

Amg.

FILED FEB 03 1992

SENATE FILE 2083

BY PATE, RUNNING, and HORN

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

**A BILL FOR**

1 An Act increasing the penalty for improper use of a handicapped  
 2 identification device.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2083

1 Section 1. Section 321.236, subsection 1, paragraph a,  
2 Code 1991, is amended to read as follows:

3 a. May be charged and collected upon a simple notice of a  
4 fine payable to the city clerk or clerk of the district court,  
5 if authorized by ordinance. The fine shall not exceed five  
6 dollars except for snow route parking violations in which case  
7 the fine shall not exceed twenty-five dollars. The fine may  
8 be increased up to ten dollars if the parking violation is not  
9 paid within thirty days of the date upon which the violation  
10 occurred, if authorized by ordinance. Violations of section  
11 321L.4, subsection 2, may be charged and collected upon a  
12 simple notice of a ~~twenty-five~~ fifty dollar fine payable to  
13 the city clerk or clerk of the district court, if authorized  
14 by ordinance. No costs or other charges shall be assessed.  
15 All fines collected by a city pursuant to this paragraph shall  
16 be retained by the city and all fines collected by a county  
17 pursuant to this paragraph shall be retained by the county.

18 Sec. 2. Section 321L.4, subsection 2, Code 1991, is  
19 amended to read as follows:

20 2. The use of a handicapped parking space, located on  
21 either public or private property as provided in sections  
22 321L.5 and 321L.6, by a motor vehicle not displaying a  
23 handicapped identification device; by a motor vehicle  
24 displaying such a device but not being used by a handicapped  
25 person, as an operator or passenger; or by a motor vehicle in  
26 violation of the rules adopted by the department under section  
27 321L.8, constitutes improper use of a handicapped  
28 identification device which is a misdemeanor for which a fine  
29 shall be imposed upon the owner, operator, or lessee of the  
30 motor vehicle or the purchaser of the handicapped  
31 identification device. The fine for each violation shall be  
32 ~~twenty-five~~ fifty dollars. Proof of conviction of two or more  
33 violations involving improper use of a handicapped  
34 identification device is grounds for revocation by the court  
35 or the department of the holder's privilege to possess or use

1 the device.

2 Sec. 3. Section 805.8, subsection 2, paragraph a, Code  
3 1991, is amended to read as follows:

4 a. For parking violations under sections 321.236, 321.239,  
5 321.358, 321.360, and 321.361, the scheduled fine is five  
6 dollars. The scheduled fine for a parking violation of  
7 section 321.236 increases in an amount up to ten dollars, as  
8 authorized by ordinance pursuant to section 321.236,  
9 subsection 1, paragraph "a", if the parking violation is not  
10 paid within thirty days of the date upon which the violation  
11 occurred. For purposes of calculating the unsecured  
12 appearance bond required under section 805.6, the scheduled  
13 fine shall be five dollars. However, violations charged by a  
14 city or county upon simple notice of a fine instead of a  
15 uniform citation and complaint as permitted by section  
16 321.236, subsection 1, paragraph "a", are not scheduled  
17 violations, and this section shall not apply to any offense  
18 charged in that manner. For a parking violation under section  
19 111.38 or 321.362 the scheduled fine is ten dollars. For a  
20 parking violation under section 321L.4, subsection 2, the  
21 scheduled fine is ~~twenty-five~~ fifty dollars.

22 EXPLANATION

23 This bill increases the penalty for improper use of a  
24 handicapped identification device from \$25 to \$50.

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