

Rittmer  
Kibbie  
Zieman  
Fraise  
Drake

SSB. 1128

Transportation

SENATE FILE \_\_\_\_\_ Succeeded By  
BY (PROPOSED COMMITTEE ON SF/HF 341)  
TRANSPORTATION BILL  
BY CHAIRPERSON RITTMER)

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

A BILL FOR

1 An Act making modifications to certain transportation-related  
2 appropriations, fines, penalties, and salvage theft  
3 examination fees and registration fees for vehicles nine model  
4 years old or older, and providing an effective date.

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

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1 Section 1. Section 312.2, subsections 15 and 18, Code  
2 2001, are amended to read as follows:

3 15. The treasurer of state, before making the allotments  
4 provided for in this section, shall credit monthly from the  
5 road use tax fund to the state department of transportation  
6 for county, city, and state traffic safety improvement  
7 projects an amount equal to ~~one-half-of~~ one percent of moneys  
8 credited to the road use tax fund.

9 18. The treasurer of state, before making the allotments  
10 provided for in this section, shall credit annually from the  
11 road use tax fund to the state department of transportation  
12 the sum of ~~six-hundred-fifty-thousand~~ one million dollars for  
13 the purpose of providing county treasurers with ~~data~~  
14 processing automation and telecommunications equipment and  
15 support for vehicle registration and titling and driver  
16 licensing. Notwithstanding section 8.33, unobligated funds  
17 credited under this subsection remaining on June 30 of the  
18 fiscal year shall not revert but shall remain available for  
19 expenditure for purposes of this subsection in subsequent  
20 fiscal years.

21 Sec. 2. Section 321.52, subsection 4, paragraph c, Code  
22 2001, is amended to read as follows:

23 c. A salvage theft examination shall be made by a peace  
24 officer who has been specially certified and recertified when  
25 required by the Iowa law enforcement academy to do salvage  
26 theft examinations. The Iowa law enforcement academy shall  
27 determine standards for training and certification, conduct  
28 training, and may approve alternative training programs ~~which~~  
29 that satisfy the academy's standards for training and  
30 certification. The owner of the salvage vehicle shall make  
31 the vehicle available for examination at a time and location  
32 designated by the peace officer doing the examination. The  
33 owner may obtain a permit to drive the vehicle to and from the  
34 examination location by submitting a repair affidavit to the  
35 agency performing the examination stating that the vehicle is

1 reasonably safe for operation and listing the repairs which  
 2 have been made to the vehicle. The owner must be present for  
 3 the examination and have available for inspection the salvage  
 4 title, bills of sale for all essential parts changed, and the  
 5 repair affidavit. The examination shall be for the purposes  
 6 of determining whether the vehicle or repair components have  
 7 been stolen. The examination is not a safety inspection and a  
 8 signed salvage theft examination certificate shall not be  
 9 construed by any court of law to be a certification that the  
 10 vehicle is safe to be operated. There shall be no cause of  
 11 action against the peace officer or the agency conducting the  
 12 examination or the county treasurer for failure to discover or  
 13 note safety defects. If the vehicle passes the theft  
 14 examination, the peace officer shall indicate that the vehicle  
 15 passed examination on the salvage theft examination  
 16 certificate. The permit and salvage theft examination  
 17 certificate shall be on controlled forms prescribed and  
 18 furnished by the department. The owner shall pay a fee of  
 19 thirty seventy-five dollars upon completion of the  
 20 examination. The agency performing the examinations shall  
 21 retain twenty sixty-five dollars of the fee and shall pay five  
 22 dollars of the fee to the department and five dollars of the  
 23 fee to the treasurer of state for deposit in the general fund  
 24 of the state. Moneys deposited to the general fund under this  
 25 paragraph are subject to the requirements of section 8.60 and  
 26 shall be used by the Iowa law enforcement academy to provide  
 27 for the special training, certification, and recertification  
 28 of officers as required by this subsection.

29 The state department of transportation shall adopt rules in  
 30 accordance with chapter 17A to carry out this section.

