

analysis of data, and performance improvement strategies.

A An evaluator license is valid for a period of five years from its issuance and is renewable upon meeting renewal requirements established by the board of educational examiners. The holder of a license with an evaluator endorsement must complete evaluation coursework as part of license renewal requirements. The board of educational examiners shall develop renewal requirements for holders of evaluator endorsements. To be eligible for an evaluator license or evaluator endorsement, an individual must hold either a teacher's license or administrative license issued by the board of educational examiners. An individual possessing a permanent teaching license which remains in force shall be issued an evaluator license.

Approved April 15, 1996

CHAPTER 1088

SPECIAL REGISTRATION PLATES AND RELATED MATTERS

H.F. 514

AN ACT relating to Iowa motor vehicle registration plates, by providing for special United States armed forces retired plates, special Iowa heritage plates and an Iowa heritage fund, education plates and transfer and appropriation of revenue from the sale of the plates to the school budget review committee, and special silver and bronze star plates, providing for special registration plates with distinguishing processed emblems, providing for required plate specifications, making penalties applicable, and providing an effective date.

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

Section 1. Section 257.31, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 17. a. If a district's average transportation costs per pupil exceed the state average transportation costs per pupil determined under paragraph "c" by one hundred fifty percent, the committee may grant transportation assistance aid to the district. Such aid shall be miscellaneous income and shall not be included in district cost.

b. To be eligible for transportation assistance aid, a school district shall annually certify its actual cost for all children transported in all school buses not later than July 31 after each school year on forms prescribed by the committee.

c. A district's average transportation costs per pupil shall be determined by dividing the district's actual cost for all children transported in all school buses for a school year pursuant to section 285.1, subsection 12, less the amount received for transporting nonpublic school pupils under section 285.1, by the district's actual enrollment for the school year excluding the shared-time enrollment for the school year as defined in section 257.6. The state average transportation costs per pupil shall be determined by dividing the total actual costs for all children transported in all districts for a school year, by the total of all districts' actual enrollments for the school year.

d. Funds transferred to the committee in accordance with section 321.34, subsection 18, are appropriated to and may be expended for the purposes of the committee, as described in this section. However, highest priority shall be given to districts that meet the conditions described in this subsection. Notwithstanding any other provision of the Code, unencumbered or unobligated funds transferred to the committee pursuant to section 321.34, subsection 18, remaining on June 30 of the fiscal year for which the funds were transferred,

shall not revert but shall be available for expenditure for the purposes of this subsection in subsequent fiscal years.

Sec. 2. NEW SECTION. 303.9A IOWA HERITAGE FUND.

1. An Iowa heritage fund is created in the state treasury to be administered by the state historical society board of trustees. The fund shall consist of all moneys allocated to the fund by the treasurer of state.

2. Moneys in the fund shall be used in accordance with the following:

a. Sixty-five percent shall be retained by the state historical society and used to maintain and expand Iowa's history curriculum, to provide teacher training in Iowa history, and to support museum exhibits, historic sites, and adult education programs.

b. Five percent shall be retained by the state historical society to be used for start-up costs for the one hundred seventy-fifth and two hundredth anniversaries of Iowa statehood.

c. Five percent shall be retained by the state historical society to be used for the promotion of the sale of the Iowa heritage registration plate issued under section 321.34.

Sec. 3. Section 321.34, subsection 11, Code Supplement 1995, is amended to read as follows:

11. CONGRESSIONAL MEDAL OF HONOR PLATES. The owner of a motor vehicle subject to registration under section 321.109, subsection 1, light delivery truck, panel delivery truck or pickup who has been awarded the congressional medal of honor may, upon written application to the department, order special registration plates which shall be red, white, and blue in color and shall bear an emblem of the congressional medal of honor and an identifying number. Each applicant applying for special registration plates under this subsection may purchase only one set of registration plates under this subsection. The application is subject to approval by the department and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The special plates are subject to an annual registration fee of fifteen dollars. The department shall validate the special plates in the same manner as regular registration plates are validated under this section. The department shall not issue special registration plates until service organizations in the state have furnished the department either the special dies or the cost of the special dies necessary for the manufacture of the special registration plate.

