

TRANSPORTATION: Jensen, Chair: Gettings and Hall

4/1

Senate File 356

SENATE FILE 356

Transportation: Lageschulte, Chair: Gruhn and Koenigs.

BY JENSEN

FILED FEB 28 1985

Passed Senate, Date 3-13-85 (p 748) Passed House, Date _____

Vote: Ayes 41 Nays 0 Vote: Ayes _____ Nays _____

Approved _____

Motion to reconsider (p 157) w/d 4/8

A BILL FOR

1 An Act allowing the state department of transportation to issue
2 a certificate of title for a vehicle when the previous title
3 was surrendered for a junking certificate due to mistake
4 or inadvertence.

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

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J. F. 356

1 Section 1. Section 321.52, subsection 3, Code 1985, is
2 amended to read as follows:

3 3. When a vehicle for which a certificate of title is
4 issued is junked or dismantled by the owner, the owner shall
5 detach the registration plates and surrender the plates to the
6 county treasurer, unless the plates are properly assigned to
7 another vehicle. The owner shall also surrender the
8 registration receipt and certificate of title to the county
9 treasurer. Upon surrendering the certificate of title, the
10 county treasurer shall issue to ~~such~~ the person, without fee,
11 a junking certificate, which shall authorize the holder to
12 possess, transport or transfer ownership of the junked vehicle
13 by endorsement of the junking certificate. The county
14 treasurer shall hold the surrendered certificate of title,
15 registration receipt and, if applicable, the registration
16 plates for a period of fourteen days following the issuance of
17 a junking certificate under this subsection. Within the
18 fourteen-day period the person who was issued the junking
19 certificate and to whom the vehicle was titled or assigned may
20 surrender to the county treasurer the junking certificate, and
21 upon the person's payment of appropriate fees and taxes and
22 payment of any credit for registration fees received by the
23 person for the vehicle under section 321.46, subsection 3, the
24 county treasurer shall issue to the person a ~~restricted~~
25 certificate of title for the vehicle. After the expiration of
26 the fourteen-day period, a county treasurer shall not issue a
27 certificate of title shall-not-again-be-issued for the a
28 junked vehicle for which a junking certificate is issued. The
29 county treasurer shall cancel the record of the vehicle and
30 forward the certificate of title to the department.

31 However, upon application the department upon a showing of
32 good cause may issue a certificate of title after the
33 fourteen-day period for a junked vehicle for which a junking
34 certificate has been issued. For purposes of this subsection,
35 "good cause" means that the junking certificate was obtained

1 by mistake or inadvertence. If a person's application to the
2 department is denied, the person may seek judicial review as
3 provided under sections 17A.19 and 17A.20.

4 EXPLANATION

5 This bill allows the state department of transportation to
6 issue a certificate of title for a vehicle which has been
7 issued a junking certificate due to mistake or inadvertence.

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1 Amend Senate File 356 as follows:

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

4 "Section 1. NEW SECTION. 135D.27 CONVERSION TO
5 MOBILE HOME.

6 1. A mobile home converted to real estate under
7 section 135D.26 may be reconverted to a mobile home as
8 provided in this section.

9 2. If the vehicular frame of the former mobile
10 home can be modified to return it to the status of a
11 mobile home, the owner may apply to the county
12 treasurer as provided in section 321.20 for a
13 certificate of title for the mobile home. If a
14 mortgage exists on the real estate, a security
15 interest in the mobile home shall be given to the
16 secured party and noted on the certificate of title
17 with the same priority or a higher priority than the
18 secured party's mortgage interest. A reconversion
19 shall not occur without written consent of the
20 mortgagee.

21 3. After complying with subsection 2 and receipt
22 of the title, the owner shall notify the assessor of
23 the reconversion. The assessor shall remove the
24 assessed valuation of the mobile home from assessment
25 rolls as of the succeeding January 1 when the mobile
26 home becomes subject to taxation as provided under
27 section 135D.24.

28 Sec. 2. Section 135D.26, subsection 1, paragraph
29 b, Code 1985, is amended by striking the paragraph and
30 inserting in lieu thereof the following:

31 b. Modification of the vehicular frame for
32 placement on a permanent foundation.

33 Sec. 3. Section 321.30, Code 1985, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 11. In the case of a mobile home
36 converted from real estate, real estate taxes which
37 are delinquent."

38 2. Amend the title, by striking lines 1 through 4
39 and inserting the following: "An Act allowing the
40 issuance of a certificate of title for a vehicle when
41 the previous title was surrendered."

42 3. By renumbering sections as necessary.

S-3521 Filed March 27, 1985

By DOYLE

Placed o/b 4/8/85 (p. 1229)

S-3335

SENATE FILE 356

1 Amend Senate File 356 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. NEW SECTION. 135D.27 CONVERSION TO
5 MOBILE HOME.
6 1. A mobile home converted to real estate under
7 section 135D.26 may be reconverted to a mobile home as
8 provided in this section.
9 2. If the vehicular frame of the former mobile
10 home can be modified to return it to the status of a
11 mobile home, the owner may apply to the county
12 treasurer as provided in section 321.20 for a
13 certificate of title for the mobile home. If a
14 mortgage exists on the real estate including the
15 former mobile home, a security interest in the mobile
16 home shall be given to the secured party and noted on
17 the certificate of title with the same priority or a
18 higher priority than the secured party's mortgage
19 interest or the owner shall obtain the written consent
20 of the secured party to the conversion.
21 3. After complying with subsection 2 and receipt
22 of the title, the owner shall notify the assessor of
23 the reconversion. The assessor shall remove the
24 assessed valuation of the mobile home from assessment
25 rolls as of the succeeding January 1 when the mobile
26 home becomes subject to taxation as provided under
27 section 135D.24.
28 Sec. 2. Section 135D.26, subsection 1, paragraph
29 b, Code 1985, is amended by striking the paragraph and
30 inserting in lieu thereof the following:
31 b. Modification of the vehicular frame for
32 placement on a permanent foundation.
33 Sec. 3. Section 321.30, Code 1985, is amended by
34 adding the following new subsection:
35 NEW SUBSECTION. 11. In the case of a mobile home
36 converted from real estate, real estate taxes which
37 are delinquent."
38 2. Amend the title, by striking lines 1 and 2 and
39 inserting the following: "An Act authorizing the
40 issuance of a certificate of title for a reconverted
41 mobile home or a vehicle when the previous title".

S-3335: Filed
March 18, 1985
Placed in file 4/6 (p. 1229)

By DOYLE