

Reprinted 3/87

FILED MAR 03 1987

SENATE FILE 311  
BY COMMITTEE ON TRANSPORTATION  
(formerly SSB 131)  
*Approved 3/3 (p 538)*

Passed Senate, Date 3-13-87 (p 675) Passed House, Date \_\_\_\_\_  
Vote: Ayes 25 Nays 4 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act increasing the speed limit to sixty-five miles per hour on  
2 fully controlled-access, divided, multilaned highways  
3 including the interstate highway system, and providing a  
4 conditional effective date.

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

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311

1 Section 1. Section 321.285, subsection 8, unnumbered  
2 paragraph 1, Code 1987, is amended to read as follows:

3 Notwithstanding any other speed restrictions, the speed  
4 ~~limits~~ limit for all vehicular traffic, except vehicles  
5 subject to the provisions of section 321.286 on fully  
6 controlled-access, divided, multilaned highways including the  
7 national system of interstate highways designated by the  
8 federal highway administration and this state (23 U.S.C. sec.  
9 103 (e) 1977) ~~shall-be-fifty-five~~ is sixty-five miles per  
10 hour. However, the department or the cities, with the  
11 approval of the department, may establish a lower speed limit  
12 upon such highways located within the corporate limits of any  
13 a city and used as city alternate routes, commonly referred to  
14 as "freeways." For the purposes of this subsection a fully  
15 controlled-access highway is a highway that gives preference  
16 to through traffic by providing access connections with  
17 selected public roads only and by prohibiting crossings at  
18 grade or direct private driveway connections. ~~It-is-further~~  
19 ~~provided-that-a~~ A minimum speed of forty miles per hour, road  
20 conditions permitting, ~~shall-be~~ is established on the highways  
21 referred to in this subsection.

22 Sec. 2. Section 321.286, subsection 1, Code 1987, is  
23 amended to read as follows:

24 1. ~~Fifty-five~~ Sixty-five miles per hour on all fully  
25 controlled-access, divided, multilaned highways including  
26 interstate highways.

27 Sec. 3. CONDITIONAL EFFECTIVE DATE. This Act takes effect  
28 from and after the date federal legislation, which modifies 23  
29 U.S.C. § 154 by approving speed limits of at least sixty-five  
30 miles per hour applicable to fully controlled-access, divided,  
31 multilaned highways, becomes law.

32 EXPLANATION

33 This bill increases the speed limit to sixty-five miles per  
34 hour on fully controlled-access, divided, multilaned highways  
35 including the interstate highway system. The bill takes

1 effect from and after the date federal legislation, approving  
2 speed limits of at least sixty-five miles per hour applicable  
3 to fully controlled-access, divided, multilaned highways,  
4 becomes law.

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SENATE FILE 311

S-3129

1 Amend Senate File 311 as follows:  
2 1. Page 1, by striking lines 27 through 31, and  
3 inserting the following:  
4 "Sec. 3. CONDITIONAL EFFECTIVE DATE AND APPLICA-  
5 TION. This Act takes effect from and after the date  
6 federal legislation, which modifies 23 U.S.C. § 154 by  
7 approving speed limits of at least sixty-five miles  
8 per hour becomes law. If the modification to 23  
9 U.S.C. § 154 allowing speed limits of at least sixty-  
10 five miles per hour does not apply to all fully  
11 controlled-access, divided, multilaned highways, this  
12 Act applies only to such highways for which a sixty-  
13 five mile per hour speed limit is permissible under  
14 the modification to 23 U.S.C. § 154."

S-3129

Filed March 10, 1987

*H/D 2/15/87 (p. 675)*

BY DONALD E. GETTINGS

RICHARD F. DRAKE

SENATE FILE 311

S-3151

1 Amend Senate File 311 as follows:  
2 1. Page 1, by striking lines 27 through 31, and  
3 inserting the following:  
4 "Sec. 3. CONDITIONAL EFFECTIVE DATE AND APPLICA-  
5 TION. This Act takes effect from and after the date  
6 federal legislation, which modifies 23 U.S.C. § 154 by  
7 approving speed limits of at least sixty-five miles  
8 per hour becomes law. If the modification to 23  
9 U.S.C. § 154 allowing speed limits of at least sixty-  
10 five miles per hour does not apply to all fully  
11 controlled-access, divided, multilaned highways, this  
12 Act applies only to such highways or sections of  
13 highways for which a sixty-five mile per hour speed  
14 limit is permissible under the modification to 23  
15 U.S.C. § 154."