The surviving spouse of a person who was issued special plates under this subsection may continue to use the special plates subject to registration of the special plates in the surviving spouse's name and upon payment of the fifteen dollar annual registration fee. If the surviving spouse remarries, the surviving spouse shall return the special plates to the department and the department shall issue regular registration plates to the surviving spouse.

Sec. 4. Section 321.34, Code Supplement 1995, is amended by adding the following new subsections:

NEW SUBSECTION. 18. SPECIAL REGISTRATION PLATES - GENERAL PROVISIONS.

a. The owner of a motor vehicle subject to registration pursuant to section 321.109, subsection 1, light delivery truck, panel delivery truck, pickup, motor home, multipurpose vehicle, or travel trailer may, upon written application to the department, order special registration plates with a distinguishing processed emblem as authorized by this section or as approved by the department. The fee for the issuance of special registration plates is twenty-five dollars for each vehicle, unless otherwise provided by this section, which fee is in addition to the regular annual registration fee. The county treasurer shall validate special registration plates with a distinguishing processed emblem in the same manner as regular registration plates, upon payment of five dollars in addition to the regular annual registration fee.

b. Upon receipt of a special registration plate with a distinguishing processed emblem as authorized by this section or as approved by the department, the applicant shall surrender the regular registration plates to the county treasurer. An applicant no longer eligible for a special registration plate shall surrender the special vehicle registration plates to the county treasurer for issuance of regular registration plates.

c. An applicant may, upon payment of the additional fee for a personalized plate as provided in subsection 5, obtain a personalized special registration plate with a processed emblem. Personalized plates authorized by this section with the processed emblem shall be limited to no more than five initials, letters, or combinations of numerals and letters.

NEW SUBSECTION. 19. NEW SPECIAL REGISTRATION PLATES - DEPARTMENT REVIEW.

a. Any person may submit a request to the department to recommend a new special registration plate with a processed emblem. The request shall provide a proposed design for the processed emblem, the purpose of the special registration plate with the processed emblem, any eligibility requirements for purchase or receipt of the special registration plate with the processed emblem, and evidence there is sufficient interest in the special registration plate with the processed emblem to pay implementation costs. The department shall consider the request and make a recommendation based upon criteria established by the department which shall include consideration of the information included in the request, the number of special registration plates with processed emblems currently authorized, and any other relevant factors.

b. If a request for a proposed special registration plate with a processed emblem meets the criteria established by the department, the department shall, in consultation with the persons seeking the special registration plate with the processed emblem, approve a recommended design for the processed emblem, and propose eligibility requirements for the special registration plate with the processed emblem.

c. If the department recommends approval of a proposed special registration plate, the department shall forward the recommendation to the committees on transportation of the general assembly by January 15 of each year. The proposed special registration plate shall not be issued unless the special registration plate is enacted into law.

NEW SUBSECTION. 20. HANDICAPPED SPECIAL PLATES. An owner referred to in subsection 18, who is a handicapped person, or who is the parent or guardian of a child who resides with the parent or guardian owner and who is a handicapped person, as defined in section 321L.1, may, upon written application to the department, order special registration plates with a handicapped processed emblem designed by the department bearing the international symbol of accessibility. The special registration plates with a handicapped processed emblem shall only be issued if the application is accompanied with a statement from a physician licensed under chapter 148, 149, 150, or 150A, or a chiropractor licensed under chapter 151, written on the physician's or chiropractor's stationery, stating the nature of the applicant's or the applicant's child's handicap and such additional information as required by rules adopted by the department, including proof of residency of a child who is a handicapped person. If the application is approved by the department the special registration plates with a handicapped processed emblem shall be issued to the applicant. There shall be no fee in addition to the regular annual registration fee for the special registration plates with a handicapped processed emblem. The authorization for special registration plates with a handicapped processed emblem shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle or the owner's child is still a handicapped person as defined in section 321L.1, unless the applicant has previously provided satisfactory evidence to the department that the owner of the vehicle or the owner's child is permanently handicapped in which case the furnishing of additional evidence shall not be required for renewal. However, an owner who has a child who is a handicapped person shall provide satisfactory evidence to the department that the handicapped child continues to reside with the owner.

The registration plates with a handicapped processed emblem shall be surrendered in exchange for regular registration plates as provided in subsection 18 when the owner of the motor vehicle or the owner's child no longer qualifies as a handicapped person as defined in section 321L.1 or when the owner's child who is a handicapped person no longer resides with the owner.

