

**CHAPTER 1212****TRESPASS UPON PUBLIC ROAD***H.F. 2258*

**AN ACT** relating to trespass upon the right-of-way of a public road or highway.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 716.7, Code 1987, is amended by adding the following new subsection:  
**NEW SUBSECTION. 4.** The term "trespass" does not mean the entering upon the right-of-way of a public road or highway.

Approved May 11, 1988

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**CHAPTER 1213****TAX LEVY FOR CITY LIBRARIES***H.F. 665*

**AN ACT** authorizing a tax levy for city libraries by petition and referendum.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 384.12, Code 1987, is amended by adding the following new subsection:  
**NEW SUBSECTION. 20.** A tax not to exceed twenty-seven cents per thousand dollars of assessed value for support of a public library, subject to petition and referendum requirements of subsection 1, except that if a majority approves the levy, it shall be imposed.

Approved May 11, 1988

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**CHAPTER 1214****MOTOR VEHICLE SPEEDING AND OWI VIOLATIONS***S.F. 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.

Approved May 11, 1988

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## CHAPTER 1215

### MOTOR VEHICLE TITLING, REGISTRATION, AND PLATES

*S.F. 2039*

**AN ACT** allowing certain personalized vehicle registration plates to contain up to seven characters, relating to the issuance of registration plates by equalizing penalties for late renewals, relating to the issuance of registration plates by providing for the issuance of collegiate registration plates, relating to the issuance of registration plates by providing for the issuance of congressional medal of honor plates, relating to the titling and registration of motor vehicles, and by including an appropriation, and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.34, subsection 5, paragraph a, Code Supplement 1987, is amended to read as follows: