

FILED FEB 03 1988

SENATE FILE 2117  
BY COMMITTEE ON TRANSPORTATION  
(formerly 55B 2087)

Passed Senate, Date 4/25/88 Passed House, Date 4/25/88  
Vote: Ayes 42 Nays 0 Vote: Ayes 42 Nays 0

Approved May 11 1988  
Referred to the Senate

A BILL FOR

1 An Act relating to certain speeding violations of ten miles per  
2 hour or less over the legal speed limit and providing an  
3 effective date.

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

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SF 2117

1 Section 1. Section 321A.3, subsection 4, Code Supplement  
2 1987, is amended to read as follows:

3 4. The abstract of operating record provided under this  
4 section shall designate which speeding ~~violations~~ convictions  
5 occurring on or after July 1, 1986, but before May 12, 1987,  
6 are for violations of ten miles per hour or less over the  
7 legal speed limit in speed zones that have a legal speed limit  
8 equal to or greater than thirty-five miles per hour but not  
9 greater than fifty-five miles per hour. For speeding  
10 convictions occurring on or after May 12, 1987, the abstract  
11 provided under this section shall designate which speeding  
12 violations are for ten miles per hour or less over the legal  
13 speed limit in speed zones that have a legal speed limit equal  
14 to or greater than thirty-five miles per hour but not greater  
15 than fifty-five miles per hour.

16 Sec. 2. Section 516B.3, subsection 1, Code Supplement  
17 1987, is amended to read as follows:

18 1. The commissioner shall require that insurance companies  
19 transacting business in this state not consider speeding  
20 convictions occurring on or after July 1, 1986, but before May  
21 12, 1987, which are for speeding violations for ten miles per  
22 hour or less over the legal speed limit in speed zones that  
23 have a legal speed limit greater than thirty-five miles per  
24 hour or speeding convictions occurring on or after May 12,  
25 1987, which are for speeding violations for ten miles per hour  
26 or less over the legal speed limit in speed zones that have a  
27 legal speed limit equal to or greater than thirty-five miles  
28 per hour but not greater than fifty-five miles per hour for  
29 the purpose of establishing rates for motor vehicle insurance  
30 charged by the insurer and shall require that insurance  
31 companies not cancel or refuse to renew any such policy for  
32 such violations. In any twelve-month period, this section  
33 applies only to the first two such violations which occur.

34 Sec. 3. This Act, being deemed of immediate importance,  
35 takes effect upon its enactment.

## EXPLANATION

1  
2 The Seventy-second General Assembly in enacting chapter  
3 120, 1987 Acts, required the commissioner of insurance to  
4 require that insurance companies transacting business in Iowa  
5 not consider speeding violations for ten miles per hour or  
6 less over the legal speed limit in speed zones that have a  
7 legal speed limit equal to or greater than thirty-five miles  
8 per hour but not greater than fifty-five miles per hour for  
9 the purpose of establishing rates for motor vehicle insurance  
10 charged by the insurer, and the insurance companies could not  
11 cancel or refuse to renew any policy for such violations.  
12 This law applies only to the first two such violations which  
13 occur in any twelve-month period. The law applies to  
14 insurance policies issued or renewed on or after July 1, 1987.  
15 An insurance company which fails to comply with these  
16 provisions is defined as being guilty of unfair methods of  
17 competition and unfair or deceptive acts or practices in the  
18 business of insurance and subject to a monetary penalty of up  
19 to ten thousand dollars for each and every act or violation if  
20 the company refuses to follow a cease and desist order of the  
21 commissioner.

22 To allow for the insurance companies to receive  
23 documentation of the applicable speeding violations, chapter  
24 120 required the state department of transportation and  
25 sheriffs to indicate on abstracts of driving records issued by  
26 them which speeding violations were for ten miles per hour or  
27 less over the legal speed limit in speed zones having a legal  
28 speed limit equal to or greater than thirty-five miles per  
29 hour but not greater than fifty-five miles per hour. This  
30 requirement applied to abstracts of driving records issued on  
31 or after July 1, 1987.