31 Sec. 3. Section 321.113, Code 2001, is amended to read as  
 32 follows:

33 321.113 AUTOMATIC REDUCTION.

34 1. The registration fee for a motor vehicle shall not be  
 35 automatically reduced under this section unless the

1 registration fee is based on the value and weight of the motor  
2 vehicle as provided in section 321.109, subsection 1.

3 2. After If a motor vehicle is more than five model years  
4 old, that the part of the registration fee which that is based  
5 on the value of the vehicle shall be:

6 Seventy-five seventy-five percent of the rate as fixed when  
7 the motor vehicle was new;

8 3. After If a motor vehicle is more than six model years  
9 old, the part of the registration fee that is based on the  
10 value of the vehicle shall be fifty percent; of the rate as  
11 fixed when the motor vehicle was new.

12 ~~After a motor vehicle is more than eight model years old,~~  
13 ~~that part of the registration fee based on the value of the~~  
14 ~~vehicle shall be ten percent. -- Where the ninth registration~~  
15 ~~fee for a motor vehicle has been computed and fixed by the~~  
16 ~~department prior to July 4, 1949, there shall be added to the~~  
17 ~~registration fee, in lieu of the ten percent provided for~~  
18 ~~herein, one dollar if such registration fee has been computed~~  
19 ~~and fixed at fifteen dollars or less and two dollars if the~~  
20 ~~registration fee has been computed and fixed at more than~~  
21 ~~fifteen dollars;~~

22 4. If a 1994 model year or newer motor vehicle is nine  
23 model years old or older the registration fee is thirty-five  
24 dollars. For purposes of determining the portion of the  
25 registration fee under this subsection that is based upon the  
26 value of the motor vehicle, sixty percent of the registration  
27 fee is attributable to the value of the vehicle.

28 5. a. If a 1993 model year or older motor vehicle has  
29 been titled in the same person's name since the vehicle was  
30 new or the title to the vehicle was transferred prior to  
31 January 1, 2002, the part of the registration fee that is  
32 based on the value of the vehicle shall be ten percent of the  
33 rate as fixed when the motor vehicle was new.

34 b. If the title of a 1993 or older motor vehicle is  
35 transferred to a new owner or if such a motor vehicle is

1 brought into the state on or after January 1, 2002, the  
2 registration fee shall not be based on the weight and list  
3 price of the motor vehicle, but shall be as follows:

4 (1) For a motor vehicle that is model year 1969  
5 or older:  
6 ..... \$ 16.00

7 (2) For a motor vehicle that is model year 1970  
8 through 1989:  
9 ..... \$ 23.00

10 (3) For a motor vehicle that is model year 1990  
11 through 1993:  
12 ..... \$ 27.00

13 For purposes of determining the portion of the registration  
14 fee under this paragraph "b" that is based upon the value of  
15 the motor vehicle, sixty percent of the registration fee is  
16 attributable to the value of the value.

17 Sec. 4. Section 422.9, subsection 2, paragraph g, Code  
18 2001, is amended by striking the paragraph and inserting in  
19 lieu thereof:

20 g. To the extent not otherwise included pursuant to  
21 section 164 of the Internal Revenue Code, add the amount of  
22 the annual registration fee paid for a motor vehicle pursuant  
23 to section 321.113, subsection 4, or section 321.113,  
24 subsection 5, paragraph "b", which is based upon the value of  
25 the vehicle. For purposes of this paragraph, sixty percent of  
26 the amount of the registration fee is based upon the value of  
27 the motor vehicle.

28 Sec. 5. Section 805.8, subsection 2, paragraphs m, q, r,  
29 and t, Code 2001, are amended to read as follows:

30 m. For ~~height, weight, length, width, and load~~ violations  
31 and towed vehicle violations under sections 321.309, 321.310,  
32 321.381, 321.394, 321.437, ~~321.454, 321.455, 321.456, 321.457,~~  
33 ~~321.458,~~ 321.461, and 321.462, the scheduled fine is twenty-  
34 five dollars. For height, length, width, and load violations  
35 under sections 321.454, 321.455, 321.456, 321.457, and

1 321.458, the scheduled fine is one hundred dollars. For  
2 weight violations under sections 321.459 and 321.466, the  
3 scheduled fine is twenty dollars for each two thousand pounds  
4 or fraction thereof of overweight. For abandoned vehicles  
5 under section 321.91, the scheduled fine is one hundred  
6 dollars.

