, shall be deemed to have thereby  
24 applied to be registered to vote, if eligible, unless  
25 the applicant signs a statement which shall be provided  
26 on the application form to the effect that he or she  
27 does not desire to be registered to vote in this  
28 manner, in which case the requirements of paragraphs  
29 a through d of this subsection shall not apply. The  
30 method of voter registration established by this  
31 section shall be an alternative to other methods of  
32 voter registration provided by chapter forty-eight  
33 (48) of the Code.

34 a. The applicant shall, in addition to supplying  
35 the information required by section three hundred  
36 twenty-one point one hundred eighty-three (321.183)  
37 of the Code, supply the information required by section  
38 forty-eight point six (48.6), subsections five (5)  
39 through ten (10), of the Code of persons registering  
40 to vote, and shall be given a receipt of registra-  
41 tion. He or she shall also receive in writing a  
42 statement in substantially the following form: "If  
43 the date of registration occurs within ten days prior  
44 to an election held in your precinct, the registration  
45 will not be effective for that election. Your county  
46 commissioner of elections can provide further  
47 information about registration." The department of  
48 transportation may not retain or maintain after the  
49 close of any working day any of the information  
50 received during that working day under the provisions

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1 of this subsection, except information required by  
2 section three hundred twenty-one point one hundred  
3 eighty-three (321.183) of the Code.

4 b. The voter registration form, including all  
5 information supplied thereon by the applicant which  
6 is needed to comply with section forty-eight point  
7 six (48.6) of the Code and a copy of the applicant's  
8 handwritten signature, shall at the close of each  
9 working day be sent by first class mail or delivered  
10 personally, whichever is most feasible, by a repre-  
11 sentative of the department of transportation to the  
12 commissioner of registration of the county in which  
13 the applicant resides. The commissioner shall process  
14 voter registrations received by the department of  
15 transportation under the provisions of this section  
16 in the same manner as registrations received by a  
17 mobile deputy registrar.

18 c. If the applicant is found to be an eligible  
19 elector in all respects except that he or she has  
20 not attained the age of eighteen, the commissioner  
21 of registration shall send the applicant notice that  
22 the registration will take effect upon his or her  
23 eighteenth birthday.

24 d. If the commissioner is not satisfied that the  
25 applicant is an eligible elector of the precinct in  
26 which the residence listed on the application is  
27 located, or if for any reason the information supplied  
28 on the application is not sufficient to complete the  
29 applicant's registration to vote, the commissioner  
30 of registration shall, not more than fifteen days  
31 after receiving the copy of the application, so notify  
32 the applicant by restricted certified mail and advise  
33 the applicant in the notice how to present evidence  
34 of status as an eligible elector, or complete the  
35 registration. If the applicant is found to be a  
36 currently registered voter, but at a residence other  
37 than that listed on the application, the commissioner  
38 shall treat the application as a change of address  
39 notice.

40 e. Each application form furnished by the  
41 department of transportation under this section, other  
42 than an application for an instruction permit, shall  
43 provide space for the applicant to supply both the  
44 information specified by paragraph a of this subsection  
45 and the information required by section three hundred  
46 twenty-one point one hundred eighty-three (321.183)  
47 of the Code. The form shall include only one copy  
48 upon which may be entered the information specified  
49 by paragraph a of this subsection. That copy of the  
50 form shall be so arranged that a portion thereof may

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1 serve as the registrant's receipt of registration  
2 to vote. The remainder of that copy of the form,  
3 or the entire copy if the applicant signs the statement  
4 provided on the form to the effect that he or she  
5 does not desire to be registered to vote in this  
6 manner, shall be mailed or delivered to the county  
7 commissioner of registration as required by paragraph  
8 b of this subsection."

H-6260 FILED APRIL 21, 1980 By HALVORSON of Webster

*Filed not germane 4/22 (p. 1919)*

SENATE FILE 2361

H-6259

1 Amend Senate File 2361, as amended, passed and  
2 reprinted by the Senate, as follows:  
3 1. Page 14, line 17, by striking the letters "a,  
4 c," and inserting in lieu thereof the letter "c".

H-6259 FILED APRIL 21, 1980 By LORENZEN of Scott

*H/d 4/22 (p. 1922)*

SENATE FILE 2361

H-6250

1 Amend amendment H-6227 to Senate File 2361 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, line 18, by inserting after the word  
5 "vehicle" the words "unless the operator is eighteen  
6 years of age or older and the motorized bicycle has  
7 foot rests and a larger seat designed to carry a  
8 passenger. The operator shall not carry any person  
9 nor shall any other person ride in a position that  
10 will interfere with the operation or control of the  
11 motorized bicycle or the view of the operator".

H-6250 FILED APRIL 21, 1980 By BRUNER of Story

*Lost 4/22 (p. 1924)*

SENATE FILE 2361

H-6237

- 1 Amend amendment H-6199 to Senate File 2361 as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking line 5.
- 5 2. By renumbering internal references as necessary

H-6237 FILED APRIL 18, 1980 BY JAY of Appanoose

*Adopted 4/22 (p. 1571)*

SENATE FILE 2361

H-6215

1 Amend Senate File 2361 as amended, passed and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 16, by inserting before line 13 the  
 4 following:  
 5 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
 6 two hundred seventy-five (321.275), Code 1979, is  
 7 amended by adding the following new subsection:  
 8 NEW SUBSECTION. FLAGS REQUIRED ON MOTORIZED  
 9 BICYCLES. A motorized bicycle shall not be operated  
 10 on the highway unless a red flag or cloth at least  
 11 eight inches square is attached to a flexible pole  
 12 mounted on the rear of the vehicle. The flag or cloth  
 13 shall be displayed at a sufficient height so as to  
 14 be clearly visible in both the front and back of the  
 15 vehicle during its operation."  
 16 2. By renumbering subsections as necessary.

H-6215 FILED APRIL 18, 1980

BY JOHNSON of Linn

*Adopted as amended by 6302  
 4/22 (p. 1925)*

SENATE FILE 2361

H-6234

1 Amend amendment H-5893 to Senate File 2361 as  
 2 amended, passed and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 1, line 44, by striking the word "fourteen"  
 5 and inserting in lieu thereof the words "~~fourteen~~  
 6 sixteen".  
 7 2. Page 1, line 47, by striking the word "sixteen"  
 8 and inserting in lieu thereof the word "eighteen".  
 9 3. Page 2, by inserting after line 12 the  
 10 following:  
 11 "\_\_\_\_\_. Page 24, by inserting after line 18 the  
 12 following:  
 13 "Sec. \_\_\_\_\_. The minimum age requirement of section  
 14 three hundred twenty-one point one hundred eighty-  
 15 nine (321.189), subsection two (2), paragraph a, Code  
 16 1979, as amended by this Act, does not apply to persons  
 17 who, as of July 1, 1980, possess valid motorized  
 18 bicycle licenses issued under that paragraph, provided  
 19 the licenses are not terminated or canceled. The  
 20 education requirement of that paragraph does not apply  
 21 to persons who, as of July 1, 1981, possess valid  
 22 motorized bicycle licenses issued under that paragraph,  
 23 provided the licenses are not terminated or canceled.""

BY HOFFMANN of Muscatine	CLARK of Cerro Gordo
CHIODO of Polk	MULLINS of Kossuth
RITSEMA of Sioux	McKEAN of Jones
JOHNSON of Woodbury	SCHNEKLOTH of Scott
ANDERSON of Audubon	COREY of Louisa
BRANSTAD of Winnebago	HOLT of Clay
LONERGAN of Boone	TOFTE of Winneshiek
KREWSON of Polk	JOHNSON of Linn
MILLER of Buchanan	HANSEN of O'Brien
	PERKINS of Greene

H-6234 FILED

APRIL 18, 1980

*Adopted 4/22 (p. 1916)*

## SENATE FILE 2361

-6271

1 Amend Senate File 2361, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 12, by inserting after line 27 the  
4 following new section:

5 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
6 two hundred nine (321.209), Code 1979, is amended  
7 by adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. The department shall  
9 revoke the license or permit of an individual to  
10 operate a motor vehicle on the highways of this state  
11 if the person is not able to demonstrate proof of  
12 financial responsibility as defined in section three  
13 hundred twenty-one A point one (321A.1) of the Code."

14 2. Page 21, by inserting after line 11 the  
15 following new section:

16 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
17 Code 1979, is amended by adding the following new  
18 section:

19 NEW SECTION. PROOF OF FINANCIAL RESPONSIBILITY.

20 1. Notwithstanding the provisions of chapter three  
21 hundred twenty-one A (321A) of the Code, as it pertains  
22 to who is required to maintain proof of financial  
23 responsibility to operate a motor vehicle on the  
24 highways of this state, a person shall not operate  
25 a motor vehicle, which is required to be registered  
26 in this state, on the highways of this state unless  
27 the person has demonstrated proof of financial  
28 responsibility as defined in section three hundred  
29 twenty-one A point one (321A.1), subsection ten (10)  
30 of the Code.