32 This bill amends both provisions to reflect the practice of  
33 the state department of transportation. Thus the abstract of  
34 driving record would have an indication as to the severity of  
35 the violation depending upon the date of conviction. A

1 speeding violation for which the conviction occurred on or  
2 after July 1, 1986, but before May 12, 1987, would have a  
3 special notation if it was a speeding violation of ten miles  
4 per hour or less over the speed limit in speed zones greater  
5 than thirty-five miles per hour. A speeding violation for  
6 which the conviction occurred on or after May 12, 1987, would  
7 have a special notation if it was a speeding violation of ten  
8 miles per hour or less over the speed limit in speed zones  
9 equal to or greater than thirty-five miles per hour but not  
10 greater than fifty-five miles per hour. Speeding violations  
11 for which the convictions occurred prior to July 1, 1986,  
12 would have no special notation as to their severity. The bill  
13 prohibits insurance companies from considering the speeding  
14 violations which are required to be specially noted on  
15 abstracts of operating record as to their severity in  
16 establishing rates for an insured and are prohibited from  
17 canceling or refusing to renew any policy for such violations,  
18 subject to the two violations per twelve-month period  
19 limitation included in the prior law.

20 The bill, being deemed of immediate importance, takes  
21 effect upon its enactment.

22 SUCCESSOR TO SENATE STUDY BILL 2087 (LSB 7812SC)

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## SENATE FILE 2117

H-5428

1 Amend Senate File 2117 as passed by the Senate as  
2 follows:

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

5 "Sec. 777. Section 321.215, subsection 1, Code  
6 1987, is amended to read as follows:

7 1. Upon Notwithstanding sections 321.218 and  
8 321.560, upon conviction and the suspension or  
9 revocation of a person's motor vehicle license under  
10 section 321.209, subsections 5 and 6, 321.210,  
11 321.218, or 321.555, subsection 2, and upon the denial  
12 by the director of an application for a temporary  
13 restricted license, a person may apply to the district  
14 court having jurisdiction for the residence of the  
15 person for a temporary restricted permit to operate a  
16 motor vehicle to and from work and to and from school.  
17 The application may be granted only if all the  
18 following criteria is satisfied:

19 a. The restricted temporary permit is requested  
20 only for a case of extreme hardship where alternative  
21 means of transportation does not exist.

22 b. The permit applicant has not made an  
23 application for such a permit in any other district  
24 court in the state which was denied or revoked.

25 c. The permit is restricted for travel to and from  
26 work and to and from school at times specified in the  
27 permit.

28 d. Proof of financial responsibility is  
29 established as defined in chapter 321A, however, such  
30 proof is not required if the license was suspended,  
31 under section 321.513."

32 2. Page 1, by inserting after line 35 the  
33 following:

34 "Sec. \_\_\_\_ . PROSPECTIVE AND RETROACTIVE APPLI-  
35 CATION. Section 777, being deemed of immediate  
36 importance, takes effect upon its enactment. The  
37 section applies prospectively. The section also  
38 applies retroactively for persons who have had their  
39 licenses suspended or revoked under section 321.218,  
40 and notwithstanding any other provision of the Code  
41 may make application for a temporary restricted permit  
42 under section 321.215 and in such instances section  
43 321.215, subsection 1, paragraph "b" does not apply."

44 3. Title page, by striking lines 1 and 2 and  
45 inserting the following: "An Act relating to certain  
46 motor vehicle violations and providing an".

H-5428 FILED MARCH 9, 1988 BY DE GROOT of Lyon

*Called not germane 5/29 (by 1157)*

1 Amend Senate File 2117 as passed by the Senate, as  
2 follows:

3 1. Page 1, line 4, by striking the words  
4 "violations convictions" and inserting the following:  
5 "violations".

6 2. Page 1, line 10, by striking the word  
7 "convictions" and inserting the following:  
8 "violations".

9 3. Page 1, line 20, by striking the word  
10 "convictions" and inserting the following:  
11 "violations".

12 4. Page 1, line 24, by striking the word  
13 "convictions" and inserting the following:  
14 "violations".