7 q. For failure to have proper carrier identification  
8 markings under section 327B.1, the scheduled fine is fifteen  
9 fifty dollars.

10 r. For failure to have proper evidence of interstate  
11 authority carried or displayed under section 327B.1 and for  
12 failure to register, carry, or display evidence that  
13 interstate authority is not required under section 327B.1, the  
14 scheduled fine is one-hundred two hundred fifty dollars.

15 t. For violation of section 321.364 or rules adopted under  
16 section 321.450, the scheduled fine is fifty one hundred  
17 dollars.

18 Sec. 6. EFFECTIVE DATE. Sections 3 and 4 of this bill,  
19 amending sections 321.113 and 422.9, take effect January 1,  
20 2002.

21 EXPLANATION

22 This bill makes several Code changes in transportation-  
23 related appropriations, penalties, fines, and fees. The bill  
24 amends Code section 312.2 by modifying the off-the-top  
25 allocations from the road use tax fund to the state department  
26 of transportation for traffic safety improvement projects and  
27 for county treasurers' vehicle registration and titling  
28 equipment and support. The bill increases the monthly  
29 allocation for county, city, and state traffic safety  
30 improvement projects from .5 to 1 percent of moneys credited  
31 to the road use tax fund. The bill allows the annual  
32 allocation for county treasurers' equipment and support to be  
33 used for automation and telecommunications equipment and  
34 support for vehicle registration and titling and driver  
35 licensing rather than only for data processing equipment and

1 support for vehicle registration and titling. The bill also  
2 increases this allocation from \$650,000 annually to \$1 million  
3 annually.

4 The bill amends Code section 321.52 by increasing the fee  
5 an owner of a salvage vehicle must pay for a salvage theft  
6 examination conducted by a specially certified peace officer  
7 from \$30 to \$75. The agency performing the examination is to  
8 keep \$65 of the fee rather than \$20. The Code provides that  
9 the owner of a salvage vehicle must present a properly  
10 executed salvage theft examination certificate showing that  
11 none of the vehicle or repair components have been stolen in  
12 order to receive a regular certificate of title.

13 The bill amends Code section 321.113, relating to the  
14 automatic reduction of motor vehicle registration fees for  
15 motor vehicles that are nine model years old or older.  
16 Currently, after a motor vehicle is more than eight model  
17 years old, the part of the registration fee based on the value  
18 of the vehicle is 10 percent. The bill changes the fees for  
19 vehicles that are nine model years old or older to flat fees,  
20 based on the model year of the vehicle. However, to ensure  
21 that persons owning vehicles that are more than nine model  
22 years old or older and are registered in this state on the  
23 effective date of the amendment are not subject to a fee  
24 increase, the bill makes the flat fee schedule inapplicable to  
25 such vehicles until they are transferred to a new owner. The  
26 bill also adds provisions to Code sections 321.113 and 422.9  
27 relating to the deductibility of motor vehicle registration  
28 fees for state and federal income tax purposes. The bill  
29 provides that the portion of the applicable flat motor vehicle  
30 registration fee that is attributable to the value of the  
31 vehicle for deductibility purposes shall be 60 percent of the  
32 flat fee. The amendments to Code sections 321.113 and 422.9  
33 take effect January 1, 2002.