S-3151

Filed March 11, 1987

*Adopted 3/12/87 (p. 675)*

BY DONALD E. GETTINGS

RICHARD F. DRAKE



3400>  
1 Section 1. Section 321.285, subsection 8, unnumbered  
2 paragraph 1, Code 1987, is amended to read as follows:  
3 Notwithstanding any other speed restrictions, the speed  
4 ~~limits~~ limit for all vehicular traffic, except vehicles  
5 subject to the provisions of section 321.286 on fully  
6 controlled-access, divided, multilaned highways including the  
7 national system of interstate highways designated by the  
8 federal highway administration and this state (23 U.S.C. sec.  
9 103 (e) 1977) ~~shall-be-fifty-five~~ is sixty-five miles per  
10 hour. However, the department or the cities, with the  
11 approval of the department, may establish a lower speed limit  
12 upon such highways located within the corporate limits of any  
13 a city and used as city alternate routes, commonly referred to  
14 as "freeways." For the purposes of this subsection a fully  
15 controlled-access highway is a highway that gives preference  
16 to through traffic by providing access connections with  
17 selected public roads only and by prohibiting crossings at  
18 grade or direct private driveway connections. ~~It-is-further~~  
19 ~~provided-that-a~~ A minimum speed of forty miles per hour, road  
20 conditions permitting, ~~shall-be~~ is established on the highways  
21 referred to in this subsection.

22 Sec. 2. Section 321.286, subsection 1, Code 1987, is  
23 amended to read as follows:

24 1. ~~Fifty-five~~ Sixty-five miles per hour on all fully  
25 controlled-access, divided, multilaned highways including  
26 interstate highways.

27 Sec. 3. CONDITIONAL EFFECTIVE DATE AND APPLICATION. This  
28 Act takes effect from and after the date federal legislation,  
29 which modifies 23 U.S.C. § 154 by approving speed limits of at  
30 least sixty-five miles per hour becomes law. If the  
31 modification to 23 U.S.C. § 154 allowing speed limits of at  
32 least sixty-five miles per hour does not apply to all fully  
33 controlled-access, divided, multilaned highways, this Act  
34 applies only to such highways or sections of highways for  
35 which a sixty-five mile per hour speed limit is permissible

1 under the modification to 23 U.S.C. § 154.

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## SENATE FILE 311

H-3570

Amend Senate File 311 as amended, passed and reprinted by the Senate as follows:

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

5 "Sec. 710. Section 321.210, unnumbered paragraph  
6 10, Code 1987, is amended to read as follows:

7 The department shall not consider or assess any  
8 points for speeding violations of ten miles per hour  
9 or less over the legal speed limit in speed zones that  
10 have a legal speed limit equal to or greater than  
11 thirty-five miles per hour but not greater than fifty-  
12 five miles per hour in determining a license  
13 suspension under this section. This paragraph shall  
14 apply to only the first two such violations which  
15 occur within any twelve-month period."

16 2. Page 1, by inserting after line 26 the  
17 following:

18 "Sec. 711. Section 321.287, Code 1987, is amended  
19 to read as follows:

20 321.287 BUS SPEED LIMITS.

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

28 3. Page 1, by inserting after line 26 the fol-  
29 lowing:

30 "Sec. 712. Section 805.8, subsection 2, paragraph  
31 g, Code 1987, is amended to read as follows:

32 g. (1) For excessive speed violations when not  
33 more than five miles per hour in excess of the limit  
34 under sections 111.36, 321.236, subsections 5 and 11,  
35 321.285, 321.286 and 321.287, the scheduled fine is  
36 ten dollars.