31 2. The department shall not register a motor  
32 vehicle in this state unless the applicant has  
33 demonstrated proof of financial responsibility in  
34 a manner provided in this section or such other manner  
35 as prescribed by the department to substantiate that  
36 a person has the ability to respond in damages for  
37 liability in the amounts specified in section three  
38 hundred twenty-one A point one (321A.1), subsection  
39 ten (10) of the Code. A certificate of insurance  
40 from an insurance company licensed to conduct business  
41 in Iowa, an appropriate bond or a certificate from  
42 the treasurer of state shall be adequate evidence  
43 of proof of financial responsibility.

44 3. An insurance company operating in the state  
45 shall notify the state department of transportation  
46 in a manner prescribed by the commissioner of insurance  
47 after consultation with the state department of  
48 transportation of a cancellation of an insurance  
49 policy issued to a person to satisfy the requirements  
50 for proof of financial responsibility. The department

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Page two

1 shall revoke the motor vehicle license or permit of  
2 a person who is unable to demonstrate proof of  
3 financial responsibility.  
4 4. The state department of transportation and  
5 the insurance department shall adopt rules pursuant  
6 to chapter seventeen A (17A) of the Code to implement  
7 the provisions of this Act."  
8 3. Renumber sections and correct internal  
9 references as are necessary in accordance with this  
10 amendment.

H-6271 FILED APRIL 22, 1980 By MILLER of Buchanan  
NOT GERMANE, MOTION TO SUSPEND RULES, LOST  
(p. 1921)

SENATE FILE 2361

H-6286

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 9, by inserting after line 2 the following  
4 new section:  
5 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
6 one hundred twenty-two (321.122), Code 1979, as amended  
7 by House File seven hundred forty-seven (747), sections  
8 five (5) and six (6), enacted by the Sixty-eighth  
9 General Assembly, 1980 Session, is amended by adding  
10 the following new subsection:  
11 NEW SUBSECTION. In lieu of annual or semiannual  
12 registration as required in section three hundred  
13 twenty-one point one hundred five (321.105) of the  
14 Code, a motor truck which is used primarily in highway  
15 construction and maintenance may be registered for  
16 a period of nine months for a fee equal to three-  
17 fourths of the annual registration fee. Any motor  
18 truck registered under this subsection shall not be  
19 used during the months of January, February, and March  
20 of the year in which it is registered at three-fourths  
21 of the annual registration fee and shall be stored  
22 on private property. A motor truck only registered  
23 for three quarters in any year shall not be eligible  
24 for a refund of the registration fees. If a motor  
25 truck registered under this subsection is registered  
26 for a nine-month period and the motor truck is used  
27 on the highways of the state during the months of  
28 January, February, or March, the motor truck shall  
29 immediately be registered for the full year and any  
30 penalties or interest for late registration shall  
31 accrue and be payable at the time of registration."  
32 2. Renumber sections and correct internal  
33 references as are necessary in accordance with this  
34 amendment.

H-6286 FILED APRIL 22, 1980 BY HOWELL of Floyd  
LOST (p. 1898)

SENATE FILE 2361

H-6309

1 Amend Senate File 2361, as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Title page, by inserting after line 19 the  
4 following: "setting the registration fee for church  
5 buses, relating to motor vehicle inspections, relating  
6 to special registration plates issued to motor vehicle  
7 dealers, relating to the age of persons licensed to  
8 operate motorized bicycles, providing for the issuance  
9 of special registration plates to handicapped persons,  
10 providing for special handicapped parking spaces,"

H-6309 FILED APRIL 22, 1980 By HORN of Linn

ADOPTED (p. 1929)

1 Amend Senate File 2361 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 3, by inserting before line 4 the follow-  
4 ing:

5 "NEW SUBSECTION. HANDICAPPED PLATES. The owner of  
6 a motor vehicle subject to registration pursuant to  
7 section three hundred twenty-one point one hundred nine  
8 (321.109), subsection one (1), of the Code, light delivery  
9 truck, panel delivery truck or pickup who is a handi-  
10 capped or paraplegic person as defined in section six  
11 hundred one E point one (601E.1) of the Code, may upon  
12 written application to the department, order special  
13 registration plates designed by the department bearing  
14 the international symbol of accessibility. The applica-  
15 tion shall be approved by the department and the special  
16 registration plates shall be issued to the applicant in  
17 exchange for the previous registration plates issued to  
18 the person. The fee for the special plates shall be  
19 five dollars which shall be in addition to the regular  
20 annual registration fee. The department shall validate  
21 the special plates in the same manner as regular registra-  
22 tion plates are validated under this section at the  
23 regular annual registration fee. However, the special  
24 plates shall not be renewed without the applicant  
25 furnishing evidence to the department that the owner  
26 of the motor vehicle is still a handicapped or paraplegic  
27 person as defined in section six hundred one E point one  
28 (601E.1) of the Code. The special registration plates  
29 shall be surrendered in exchange for regular registration  
30 plates when the owner of the motor vehicle no longer  
31 qualifies as a handicapped or paraplegic person as defined  
32 in section six hundred one E point one (601E.1) of the Code."

H-6280 FILED APRIL 22, 1980

BY HORN of Linn

ADOPTED (p. 1897)

SENATE FILE 2361

H-6301

1 Amend Senate File 2361, as amended, passed and  
2 reprinted by the Senate, as follows:

- 3 1. Page 20, by striking lines 34 and 35.  
4 2. Page 21, by striking lines 1 through 4.

H-6301 FILED APRIL 22, 1980 By SCHROEDER of Pottawattamie

ADOPTED (p. 1925)

SENATE FILE 2361

H-6302

1 Amend amendment H-6215 to page 16 of Senate File  
2 2361, as amended, passed and reprinted by the Senate  
3 as follows:

- 4 1. Page 1, line 10, by striking the words "on the  
5 highway".

H-6302 FILED APRIL 22, 1980 By DE GROOT of Lyon

ADOPTED (p. 1925)

**S 5841**

1 Amend Senate File 2361 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section three hundred seven point  
6 twelve (307.12), Code 1979, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. Enter into reciprocal agreements  
9 relating to motor vehicle inspections with authorized  
10 officials of any other state, subject to approval  
11 by the commission. The director may exempt or impose  
12 requirements upon nonresident motor vehicles consistent  
13 with those imposed upon vehicles of Iowa residents  
14 operated in other states."

15 2. Page 3, by inserting before line 4 the  
16 following:

17 "NEW SUBSECTION. HANDICAPPED PLATES. The owner  
18 of a motor vehicle subject to registration pursuant  
19 to section three hundred twenty-one point one hundred  
20 nine (321.109), subsection one (1), of the Code, light  
21 delivery truck, panel delivery truck or pickup who  
22 is a handicapped or paraplegic person as defined in  
23 section six hundred one E point one (601E.1) of the  
24 Code, may upon written application to the department,  
25 order special registration plates designed by the  
26 department bearing the international symbol of  
27 accessibility. The application shall be approved  
28 by the department and the special registration plates  
29 shall be issued to the applicant in exchange for the  
30 previous registration plates issued to the person.  
31 The fee for the special plates shall be five dollars  
32 which shall be in addition to the regular annual  
33 registration fee. The department shall validate the  
34 special plates in the same manner as regular  
35 registration plates are validated under this section  
36 at the regular annual registration fee. However,  
37 the special plates shall not be renewed without the  
38 applicant furnishing evidence to the department that  
39 the owner of the motor vehicle is still a handicapped  
40 or paraplegic person as defined in section six hundred  
41 one E point one (601E.1) of the Code. The special  
42 registration plates shall be surrendered in exchange  
43 for regular registration plates when the owner of  
44 the motor vehicle no longer qualifies as a handicapped  
45 or paraplegic person as defined in section six hundred  
46 one E point one (601E.1) of the Code."

47 3. Page 3, line 13, by striking the words "of  
48 transportation".

49 4. Page 3, lines 14 and 15, by striking the words  
50 "of transportation".

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PAGE 2

- 1 5. Page 3, line 18, by striking the words "of  
2 transportation".
- 3 6. Page 3, line 22, by inserting after the word  
4 "dollars" the words "which shall be in addition to  
5 the regular annual registration fee".
- 6 7. Page 3, line 23, by striking the words "of  
7 transportation".
- 8 8. Page 3, line 32, by striking the words "of  
9 transportation".
- 10 9. Page 3, line 33, by striking the words "of  
11 transportation".
- 12 10. Page 4, lines 1 and 2, by striking the words  
13 "of transportation".
- 14 11. Page 4, line 5, by inserting after the word  
15 "shall" the words "be five dollars which shall".
- 16 12. Page 4, by striking lines 6 and 7 and inserting  
17 in lieu thereof the following: "be in addition to  
18 the regular annual registration fee. The department  
19 shall validate the special plates in the same".
- 20 13. Page 5, by inserting after line 19 the  
21 following:  
22 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
23 fifty-seven (321.57), Code 1979, is amended by  
24 inserting the following new unnumbered paragraph after  
25 unnumbered paragraph one (1):  
26 NEW UNNUMBERED PARAGRAPH. In addition, while a  
27 service customer is having his or her own vehicle  
28 serviced or repaired by the dealer, the service  
29 customer of the dealer may operate upon the highways  
30 a motor vehicle owned by the dealer, except a motor  
31 truck or truck tractor, upon which there is displayed  
32 a special plate issued to the dealer, provided all  
33 of the requirements of this section are complied  
34 with."
- 35 14. Page 8, by inserting before line 30 the  
36 following:  
37 "Sec. \_\_\_\_\_. Chapter three hundred twenty-one (321),  
38 Code 1979, is amended by adding the following new  
39 section as section three hundred twenty-one point  
40 one hundred nineteen (321.119) of the Code:  
41 NEW SECTION. 321.119 CHURCH BUSES. For motor  
42 vehicles designed to carry nine passengers or more  
43 which are owned and used exclusively by a church or  
44 religious organization to transport passengers to  
45 and from activities of or sponsored by the church  
46 or religious organization and not operated for rent  
47 or hire for purposes unrelated to the activities of  
48 the church or religious organization, the annual fee  
49 shall be twenty-five dollars. At the initial  
50 registration and at every other annual registration

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1 thereafter, the county treasurer shall not register  
2 a motor vehicle under this section unless there is  
3 affixed to the motor vehicle a valid certificate of  
4 inspection issued for the motor vehicle within the  
5 last sixty days."

