

REPRINTED

FILED MAR 10 1997

*Substituted
for HF 709
4-7-97 (p.1013)
(P.635)*

SENATE FILE 379
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 54)

Passed Senate, Date 3-17-97 Passed House, Date 4-7-97 (p.1014)

Vote: Ayes 50 Nays 0 Vote: Ayes 99 Nays 0

Approved May 1, 1997

A BILL FOR

1 An Act providing for maintenance and repair of out-of-state
2 commercial vehicles and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 379

S-3135

- 1 Amend Senate File 379 as follows:
- 2 1. Page 1, by striking lines 28 and 29.
- 3 2. Title page, line 2, by striking the words "and
- 4 providing an effective date".

By JIM LIND

S-3135 FILED MARCH 17, 1997
ADOPTED (P.635)
3-17-97

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1 Section 1. NEW SECTION. 307.31 REPAIR OF OUT-OF-STATE
2 COMMERCIAL VEHICLES.

3 1. The operator of a commercial vehicle which is not
4 registered within the state as required pursuant to chapter
5 321 or 326 or which does not have an interstate fuel permit,
6 as required under chapter 452A, may enter the state and travel
7 to a commercial vehicle dealer or repair facility and exit the
8 state under the following circumstances:

9 a. If the commercial vehicle is entering the state solely
10 for the purposes of maintenance and repair to the commercial
11 vehicle and is exiting the state after having completed
12 vehicle maintenance or repair.

13 b. If the operator has obtained a temporary entry or exit
14 permit from the commercial vehicle dealer or repair facility.

15 c. If the commercial vehicle is unladen.

16 2. The department shall implement an administrative
17 process in which a commercial vehicle dealer or repair
18 facility may provide a temporary entry or exit permit to an
19 operator which authorizes the operator to enter the state or
20 exit the state as allowed under this section. Any operator of
21 a commercial vehicle who has in the operator's possession, the
22 document allowing entry into the state or exit from the state,
23 shall not be charged with a registration violation under
24 chapter 321 or 326 or with a motor vehicle fuel tax violation
25 under chapter 452A.

26 3. For purposes of this section, "commercial vehicle"
27 means as defined in section 326.2.

28 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
29 immediate importance, takes effect upon enactment.

30 EXPLANATION

31 This bill allows the operator of a commercial vehicle which
32 is not registered within the state or which does not have an
33 interstate fuel permit to enter the state and travel to a
34 commercial vehicle dealer or repair facility and exit the
35 state under the following circumstances:

1 1. The commercial vehicle is entering the state solely for
2 the purposes of maintenance and repair to the commercial
3 vehicle and is exiting the state after having completed
4 vehicle maintenance or repair.

5 2. The operator has obtained a temporary entry or exit
6 permit from the commercial vehicle dealer or repair facility.

7 3. The commercial vehicle is unladen.

8 The bill requires the state department of transportation to
9 implement an administrative process so that a commercial
10 vehicle dealer or repair facility can provide a temporary
11 entry or exit permit to an operator when the operator takes
12 the vehicle for repair or returns from having the vehicle
13 repaired. Any operator who has in the operator's possession,
14 the document allowing entry into the state or exit from the
15 state, may not be charged with a registration violation under
16 chapter 321 or 326 or with a motor vehicle fuel tax violation
17 under chapter 452A.

18 This bill is effective upon enactment.

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*Substituted
for N.F. 709
4-7-97 (p. 1013)*

SENATE FILE 379
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 54)
(AS AMENDED AND PASSED BY THE SENATE MARCH 17, 1997)

* - Language Stricken by the Senate

Re - Passed Senate, Date 4-17-97 (p. 1234) Passed House, Date 4-7-97 (p. 1014)
Vote: Ayes 45 Nays 0 Vote: Ayes 99 Nays 0
Approved May 1, 1997

A BILL FOR

1 An Act providing for maintenance and repair of out-of-state
* 2 commercial vehicles.

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

S.F. 379

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1 Section 1. NEW SECTION. 307.31 REPAIR OF OUT-OF-STATE
2 COMMERCIAL VEHICLES.

3 1. The operator of a commercial vehicle which is not
4 registered within the state as required pursuant to chapter
5 321 or 326 or which does not have an interstate fuel permit,
6 as required under chapter 452A, may enter the state and travel
7 to a commercial vehicle dealer or repair facility and exit the
8 state under the following circumstances:

9 a. If the commercial vehicle is entering the state solely
10 for the purposes of maintenance and repair to the commercial
11 vehicle and is exiting the state after having completed
12 vehicle maintenance or repair.

13 b. If the operator has obtained a temporary entry or exit
14 permit from the commercial vehicle dealer or repair facility.

15 c. If the commercial vehicle is unladen.

16 2. The department shall implement an administrative
17 process in which a commercial vehicle dealer or repair
18 facility may provide a temporary entry or exit permit to an
19 operator which authorizes the operator to enter the state or
20 exit the state as allowed under this section. Any operator of
21 a commercial vehicle who has in the operator's possession, the
22 document allowing entry into the state or exit from the state,
23 shall not be charged with a registration violation under
24 chapter 321 or 326 or with a motor vehicle fuel tax violation
25 under chapter 452A.