37 (2) Excessive speed in conjunction with a  
38 violation of section 321.278 is not a scheduled  
39 violation, whatever the amount of excess speed.

40 (3) For excessive speed violations when in excess  
41 of the limit under these sections 111.36, 321.236,  
42 subsections 5 and 11, 321.285, 321.286, and 321.287 by  
43 five or less miles per hour the fine is ten dollars,  
44 by more than five and not more than ten miles per hour  
45 the fine is twenty dollars, by more than ten and not  
46 more than fifteen miles per hour the fine is thirty  
47 dollars, by more than fifteen and not more than twenty  
48 miles per hour the fine is forty dollars, and by more  
49 than twenty miles per hour the fine is forty dollars  
50 plus two dollars for each mile per hour of excessive

H-3570

Page Two

1 speed over twenty miles per hour over the limit.  
 2 (4) Notwithstanding subparagraphs (1) and (3), for  
 3 drivers of vehicles traveling in excess of sixty-five  
 4 miles per hour when in excess of the limit under  
 5 sections 111.36, 321.236, subsections 5 and 11,  
 6 321.285, 321.286, and 321.287 by five or less miles  
 7 per hour the fine is twenty dollars, by more than five  
 8 and not more than ten miles per hour the fine is forty  
 9 dollars, by more than ten and not more than fifteen  
 10 miles per hour the fine is sixty dollars, by more than  
 11 fifteen and not more than twenty miles per hour the  
 12 fine is eighty dollars, and by more than twenty miles  
 13 per hour the fine is eighty dollars plus four dollars  
 14 for each mile per hour of excess speed over twenty  
 15 miles per hour over the limit.

16 (5) Excessive speed in whatever amount by a school  
 17 bus is not a scheduled violation under any section  
 18 listed in a subparagraph of this paragraph "g".

19 4. Page 1, line 33, by striking the word "Act"  
 20 and inserting the following: "Act, except for  
 21 sections 710, 711 and 712,".

22 5. Title page, line 1, by inserting after the  
 23 word "Act" the following: "relating to speed limits  
 24 by limiting the special treatment of speeding  
 25 violations of ten miles per hour or less over the  
 26 legal speed limit to speed zones equal to or greater  
 27 than thirty-five miles per hour but not greater than  
 28 fifty-five miles per hour and by".

29 6. Title page, line 3, by inserting after the  
 30 word "providing" the words "penalties and".

31 7. Renumber sections and correct internal  
 32 references as necessary.

H-3570 FILED APRIL 2, 1987

BY COMMITTEE ON TRANSPORTATION

*Adopted 4/20/87 (p. 1541)*

## SENATE FILE 311

H-3490

1 Amend Senate File 311 as amended, passed, and  
 2 reprinted by the Senate as follows:

3 1. By striking page 1, line 27 through page 2,  
 4 line 1 and inserting the following:

5 "Sec. \_\_\_\_ . CONDITIONAL EFFECTIVE DATE. This Act  
 6 takes effect from and after the date federal  
 7 legislation which modifies 23 U.S.C. § 154 by  
 8 approving speed limits of at least sixty-five miles  
 9 per hour for certain highways or sections of highways  
 10 becomes law."

H-3490 FILED MARCH 31, 1987

BY HALVORSON of Webster

*Lost 4/20 (p. 1542)*

HOUSE AMENDMENT TO  
SENATE FILE 311

21

1 Amend Senate File 311 as amended, passed and  
2 reprinted by the Senate as follows:

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

5 "Sec. 710. Section 321.210, unnumbered paragraph  
6 10, Code 1987, is amended to read as follows:

7 The department shall not consider or assess any  
8 points for speeding violations of ten miles per hour  
9 or less over the legal speed limit in speed zones that  
10 have a legal speed limit equal to or greater than  
11 thirty-five miles per hour but not greater than fifty-  
12 five miles per hour in determining a license  
13 suspension under this section. This paragraph shall  
14 apply to only the first two such violations which  
15 occur within any twelve-month period."