6 15. Page 10, by inserting after line 25 the follow-  
7 ing:

8 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
9 one hundred seventy-seven (321.177), subsection one  
10 (1), Code 1979, is amended to read as follows:

11 1. To any person, as an operator, who is under  
12 the age of eighteen years, without his or her first  
13 having successfully completed an approved driver  
14 education course, in which case, the minimum age shall  
15 be sixteen years. However, the department may issue  
16 a restricted license as provided in section 321.194,  
17 or an instruction permit as provided in section  
18 321.180, to any person who is at least fourteen years  
19 of age. The department may issue a license restricted  
20 only for use for motorized bicycles as provided in  
21 section 321.189, subsection 2, ~~to any person fourteen~~  
22 ~~years of age or older who has successfully completed~~  
23 ~~a written examination on the rules of the road and~~  
24 ~~a vision test."~~

25 16. Page 11, by inserting before line 7 the follow-  
26 ing:

27 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
28 one hundred eighty-nine (321.189), subsection one  
29 (1), Code 1979, is amended by adding the following  
30 new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. After July 1, 1981,  
32 a person under the age of eighteen applying for a  
33 motor vehicle license valid for the operation of a  
34 motorcycle shall be required to successfully complete  
35 a motorcycle education course approved and established  
36 by the department of public instruction or successfully  
37 complete an approved motorcycle education course at  
38 a private or commercial driver education school  
39 licensed by the department. A public school district  
40 may charge a student a fee which shall not exceed  
41 the actual cost of instruction.

5918 42 Sec. \_\_\_\_\_. Section three hundred twenty-one point  
43 one hundred eighty-nine (321.189), subsection two  
44 (2), paragraph a, Code 1979, is amended to read as  
45 follows:

46 a. The department may issue a motorized bicycle  
47 license to any a person ~~fourteen sixteen~~ years of  
48 age or older who has passed a vision test and a written  
49 examination on the rules of the road. After July  
50 1, 1981, persons under the age of eighteen applying

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1 for a motorized bicycle license shall also be required  
2 to successfully complete a motorized bicycle education  
3 course approved and established by the department  
4 of public instruction or successfully complete an  
5 approved motorized bicycle education course at a  
6 private or commercial driver education school licensed  
7 by the department. A public school district may  
8 charge a student a fee which shall not exceed the  
9 actual cost of instruction. A motorized bicycle  
10 license ~~shall~~ entitles the licensee to operate  
11 a motorized bicycle upon the highway while having  
12 the license in the licensee's immediate possession  
13 ~~on-the-highways-of-the-state-for-a-period-of-two~~  
14 years. The license is valid for a period of two  
15 years, subject to termination or cancellation as  
16 provided in this section."

17 17. Page 12, line 17, by striking the word "two"  
18 and inserting in lieu thereof the words "two one".

19 18. Page 12, lines 18 and 19, by striking the  
20 words "shall revoke" and inserting in lieu thereof  
21 the words "~~shall-revoke~~ may suspend".

22 19. Page 12, line 20, by inserting after the word  
23 "for" the words "one violation and shall revoke the  
24 license upon receiving a record of conviction for".

25 20. Page 14, by striking lines 18 through page  
26 16, line 12 and inserting in lieu thereof the  
27 following:

28 "Sec. 22. Section three hundred twenty-one point  
29 two hundred seventy-five (321.275), Code 1979, is  
30 amended by striking the section and inserting in lieu  
31 thereof the following:

32 321.275 OPERATION OF MOTORCYCLES AND MOTORIZED  
33 BICYCLES.

34 1. GENERAL. The motor vehicle laws apply to the  
35 operators of motorcycles and motorized bicycles to  
36 the extent practically applicable.

37 2. RIDERS.

38 a. MOTORIZED BICYCLES. A person operating a  
39 motorized bicycle on the highways shall not carry  
40 any other person on the vehicle.

41 b. MOTORCYCLES. A person shall not operate or  
42 ride a motorcycle on the highways with another person  
43 on the motorcycle unless the motorcycle is designed  
44 to carry more than one person. The additional  
45 passenger may ride upon the permanent and regular  
46 seat if designed for two persons, or upon another  
47 seat firmly attached to the motorcycle at the rear  
48 of the operator. The motorcycle shall be equipped  
49 with footrests for the passenger unless the passenger  
50 is riding in a sidecar or enclosed cab. The motorcycle

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1 operator shall not carry any person nor shall any  
2 other person ride in a position that will interfere  
3 with the operation or control of the motorcycle or  
4 the view of the operator.

5 3. SITTING POSITION. A person operating a  
6 motorcycle or motorized bicycle shall ride only upon  
7 the vehicle's permanent and regular attached seat.  
8 Every person riding upon the vehicle shall be sitting  
9 astride the seat, facing forward with one leg on  
10 either side of the vehicle.

11 4. USE OF TRAFFIC LANES. Persons shall not operate  
12 motorcycles or motorized bicycles more than two abreast  
13 in a single lane. Except for persons operating such  
14 vehicles two abreast, a motor vehicle shall not be  
15 operated in a manner depriving a motorcycle or  
16 motorized bicycle operator of the full use of a lane.  
17 A motorcycle or motorized bicycle shall not be operated  
18 between lanes of traffic or between adjacent lines  
19 or rows of vehicles. The operator of a motorcycle  
20 or motorized bicycle shall not overtake and pass in  
21 the same lane occupied by the vehicle being overtaken  
22 unless the vehicle being overtaken is a motorcycle  
23 or motorized bicycle.

24 5. HEADLIGHTS ON. A person shall not operate  
25 a 1977 or later model year motorcycle or any model  
26 year motorized bicycle upon the highways without  
27 displaying at least one lighted headlamp of the type  
28 described in section three hundred twenty-one point  
29 four hundred nine (321.409) of the Code. However,  
30 this subsection is subject to the exceptions with  
31 respect to parked vehicles as provided in this chapter.

32 6. PACKAGES. The operator of a motorcycle or  
33 motorized bicycle shall not carry any package, bundle,  
34 or other article which prevents the operator from  
35 keeping both hands on the handlebars.

36 7. HANDLEBARS. A person shall not operate a  
37 motorcycle or motorized bicycle with handlebars more  
38 than fifteen inches in height above that portion of  
39 the seat occupied by the operator.

40 8. PARADES. The provisions of this section do  
41 not apply to motorcycles or motorized bicycles when  
42 used in a parade authorized by proper permit from  
43 local authorities."

5915 44 21. Page 16, by inserting before line 13 the  
45 following:

46 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
47 two hundred seventy-five (321.275), Code 1979, is  
48 amended by adding the following new subsection:

49 NEW SUBSECTION. FLAGS REQUIRED ON MOTORIZED  
50 BICYCLES. A motorized bicycle shall not be operated

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1 unless a red flag or cloth at least eight inches  
2 square is attached to a flexible pole mounted on the  
3 rear of the vehicle. The flag or cloth shall be  
4 displayed at a sufficient height so as to be clearly  
5 visible in both the front and back of the vehicle  
6 during its operation."

7 22. Page 20, by striking lines 34 and 35.

8 23. Page 21, by striking lines 1 through 4.

9 24. Page 21, by striking lines 5 through 11.

10 25. Page 22, by inserting after line 32 the  
11 following new sections:

12 "Sec. \_\_\_\_\_. Section six hundred one E point six  
13 (601E.6), subsection two (2), Code 1979, is amended  
14 to read as follows:

15 2. A ~~city-or-other~~ political subdivision of the  
16 state which provides on-street parking areas or off-  
17 street parking facilities shall in all cases where  
18 so required by chapters 103A and 104A, and may in  
19 all other cases, set aside special parking places  
20 designated only for parking motor vehicles displaying  
21 a special identification device issued under this  
22 section. The use of parking spaces which are so  
23 designated and are located on public property by a  
24 motor vehicle not displaying such a device, or by  
25 a motor vehicle displaying such a device but not being  
26 used as operator or passenger by the individual to  
27 whom the device has been issued or another individual  
28 physically handicapped to the extent described by  
29 this section, shall be a misdemeanor for which a fine  
30 ~~not-to-exceed-one-hundred-dollars~~ may be imposed upon  
31 the owner of the motor vehicle. The fine for the  
32 first violation within a twelve month period shall  
33 be ten dollars, for the second violation, twenty-five  
34 dollars, and for the third or subsequent violations  
35 within a twelve month period, one hundred dollars.

