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SENATE FILE
BY PATE

255

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

A BILL FOR

1 An Act increasing excessive speeding violation fines and court
2 costs for scheduled violations.

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

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1 Section 1. Section 805.6, subsection 1, paragraph a,
2 unnumbered paragraph 1, Code 1991, is amended to read as
3 follows:

4 The commissioner of public safety, the director of
5 transportation, and the director of natural resources, acting
6 jointly, shall adopt a uniform, combined citation and
7 complaint which shall be used for charging all traffic
8 violations in Iowa under state law or local regulation or
9 ordinance, and which shall be used for charging all other
10 violations which are designated by section 805.8 to be
11 scheduled violations. The filing fees and court costs in
12 cases of parking meter and overtime parking violations which
13 are denied are as stated in section 602.8106, subsection 1.
14 The court costs in scheduled violation cases where a court
15 appearance is not required are ten eighteen dollars. The
16 court costs in scheduled violation cases where a court
17 appearance is required are fifteen twenty-five dollars. This
18 subsection does not prevent the charging of any of those
19 violations by information, by private complaint filed under
20 chapter 804, or by a simple notice of fine where permitted by
21 section 321.236, subsection 1. Each uniform citation and
22 complaint shall be serially numbered and shall be in
23 quintuplicate, and the officer shall deliver the original and
24 a copy to the court where the defendant is to appear, two
25 copies to the defendant, and a copy to the law enforcement
26 agency of the officer. The court shall forward an abstract of
27 the uniform citation and complaint in accordance with section
28 321.491 when applicable.

29 Sec. 2. Section 805.8, subsection 2, paragraph g,
30 subparagraphs (3) and (4), Code 1991, are amended to read as
31 follows:

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

1 ten miles per hour the fine is twenty thirty dollars, by more
2 than ten and not more than fifteen miles per hour the fine is
3 thirty forty dollars, by more than fifteen and not more than
4 twenty miles per hour the fine is forty fifty dollars, and by
5 more than twenty miles per hour the fine is forty fifty
6 dollars plus two three dollars for each mile per hour of
7 excessive speed over twenty miles per hour over the limit.

8 (4) Notwithstanding subparagraphs (1) and (3), for
9 excessive speed violations in speed zones greater than fifty-
10 five miles per hour when in excess of the limit by five miles
11 per hour or less the fine is ten dollars, by more than five
12 and not more than ten miles per hour the fine is twenty thirty
13 dollars, by more than ten and not more than fifteen miles per
14 hour the fine is forty fifty dollars, by more than fifteen and
15 not more than twenty miles per hour the fine is sixty seventy
16 dollars, and by more than twenty miles per hour the fine is
17 sixty seventy dollars plus two three dollars for each mile per
18 hour of excessive speed over twenty miles per hour over the
19 limit.

20 EXPLANATION

21 This bill increases the court costs for scheduled
22 violations where a court appearance is not required from \$10
23 to \$18 and court costs for scheduled violations where a court
24 appearance is required from \$15 to \$25.

25 In addition, this bill increases the scheduled fines for
26 excessive speeding violations on state park and preserve
27 drives, roads, and highways pursuant to section 111.36,
28 speeding violations in public parks and public alleys pursuant
29 to section 321.236, subsections 5 and 11, general speed
30 restrictions pursuant to section 321.285, truck speed limits
31 pursuant to section 321.286, and bus speed limits pursuant to
32 section 321.287. Violations by more than five and not more
33 than 10 miles per hour are increased from \$20 to \$30.

34 Violations by more than 10 and not more than 15 miles per hour
35 are increased from \$30 to \$40. Violations by more than 15 and

1 not more than 20 miles per hour are increased from \$40 to \$50.
2 Violations by more than 20 miles per hour are increased from
3 \$40 plus \$2 for each additional mile over 20 miles per hour to
4 \$50 plus \$3 for each additional mile over 20 miles per hour.
5 This bill also increases the fines for excessive speed
6 violations in speed zones greater than 55 miles per hour.
7 Violations by more than five and not more than 10 miles per
8 hour are increased from \$20 to \$30. Violations by more than
9 10 and not more than 15 miles per hour are increased from \$40
10 to \$50. Violations by more than 15 and not more than 20 miles
11 per hour are increased from \$60 to \$70. Violations of more
12 than 20 miles per hour over the speed limit are increased from
13 \$60 plus \$2 per mile for each additional mile over 20 miles
14 per hour to \$70 plus \$3 for each additional mile over 20 miles
15 per hour.

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**SENATE FILE 255
FISCAL NOTE**

A fiscal note for Senate File 255 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 255 increases the court costs for violations where a court appearance is not required from \$10 to \$18 and court costs for violations where a court appearance is required from \$15 to \$25. In addition, this bill increases fines for speeding by \$10 and increases fines for speeds exceeding 20 mph from \$40 plus \$2 for each additional mile over 20 mph to \$50 plus \$3 for each additional mile over 20 mph. This bill also increases fines in speed zones greater than 55 mph by \$10 and increases fines for speeds exceeding 20 mph in these zones from \$60 plus \$2 for each additional mile over 20 mph to \$70 plus \$3 for each additional mile over 20 mph.

Assumptions

The number of scheduled violations paid to clerks of court during the first 6 months of FY 1991 will be similar to the number of violations in the remainder of FY 1991. This results in a total of 484,966 scheduled violations. Of these, 440,982 will have no court appearance and 43,984 will have court appearances

Fiscal Effect

440,982 violations with no court appearance x \$8 increase	\$3,527,856
43,984 violations with court appearance x \$10 increase	439,840
484,966 violations with \$10 increase in fines	4,849,660
20% surcharge on total violations	969,932
TOTAL REVENUE INCREASE	<u>\$9,787,288</u>

Distribution of Revenue	
General Fund	\$8,281,753
Judicial Retirement System	1,190,308
Victim Compensation Fund	242,483
Counties	72,744
TOTAL REVENUE INCREASE	<u>\$9,787,288</u>

(Source: Department of Justice)

(LSB 1686ss, DLR)

FILED MARCH 20, 1991

BY DENNIS PROUTY, FISCAL DIRECTOR