34 The bill amends Code section 805.8 to increase the fines  
35 for certain vehicle violations. The bill increases the fines

1 for general height, length, and width violations under Code  
2 sections 321.454 through 321.457, and for projecting load  
3 violations under Code section 321.458 from \$25 to \$100. The  
4 bill increases the fine for the failure of a motor carrier to  
5 have the proper identification markings under Code section  
6 327B.1 from \$15 to \$50. The bill increases the fine for the  
7 failure of a motor carrier to have proper evidence of  
8 interstate authority carried or displayed under Code section  
9 327B.1 and for the failure of a motor carrier to register,  
10 carry, or display evidence that interstate authority is not  
11 required under that Code section from \$100 to \$250. The bill  
12 also increases the fines for certain hazardous materials  
13 transportation violations from \$50 to \$100.

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3/13/01 Do Pass

SENATE FILE

FILED MAR 1 '01

SENATE FILE 341

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1128)

Passed Senate, <sup>(P. 876)</sup> Date 3-27-01 Passed House, Date \_\_\_\_\_  
Vote: Ayes 27 Nays 21 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act making modifications to certain transportation-related  
2 fines, penalties, and salvage theft examination fees and  
3 registration fees for vehicles nine model years old or older,  
4 and providing an effective date.

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

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SF 341

1 Section 1. Section 321.52, subsection 4, paragraph c, Code  
2 2001, is amended to read as follows:

3 c. A salvage theft examination shall be made by a peace  
4 officer who has been specially certified and recertified when  
5 required by the Iowa law enforcement academy to do salvage  
6 theft examinations. The Iowa law enforcement academy shall  
7 determine standards for training and certification, conduct  
8 training, and may approve alternative training programs which  
9 that satisfy the academy's standards for training and  
10 certification. The owner of the salvage vehicle shall make  
11 the vehicle available for examination at a time and location  
12 designated by the peace officer doing the examination. The  
13 owner may obtain a permit to drive the vehicle to and from the  
14 examination location by submitting a repair affidavit to the  
15 agency performing the examination stating that the vehicle is  
16 reasonably safe for operation and listing the repairs which  
17 have been made to the vehicle. The owner must be present for  
18 the examination and have available for inspection the salvage  
19 title, bills of sale for all essential parts changed, and the  
20 repair affidavit. The examination shall be for the purposes  
21 of determining whether the vehicle or repair components have  
22 been stolen. The examination is not a safety inspection and a  
23 signed salvage theft examination certificate shall not be  
24 construed by any court of law to be a certification that the  
25 vehicle is safe to be operated. There shall be no cause of  
26 action against the peace officer or the agency conducting the  
27 examination or the county treasurer for failure to discover or  
28 note safety defects. If the vehicle passes the theft  
29 examination, the peace officer shall indicate that the vehicle  
30 passed examination on the salvage theft examination  
31 certificate. The permit and salvage theft examination  
32 certificate shall be on controlled forms prescribed and  
33 furnished by the department. The owner shall pay a fee of  
34 thirty fifty dollars upon completion of the examination. The  
35 agency performing the examinations shall retain twenty forty

1 dollars of the fee and shall pay five dollars of the fee to  
2 the department and five dollars of the fee to the treasurer of  
3 state for deposit in the general fund of the state. Moneys  
4 deposited to the general fund under this paragraph are subject  
5 to the requirements of section 8.60 and shall be used by the  
6 Iowa law enforcement academy to provide for the special  
7 training, certification, and recertification of officers as  
8 required by this subsection.

9 The state department of transportation shall adopt rules in  
10 accordance with chapter 17A to carry out this section.

11 Sec. 2. Section 321.113, Code 2001, is amended to read as  
12 follows:

13 321.113 AUTOMATIC REDUCTION.

14 1. The registration fee for a motor vehicle shall not be  
15 automatically reduced under this section unless the  
16 registration fee is based on the value and weight of the motor  
17 vehicle as provided in section 321.109, subsection 1.

18 2. After If a motor vehicle is more than five model years  
19 old, that the part of the registration fee which that is based  
20 on the value of the vehicle shall be:

21 Seventy-five seventy-five percent of the rate as fixed when  
22 the motor vehicle was new.

23 3. After If a motor vehicle is more than six model years  
24 old, the part of the registration fee that is based on the  
25 value of the vehicle shall be fifty percent; of the rate as  
26 fixed when the motor vehicle was new.