NEW SUBSECTION. 21. EX-PRISONER OF WAR SPECIAL PLATES. An owner referred to in subsection 18, who was a prisoner of war during the second world war at any time between December 7, 1941, and December 31, 1946, the Korean conflict at any time between June 25, 1950, and January 31, 1955, or the Vietnam conflict at any time between August 5, 1964, and June 30, 1973, all dates inclusive, may upon written application to the department, order special registration plates with an ex-prisoner of war processed emblem with the emblem designed by the department in cooperation with the adjutant general which emblem signifies that the owner was a prisoner of war as described in this subsection. The application is subject to approval by the department, in consultation with the adjutant general.

The surviving spouse of a person who was issued special plates under this subsection may continue to use the special plates subject to registration of the special plates in the surviving spouse's name and upon payment of the annual registration fee. If the surviving spouse remarries, the surviving spouse shall return the special plates to the department and the department shall issue regular registration plates to the surviving spouse.

NEW SUBSECTION. 22. NATIONAL GUARD SPECIAL PLATES. An owner referred to in subsection 18, who is a member of the national guard, as defined in chapter 29A, may upon written application to the department, order special registration plates with a national guard processed emblem with the emblem designed by the department in cooperation with the adjutant general which emblem signifies that the applicant is a member of the national guard. The application shall be approved by the department in consultation with the adjutant general. Special registration plates with a national guard processed emblem shall be surrendered, as provided in subsection 18, in exchange for regular registration plates upon termination of the owner's membership in the active national guard.

NEW SUBSECTION. 23. PEARL HARBOR SPECIAL PLATES. An owner referred to in subsection 18, who was at Pearl Harbor, Hawaii, as a member of the armed services of the United States on December 7, 1941, may, upon written application to the department, order special registration plates with a Pearl Harbor processed emblem. The emblem shall be designed by the department in consultation with service organizations. The application is subject to approval by the department.

NEW SUBSECTION. 24. PURPLE HEART SPECIAL PLATES. An owner referred to in subsection 18, who was awarded a purple heart medal by the United States government for wounds received in military or naval combat against an armed enemy of the United States, may upon written application to the department and presentation of satisfactory proof of the award of the purple heart medal, order special registration plates with a purple heart processed emblem. The design of the emblem shall include a representation of a purple heart medal and ribbon. The application is subject to approval by the department in consultation with the adjutant general.

NEW SUBSECTION. 25. UNITED STATES ARMED FORCES RETIRED SPECIAL PLATES. An owner referred to in subsection 18, who is a retired member of the United States armed forces, may, upon written application to the department and upon presentation of satisfactory proof of membership, order special registration plates with a United States armed forces retired processed emblem. The emblem shall be designed by the department in consultation with service organizations. The application is subject to approval by the department. For purposes of this subsection, a person is considered to be retired if the person served twenty years or longer in the United States armed forces.

NEW SUBSECTION. 26. SILVER OR BRONZE STAR PLATES. An owner referred to in subsection 18, who was awarded a silver or a bronze star by the United States government,

may upon written application to the department and presentation of satisfactory proof of the award of the silver or bronze star, order special registration plates with a silver or bronze star processed emblem. The emblem shall be designed by the department in consultation with the adjutant general.

NEW SUBSECTION. 27. IOWA HERITAGE SPECIAL PLATES.

a. An owner referred to in subsection 18, may upon written application to the department, order special registration plates with an Iowa heritage emblem. The emblem shall contain a picture of the American gothic house and the words "Iowa Heritage" and shall be designed by the department in consultation with the state historical society of Iowa.

b. The special Iowa heritage fee for letter number designated plates is thirty-five dollars. The special fee for personalized Iowa heritage plates is twenty-five dollars which shall be paid in addition to the special fee of thirty-five dollars. The special fee shall be in addition to the regular annual registration fee.

c. The special fees collected by the director under this subsection shall be paid monthly to the treasurer of state and credited to the road use tax fund. Notwithstanding section 423.24, and prior to the crediting of revenues to the road use tax fund under section 423.24, subsection 1, paragraph "d", the treasurer of state shall credit monthly the amount of the special fees collected in the previous month for the Iowa heritage plates from those revenues in the following manner:

(1) Seventy-five percent shall be credited to the Iowa heritage fund, created under section 303.9A.