36 Proof of conviction of three or more such violations  
37 involving improper use of the same special  
38 identification device shall ~~be~~ is grounds for  
39 revocation by the department of the holder's privilege  
40 to use the device.

41 Sec. \_\_\_\_\_. Chapter six hundred one E (601E), Code  
42 1979, is amended by adding the following new section.

43 NEW SECTION. HANDICAPPED PARKING SPACE. A  
44 handicapped parking space shall be at least one hundred  
45 forty-four inches wide, or, if two or more spaces  
46 are adjacent to each other, each space shall be at  
47 least one hundred twenty inches wide with at least  
48 a forty-eight inch walkway between the spaces."

49 26. Page 24, by inserting before line 14 the  
50 following:

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1 "Sec. \_\_\_\_\_. The director of transportation shall  
2 investigate the inspection requirements imposed by  
3 other states on Iowa vehicles displaying a valid  
4 certificate of inspection issued in Iowa. The director  
5 may recommend to the Sixty-ninth General Assembly,  
6 1981 Session, legislation to encourage other states  
7 to afford equitable treatment to motor vehicles  
8 displaying a valid certificate of inspection issued  
9 in Iowa."

10 27. Page 24, by inserting after line 18 the  
11 following:

12 "Sec. \_\_\_\_\_. Section three hundred twenty-one point  
13 one hundred nineteen (321.119) of the Code takes  
14 effect December first following enactment of this  
15 Act for vehicles registered for the 1981 or succeeding  
16 calendar years.

5918 17 Sec. \_\_\_\_\_. The minimum age requirement of section  
18 three hundred twenty-one point one hundred eighty-  
19 nine (321.189), subsection two (2), paragraph a, Code  
20 1979, as amended by this Act, does not apply to persons  
21 who, as of July 1, 1980, possess valid motorized  
22 bicycle licenses issued under that paragraph, provided  
23 the licenses are not terminated or canceled. The  
24 education requirement of that paragraph does not apply  
25 to persons who, as of July 1, 1981, possess valid  
26 motorized bicycle licenses issued under that paragraph,  
27 provided the licenses are not terminated or canceled.

28 Sec. \_\_\_\_\_. Sections one (1), eleven (11) and thirty-  
29 eight (38) of this Act, being deemed of immediate  
30 importance, take effect from and after their  
31 publication in the Fort Dodge Messenger, a newspaper  
32 published in Fort Dodge, Iowa, and in The Humboldt  
33 Independent, a newspaper published in Humboldt, Iowa."

34 28. Renumbering sections as necessary.

35 29. Title page, by inserting after line 19 the  
36 following: "setting the registration fee for church  
37 buses, relating to motor vehicle inspections, relating  
38 to special registration plates issued to motor vehicle  
39 dealers, relating to the age of persons licensed to  
40 operate motorized bicycles, providing for the issuance  
41 of special registration plates to handicapped persons,  
42 providing for special handicapped parking spaces,".

S-5841 FILED  
APRIL 23, 1980

RECEIVED FROM THE HOUSE

*Senate refused to concur 4/25 (p. 1748)  
House inserted 4/25 (p. 2141)*

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 2361

- To the President of the Senate and the Speaker of the House of Representatives.

We, the undersigned members of the Conference Committee appointed to consider the differences between the House and Senate on Senate File 2361, a bill for an Act relating to transportation by redefining motorized bicycles, repealing multiyear trailer and semitrailer registration plates, providing for release of security interest on a motor vehicle to appear on the title, providing for the issuance of special registration plates to former prisoners of war and members of the national guard, providing uniform application fees for motor vehicle dealers and transporters for special plates, providing for the crediting of moneys received from the auction of abandoned vehicles in the road use tax fund, providing for the filing of a statement upon applying for refund of registration fees when a vehicle is junked, relating to minor school licenses, providing for the operation of motorcycles and motorized bicycles, increasing certain witness fees, relating to the use of lighting devices on vehicles, relating to crossing of median strips, inspection of log books, regulating motor vehicle dealers, relating to duties of sheriffs in collecting motor vehicle fees, repealing the law relating to itinerant merchants, making technical corrections, and providing penalties, respectfully make the following report:

1. That the House amendment S-5841 to Senate File 2361 as amended, passed, and reprinted by the Senate be amended as follows:

1. Page 3, by striking lines 42 through 50 and inserting in lieu thereof the following:

"Sec. \_\_\_\_ . Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection two (2), paragraph a, Code 1979, is amended to read as follows:

a. The department may issue a motorized bicycle license to any a person fourteen years of age or older who has passed a vision test and a written examination on the rules of the road. After July 1, 1981, persons under the age of sixteen applying for a motorized bicycle license shall also be required to successfully complete a motorized bicycle education course approved and established by the department of public instruction or successfully complete an approved motorized bicycle education course at a private or commercial driver education school licensed by the department. A public school district may charge a student a fee which shall not exceed the actual cost of instruction. A motorized bicycle license shall-entitle entitles the licensee to operate a motorized bicycle upon the highway while having the license in the licensee's immediate possession on-the-highways-of-the-state for-a-period-of-two-years. The license is valid for a period of two years, subject to termination or cancellation as provided in this section."

2. Page 4, by striking lines 1 through 16.

3. Page 5, by striking lines 44 through 50.

4. Page 6, by striking lines 1 through 6.

5. Page 6, by striking lines 10 through 48.

6. Page 7, by striking lines 17 through 27.

7. Page 7, line 41, by striking the word "persons," and inserting in lieu thereof the word "persons,",""

8. Page 7, by striking line 42.

ON THE PART OF THE SENATE:

*appointed 4/25 (p. 1768)*

JOHN W. JENSEN, CHAIRPERSON

RICHARD F. DRAKE

RICHARD COMITO

CLOYD E. ROBINSON

ARTHUR A. SMALL, JR.

*Senate adopted 4/26 (p. 1819)*

FILED:

APRIL 25, 1980

ON THE PART OF THE HOUSE:

*4/25 (p. 2141)*

WAYNE BENNETT, CHAIRPERSON

LAVERNE W. SCHROEDER

SONJA EGENES

JACK E. WOODS

DANIEL JAY

*House adopted 4/26 (p. 2231)*

SENATE FILE 2361

S-5918

1 Amend the House amendment, S-5841, to Senate File  
2 2361, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 3, by striking lines 42 through 50 and  
5 inserting in lieu thereof the following:

6 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
7 one hundred eighty-nine (321.189), subsection two  
8 (2), paragraph a, Code 1979, is amended to read as  
9 follows:

10 a. The department may issue a motorized bicycle  
11 license to any a person fourteen years of age or older  
12 who has passed a vision test and a written examination  
13 on the rules of the road. After July 1, 1981, persons  
14 under the age of sixteen applying for a motorized  
15 bicycle license shall also be required to successfully  
16 complete a motorized bicycle education course approved  
17 and established by the department of public instruction  
18 or successfully complete an approved motorized bicycle  
19 education course at a private or commercial driver  
20 education school licensed by the department. A public  
21 school district may charge a student a fee which shall  
22 not exceed the actual cost of instruction. A motorized  
23 bicycle license shall-entitle entitles the licensee  
24 to operate a motorized bicycle upon the highway while  
25 having the license in the licensee's immediate  
26 possession ~~on-the-highways-of-the-state-for-a-period~~  
27 ~~of-two-years~~. The license is valid for a period of  
28 two years, subject to termination or cancellation  
29 as provided in this section." A

30 2. Page 4, by striking lines 1 through 16.

31 3. Page 5, by striking lines 44 through 50. B

32 4. Page 6, by striking lines 1 through 6.