27 ~~After a motor vehicle is more than eight model years old,~~  
28 ~~that part of the registration fee based on the value of the~~  
29 ~~vehicle shall be ten percent. -- Where the ninth registration~~  
30 ~~fee for a motor vehicle has been computed and fixed by the~~  
31 ~~department prior to July 4, 1949, there shall be added to the~~  
32 ~~registration fee, in lieu of the ten percent provided for~~  
33 ~~herein, one dollar if such registration fee has been computed~~  
34 ~~and fixed at fifteen dollars or less and two dollars if the~~  
35 ~~registration fee has been computed and fixed at more than~~

1 fifteen-dollars:

2 4. If a 1994 model year or newer motor vehicle is nine  
3 model years old or older the registration fee is thirty-five  
4 dollars. For purposes of determining the portion of the  
5 registration fee under this subsection that is based upon the  
6 value of the motor vehicle, sixty percent of the registration  
7 fee is attributable to the value of the vehicle.

8 5. a. If a 1993 model year or older motor vehicle has  
9 been titled in the same person's name since the vehicle was  
10 new or the title to the vehicle was transferred prior to  
11 January 1, 2002, the part of the registration fee that is  
12 based on the value of the vehicle shall be ten percent of the  
13 rate as fixed when the motor vehicle was new.

14 b. If the title of a 1993 or older motor vehicle is  
15 transferred to a new owner or if such a motor vehicle is  
16 brought into the state on or after January 1, 2002, the  
17 registration fee shall not be based on the weight and list  
18 price of the motor vehicle, but shall be as follows:

19 (1) For a motor vehicle that is model year 1969  
20 or older:

21 ..... \$ 16.00

22 (2) For a motor vehicle that is model year 1970  
23 through 1989:

24 ..... \$ 23.00

25 (3) For a motor vehicle that is model year 1990  
26 through 1993:

27 ..... \$ 27.00

28 For purposes of determining the portion of the registration  
29 fee under this paragraph "b" that is based upon the value of  
30 the motor vehicle, sixty percent of the registration fee is  
31 attributable to the value of the value.

32 Sec. 3. Section 422.9, subsection 2, paragraph g, Code  
33 2001, is amended by striking the paragraph and inserting in  
34 lieu thereof:

35 g. To the extent not otherwise included pursuant to

1 section 164 of the Internal Revenue Code, add the amount of  
2 the annual registration fee paid for a motor vehicle pursuant  
3 to section 321.113, subsection 4, or section 321.113,  
4 subsection 5, paragraph "b", which is based upon the value of  
5 the vehicle. For purposes of this paragraph, sixty percent of  
6 the amount of the registration fee is based upon the value of  
7 the motor vehicle.

8 Sec. 4. Section 805.8, subsection 2, paragraphs m, q, r,  
9 and t, Code 2001, are amended to read as follows:

10 m. For ~~height, weight, length, width, and~~ load violations  
11 and towed vehicle violations under sections 321.309, 321.310,  
12 321.381, 321.394, 321.437, ~~321.454, 321.455, 321.456, 321.457,~~  
13 ~~321.458,~~ 321.461, and 321.462, the scheduled fine is twenty-  
14 five dollars. For height, length, width, and load violations  
15 under sections 321.454, 321.455, 321.456, 321.457, and  
16 321.458, the scheduled fine is one hundred dollars. For  
17 weight violations under sections 321.459 and 321.466, the  
18 scheduled fine is twenty dollars for each two thousand pounds  
19 or fraction thereof of overweight. For abandoned vehicles  
20 under section 321.91, the scheduled fine is one hundred  
21 dollars.

22 q. For failure to have proper carrier identification  
23 markings under section 327B.1, the scheduled fine is ~~fifteen~~  
24 fifty dollars.

25 r. For failure to have proper evidence of interstate  
26 authority carried or displayed under section 327B.1 and for  
27 failure to register, carry, or display evidence that  
28 interstate authority is not required under section 327B.1, the  
29 scheduled fine is ~~one-hundred~~ two hundred fifty dollars.