15 5. Page 1, by inserting after line 15, the  
16 following:

17 "Sec. \_\_\_\_ . Section 321J.13, subsection 4, Code  
18 Supplement 1987, is amended to read as follows:

19 4. A person whose motor vehicle license or  
20 operating privilege has been or is being revoked under  
21 section 321J.9 or 321J.12 may reopen a department  
22 hearing on the revocation if the person submits a  
23 petition stating that new evidence has been discovered  
24 which provides grounds for rescission of the  
25 revocation, or prevail at the hearing to rescind the  
26 revocation, if the person submits a petition stating  
27 that a criminal action on a charge of a violation of  
28 section 321J.2 filed as a result of the same  
29 circumstances which resulted in the revocation has  
30 resulted in a decision in which the court has held  
31 that the peace officer did not have reasonable grounds  
32 to believe that a violation of section 321J.2 had  
33 occurred to support a request for or to administer a  
34 chemical test or which has held the chemical test to  
35 be otherwise inadmissible or invalid. Such a decision  
36 by the court is binding on the department and the  
37 department shall rescind the revocation."

38 6. Title page, by striking lines 1 and 2 and  
39 inserting the following: "An Act relating to certain  
40 motor vehicle violations and providing an".

SENATE FILE 2117

H-5542

1 Amend Senate File 2117 as passed by the Senate as  
2 follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "Section 1. Section 321.275, Code 1987, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 9. MOTORIZED BICYCLE OPERATION  
8 PROHIBITED ON CERTAIN STREETS. A person shall not  
9 operate a motorized bicycle upon the paved portion of  
10 the roadway on city streets which have speed limits in  
11 excess of thirty-five miles per hour, except for the  
12 purpose of crossing the street. As used in this  
13 subsection, "paved portion of the roadway" includes an  
14 asphalt surfaced portion of a roadway."  
15 2. Title page, lines 1 and 2, by striking the  
16 words "speeding violations of ten miles per hour or  
17 less over the legal speed limit" and inserting the  
18 following: "violations relating to speed limits".  
19 3. Renumber as necessary.

H-5542 FILED MARCH 14, 1988 BY CORBETT of Linn

*Added not printed - 2/20 (p 1136)*

SENATE FILE 2117

H-5759

1 Amend Senate File 2117 as passed by the Senate as  
2 follows:  
3 1. Page 1, by inserting before line 1 the fol-  
4 lowing:  
5 "Section 1. Section 321.12, Code 1987, is amended  
6 to read as follows:  
7 321.12 OBSOLETE RECORDS DESTROYED.  
8 The director may shall destroy any records of the  
9 department which have been maintained on file for  
10 three years which ~~the director may deem obsolete and~~  
11 ~~of no further service in carrying out the powers and~~  
12 ~~duties of the department~~ except as otherwise provided.  
13 The director shall destroy any records of the  
14 department relating to a violation of sections  
15 321.194, 321.201, 321.209, 321.210, 321.555, 321J.2,  
16 321J.9, and 321J.12, and sections 321.183, 321.281,  
17 321B.7, 321B.13, and 321B.16 as they existed prior to  
18 July 1, 1986, which have been maintained on file for  
19 six and one-half years. The director shall destroy  
20 any records of the department required under sections  
21 321.198, 321A.5, 321A.6, 321A.7, 321A.13, and 321A.16  
22 which the director deems obsolete and of no further  
23 service in carrying out the powers and duties of the  
24 department."  
25 2. By renumbering as required.

BY JAY of Appanoose

CARPENTER of Polk

H-5759 FILED MARCH 21, 1988

*Added as provided by 5 9 87  
2/29 (p 1131)*

SENATE FILE 2117

H-5760

1 Amend the amendment H-5428 to Senate File 2117 as  
2 passed by the Senate as follows:  
3 1. Page 1, line 11, by striking the word and  
4 figure "subsection 2," and inserting the following:  
5 "~~subsection-27~~".