16 2. Page 1, by inserting after line 26 the  
17 following:

18 "Sec. 711. Section 321.287, Code 1987, is amended  
19 to read as follows:

20 321.287 BUS SPEED LIMITS.

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

28 3. Page 1, by inserting after line 26 the fol-  
29 lowing:

30 "Sec. 712. Section 805.8, subsection 2, paragraph  
31 g, Code 1987, is amended to read as follows:

32 g. (1) For excessive speed violations when not  
33 more than five miles per hour in excess of the limit  
34 under sections 111.36, 321.236, subsections 5 and 11,  
35 321.285, 321.286 and 321.287, the scheduled fine is  
36 ten dollars.

37 (2) Excessive speed in conjunction with a  
38 violation of section 321.278 is not a scheduled  
39 violation, whatever the amount of excess speed.

40 (3) For excessive speed violations when in excess  
41 of the limit under those sections 111.36, 321.236,  
42 subsections 5 and 11, 321.285, 321.286, and 321.287 by  
43 five or less miles per hour the fine is ten dollars,  
44 by more than five and not more than ten miles per hour  
45 the fine is twenty dollars, by more than ten and not  
46 more than fifteen miles per hour the fine is thirty  
47 dollars, by more than fifteen and not more than twenty  
48 miles per hour the fine is forty dollars, and by more  
49 than twenty miles per hour the fine is forty dollars  
plus two dollars for each mile per hour of excessive

S-3721 pg. 2

1 speed over twenty miles per hour over the limit.  
2 (4) Notwithstanding subparagraphs (1) and (3), for  
3 drivers of vehicles traveling in excess of sixty-five  
4 miles per hour when in excess of the limit under  
5 sections 111.36, 321.236, subsections 5 and 11,  
6 321.285, 321.286, and 321.287 by five or less miles  
7 per hour the fine is twenty dollars, by more than five  
8 and not more than ten miles per hour the fine is forty  
9 dollars, by more than ten and not more than fifteen  
10 miles per hour the fine is sixty dollars, by more than  
11 fifteen and not more than twenty miles per hour the  
12 fine is eighty dollars, and by more than twenty miles  
13 per hour the fine is eighty dollars plus four dollars  
14 for each mile per hour of excess speed over twenty  
15 miles per hour over the limit.

16 (5) Excessive speed in whatever amount by a school  
17 bus is not a scheduled violation under any section  
18 listed in a subparagraph of this paragraph "g".

19 4. Page 1, line 33, by striking the word "Act"  
20 and inserting the following: "Act, except for  
21 sections 710, 711 and 712,".

22 5. Page 2, line 1, by inserting after the figure  
23 "154" the following: "and subsequent modifications to  
24 23 U.S.C. § 154".

25 6. Title page, line 1, by inserting after the  
26 word "Act" the following: "relating to speed limits  
27 by limiting the special treatment of speeding  
28 violations of ten miles per hour or less over the  
29 legal speed limit to speed zones equal to or greater  
30 than thirty-five miles per hour but not greater than  
31 fifty-five miles per hour and by".

32 7. Title page, line 3, by inserting after the  
33 word "providing" the words "penalties and".

34 8. By renumbering, relettering, or redesignating  
35 and correcting internal references as necessary.

S-3721

Filed April 21, 1987

RECEIVED FROM THE HOUSE

*Senate refused to concur 4/23/87 (p. 1488)  
House concurred 4/28/87 (p. 1704)*

SENATE FILE 311

S-3732

1 Amend House amendment, S-3721, to Senate File 311  
2 as amended, passed and reprinted by the Senate as  
3 follows:

4 1. By striking page 1, line 28 through page 2,  
5 line 18.

6 2. Page 2, line 21, by inserting before the  
7 figure "711" the following: "and".

8 3. Page 2, line 21, by striking the word and  
9 figure "and 712".

10 4. Page 2, by striking lines 32 and 33.

S-3732

Filed April 22, 1987

BY C. JOSEPH COLEMAN

*Adopted 4/23/87 (p. 1485)*

SENATE FILE 311

S-3746

1 Amend the House amendment, S-3721, to Senate File  
2 311 as amended, passed and reprinted by the Senate as  
3 follows:

4 1. Page 1, line 26, by striking the word "a".