33 5. Page 6, by striking lines 10 through 48. C

34 6. Page 7, by striking lines 17 through 27. A

S-5918 FILED BY JOHN W. JENSEN  
APRIL 24, 1980

W/J 4/25 (p. 1748)

## SENATE FILE 2361

## AN ACT

RELATING TO TRANSPORTATION BY REDEFINING MOTORIZED BICYCLES, REPEALING MULTIYEAR TRAILER AND SEMITRAILER REGISTRATION PLATES, PROVIDING FOR RELEASE OF SECURITY INTEREST ON A MOTOR VEHICLE TO APPEAR ON THE TITLE, PROVIDING FOR THE ISSUANCE OF SPECIAL REGISTRATION PLATES TO FORMER PRISONERS OF WAR AND MEMBERS OF THE NATIONAL GUARD, PROVIDING UNIFORM APPLICATION FEES FOR MOTOR VEHICLE DEALERS AND TRANSPORTERS FOR SPECIAL PLATES, PROVIDING FOR THE CREDITING OF MONEYS RECEIVED FROM THE AUCTION OF ABANDONED VEHICLES IN THE ROAD USE TAX FUND, PROVIDING FOR THE FILING OF A STATEMENT UPON APPLYING FOR REFUND OF REGISTRATION FEES WHEN A VEHICLE IS JUNKED, RELATING TO MINOR SCHOOL LICENSES, PROVIDING FOR THE OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES, INCREASING CERTAIN WITNESS FEES, RELATING TO THE USE OF LIGHTING DEVICES ON VEHICLES, RELATING TO CROSSING OF MEDIAN STRIPS, INSPECTION OF LOG BOOKS, REGULATING MOTOR VEHICLE DEALERS, RELATING TO DUTIES OF SHERIFFS IN COLLECTING MOTOR VEHICLE FEES, REPEALING THE LAW RELATING TO ITINERANT MERCHANTS, SETTING THE REGISTRATION FEE FOR CHURCH BUSES, RELATING TO MOTOR VEHICLE INSPECTIONS, RELATING TO SPECIAL REGISTRATION PLATES ISSUED TO MOTOR VEHICLE DEALERS, RELATING TO THE AGE OF PERSONS LICENSED TO OPERATE MOTORIZED BICYCLES, PROVIDING FOR THE ISSUANCE OF SPECIAL REGISTRATION PLATES TO HANDICAPPED PERSONS, MAKING TECHNICAL CORRECTIONS, AND PROVIDING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred seven point twelve (307.12), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Enter into reciprocal agreements relating to motor vehicle inspections with authorized officials of any other state, subject to approval by the commission. The director may exempt or impose requirements upon nonresident motor vehicles consistent with those imposed upon vehicles of Iowa residents operated in other states.

Sec. 2. Section three hundred twenty-one point one (321.1), subsection one (1), Code 1979, as amended by House File seven hundred forty-seven (747), section two (2), enacted by the Sixty-eighth General Assembly, 1980 Session and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended by adding the following new paragraph:

NEW PARAGRAPH. Any steering axle, dolly, auxiliary axle or other integral part of another vehicle which in and of itself is incapable of commercially transporting any person or property but is used primarily to support another vehicle.

Sec. 3. Section three hundred twenty-one point one (321.1), subsection three (3), paragraph b, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended to read as follows:

b. "Motorized bicycle" or "motor bicycle" means a two-wheeled motor vehicle having a saddle or a seat for the use of a rider and designed to travel on not more than three wheels in contact with the ground, with an engine having a displacement no greater than fifty cubic centimeters as-fixed by-the-department and not capable of operation operating at a speed in excess of twenty-five miles per hour on level ground unassisted by human power.

Sec. 4. Section three hundred twenty-one point twenty-three (321.23), subsection four (4), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71), section one (1), is amended to read as follows:

4. Any vehicle which does not meet the equipment requirements of this chapter due to the particular use for which it is designed or intended, may be registered by the department upon payment of appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition and will not endanger any person. A person is not required to have a certificate of title to register a vehicle under this subsection. If the owner elects to have a certificate of title issued for the vehicle, a fee of two dollars shall be paid by the person making the application upon issuance of a certificate of title. If the department's inspection reveals that that vehicle may be safely operated only under certain conditions or on certain types of roadways, the department may restrict the registration to limit operation of the vehicle to the appropriate conditions or roadways. This subsection shall not apply to snowmobiles as defined in section 321G.1. Section three hundred twenty-one point three hundred eighty-two (321.382) of the Code does not apply to a vehicle registered under this subsection which is operated exclusively by a handicapped person who has obtained a special identification device as provided in section six hundred one E point six (601E.6) of the Code, providing the special identification device is carried in the vehicle and shown to any peace officer on request.

Sec. 5. Section three hundred twenty-one point thirty-four (321.34), subsection five (5), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71), section three (3), is amended to read as follows:

5. MULTIYEAR PLATES. In lieu of issuing annual registration plates for trailers and semitrailers, the ~~county~~ ~~treasurer-or~~ department may issue a multiyear registration ~~plate plates~~ for a three-year period for trailers and semitrailers licensed under chapter three hundred twenty-six (326) of the Code upon payment of the appropriate registration fee. Fees from three-year payments shall not be reduced or prorated ~~under the provisions of chapter 326.~~

Sec. 6. Section three hundred twenty-one point thirty-four (321.34), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71), section three (3), is amended by adding the following new subsections:

NEW SUBSECTION. HANDICAPPED PLATES. The owner of a motor vehicle subject to registration pursuant to section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who is a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code, may upon written application to the department, order special registration plates designed by the department bearing the international symbol of accessibility. The application shall be approved by the department and the special registration plates shall be issued to the applicant in exchange for the previous registration plates issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee. However, the special plates shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle is still a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code. The special registration plates shall be surrendered in exchange for regular registration plates when the owner of the motor vehicle no longer qualifies as a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code.

NEW SUBSECTION. The owner of a motor vehicle subject to registration under section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who was a prisoner of war during the second world war at any time

between December 7, 1941 and December 31, 1946, the Korean conflict at any time between June 25, 1950 and January 31, 1955 or the Vietnam conflict at any time between August 5, 1964 and June 30, 1973, all dates inclusive, may upon written application to the department, order special registration plates designed by the department in cooperation with the adjutant general which plates signify that the applicant was a prisoner of war as defined in this subsection. The application shall be approved by the department, in consultation with the adjutant general, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee.

**NEW SUBSECTION.** The owner of a motor vehicle subject to registration pursuant to section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who is a member of the national guard, as defined in chapter twenty-nine A (29A) of the Code, may upon written application to the department, order special registration plates designed by the department in cooperation with the adjutant general which plates signify that the applicant is a member of the national guard. The application shall be approved by the department, in consultation with the adjutant general, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual

registration fee. Special registration plates shall be surrendered in exchange for regular registration plates upon termination of the owner's membership in the active national guard.

Sec. 7. Section three hundred twenty-one point forty-nine (321.49), subsection one (1), Code 1979, is amended to read as follows:

1. Except as provided in section 321.52, if an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of the transferee within seven days of the date of assignment or transfer of title, a penalty of five ten dollars shall accrue against ~~said vehicle~~, the applicant and no registration card or certificate of title shall ~~thereafter~~ be issued to the applicant for the vehicle until the penalty is paid.

Sec. 8. Section three hundred twenty-one point fifty (321.50), subsection four (4), Code 1979, is amended to read as follows:

4. When a security interest is discharged, the holder ~~thereof shall execute a release within fifteen days after payment is received, such release to contain the certificate of title number, the date of the notation, and the name and address of the person to whom the title shall be delivered when such delivery is requested as hereinafter provided.~~ The holder shall also note a cancellation of same on the face of the certificate of title over the holder's signature, and deliver the ~~release and~~ certificate of title to the county treasurer where title was issued. The county treasurer shall immediately note the cancellation of ~~said~~ the security interest on the face of the certificate of title and in the county records system. The county treasurer shall on the same day deliver the certificate of title to the then first secured party or, if there is no such person, to the person as ~~directed on the security interest release~~ directed by the owner, in writing, on a form prescribed by the department or, if there is no ~~such~~ person designated, then to the owner. ~~Said~~ The

cancellation of the security interest shall be noted on the certificate of title by the county treasurer without charge. The holder of a security interest discharged by payment who fails to release such the security interest ~~as herein provided~~ within fifteen days after being requested in writing to do so shall forfeit to the person making such the payment the sum of twenty-five dollars. ~~Such request shall be on the release form as prescribed by the department and shall contain a statement signed by the owner setting forth the name and address of the person to whom the title shall be delivered.~~

Sec. 9. Section three hundred twenty-one point fifty-seven (321.57), Code 1979, is amended by inserting the following new unnumbered paragraph after unnumbered paragraph one (1):

NEW UNNUMBERED PARAGRAPH. In addition, while a service customer is having his or her own vehicle serviced or repaired by the dealer, the service customer of the dealer may operate upon the highways a motor vehicle owned by the dealer, except a motor truck or truck tractor, upon which there is displayed a special plate issued to the dealer, provided all of the requirements of this section are complied with.

Sec. 10. Section three hundred twenty-one point fifty-eight (321.58), Code 1979, is amended to read as follows:

321.58 APPLICATION. ~~Any dealer in new or used cars~~ All dealers and transporters may, upon payment of a fee of thirty-five dollars, make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more special plates as appropriate to various types of vehicles subject to registration, ~~and all other dealers or transporters may, upon the payment of a fee of twenty-five dollars, make an application to the department in a like manner for a like certificate and number and plates as appropriate to various types of vehicles subject to registration.~~ The applicant shall also submit proof of the applicant's status as a bona fide transporter or dealer as ~~may reasonably be~~ required by the department. Dealers in new vehicles shall furnish

satisfactory evidence of a valid franchise with the manufacturer of such the vehicles authorizing such the dealership.