30 t. For violation of section 321.364 or rules adopted under  
31 section 321.450, the scheduled fine is ~~fifty~~ one hundred  
32 dollars.

33 Sec. 5. EFFECTIVE DATE. Sections 2 and 3 of this Act,  
34 amending sections 321.113 and 422.9, take effect January 1,  
35 2002.

1 EXPLANATION

2 This bill makes several Code changes in transportation-  
3 related penalties, fines, and fees.

4 The bill amends Code section 321.52 by increasing the fee  
5 an owner of a salvage vehicle must pay for a salvage theft  
6 examination conducted by a specially certified peace officer  
7 from \$30 to \$50. The agency performing the examination is to  
8 keep \$40 of the fee rather than \$20. The Code provides that  
9 the owner of a salvage vehicle must present a properly  
10 executed salvage theft examination certificate showing that  
11 none of the vehicle or repair components have been stolen in  
12 order to receive a regular certificate of title.

13 The bill amends Code section 321.113, relating to the  
14 automatic reduction of motor vehicle registration fees for  
15 motor vehicles that are nine model years old or older.  
16 Currently, after a motor vehicle is more than eight model  
17 years old, the part of the registration fee based on the value  
18 of the vehicle is 10 percent. The bill changes the fees for  
19 vehicles that are nine model years old or older to flat fees,  
20 based on the model year of the vehicle. However, to ensure  
21 that persons owning vehicles that are more than nine model  
22 years old or older and are registered in this state on the  
23 effective date of the amendment are not subject to a fee  
24 increase, the bill makes the flat fee schedule inapplicable to  
25 such vehicles until they are transferred to a new owner. The  
26 bill also adds provisions to Code sections 321.113 and 422.9  
27 relating to the deductibility of motor vehicle registration  
28 fees for state and federal income tax purposes. The bill  
29 provides that the portion of the applicable flat motor vehicle  
30 registration fee that is attributable to the value of the  
31 vehicle for deductibility purposes shall be 60 percent of the  
32 flat fee. The amendments to Code sections 321.113 and 422.9  
33 take effect January 1, 2002.

34 The bill amends Code section 805.8 to increase the fines  
35 for certain vehicle violations. The bill increases the fines

1 for general height, length, and width violations under Code  
2 sections 321.454 through 321.457, and for projecting load  
3 violations under Code section 321.458 from \$25 to \$100. The  
4 bill increases the fine for the failure of a motor carrier to  
5 have the proper identification markings under Code section  
6 327B.1 from \$15 to \$50. The bill increases the fine for the  
7 failure of a motor carrier to have proper evidence of  
8 interstate authority carried or displayed under Code section  
9 327B.1 and for the failure of a motor carrier to register,  
10 carry, or display evidence that interstate authority is not  
11 required under that Code section from \$100 to \$250. The bill  
12 also increases the fines for certain hazardous materials  
13 transportation violations from \$50 to \$100.

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**SENATE FILE 341**

**S-3201**

1 Amend Senate File 341 as follows:

2 1. By striking page 1, line 1, through page 2,  
3 line 10.

4 2. Title page, line 2, by striking the words  
5 "salvage theft examination fees and".

6 3. By renumbering, redesignating, and correcting  
7 internal references as necessary.

By MATT McCOY

JOANN JOHNSON

STEVEN D. HANSEN

MAGGIE TINSMAN

MIKE SEXTON

**S-3201 FILED MARCH 20, 2001**

*Adapted 3/27/01 (p. 875)*

**SENATE FILE 341**

**S-3267**

1 Amend Senate File 341 as follows:

2 1. Page 4, by striking lines 8 through 32.

3 2. Title page, line 2, by striking the words  
4 "fines, penalties," and inserting the following:  
5 "penalties".

6 3. By renumbering, redesignating, and correcting  
7 internal references as necessary.

By SHELDON RITTMER

**S-3267 FILED MARCH 27, 2001**

WITHDRAWN

*(P. 875)*

**SENATE FILE 341  
FISCAL NOTE**

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The estimate for **Senate File 341** is hereby submitted as a fiscal note pursuant to Joint Rule 17, Code of Iowa. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 341 makes several changes to fees and fines related to transportation.