H-5760 FILED MARCH 21, 1988 BY DE GROOT of Lyon

*Adopted 3/21 (p. 1138)*

SENATE FILE 2117

H-5798

1 Amend the amendment, H-5759, to Senate File 2117 as  
2 follows:  
3 1. Page 1, line 16, by striking the figures  
4 "321.183, 321.281" and inserting the following:  
5 "321.281, 321.283".  
6 2. Page 1, line 19, by inserting after the word  
7 "years." the following: "However, records of  
8 violations of sections 321J.2, 321J.9, and 321J.12,  
9 and sections 321.281, 321.283, 321B.7, 321B.13, and  
10 321B.16 as they existed prior to July 1, 1986, which  
11 were committed by persons operating a motor vehicle as  
12 a chauffeur shall not be destroyed unless the director  
13 deems the records obsolete and of no further service  
14 in carrying out the powers and duties of the  
15 department."

By JAY of Appanoose

H-5798 FILED MARCH 22, 1988

*Adopted 3/22 (p. 1127)  
Placed 4/0 (p. 1127)*

SENATE FILE 2117

H-5929

1 Amend the amendment, H-5759, to Senate File 2117 as  
2 passed by the Senate as follows:  
3 1. Page 1, by striking lines 3 through 24 and  
4 inserting the following:  
5 "Sec. \_\_\_\_. Page 1, by inserting after line 33 the  
6 following:  
7 "Sec. \_\_\_\_. The state department of transportation  
8 shall provide a report to the Seventy-third General  
9 Assembly on or before January 31, 1989, which shall  
10 describe the various operating records maintained by  
11 the department. The report shall include the director  
12 of transportation's recommendations concerning the  
13 appropriate length of time such records should be  
14 maintained by the department."

By CHAPMAN of Linn

H-5929 FILED MARCH 28, 1988

*Adopted 3/28 (p. 1127)*

1 Amend Senate File 2117 as passed by the Senate, as  
2 follows:

3 1. Page 1, line 4, by striking the words  
4 "~~violations convictions~~" and inserting the following:  
5 "violations".

6 2. Page 1, line 10, by striking the word  
7 "convictions" and inserting the following:  
8 "violations".

9 3. Page 1, by inserting after line 15, the  
10 following:

11 "Sec. \_\_\_\_ . Section 321J.13, subsection 4, Code  
12 Supplement 1987, is amended to read as follows:

13 4. A person whose motor vehicle license or  
14 operating privilege has been or is being revoked under  
15 section 321J.9 or 321J.12 may reopen a department  
16 hearing on the revocation if the person submits a  
17 petition stating that new evidence has been discovered  
18 which provides grounds for rescission of the  
19 revocation, or prevail at the hearing to rescind the  
20 revocation, if the person submits a petition stating  
21 that a criminal action on a charge of a violation of  
22 section 321J.2 filed as a result of the same  
23 circumstances which resulted in the revocation has  
24 resulted in a decision in which the court has held  
25 that the peace officer did not have reasonable grounds  
26 to believe that a violation of section 321J.2 had  
27 occurred to support a request for or to administer a  
28 chemical test or which has held the chemical test to  
29 be otherwise inadmissible or invalid. Such a decision  
30 by the court is binding on the department and the  
31 department shall rescind the revocation."

32 4. Page 1, line 20, by striking the word  
33 "convictions" and inserting the following:  
34 "violations".

35 5. Page 1, line 24, by striking the word  
36 "convictions" and inserting the following:  
37 "violations".

38 6. Page 1, by inserting after line 33 the  
39 following:

40 "Sec. \_\_\_\_ . The state department of transportation  
41 shall provide a report to the Seventy-third General  
42 Assembly on or before January 31, 1989, which shall  
43 describe the various operating records maintained by  
44 the department. The report shall include the director  
45 of transportation's recommendations concerning the  
46 appropriate length of time such records should be  
47 maintained by the department."

48 7. Title page, by striking lines 1 and 2 and  
49 inserting the following: "An Act relating to certain  
50 motor vehicle violations and providing an".

Page 2

1 8. By renumbering, relettering, or redesignating  
2 and correcting internal references as necessary.

FILED FEB 17 1988

STATE OF IOWA

**FISCAL NOTE**

LSB No. 7812S

Staff ID. JEM

REQ. BY SENATOR COLEMAN      SENATE FILE 2117

In compliance with a written request received February 10, 1988, a fiscal note for SENATE FILE 2117 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2117 specifies that only certain speeding violations occurring on or after July 1, 1986, in specified speed zones are required to be designated as such on driver records. The Insurance Commissioner shall require that insurance companies transacting business in the state not consider these specified violations for the purposes of establishing rates, cancelling, or refusing to renew a policy.