26 3. For purposes of this section, "commercial vehicle"
27 means as defined in section 326.2.

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SENATE FILE 379

H-1292

- 1 Amend Senate File 379, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 2, by inserting after the word
4 "COMMERCIAL" the following: "MOTOR".
5 2. Page 1, line 3, by inserting after the word
6 "commercial" the following: "motor".
7 3. Page 1, line 9, by inserting after the word
8 "commercial" the following: "motor".
9 4. Page 1, line 10, by inserting after the word
10 "commercial" the following: "motor".
11 5. Page 1, line 14, by striking the words
12 "commercial vehicle dealer or repair facility" and
13 inserting the following: "department".
14 6. Page 1, line 15, by inserting after the word
15 "commercial" the following: "motor".
16 7. Page 1, by striking lines 16 through 18 and
17 inserting the following:
18 "2. The department shall provide a temporary entry
19 and exit permit to a commercial motor vehicle".
20 8. Page 1, line 19, by striking the words "the
21 state or" and inserting the following: "and".
22 9. Page 1, line 21, by inserting after the word
23 "commercial" the following: "motor".
24 10. Page 1, line 22, by striking the word
25 "document" and inserting the following: "permit".
26 11. Page 1, line 22, by striking the word "or"
27 and inserting the following: "and".
28 12. Page 1, line 25, by inserting after the
29 figure "452A" the following: ", except for violations
30 of section 452A.74A".
31 13. Page 1, line 26, by inserting after the word
32 "commercial" the following: "motor".
33 14. Page 1, line 27, by striking the figure
34 "326.2" and inserting the following: "321.1,
35 subsection 11, paragraph "e", subparagraph (2)".
36 15. Title page, line 2, by inserting after the
37 word "commercial" the following: "motor".

By VANDE HOEF of Osceola

H-1292 FILED MARCH 24, 1997

Adopted 4-7-97 (p. 1014)

HOUSE AMENDMENT TO
SENATE FILE 379

S-3384

- 1 Amend Senate File 379, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 2, by inserting after the word
4 "COMMERCIAL" the following: "MOTOR".
5 2. Page 1, line 3, by inserting after the word
6 "commercial" the following: "motor".
7 3. Page 1, line 9, by inserting after the word
8 "commercial" the following: "motor".
9 4. Page 1, line 10, by inserting after the word
10 "commercial" the following: "motor".
11 5. Page 1, line 14, by striking the words
12 "commercial vehicle dealer or repair facility" and
13 inserting the following: "department".
14 6. Page 1, line 15, by inserting after the word
15 "commercial" the following: "motor".
16 7. Page 1, by striking lines 16 through 18 and
17 inserting the following:
18 "2. The department shall provide a temporary entry
19 and exit permit to a commercial motor vehicle".
20 8. Page 1, line 19, by striking the words "the
21 state or" and inserting the following: "and".
22 9. Page 1, line 21, by inserting after the word
23 "commercial" the following: "motor".
24 10. Page 1, line 22, by striking the word
25 "document" and inserting the following: "permit".
26 11. Page 1, line 22, by striking the word "or"
27 and inserting the following: "and".
28 12. Page 1, line 25, by inserting after the
29 figure "452A" the following: ", except for violations
30 of section 452A.74A".
31 13. Page 1, line 26, by inserting after the word
32 "commercial" the following: "motor".
33 14. Page 1, line 27, by striking the figure
34 "326.2" and inserting the following: "321.1,
35 subsection 11, paragraph "e", subparagraph (2)".
36 15. Title page, line 2, by inserting after the
37 word "commercial" the following: "motor".

RECEIVED FROM THE HOUSE

S-3384 FILED APRIL 7, 1997

Senate concurred 4-17-97 (p.1234)

SENATE FILE 379

AN ACT
PROVIDING FOR MAINTENANCE AND REPAIR OF OUT-OF-STATE
COMMERCIAL MOTOR VEHICLES.

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

Section 1. NEW SECTION. 307.31 REPAIR OF OUT-OF-STATE
COMMERCIAL MOTOR VEHICLES.

1. The operator of a commercial motor vehicle which is not registered within the state as required pursuant to chapter 321 or 326 or which does not have an interstate fuel permit, as required under chapter 452A, may enter the state and travel to a commercial vehicle dealer or repair facility and exit the state under the following circumstances:

a. If the commercial motor vehicle is entering the state solely for the purposes of maintenance and repair to the commercial motor vehicle and is exiting the state after having completed vehicle maintenance or repair.

b. If the operator has obtained a temporary entry or exit permit from the department.

c. If the commercial motor vehicle is unladen.

2. The department shall provide a temporary entry and exit permit to a commercial motor vehicle operator which authorizes the operator to enter and exit the state as allowed under this section. Any operator of a commercial motor vehicle who has in the operator's possession, the permit allowing entry into the state and exit from the state, shall not be charged with a registration violation under chapter 321 or 326 or with a motor vehicle fuel tax violation under chapter 452A, except for violations of section 452A.74A.

3. For purposes of this section, "commercial motor vehicle" means as defined in section 321.1, subsection 11, paragraph "e", subparagraph (2).

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 379, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved May 1, 1997

TERRY E. BRANSTAD
Governor