1. The Bill increases the salvage theft examination fee from \$30 to \$50 and changes the amount that an agency performing the exam may retain from \$20 to \$40.
2. The Bill changes the registration fee of vehicles that are nine model years old or older from a fee based on 10.0% of the value to a flat fee. The fee change is only applicable when the vehicles are transferred to a new owner.
3. The Bill increases fines for certain truck violations as follows:
  - a. For general height, length, width, and projecting load violations the fine is increased from \$25 to \$100.
  - b. For failure of a motor carrier to have proper identification markings the fine is increased from \$15 to \$50.
  - c. For failure of a motor carrier to have proper evidence of interstate authority the fine is increased from \$100 to \$250.
  - d. For certain hazardous material transportation violations the fine is increased from \$50 to \$100.

**ASSUMPTIONS**

1. There are approximately of 12,600 salvage theft examinations performed annually. Of these, approximately 8,000 are performed by the Department of Transportation (DOT) investigators and 4,600 by other law enforcement agencies. Under current law, the agency conducting the examination is allowed to retain \$20 of the \$30 fee. However, the amount retained by the DOT is deposited into the Road Use Tax Fund. Of the remaining \$10, \$5 is transferred to the DOT for costs of forms and materials and \$5 to the General Fund. Senate File 341 increases the fee to \$50 and allows the agency conducting the examination to retain \$40.
2. The number of citations issued annually for the truck violations will be the same as the number issued between October 1, 1999, through September 30, 2000. The number of citations issued are listed below by violation:
  - a. 912 for height, length, width, and projecting load violations.
  - b. 693 for failure of a motor carrier to have proper identification markings.
  - c. 481 for failure of a motor carrier to have proper evidence of interstate authority.

-2-

d. 726 for certain hazardous material transportation violations.

**FISCAL IMPACT**

Senate File 341 will not have any fiscal impact on the General Fund. The Bill will result in a total increase of approximately \$361,000 in revenue to the Road Use Tax Fund. This includes \$160,000 from increased salvage theft exam fees and \$201,000 from the increased fines for truck violations.

Section 2 of the Bill, which pertains to the change in the automatic vehicle registration reduction, will not have a significant fiscal effect on the Road Use Tax Fund.

**SOURCE**

Department of Transportation

(LSB 2442SV, DLR)

FILED MARCH 6, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 341  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1128)

(AS AMENDED AND PASSED BY THE SENATE MARCH 27, 2001)

\* - Language Stricken by the Senate

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

**A BILL FOR**

1 An Act making modifications to certain transportation-related  
2 fines, penalties, and registration fees for vehicles nine  
3 model years old or older, and providing an effective date.

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

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S.F. 341

\*1 Section 1. Section 321.113, Code 2001, is amended to read  
2 as follows:

3 321.113 AUTOMATIC REDUCTION.

4 1. The registration fee for a motor vehicle shall not be  
5 automatically reduced under this section unless the  
6 registration fee is based on the value and weight of the motor  
7 vehicle as provided in section 321.109, subsection 1.

8 2. After If a motor vehicle is more than five model years  
9 old, that the part of the registration fee which that is based  
10 on the value of the vehicle shall be:

11 Seventy-five seventy-five percent of the rate as fixed when  
12 the motor vehicle was new.

13 3. After If a motor vehicle is more than six model years  
14 old, the part of the registration fee that is based on the  
15 value of the vehicle shall be fifty percent; of the rate as  
16 fixed when the motor vehicle was new.