5 2. Page 2, by inserting before line 19 the  
6 following:

7 "\_\_\_\_\_. Page 1, line 28, by inserting after the  
8 word "after" the following: "the date of its  
9 enactment or".

10 \_\_\_\_\_ . Page 1, line 28, by striking the word  
11 "legislation," and inserting the following:  
12 "legislation".

13 \_\_\_\_\_ . Page 1, line 30, by inserting after the word  
14 "law" the following: ", whichever occurs later"."

S-3746

Filed April 23, 1987

BY C. JOSEPH COLEMAN

ADOPTED (p 1288)

SENATE FILE 311

H-3650

1 Amend the Committee on Transportation amendment, H-  
2 3570, to Senate File 311, as amended, passed, and  
3 reprinted by the Senate, as follows:

4 1. By striking page 1, line 28 through page 2,  
5 line 18.

6 2. Page 2, line 21, by striking the word and  
7 figures ", 711 and 712" and inserting the following:  
8 "and 711".

9 3. Page 2, by striking lines 29 and 30.

BY FEY of Scott

HALVORSON of Clayton

RENAUD of Polk

JAY of Appanoose

HARBOR of Mills

SCHRADER of Marion

H-3650 FILED APRIL 3, 1987

*Law 4/20 (p. 1541)*

SENATE FILE 311

H-3680

1 Amend Senate File 311, as amended, passed, and re-  
2 printed by the Senate, as follows:

3 1. Page 2, line 1, by inserting after the figure  
4 "154" the following: "and subsequent modifications to  
5 23 U.S.C. § 154".

H-3680 FILED APRIL 8, 1987

BY HALVORSON of Webster

*Adopted 4/20/87 (p. 1541)*

SENATE FILE 311

H-3690

1 Amend Senate File 311 as amended, passed and  
2 reprinted by the Senate as follows:

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

5 "However, peace officers, as defined in section  
6 321.1, shall not issue traffic citations to drivers of  
7 motor vehicles for traveling in excess of fifty-five  
8 miles per hour but not in excess of sixty-five miles  
9 per hour on sections of fully controlled-access,  
10 divided, multilaned highways lying outside city  
11 corporate limits."

H-3690 FILED APRIL 9, 1987

BY HALVORSON of Webster

*Law 4/20 (p. 1542)*  
*2/10*

SENATE FILE 311

H-3730

1 Amend Senate File 311 as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 1, line 28, by inserting after the word  
4 "after" the words "the date of its enactment or".

5 2. Page 1, line 28, by striking the word  
6 "legislation," and inserting the following:  
7 "legislation".

8 3. Page 1, line 30, by inserting after the word  
' "law" the following: ", whichever occurs later".

H-3730 FILED APRIL 13, 1987

BY KOENIGS OF MITCHELL

*4/25 4/20 (p. 1541)*

May 7, 1987

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 311

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 311, a bill for An Act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date, respectfully make the following report:

1. Amend House amendment, S-3721, to Senate File 311, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 26, by striking the word "a".
2. Page 1, by striking line 27 and inserting the following: "321.377.

Sec. 777. Section 321.445, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 5. The department shall adopt rules pursuant to chapter 17A providing exceptions from application of subsections 1 and 2 for front seats and front seat passengers of motor vehicles owned, leased, rented, or primarily used by physically handicapped persons who use collapsible wheelchairs.

Sec. 778. Section 321A.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The abstract of operating record provided under this section shall designate which speeding violations are for ten miles per hour or less over the legal speed limit in speed zones that have a legal speed limit equal to or greater than thirty-five miles per hour but not greater than fifty-five miles per hour.

Sec. 779. Section 507B.4, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Failure of a person to comply with section 516B.3.

Sec. 780. NEW SECTION. 516B.3 MINOR TRAFFIC VIOLATIONS NOT CONSIDERED IN ESTABLISHING RATES.