Sec. 11. Section three hundred twenty-one point eighty-nine (321.89), subsection four (4), Code 1979, is amended to read as follows:

4. AUCTION OF ABANDONED VEHICLES. If an abandoned vehicle has not been reclaimed as provided for in subsection 3, the police authority shall make a determination as to whether or not the vehicle shall be sold for use upon the highways. If it is to be sold as a vehicle for use upon the highways, it shall first be inspected as required by section 321.238 and have a valid certificate of inspection affixed. If the vehicle is not sold for use upon the highways, it shall be sold for junk, or demolished and sold as scrap or sold as provided in section ~~321.50~~ three hundred twenty-one point fifty-one (321.51) of the Code with a restricted certificate of title and not for use upon the highways. The police authority shall sell the vehicle at public auction. Notwithstanding any other provision of this section, any police authority, which has taken into possession any abandoned vehicle which lacks an engine or two or more wheels or other part which renders the vehicle totally inoperable may dispose of such the vehicle to a demolisher for junk after complying with the notification procedures enumerated in subsection 3 and without public auction. The purchaser of the vehicle shall take title free and clear of all liens and claims of ownership, shall receive a sales receipt from the police authority, and shall be entitled to register the vehicle and receive a certificate of title if sold for use upon the highways or a restricted certificate of title ~~as the case may be~~. However, if the vehicle is sold or disposed of to a demolisher for junk, the sales receipt by itself shall be sufficient title only for purposes of transferring the vehicle to such the demolisher for demolition, wrecking, or dismantling and, when so transferred, no further titling of the vehicle

shall be permitted. From the proceeds of the sale of an abandoned vehicle the police authority shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing which resulted from placing the abandoned vehicle in custody, all notice and publication costs incurred pursuant to subsection 3, the cost of inspection, and any other costs incurred except costs of bookkeeping and other administrative costs. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety days, and shall then be deposited in the ~~reimbursement road use tax fund received by the department pursuant to section 321.145, subsection 2.~~ The costs to police authorities of auction, towing, preserving, storage, and all notice and publication costs, inspection costs and all other costs which result from placing abandoned vehicles in custody, whenever the proceeds from a sale of ~~such the~~ abandoned vehicles are insufficient to meet these expenses and costs, shall be paid from the ~~reimbursement road use tax fund of the department under section 321.145, subsection 2. In the event the reimbursement fund is temporarily exhausted, payment shall be deferred until the reimbursement fund contains sufficient funds to meet the claims.~~

The state comptroller shall establish by rule a claims procedure to be followed by police authorities in obtaining expenses and costs from the fund.

Sec. 12. Section three hundred twenty-one point one hundred nine (321.109), subsection two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), section four (4), is amended to read as follows:

2. Dealers may, in addition to other provisions of this section, purchase from the department in-transit stickers, for which a fee of two dollars per sticker shall be paid at time of purchase. One such sticker shall be displayed on each vehicle purchased from a dealer by a nonresident for

removal to the state of his or her residence, and one such sticker shall also be displayed on each vehicle not currently registered in Iowa and purchased by an Iowa dealer for removal to ~~his the dealer's~~ place of business in this state. ~~Such~~ The stickers shall be void three days after issuance by the selling dealer. Each sticker shall ~~be at least five and one-half inches by eight inches and shall~~ contain the following information:

- a. The words "in-transit" in ~~at least two-inch~~ bold type.
- b. The dealer's license number.
- c. The date issued.
- d. The purchaser's name and address.
- e. The word "Iowa" in ~~at least one-inch~~ bold type.
- f. The words "good for three days after the date of issuance".
- g. ~~Such other~~ Other information as the director may require requires.

This information shall be on the gummed side of the sticker and the sticker shall be made of ~~such a~~ type of material as ~~to be~~ which is self-destructive when the sticker is removed. The sales invoice verifying the sale shall be in the possession of the driver of the vehicle in transit and shall be signed by the owner or an authorized individual of the issuing dealership.

Motor vehicles brought into the state on a transit sticker for the purpose of installation of special equipment may also be subject to the provisions of this subsection.

Sec. 13. Chapter three hundred twenty-one (321), Code 1979, is amended by adding the following new section as section three hundred twenty-one point one hundred nineteen (321.119) of the Code:

NEW SECTION. 321.119 CHURCH BUSES. For motor vehicles designed to carry nine passengers or more which are owned and used exclusively by a church or religious organization to transport passengers to and from activities of or sponsored by the church or religious organization and not operated for

rent or hire for purposes unrelated to the activities of the church or religious organization, the annual fee shall be twenty-five dollars. At the initial registration and at every other annual registration thereafter, the county treasurer shall not register a motor vehicle under this section unless there is affixed to the motor vehicle a valid certificate of inspection issued for the motor vehicle within the last sixty days.

Sec. 14. Section three hundred twenty-one point one hundred twenty-two (321.122), subsection four (4), Code 1979, as amended by House File seven hundred forty-seven (747), section six (6), enacted by the Sixty-eighth General Assembly, 1980 Session, is amended by striking the subsection and inserting in lieu thereof the following:

4. This section shall not apply to a rubber-tired farm tractor not operated for hire upon the public highways.

Sec. 15. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection one (1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Travel trailers and fifth-wheel travel trailers, except those in manufacturer's or dealer's stock, an annual fee of twenty cents per square foot of floor space computed on the exterior overall measurements, but excluding three feet occupied by any trailer hitch as provided by and certified to by the owner, to the nearest whole dollar, which amount shall not be prorated or refunded; except the annual fee for travel trailers of any type, when registered in Iowa for the first time or when removed from a manufacturer's or dealer's stock, shall be prorated on a monthly basis. The registrant of a travel trailer of any type shall be issued a "travel trailer" plate. It is further provided the annual fee thus computed shall be limited to seventy-five percent of the full fee after the sixth registration.

Sec. 16. Section three hundred twenty-one point one hundred twenty-six (321.126), subsections one (1), two (2), and three (3), Code 1979, are amended to read as follows:

1. If the motor vehicle is destroyed by fire or accident, or junked and its identity as a motor vehicle entirely eliminated, or removed and continuously used beyond the boundaries of this state, the owner in whose name the motor vehicle was registered at the time of ~~such~~ destruction, dismantling or removal from the state shall return the plates to the county treasurer or the department, unless the registration plates are retained and properly attached to another motor vehicle, and within thirty days thereafter make affidavit a statement of such destruction, dismantling, or removal and make claim for refund. With reference to the destruction or dismantling of a vehicle, ~~the affidavit no refund shall be accompanied by the~~ allowed unless a junking certificate of title, if titled in Iowa has been issued, as provided in section 321.52. With reference to the removal of a vehicle from this state ~~as provided herein~~, the affidavit statement shall ~~contain a statement indicating~~ indicate the foreign registration number of ~~such the~~ vehicle, the name and address of the official of the foreign state to whom the Iowa certificate of title, if any, has been surrendered, and the number of the foreign certificate of title issued for ~~such the~~ vehicle if registered in a title law state.

2. If the motor vehicle is stolen, the owner shall give notice of ~~such the~~ theft to the county treasurer within five days, who in turn shall notify the department. If the motor vehicle is not recovered by the owner before December 1 of the year for which the registration fee was paid, the owner shall make affidavit a statement of ~~such the~~ theft and make claim for refund.

3. If the motor vehicle is placed in storage by the owner upon ~~his the owner's~~ entry into the military service of the United States, the owner shall return the plates to the county treasurer or the department and make affidavit a statement regarding such storage and military service and make claim for refund. Whenever the owner of a motor vehicle so placed in storage desires to again register such vehicle, the county

treasurer or department shall compute and collect the fees for such registration in accordance with section 321.106.

Sec. 17. Section three hundred twenty-one point one hundred seventy-seven (321.177), subsection one (1), Code 1979, is amended to read as follows:

1. To any person, as an operator, who is under the age of eighteen years, without his or her first having successfully completed an approved driver education course, in which case, the minimum age shall be sixteen years. However, the department may issue a restricted license as provided in section 321.194, or an instruction permit as provided in section 321.180, to any person who is at least fourteen years of age. The department may issue a license restricted only for use for motorized bicycles as provided in section 321.189, subsection 2, ~~to any person fourteen years of age or older who has successfully completed a written examination on the rules of the road and a vision test.~~

Sec. 18. Section three hundred twenty-one point one hundred eighty (321.180), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the permit holder is driving a motorcycle, the qualified operator must be within audible and visual communications distance from the permit holder and is accompanying the permit holder on or in a different motor vehicle. However, only one permit holder shall be under the immediate supervision of an accompanying qualified operator, unless the qualified operator is an approved motorcycle or driver education instructor or a prospective driver or motorcycle education instructor, and the permit holder is enrolled in an approved motorcycle or driver education course, in which case no more than three students shall be under the immediate supervision of each instructor while on the highway.

Sec. 19. Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. After July 1, 1981, a person under the age of eighteen applying for a motor vehicle license valid for the operation of a motorcycle shall be required to successfully complete a motorcycle education course approved and established by the department of public instruction or successfully complete an approved motorcycle education course at a private or commercial driver education school licensed by the department. A public school district may charge a student a fee which shall not exceed the actual cost of instruction.

Sec. 20. Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection two (2), paragraph a, Code 1979, is amended to read as follows:

a. The department may issue a motorized bicycle license to any a person fourteen years of age or older who has passed a vision test and a written examination on the rules of the road. After July 1, 1981, persons under the age of sixteen applying for a motorized bicycle license shall also be required to successfully complete a motorized bicycle education course approved and established by the department of public instruction or successfully complete an approved motorized bicycle education course at a private or commercial driver education school licensed by the department. A public school district may charge a student a fee which shall not exceed the actual cost of instruction. A motorized bicycle license shall-entitle entitles the licensee to operate a motorized bicycle upon the highway while having the license in the licensee's immediate possession on-the-highways-of-the-state for-a-period-of-two-years. The license is valid for a period of two years, subject to termination or cancellation as provided in this section.