ASSUMPTION:

1. The Department of Transportation (DOT) began designating the specified violations since July 1, 1986. Prior to that date, information was not specified. In order to review each driver record before that date, prior to distribution, DOT requested \$2,527,000 for additional clerks. This bill would eliminate the need for the request.
2. The number of insurance agent and company prosecutions for non compliance with this bill will be minimal.

Fiscal Impact:

The fiscal impact of SF 2117 to the Insurance Division of the Department of Commerce and the Department of Transportation will be minimal.

(Source: Insurance Division and DOT)

(LSB 7812S, JEM)

*Dennis Prouty*  
Fiscal Director

Legislative Fiscal Bureau

Date: 2/15/88

SSB 2087

SSB 2087  
TRANSPORTATION

TRANSPORTATION: Coleman, Chair; Priebe and Jensen

*Now* Coleman, Ch.  
Priebe  
Jensen

SENATE FILE 2117  
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 relating to certain speeding violations of ten miles per  
2 hour or less over the legal speed limit and providing an  
3 effective date.

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

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1 Section 1. Section 321A.3, subsection 4, Code Supplement  
2 1987, is amended to read as follows:

3 4. The abstract of operating record provided under this  
4 section shall designate which speeding ~~violations~~ convictions  
5 occurring on or after July 1, 1986, but before May 12, 1987,  
6 are for violations of ten miles per hour or less over the  
7 legal speed limit in speed zones that have a legal speed limit  
8 equal-to-or greater than thirty-five miles per hour but not  
9 greater-than-fifty-five-miles-per-hour. For speeding  
10 convictions occurring on or after May 12, 1987, the abstract  
11 provided under this section shall designate which speeding  
12 violations are for ten miles per hour or less over the legal  
13 speed limit in speed zones that have a legal speed limit equal  
14 to or greater than thirty-five miles per hour but not greater  
15 than fifty-five miles per hour.

16 Sec. 2. Section 516B.3, subsection 1, Code Supplement  
17 1987, is amended to read as follows:

18 1. The commissioner shall require that insurance companies  
19 transacting business in this state not consider speeding  
20 convictions occurring on or after July 1, 1986, but before May  
21 12, 1987, which are for speeding violations for ten miles per  
22 hour or less over the legal speed limit in speed zones that  
23 have a legal speed limit greater than thirty-five miles per  
24 hour or speeding convictions occurring on or after May 12,  
25 1987, which are for speeding violations for ten miles per hour  
26 or less over the legal speed limit in speed zones that have a  
27 legal speed limit equal to or greater than thirty-five miles  
28 per hour but not greater than fifty-five miles per hour for  
29 the purpose of establishing rates for motor vehicle insurance  
30 charged by the insurer and shall require that insurance  
31 companies not cancel or refuse to renew any such policy for  
32 such violations. In any twelve-month period, this section  
33 applies only to the first two such violations which occur.

34 Sec. 3. This Act, being deemed of immediate importance,  
35 takes effect upon its enactment.

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## EXPLANATION

2 The Seventy-second General Assembly in enacting chapter  
3 120, 1987 Acts, required the commissioner of insurance to  
4 require that insurance companies transacting business in Iowa  
5 not consider speeding violations for ten miles per hour or  
6 less over the legal speed limit in speed zones that have a  
7 legal speed limit equal to or greater than thirty-five miles  
8 per hour but not greater than fifty-five miles per hour for  
9 the purpose of establishing rates for motor vehicle insurance  
10 charged by the insurer, and the insurance companies could not  
11 cancel or refuse to renew any policy for such violations.  
12 This law applies only to the first two such violations which  
13 occur in any twelve-month period. The law applies to  
14 insurance policies issued or renewed on or after July 1, 1987.  
15 An insurance company which fails to comply with these  
16 provisions is defined as being guilty of unfair methods of  
17 competition and unfair or deceptive acts or practices in the  
18 business of insurance and subject to a monetary penalty of up  
19 to ten thousand dollars for each and every act or violation if  
20 the company refuses to follow a cease and desist order of the  
21 commissioner.