1. The commissioner shall require that insurance companies transacting business in this state not consider speeding violations for ten miles per hour or less over the legal speed limit in speed zones that have a legal speed equal to or limit greater than thirty-five miles per hour but not greater than fifty-five miles per hour for the purpose of establishing rates for motor vehicle insurance charged by the insurer and shall require that insurance companies not cancel or refuse to renew any such policy for such violations. In any twelve-month period, this section applies only to the first two such violations which occur.

2. If the rate for motor vehicle insurance is based on an operating record of a period longer than twelve months in length, the twelve-month periods under subsection 1 shall not overlap."

3. Page 2, by striking lines 3 through 15 and inserting the following: "excessive speed violations in speed zones greater than fifty-five miles per hour when in excess of the limit by five miles per hour or less the fine is ten dollars, by more than five and not more than ten miles per hour the fine is twenty dollars, by more than ten and not more than fifteen miles per hour the fine is forty dollars, by more than fifteen and not more than twenty miles per hour the fine is sixty dollars, and by more than twenty miles per hour the fine is sixty dollars plus two dollars for each mile per hour of excessive speed over twenty miles per hour over the limit."

4. Page 2, by inserting after line 18 the following:

"\_\_\_. Page 1, by inserting before line 27 the following:

"Sec. 781. Section 516B.3, created under this Act, applies to insurance policies which are issued or renewed on or after July 1, 1987. Section 778 of this Act applies to abstracts of operating records issued on or after July 1, 1987."

5. Page 2, by inserting before line 19 the following:

"\_\_\_. Page 1, line 28, by inserting after the word  
"after" the following: "the date of its enactment or".

\_\_\_ . Page 1, line 28, by striking the word "legislation,"  
and inserting the following: "legislation".

\_\_\_ . Page 1, line 30, by inserting after the word "law"  
the following: ", whichever occurs later".

6. Page 2, line 21, by inserting after the figure "711"  
the following: ", 777, 778, 779, 780, 781".

7. Page 2, line 26, by inserting after the word "to" the  
following: "motor vehicle law including".

8. Page 2, line 31, by inserting after the word "hour"  
the following: ", by requiring the state department of  
transportation to adopt rules providing exemptions from manda-  
tory seat belt requirements under certain circumstances".

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

DONALD E. GETTINGS, Chairperson  
WILLY E. HORN  
JOHN W. JENSEN

DEO KOENIGS, Chairperson  
DENNIS COHOON  
KENNETH DE GROOT  
RAYMOND LAGESCHULTE  
MARY NEUHAUSER

Filed May 6, 1987

Senate ADOPTED (j. 1746)

House Adopted 5/7 (j. 2253)

CCR -3-

SSB # 131  
Transportation

*Am*  
SF 311

SENATE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act increasing the speed limit to sixty-five miles per hour on  
2 fully controlled-access, divided, multilaned highways  
3 including the interstate highway system, and providing a  
4 conditional effective date.

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

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SUB COMMITTEE ASSIGNMENTS  
CHAIR: *Hettinger*  
COMMITTEE: *Transportation*  
*2/23/87*

1 Section 1. Section 321.285, subsection 8, unnumbered  
2 paragraph 1, Code 1987, is amended to read as follows:

3 Notwithstanding any other speed restrictions, the speed  
4 ~~limits~~ limit for all vehicular traffic, except vehicles  
5 subject to the provisions of section 321.286 on fully  
6 controlled-access, divided, multilaned highways including the  
7 national system of interstate highways designated by the  
8 federal highway administration and this state (23 U.S.C. sec.  
9 103 (e) ~~1977~~) ~~shall-be-fifty-five~~ is sixty-five miles per  
10 hour. However, the department or the cities, with the  
11 approval of the department, may establish a lower speed limit  
12 upon such highways located within the corporate limits of any  
13 a city and used as city alternate routes, commonly referred to  
14 as "freeways." For the purposes of this subsection a fully  
15 controlled-access highway is a highway that gives preference  
16 to through traffic by providing access connections with  
17 selected public roads only and by prohibiting crossings at  
18 grade or direct private driveway connections. ~~It-is-further~~  
19 ~~provided-that-a~~ A minimum speed of forty miles per hour, road  
20 conditions permitting, ~~shall-be~~ is established on the highways  
21 referred to in this subsection.