Sec. 21. Section three hundred twenty-one point one hundred ninety-four (321.194), Code 1979, is amended to read as follows:

321.194 MINORS' SCHOOL LICENSES. ~~Whenever the necessity therefor is shown, a restricted license may be issued~~ Upon

certification of a special need by the school board or the superintendent of the applicant's school, the department may issue a restricted license to any person between the ages of fourteen and eighteen years which license shall entitle the holder thereof, while having such the license in his or her immediate possession, to operate a motor vehicle during the hours of 7 six a.m. to 6 nine p.m. over the most direct and accessible route between the licensee's residence and his school of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities at such school or at any time when accompanied by a parent or guardian, driver education instructor, or prospective driver education instructor who is a holder of a valid operator's or chauffeur's license, and who is actually occupying a seat beside the driver. Such The license shall expire on the licensee's eighteenth birthday or upon issuance of a temporary-driver's-permit probationary operator's or operator's license. For-the-purpose-of-establishing-a-need for-the-license-provided-for-in-this-section,-each Each application shall be accompanied by an-affidavit a statement from the school board or superintendent of the applicant's school which-affidavit. The statement shall be upon a form provided by the department and-shall-state-the-facts-deemed to-justify-the-issuance-of-a-license-to-the-applicant. Neither such-affidavit-nor-the-inability-to-obtain-the-same-shall be-binding-on-the-department-but-may-be-considered-by-the department-in-its-determining-of-whether-or-not-to-grant-the application. The department of public instruction shall adopt rules pursuant to chapter seventeen A (17A) of the Code establishing criteria for issuing a statement of necessity. Upon receipt of a statement of necessity, the department shall issue a restricted license. The fact that the applicant resides at a distance less than one mile from his or her school shall-be is prima-facie evidence of the nonexistence of any necessity for the issuance of such a license. A license issued hereunder under this section is subject to suspension

or revocation in like manner as any other license or permit issued under any law of this state and ~~in-addition-thereto~~ the department may also suspend such license upon receiving satisfactory evidence that the licensee has violated the restrictions of such the license or has been involved in two one or more accidents chargeable to such the licensee and the. The department shall-revoke may suspend any license issued hereunder under this section upon receiving a record of such the licensee's conviction for one violation and shall revoke the license upon receiving a record of conviction for two or more violations of any law of this state or city ordinance, other than parking regulations, regulating the operation of motor vehicles on highways and after revoking a license hereunder under this section the department shall not grant application for any new license or permit until the expiration of one year or until the licensee attains his or her sixteenth birthday whichever is the longer period.

Sec. 22. Section three hundred twenty-one point two hundred ten (321.210), subsection four (4), Code 1979, is amended to read as follows:

4. ~~is-incompetent-to-drive-a-motor-vehicle~~ Is physically or mentally incapable of safely operating a motor vehicle.

Sec. 23. Section three hundred twenty-one point two hundred ten (321.210), unnumbered paragraph seven (7), Code 1979, is amended to read as follows:

The director may, on application, issue a temporary restricted license to any person convicted whose regular employment is the operation of a motor vehicle or who cannot perform his or her regular occupation without the use of a motor vehicle, but such person shall not operate a vehicle for pleasure while holding such restricted license. However, this paragraph shall not apply to any person whose license is revoked under the provisions of subsections one (1) through six (6) of section 321.209. A temporary restricted license may be issued to any person whose license is revoked under section three hundred twenty-one point two hundred nine

(321.209), subsection seven (7) of the Code if the person has no previous drag racing convictions.

Sec. 24. Section three hundred twenty-one point two hundred twelve (321.212), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall revoke a license for six months for a first offense under the provisions of section three hundred twenty-one point two hundred nine (321.209), subsection seven (7), of the Code, where the violation charged did not result in a personal injury or damage to property.

Sec. 25. Section three hundred twenty-one point two hundred thirty-three (321.233), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A chauffeur's license shall not be required for a person to operate road construction and maintenance equipment while engaged in road construction and maintenance work, including the movement of the road construction and maintenance equipment to and from the work site under its own power. The department shall adopt rules pursuant to chapter seventeen A (17A) of the Code specifying each type of road construction and maintenance equipment for which a chauffeur's license is not required for the operation of the equipment.

Sec. 26. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-one (21), unnumbered paragraph six (6), Code 1979, is amended to read as follows:

Witnesses shall receive ~~three-dollars-for-each-day's attendance-and-ten-cents-per-mile-for-each-mile-actually traveled.--Witnesses-shall-be-compensated~~ compensation at the rates specified in section six hundred twenty-two point sixty-nine (622.69) of the Code from funds appropriated to the department. ~~The-treasurer-of-state-may-make-rules-setting-forth-the-procedure-for-such-reimbursement.~~

Sec. 27. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-five (25), paragraph

a, Code 1979, is amended by striking paragraph a and inserting in lieu thereof the following:

a. "Authorized officer" means a peace officer as defined in section eight hundred one point four (801.4), subsection seven (7), paragraphs a, c, and h of the Code.

Sec. 28. Section three hundred twenty-one point two hundred seventy-five (321.275), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

321.275 OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES.

1. GENERAL. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.

2. RIDERS.

a. MOTORIZED BICYCLES. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.

b. MOTORCYCLES. A person shall not operate or ride a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

3. SITTING POSITION. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.

4. USE OF TRAFFIC LANES. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles

two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.

5. HEADLIGHTS ON. A person shall not operate a 1977 or later model year motorcycle or any model year motorized bicycle upon the highways without displaying at least one lighted headlamp of the type described in section three hundred twenty-one point four hundred nine (321.409) of the Code. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.

6. PACKAGES. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.

7. HANDLEBARS. A person shall not operate a motorcycle or motorized bicycle with handlebars more than fifteen inches in height above that portion of the seat occupied by the operator.

8. PARADES. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from local authorities.

Sec. 29. Section three hundred twenty-one point three hundred seventeen (321.317), subsections three (3) and five (5), Code 1979, are amended to read as follows:

3. ~~After the thirty-first day of December, 1953, it shall~~ be it is unlawful for any person to sell or offer for sale or operate on the highways of the state ~~of Iowa~~ any vehicle subject to registration under the provisions of this chapter which has never been registered in this or any other state prior to January 1, 1954, unless such the vehicle is equipped with a directional signal device of a type approved by the

department and is in compliance with the provisions of subsection 2 of this section. Motorcycles, ~~motor-seekers~~ motorized bicycles and semitrailers and trailers less than forty inches in width are exempt from the provisions of this section.

5. Whenever any vehicle or combination of vehicles is disabled or for other reason may present a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing ~~during the hours of darkness~~, the operator ~~of such vehicles~~ then may display on such the vehicle or combination of vehicles four directional signals of a type complying with the provisions of this section relating to directional signal devices in simultaneous operation. ~~The provisions of this~~ This subsection shall does not be construed to exempt any vehicle or combination of vehicles from compliance with the provisions of sections 321.447 and 321.448.

Sec. 30. Section three hundred twenty-one point three hundred sixty-six (321.366), Code 1979, is amended to read as follows:

321.366 CROSSING MEDIAN STRIP OR PARKING ON FULLY CONTROLLED-ACCESS FACILITIES. It is unlawful for any person ~~(1) to drive, except a person operating highway maintenance equipment or an authorized emergency vehicle, to do any of~~ the following:

1. Drive a vehicle over, upon, or across any curb, central dividing section, or other separation or dividing line on fully controlled-access facilities; ~~(2) to make facility.~~

2. Make a left turn or a semicircular or U-turn at a maintenace cross-overs except by maintenance vehicles and authorized emergency vehicles; ~~(3) to drive cross-over where an official sign prohibits the turn.~~

3. Drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation, section, or ~~lines;~~ (4) to drive line.

4. Drive any vehicle into the fully controlled-access facility from a local service road ~~except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the controlled-access facility property, (5) to stop.~~

5. Stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved portion, the shoulders, or the right of way except at designated rest areas or in case of an emergency or other dire necessity, ~~or in the case of an authorized emergency vehicle.~~

For the purpose of this section, fully controlled-access facility ~~shall have the same meaning as the meaning prescribed in section 306A.2 is a highway which gives preference to through traffic by providing access connections at interchanges with selected public roads only and by prohibiting crossings at grade or direct access at driveway connections.~~

Violations of this section ~~shall be~~ are punishable as provided in section 321.482.

Sec. 31. Section three hundred twenty-one point three hundred seventy-two (321.372), subsection four (4), and unnumbered paragraph four (4), Code 1979, is amended to read as follows:

4. The driver of a vehicle upon a highway providing two or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though said the school bus is stopped.

~~This section shall not apply to "business" and "residence" districts, unless so provided by ordinance, but shall apply in suburban districts of cities where the speed limit is in excess of thirty-five miles per hour.~~

Sec. 32. Section three hundred twenty-one point three hundred eighty-six (321.386), Code 1979, is amended to read as follows:

321.386 HEAD LAMPS ON MOTORCYCLES AND MOTORIZED BICYCLES. Every motorcycle and motorized bicycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.