17 ~~After a motor vehicle is more than eight model years old,~~  
18 ~~that part of the registration fee based on the value of the~~  
19 ~~vehicle shall be ten percent.--Where the ninth registration~~  
20 ~~fee for a motor vehicle has been computed and fixed by the~~  
21 ~~department prior to July 4, 1949, there shall be added to the~~  
22 ~~registration fee, in lieu of the ten percent provided for~~  
23 ~~herein, one dollar if such registration fee has been computed~~  
24 ~~and fixed at fifteen dollars or less and two dollars if the~~  
25 ~~registration fee has been computed and fixed at more than~~  
26 ~~fifteen dollars.~~

27 4. If a 1994 model year or newer motor vehicle is nine  
28 model years old or older the registration fee is thirty-five  
29 dollars. For purposes of determining the portion of the  
30 registration fee under this subsection that is based upon the  
31 value of the motor vehicle, sixty percent of the registration  
32 fee is attributable to the value of the vehicle.

33 5. a. If a 1993 model year or older motor vehicle has  
34 been titled in the same person's name since the vehicle was  
35 new or the title to the vehicle was transferred prior to

1 January 1, 2002, the part of the registration fee that is  
2 based on the value of the vehicle shall be ten percent of the  
3 rate as fixed when the motor vehicle was new.

4 b. If the title of a 1993 or older motor vehicle is  
5 transferred to a new owner or if such a motor vehicle is  
6 brought into the state on or after January 1, 2002, the  
7 registration fee shall not be based on the weight and list  
8 price of the motor vehicle, but shall be as follows:

9 (1) For a motor vehicle that is model year 1969  
10 or older:

11 ..... \$ 16.00

12 (2) For a motor vehicle that is model year 1970  
13 through 1989:

14 ..... \$ 23.00

15 (3) For a motor vehicle that is model year 1990  
16 through 1993:

17 ..... \$ 27.00

18 For purposes of determining the portion of the registration  
19 fee under this paragraph "b" that is based upon the value of  
20 the motor vehicle, sixty percent of the registration fee is  
21 attributable to the value of the value.

22 Sec. 2. Section 422.9, subsection 2, paragraph g, Code  
23 2001, is amended by striking the paragraph and inserting in  
24 lieu thereof:

25 g. To the extent not otherwise included pursuant to  
26 section 164 of the Internal Revenue Code, add the amount of  
27 the annual registration fee paid for a motor vehicle pursuant  
28 to section 321.113, subsection 4, or section 321.113,  
29 subsection 5, paragraph "b", which is based upon the value of  
30 the vehicle. For purposes of this paragraph, sixty percent of  
31 the amount of the registration fee is based upon the value of  
32 the motor vehicle.

33 Sec. 3. Section 805.8, subsection 2, paragraphs m, q, r,  
34 and t, Code 2001, are amended to read as follows:

35 m. For height<sub>7</sub>-weight<sub>7</sub>-length<sub>7</sub>-width<sub>7</sub>-and load violations

1 and towed vehicle violations under sections 321.309, 321.310,  
2 321.381, 321.394, 321.437, ~~321.454, 321.455, 321.456, 321.457,~~  
3 ~~321.458,~~ 321.461, and 321.462, the scheduled fine is twenty-  
4 five dollars. For height, length, width, and load violations  
5 under sections 321.454, 321.455, 321.456, 321.457, and  
6 321.458, the scheduled fine is one hundred dollars. For  
7 weight violations under sections 321.459 and 321.466, the  
8 scheduled fine is twenty dollars for each two thousand pounds  
9 or fraction thereof of overweight. For abandoned vehicles  
10 under section 321.91, the scheduled fine is one hundred  
11 dollars.

12 q. For failure to have proper carrier identification  
13 markings under section 327B.1, the scheduled fine is fifteen  
14 fifty dollars.

15 r. For failure to have proper evidence of interstate  
16 authority carried or displayed under section 327B.1 and for  
17 failure to register, carry, or display evidence that  
18 interstate authority is not required under section 327B.1, the  
19 scheduled fine is one-hundred two hundred fifty dollars.

20 t. For violation of section 321.364 or rules adopted under  
21 section 321.450, the scheduled fine is fifty one hundred  
22 dollars.

23 Sec. 4. EFFECTIVE DATE. Sections 1 and 2 of this Act,  
24 amending sections 321.113 and 422.9, take effect January 1,  
25 2002.

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