22 Sec. 2. Section 321.286, subsection 1, Code 1987, is  
23 amended to read as follows:

24 1. ~~Fifty-five~~ Sixty-five miles per hour on all fully  
25 controlled-access, divided, multilaned highways including  
26 interstate highways.

27 Sec. 3. **CONDITIONAL EFFECTIVE DATE.** This Act takes effect  
28 from and after the date federal legislation, which modifies 23  
29 U.S.C. § 154 by approving speed limits of at least sixty-five  
30 miles per hour applicable to fully controlled-access, divided,  
31 multilaned highways, becomes law.

32 **EXPLANATION**

33 This bill increases the speed limit to sixty-five miles per  
34 hour on fully controlled-access, divided, multilaned highways  
35 including the interstate highway system. The bill takes

1 effect from and after the date federal legislation, approving  
2 speed limits of at least sixty-five miles per hour applicable  
3 to fully controlled-access, divided, multilaned highways,  
4 becomes law.

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SENATE FILE 311

AN ACT

RELATING TO MOTOR VEHICLE LAW INCLUDING SPEED LIMITS BY LIMITING THE SPECIAL TREATMENT OF SPEEDING VIOLATIONS OF TEN MILES PER HOUR OR LESS OVER THE LEGAL SPEED LIMIT TO SPEED ZONES EQUAL TO OR GREATER THAN THIRTY-FIVE MILES PER HOUR BUT NOT GREATER THAN FIFTY-FIVE MILES PER HOUR, BY REQUIRING THE STATE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES PROVIDING EXEMPTIONS FOR MANDATORY SEAT BELT REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES AND BY INCREASING THE SPEED LIMIT TO SIXTY-FIVE MILES PER HOUR ON FULLY CONTROLLED-ACCESS, DIVIDED, MULTILANED HIGHWAYS INCLUDING THE INTERSTATE HIGHWAY SYSTEM, AND PROVIDING PENALTIES AND A CONDITIONAL EFFECTIVE DATE.

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

Section 1. Section 321.210, unnumbered paragraph 10, Code 1987, is amended to read as follows:

The department shall not consider or assess any points for speeding violations of ten miles per hour or less over the legal speed limit in speed zones that have a legal speed limit equal to or greater than thirty-five miles per hour but not greater than fifty-five miles per hour in determining a license suspension under this section. This paragraph shall apply to only the first two such violations which occur within any twelve-month period.

Sec. 2. Section 321.285, subsection 8, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Notwithstanding any other speed restrictions, the speed ~~limits~~ limit for all vehicular traffic, except vehicles subject to the provisions of section 321.286 on fully controlled-access, divided, multilaned highways including the national system of interstate highways designated by the

federal highway administration and this state (23 U.S.C. sec. 103 (e) 1977) ~~shall be fifty-five~~ is sixty-five miles per hour. However, the department or the cities, with the approval of the department, may establish a lower speed limit upon such highways located within the corporate limits of any a city and used as city alternate routes, commonly referred to as "freeways." For the purposes of this subsection a fully controlled-access highway is a highway that gives preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections. ~~It is further provided that a~~ A minimum speed of forty miles per hour, road conditions permitting, ~~shall be~~ is established on the highways referred to in this subsection.

Sec. 3. Section 321.286, subsection 1, Code 1987, is amended to read as follows:

1. ~~Fifty-five~~ Sixty-five miles per hour on all fully controlled-access, divided, multilaned highways including interstate highways.

Sec. 4. Section 321.287, Code 1987, is amended to read as follows:

321.287 BUS SPEED LIMITS.

No A passenger-carrying motor vehicle used as a common carrier, ~~except school buses,~~ shall not be driven upon the highways at a ~~greater rate of speed than~~ greater rate of speed than ~~fifty-five miles per hour at any time in excess of the posted maximum speed limit.~~ No A school bus shall not be operated in violation of section 321.377.