Sec. 33. Section three hundred twenty-one point four hundred nine (321.409), Code 1979, is amended to read as follows:

321.409 MANDATORY LIGHTING EQUIPMENT. Except as hereinafter provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or ~~motor-driven~~ eyes motorized bicycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and ~~such~~ the lamps may, in addition, be so arranged that ~~such~~ selection can be made automatically, subject to the following limitations:

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of ~~such~~ sufficient intensity ~~as~~ to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions.

2. There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of a least one hundred feet ahead, ~~and on.~~ On a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

3. Every new motor vehicle, other than a motorcycle or ~~motor-driven cycle, registered in this state after January 1, 1956,~~ motorized bicycle which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. ~~Said~~ The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle ~~so equipped.~~

Sec. 34. Section three hundred twenty-one point four hundred fifteen (321.415), Code 1979, is amended to read as follows:

321.415 REQUIRED USAGE OF LIGHTING DEVICES. Whenever a motor vehicle is being operated on a roadway or shoulder ~~adjacent-thereto~~ during the times specified in section 321.384, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

1. Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, ~~such~~ the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in section 321.409, subsection 2, shall be deemed to avoid glare at all times, regardless of road contour and loading.

2. Whenever the driver of a vehicle follows another vehicle within two hundred feet to the rear, except when engaged in the act of overtaking and passing, ~~such~~ the driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in section 321.409, subsection 1.

3. The provisions of subsections one (1) and two (2) of this section do not apply to motorcycles or motorized bicycles being operated between sunrise and sunset.

Sec. 35. Section three hundred twenty-one point four hundred thirty (321.430), subsection two (2), Code 1979, is amended to read as follows:

2. Every motorcycle, and motorized bicycle ~~with-meter attached~~, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot.

Sec. 36. Section three hundred twenty-one point four hundred ninety-two (321.492), Code 1979, is amended to read as follows:

321.492 PEACE OFFICERS' AUTHORITY. Any peace officer is authorized to stop any vehicle to require exhibition of

the driver's ~~operator-or-chauffeur~~ motor vehicle license, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of ~~such~~ the vehicle.

Sec. 37. Chapter three hundred twenty-one H (321H), Code 1979, is amended by adding the following new section:

NEW SECTION. PENALTIES. A person convicted of violating a provision of this chapter is guilty of a simple misdemeanor.

Sec. 38. Section three hundred twenty-two point two (322.2), subsection seven (7), Code 1979, is amended to read as follows:

7. "Motor vehicle" means any self-propelled vehicle subject to registration under ~~the laws of this state~~ chapter three hundred twenty-one (321) of the Code.

Sec. 39. Section three hundred twenty-two point four (322.4), subsection seven (7), Code 1979, is amended to read as follows:

7. Before the issuance of a motor vehicle dealer's license to a dealer engaged in the sale of vehicles for which a certificate of title is required, under ~~the provisions of~~ chapter 321, the applicant ~~for such license~~ shall furnish a surety bond executed by the applicant as principal and executed by a corporate surety company, licensed and qualified to do business within this state, which bond shall run to the state of Iowa, be in the amount of twenty-five thousand dollars and be conditioned upon the faithful compliance by ~~said~~ the applicant as a dealer, ~~if the license be issued to it or him, that such dealer will comply~~ with all of the statutes of this state regulating or being applicable to the business of ~~said dealer as a dealer in motor vehicles, and indemnifying any person dealing or transacting business with said~~ who buys a motor vehicle from the dealer in connection

~~with any motor vehicle~~ from any loss or damage occasioned by the failure of ~~such the~~ dealer to comply with any of the provisions of chapter 321 and this chapter, including, but not limited to, the furnishing of a proper and valid certificate of title to the motor vehicle involved in any ~~such a~~ transaction, ~~and that such.~~ The bond shall be filed with the department prior to the issuance of a license provided by law. The aggregate liability of the surety ~~of all persons,~~ however, shall ~~in no event~~ not exceed the amount of said the bond.

Sec. 40. Section three hundred twenty-two point six (322.6), subsection nine (9), Code 1979, is amended to read as follows:

9. Has violated any of the provisions of sections ~~321.77,~~ 321.78, ~~321.80,~~ 321.81, 321.92, 321.97, 321.98, 321.99, 321.100, 539.4, seven hundred fourteen point one (714.1) and 714.16; or

Sec. 41. Section three hundred twenty-two point nine (322.9), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department ~~is hereby authorized to~~ may revoke or suspend the license of any retail motor vehicle dealer if, after notice and hearing, it finds that ~~such the~~ licensee has been guilty of any act which would have been a ground for the denial of a license under section 322.6. Witnesses shall receive the same compensation provided in section six hundred twenty-two point sixty-nine (622.69) of the Code and shall be compensated from funds appropriated to the department.

Sec. 42. House File seven hundred forty-seven (747), section twelve (12), enacted by the Sixty-eighth General Assembly, 1980 Session, is amended to read as follows:

SEC. 12. The department shall issue permits for the period beginning fifteen days following the effective date of this Act to December 31, 1980 to interstate and intrastate carriers that apply for registration authority at a weight higher than the current registered gross weight. The department shall

assess a prorated fee from the schedule of fees set forth in section five (5) of this Act. Permit fees shall be payable on an annual basis. A minimum fee of ten dollars shall be collected by the department. ~~Trucks, motor trucks, and truck tractors registered under the provisions of section three hundred twenty-one point one hundred twenty-two (321.122) of the Code on the effective date of this Act shall not be eligible to reregister under section three hundred twenty-one point one hundred twenty-one (321.121) of the Code during the 1980 registration year.~~ The commission shall adopt temporary rules as are necessary to implement the provisions of this Act as it relates to revised registrations in 1980 and temporary rules adopted for this purpose are not rules as defined in section seventeen A point two (17A.2), subsection seven (7), of the Code and shall not be subject to chapter seventeen A (17A) of the Code.

Sec. 43. Section eight hundred five point eight (805.8), subsection two (2), paragraph b, Code 1979, is amended to read as follows:

b. For registration violations under sections ~~321.17,~~ 321.32, 321.34, 321.37, 321.38, 321.41, and 321.189, subsection 3, the scheduled fine is five dollars. For violations of sections 321.32 and 321.189, subsection 3, the case shall be dismissed without imposition of fine or costs if a license or registration valid at the time of the issuance of the citation is presented by the defendant to the magistrate or scheduled violations office.

Sec. 44. Section eight hundred five point eight (805.8), subsection two (2), paragraph n, Code 1979, is amended to read as follows:

n. For violation of registration provisions under section three hundred twenty-one point seventeen (321.17); For violation of intrastate hauling on foreign registration under sections 321.54 and 321.55; use of registration under section 321.99; and display of registration or plates under 321.98, the scheduled fine is twenty dollars.

Sec. 45. A multiyear registration plate issued by the county treasurer for a trailer or semitrailer prior to the effective date of this Act shall be valid for the period for which it was issued and the requirement of obtaining an annual registration plate for a trailer or semitrailer with a valid multiyear registration plate shall not be applicable until the valid multiyear registration plate has expired.

Sec. 46. The director of transportation shall investigate the inspection requirements imposed by other states on Iowa vehicles displaying a valid certificate of inspection issued in Iowa. The director may recommend to the Sixty-ninth General Assembly, 1981 Session, legislation to encourage other states to afford equitable treatment to motor vehicles displaying a valid certificate of inspection issued in Iowa.

Sec. 47. The provisions of section six (6) of this Act are effective December first following enactment of this Act for registration fees payable on or after December first following enactment of this Act for vehicle registrations for the succeeding calendar year.

Sec. 48. Section three hundred twenty-one point one hundred nineteen (321.119) of the Code takes effect December first following enactment of this Act for vehicles registered for the 1981 or succeeding calendar years.

Sec. 49. Sections two (2), fourteen (14) and forty-two (42) of this Act, being deemed of immediate importance, take effect from and after their publication in the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and in The Humboldt Independent, a newspaper published in Humboldt, Iowa.

Sec. 50. Chapter eighty-one (81), Code 1979, is repealed.

Sec. 51. Sections one hundred thirty-five D point twenty-seven (135D.27), three hundred twenty-one point one hundred thirty-six (321.136), three hundred twenty-one point one hundred thirty-seven (321.137), three hundred twenty-one point one hundred thirty-eight (321.138), three hundred twenty-one point one hundred thirty-nine (321.139), three hundred twenty-

one point one hundred forty (321.140), three hundred twenty-one point one hundred forty-one (321.141), three hundred twenty-one point one hundred forty-two (321.142), three hundred twenty-one point one hundred forty-three (321.143) and three hundred twenty-one point one hundred forty-four (321.144), Code 1979, are repealed.

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TERRY E. BRANSTAD  
President of the Senate

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WILLIAM H. HARBOR  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2361, Sixty-eighth General Assembly.

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FRANK J. STORK  
Secretary of the Senate

Approved 5/20, 1980

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ROBERT D. RAY  
Governor