

Ways Means 3/10

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SENATE FILE 2229
BY COMMITTEE ON LOCAL GOVERN-
MENT *Approved (p. 539)*

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

A BILL FOR

1 An Act to allow a credit or refund for motor vehicle registration
2 fees for certain vehicles which are sold, traded, or junked.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2229

1 Section 1. Section 321.46, subsection 3, Code Supplement
2 1985, is amended to read as follows:

3 3. The applicant ~~shall-be~~ is entitled to a refund or
4 credit for that portion of the registration fee of the vehicle
5 sold, traded, or junked ~~within-the-state~~ which ~~had~~ has not
6 expired prior to the transfer of ownership of the vehicle.

7 The If a credit is applied for, the registration fee for the
8 new registration for the vehicle acquired shall be reduced by
9 the amount of the credit. The refund or credit shall be
10 computed on the basis of the number of months remaining in the
11 registration year, rounded to the nearest whole dollar. The
12 refund or credit shall-be is subject to the following
13 limitations:

14 a. The credit shall be claimed within thirty days from the
15 date the vehicle for which credit is granted was sold,
16 transferred, or junked. After thirty days, all credits shall
17 be disallowed.

18 b. ~~Any~~ A credit granted to the owner of a vehicle which
19 has been sold, traded, or junked may only be claimed by that
20 person toward the registration fee for another vehicle
21 purchased and the credit ~~may~~ shall not be sold, transferred,
22 or assigned to any other person.

23 c. ~~When~~ If the amount of the refund or credit is computed
24 to be an amount of less than five dollars, ~~a~~ the refund or
25 credit shall be disallowed.

26 ~~To-claim-a-credit-for-the-unexpired-registration-fee-on~~
27 On a junked vehicle, the county treasurer shall disallow ~~any~~
28 the claim for refund or credit unless the owner presents a
29 junking certificate or other evidence as required by the
30 department to the county treasurer.

31 e. ~~A~~ The refund or credit shall provided under this
32 subsection does not ~~be-allowed~~ apply to any a person who is
33 eligible to receive a refund, upon proper application, under
34 section 321.126.

35 f. The refund or credit shall only be allowed if the owner

1 provides the copy of the registration receipt to the county
2 treasurer.

3 g. The credit allowed shall not exceed the amount of the
4 registration fee for the vehicle acquired.

5 h. The credit shall be computed on the unexpired number of
6 months computed from the date of purchase of the vehicle
7 acquired. The refund shall be computed on the unexpired
8 number of months computed from the date of filing of the
9 application with the county treasurer for the county where the
10 vehicle is registered.

11 i. A refund for a vehicle which has been sold or traded
12 shall not be allowed until the treasurer has received an af-
13 fidavit on forms prescribed and provided by the department
14 certifying the sale or trade, the transfer of ownership of the
15 vehicle, and the assignment and delivery of the certificate of
16 title for the vehicle.

17 j. The refund provided under this section does not apply
18 to vehicles registered under chapter 326.

19 Sec. 2. Section 321.127, Code Supplement 1985, is amended
20 to read as follows:

21 321.127 PAYMENT OF REFUND.

22 1. The refund of the registration fee for motor vehicles
23 shall be computed on the basis of the number of unexpired
24 months remaining in the registration year from date of filing
25 of the claim for refund with the county treasurer, computed to
26 the nearest dollar.

27 2. The department, unless reasonable grounds exist for
28 delay, shall make refund on or before the last day of the
29 month following the month in which the claim is filed with the
30 department.

31 3. For trailers or semitrailers issued a multiyear
32 registration plate a refund shall be paid equal to the annual
33 fee for twelve months times the remaining number of complete
34 registration years.

35 4. Refunds for motor vehicles registered for prorated under

1 chapter 326 shall be paid on the basis of unexpired the
2 complete calendar months remaining in the registration year
3 from the date the claim is filed with the department.

4 This section does not apply to refunds issued under section
5 321.46, subsection 3.

6 Sec. 3. Section 321.128, Code 1985, is amended to read as
7 follows:

8 321.128 PAYMENT AUTHORIZED.

9 The department may make the payments under section 321.46,
10 subsection 3, sections 321.126 and 321.127, when sufficient
11 proof of ~~such~~ destruction by accident, ~~or~~ the junking and
12 entire elimination of identity as a motor vehicle, theft, the
13 sale or trade and transfer of ownership and assignment and
14 delivery of the certificate of title, or storage by an owner
15 entering the military service of the United States in time of
16 war, is properly certified, approved by the county treasurer,
17 and filed with the department.

18 EXPLANATION

19 This bill provides for a refund, as well as a credit on a
20 replacement vehicle, of the unexpired registration fees for
21 vehicles which are sold, traded, or junked. It does not apply
22 to persons who are currently eligible for a refund under
23 section 321.126. The refund is computed on the unexpired
24 number of months remaining on the registration computed from
25 the date the application for a refund is filed with the county
26 treasurer for the county where the vehicle is registered. The
27 bill does not apply to vehicles registered under chapter 326.

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