22 To allow for the insurance companies to receive  
23 documentation of the applicable speeding violations, chapter  
24 120 required the state department of transportation and  
25 sheriffs to indicate on abstracts of driving records issued by  
26 them which speeding violations were for ten miles per hour or  
27 less over the legal speed limit in speed zones having a legal  
28 speed limit equal to or greater than thirty-five miles per  
29 hour but not greater than fifty-five miles per hour. This  
30 requirement applied to abstracts of driving records issued on  
31 or after July 1, 1987.

32 This bill amends both provisions to reflect the practice of  
33 the state department of transportation. Thus the abstract of  
34 driving record would have an indication as to the severity of  
35 the violation depending upon the date of conviction. A

1 speeding violation for which the conviction occurred on or  
2 after July 1, 1986, but before May 12, 1987, would have a  
3 special notation if it was a speeding violation of ten miles  
4 per hour or less over the speed limit in speed zones greater  
5 than thirty-five miles per hour. A speeding violation for  
6 which the conviction occurred on or after May 12, 1987, would  
7 have a special notation if it was a speeding violation of ten  
8 miles per hour or less over the speed limit in speed zones  
9 equal to or greater than thirty-five miles per hour but not  
10 greater than fifty-five miles per hour. Speeding violations  
11 for which the convictions occurred prior to July 1, 1986,  
12 would have no special notation as to their severity. The bill  
13 prohibits insurance companies from considering the speeding  
14 violations which are required to be specially noted on  
15 abstracts of operating record as to their severity in  
16 establishing rates for an insured and are prohibited from  
17 canceling or refusing to renew any policy for such violations,  
18 subject to the two violations per twelve-month period  
19 limitation included in the prior law. ..

20 The bill, being deemed of immediate importance, takes  
21 effect upon its enactment.

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SENATE FILE 2117

AN ACT

RELATING TO CERTAIN MOTOR VEHICLE VIOLATIONS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 321A.3, subsection 4, Code Supplement 1987, is amended to read as follows:

4. The abstract of operating record provided under this section shall designate which speeding violations occurring on or after July 1, 1986, but before May 12, 1987, are for 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. For speeding violations occurring on or after May 12, 1987, the abstract 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. 2. Section 321J.13, subsection 4, Code Supplement 1987, is amended to read as follows:

4. A person whose motor vehicle license or operating privilege has been or is being revoked under section 321J.9 or 321J.12 may reopen a department hearing on the revocation if the person submits a petition stating that new evidence has been discovered which provides grounds for rescission of the revocation, or prevail at the hearing to rescind the revocation, if the person submits a petition stating that a

criminal action on a charge of a violation of section 321J.2 filed as a result of the same circumstances which resulted in the revocation has resulted in a decision in which the court has held that the peace officer did not have reasonable grounds to believe that a violation of section 321J.2 had occurred to support a request for or to administer a chemical test or which has held the chemical test to be otherwise inadmissible or invalid. Such a decision by the court is binding on the department and the department shall rescind the revocation.

Sec. 3. Section 516B.3, subsection 1, Code Supplement 1987, is amended to read as follows:

1. The commissioner shall require that insurance companies transacting business in this state not consider speeding violations occurring on or after July 1, 1986, but before May 12, 1987, which are for speeding violations for ten miles per hour or less over the legal speed limit in speed zones that have a legal speed limit greater than thirty-five miles per hour or speeding violations occurring on or after May 12, 1987, which are for speeding violations 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 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.

Sec. 4. The state department of transportation shall provide a report to the Seventy-third General Assembly on or before January 31, 1989, which shall describe the various operating records maintained by the department. The report shall include the director of transportation's recommendations concerning the appropriate length of time such records should be maintained by the department.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon its enactment.

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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 2117, Seventy-second General Assembly.

Approved May 11, 1988

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JOHN F. DWYER  
Secretary of the Senate

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TERRY E. BRANSTAD  
Governor