

TRANSPORTATION: Doyle, Chair: Jensen and Nystrom

FILED FEB 16 1987

SENATE FILE 190
BY MANN

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

A BILL FOR

1 An Act providing for a fine for unnecessary waste of a resource
2 for certain violations for speeds in excess of fifty-five
3 miles per hour.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

SF 190

1 Section 1. Section 321.285, Code 1987, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 9. a. An individual shall not be charged
4 or found guilty of violating subsection 8 for operating a
5 motor vehicle on a fully controlled-access, divided,
6 multilaned highway including the interstate road system, at a
7 speed greater than fifty-five miles per hour but not greater
8 than seventy-five miles per hour from sunrise to sunset or at
9 a speed greater than fifty-five miles per hour but not greater
10 than sixty-five miles per hour from sunset to sunrise.

11 However, such an individual may be charged with unnecessary
12 waste of a resource subject to a fine as provided in paragraph
13 "d". However, this paragraph does not apply to highways
14 located within the corporate limits of a city, used as city
15 alternate routes and commonly referred to as "freeways", which
16 have a speed limit lower than fifty-five miles per hour as
17 provided in subsection 8.

18 b. An individual shall not be charged or found guilty of
19 violating subsection 5 for operating a motor vehicle at a
20 speed greater than fifty-five miles per hour but not greater
21 than seventy miles per hour from sunrise to sunset or at a
22 speed greater than fifty-five miles per hour but not greater
23 than sixty miles per hour from sunset to sunrise. However,
24 such an individual may be charged with unnecessary waste of a
25 resource subject to a fine as provided in paragraph "d".

26 c. An individual shall not be charged or found guilty of
27 violating subsection 7 for operating a motor vehicle at a
28 speed greater than fifty-five miles per hour but not greater
29 than sixty miles per hour from sunrise to sunset. However,
30 such an individual may be charged with unnecessary waste of a
31 resource subject to a fine as provided in paragraph "d".

32 d. An individual in violation of this subsection may be
33 charged with unnecessary waste of a resource and shall be
34 subject to a scheduled fine of five dollars as provided in
35 section 805.8, subsection 2, paragraph "g". Notwithstanding

1 any contrary provision of the Code, an individual found guilty
2 of violating this subsection is not subject to court costs and
3 is not subject to a fine surcharge as provided in chapter 911.

4 Sec. 2. Section 321.286, Code 1987, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 4. a. An individual shall not be charged
7 or found guilty of violating subsection 1 for operating a
8 freight-carrying vehicle on the interstate road system at a
9 speed greater than fifty-five miles per hour but not greater
10 than sixty-five miles per hour. However, such an individual
11 may be charged with unnecessary waste of a resource subject to
12 a fine as provided in paragraph "b".

13 b. An individual in violation of this subsection may be
14 charged with unnecessary waste of a resource and shall be
15 subject to a scheduled fine of five dollars as provided in
16 section 805.8, subsection 2, paragraph "g". Notwithstanding
17 any contrary provision of the Code, an individual found guilty
18 of violating this subsection is not subject to court costs and
19 is not subject to a fine surcharge as provided in chapter 911.

20 Sec. 3. Section 321.287, Code 1987, is amended to read as
21 follows:

22 321.287 BUS SPEED LIMITS.

23 1. No A passenger-carrying motor vehicle used as a common
24 carrier, except other than a school buses bus, shall not be
25 driven upon the highways at a greater rate of speed than
26 fifty-five miles per hour at any time. No A school bus shall
27 not be operated in violation of section 321.377.

28 2. An individual shall not be charged or found guilty of
29 violating subsection 1 for operating a motor vehicle in excess
30 of fifty-five miles per hour but not greater than sixty miles
31 per hour. However, such an individual may be charged with
32 unnecessary waste of a resource and shall be subject to a fine
33 of five dollars as provided in section 805.8, subsection 2,
34 paragraph "g". Notwithstanding any contrary provision of the
35 Code, an individual found guilty of violating this subsection

1 is not subject to court costs and is not subject to a fine
2 surcharge as provided in chapter 911.

3 Sec. 4. Section 805.8, subsection 2, paragraph g, Code
4 1987, is amended by adding the following new unnumbered
5 paragraph:

6 NEW UNNUMBERED PARAGRAPH. Notwithstanding contrary
7 provisions of this paragraph, for an individual charged with
8 unnecessary waste of a resource under section 321.285,
9 321.286, or 321.287, the scheduled fine is five dollars.

10 EXPLANATION

11 This bill provides for a five dollar fine for unnecessary
12 waste of a resource. An individual may be charged for
13 unnecessary waste of a resource for speeding violations in
14 excess of fifty-five miles per hour when the individual is
15 driving at a speed which is equal to or less than the speed
16 limit which was in effect prior to the adoption of the
17 national maximum speed limit of fifty-five miles per hour.

18 An individual who is found guilty of unnecessary waste of a
19 resource is not subject to assessment of court costs or
20 subject to a fine surcharge. However, the individual is
21 subject to the same suspension and revocation provisions as
22 provided under current law.

23
24
25
26
27
28
29
30
31
32
33
34
35