Sec. 5. Section 321.445, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The department shall adopt rules pursuant to chapter 17A providing exceptions from application of subsections 1 and 2 for front seats and front seat passengers of motor vehicles owned, leased, rented, or primarily used by physically handicapped persons who use collapsible wheelchairs.

Sec. 6. Section 321A.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The abstract of operating record provided under this section shall designate which speeding violations are for ten miles per hour or less over the legal speed limit in speed zones that have a legal speed limit equal to or greater than thirty-five miles per hour but not greater than fifty-five miles per hour.

Sec. 7. Section 507B.4, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Failure of a person to comply with section 516B.3.

Sec. 8. NEW SECTION. 516B.3 MINOR TRAFFIC VIOLATIONS NOT CONSIDERED IN ESTABLISHING RATES.

1. The commissioner shall require that insurance companies transacting business in this state not consider speeding violations for ten miles per hour or less over the legal speed limit in speed zones that have a legal speed equal to or greater than thirty-five miles per hour but not greater than fifty-five miles per hour for the purpose of establishing rates for motor vehicle insurance charged by the insurer and shall require that insurance companies not cancel or refuse to renew any such policy for such violations. In any twelve-month period, this section applies only to the first two such violations which occur.

2. If the rate for motor vehicle insurance is based on an operating record of a period longer than twelve months in length, the twelve-month periods under subsection 1 shall not overlap.

Sec. 9. Section 805.8, subsection 2, paragraph g, Code 1987, is amended to read as follows:

g. (1) For excessive speed violations when not more than five miles per hour in excess of the limit under sections 111.36, 321.236, subsections 5 and 11, 321.285, 321.286 and 321.287, the scheduled fine is ten dollars.

(2) Excessive speed in conjunction with a violation of section 321.278 is not a scheduled violation, whatever the amount of excess speed.

(3) For excessive speed violations when in excess of the limit under those sections 111.36, 321.236, subsections 5 and 11, 321.285, 321.286, and 321.287 by five or less miles per hour the fine is ten dollars, by more than five and not more than ten miles per hour the fine is twenty dollars, by more than ten and not more than fifteen miles per hour the fine is thirty dollars, by more than fifteen and not more than twenty miles per hour the fine is forty dollars, and by more than twenty miles per hour the fine is forty dollars plus two dollars for each mile per hour of excessive speed over twenty miles per hour over the limit.

(4) Notwithstanding subparagraphs (1) and (3), for excessive speed violations in speed zones greater than fifty-five miles per hour when in excess of the limit by five miles per hour or less the fine is ten dollars, by more than five and not more than ten miles per hour the fine is twenty dollars, by more than ten and not more than fifteen miles per hour the fine is forty dollars, by more than fifteen and not more than twenty miles per hour the fine is sixty dollars, and by more than twenty miles per hour the fine is sixty dollars plus two dollars for each mile per hour of excessive speed over twenty miles per hour over the limit.

(5) Excessive speed in whatever amount by a school bus is not a scheduled violation under any section listed in a subparagraph of this paragraph "g".

Sec. 10. Section 516B.3, created under this Act, applies to insurance policies which are issued or renewed on or after July 1, 1987. Section 6 of this Act applies to abstracts of operating records issued on or after July 1, 1987.

Sec. 11. CONDITIONAL EFFECTIVE DATE AND APPLICATION. This Act takes effect from and after the date of its enactment or the date federal legislation which modifies 23 U.S.C. § 154 by

approving speed limits of at least sixty-five miles per hour becomes law, whichever occurs later. If the modification to 23 U.S.C. § 154 allowing speed limits of at least sixty-five miles per hour does not apply to all fully controlled-access, divided, multilaned highways, this Act, except for sections 1, 4, 5, 6, 7, 8, 9 and 10, applies only to such highways or sections of highways for which a sixty-five mile per hour speed limit is permissible under the modification to 23 U.S.C. § 154 and subsequent modifications to 23 U.S.C. § 154.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 311, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved \_\_\_\_\_, 1987

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TERRY E. BRANSTAD  
Governor

**SF 311**