(2) Twenty-five percent shall be allocated to the department of education. The department shall use the moneys to support teacher training in Iowa history, to purchase Iowa history classroom materials, to support student participation in Iowa history and citizenship-building activities and to create a grant program for school districts to apply for funding to support field trips to museums, historic sites, and heritage attractions.

NEW SUBSECTION. 28. EDUCATION PLATES.

a. Upon application and payment of the proper fees, the director may issue education plates to the owner of a motor vehicle subject to registration under section 321.109, subsection 1, light delivery truck, panel delivery truck, pickup, motor home, multipurpose vehicle, or travel trailer.

b. Education plates shall be designed by the department in cooperation with the department of education.

c. The special school transportation fee for letter number designated education plates is thirty-five dollars. The fee for personalized education plates is twenty-five dollars, which shall be paid in addition to the special school transportation fee of thirty-five dollars. The fees collected by the director under this subsection shall be paid monthly to the treasurer of state and credited to the road use tax fund. Notwithstanding section 423.24, and prior to the crediting of revenues to the road use tax fund under section 423.24, subsection 1, paragraph "d", the treasurer of state shall transfer monthly from those revenues to the school budget review committee in accordance with section 257.31, subsection 16, the amount of the special school transportation fees collected in the previous month for the education plates.

d. Upon receipt of the special registration plates, the applicant shall surrender the current registration receipt and plates to the county treasurer. The county treasurer shall validate the special registration plates in the same manner as regular registration plates are validated under this section. The annual special school transportation fee for letter number designated plates is ten dollars, which shall be paid in addition to the regular annual registration fee. The annual fee for personalized education plates is five dollars, which shall be paid in addition to the annual special school transportation fee and the regular annual registration fee. The annual special school transportation fee shall be credited as provided under paragraph "c".

Sec. 5. Section 321.166, subsection 2, Code 1995, is amended to read as follows:

2. Every registration plate or pair of plates shall display a registration plate number which shall consist of alphabetical or numerical characters or a combination thereof and the name of this state, which may be abbreviated. Every registration plate issued by the county treasurer shall display the name of the county ~~except plates issued for truck tractors, motorcycles, motorized bicycles, travel trailers, semitrailers and trailers. The year of expiration or the date of expiration shall be displayed on vehicle registration plates, except plates issued under section 321.19, including any plate issued pursuant to section 321.34, except Pearl Harbor and purple heart registration plates issued prior to January 1, 1997, and collegiate, fire fighter, and Congressional medal of honor registration plates.~~ Special truck registration plates shall display the word "special".

Sec. 6. Section 321.166, Code 1995, is amended by adding the following new subsections:

NEW SUBSECTION. 9. Special registration plates issued pursuant to section 321.34 beginning January 1, 1997, other than Congressional medal of honor, collegiate, fire fighter, and natural resources registration plates, shall be consistent with the design and color of regular registration plates but shall provide a space on a portion of the plate for the purpose of allowing the placement of a distinguishing processed emblem. Special registration plates shall also comply with the requirements for regular registration plates as provided in this section to the extent the requirements are consistent with the section authorizing a particular special vehicle registration plate.

NEW SUBSECTION. 10. If the department reissues a new registration plate design for a special registration plate under section 321.34, all persons who have purchased or obtained the special registration plates shall not be required to pay the issuance fee.

Sec. 7. Section 321L.2, subsection 1, paragraph a, Code Supplement 1995, is amended to read as follows:

a. A handicapped resident of the state desiring a handicapped identification device shall apply to the department upon an application form furnished by the department providing the applicant's name, address, date of birth, and social security number and shall also provide a statement from a physician licensed under chapter 148, 149, 150, or 150A, or a chiropractor licensed under chapter 151, or a physician or chiropractor licensed to practice in a contiguous state, written on the physician's or chiropractor's stationery, stating the nature of the applicant's handicap and such additional information as required by rules adopted by the department under section 321L.8. Handicapped registration plates must be ordered pursuant to section 321.34, ~~subsection 7.~~ A handicapped person may apply for either one temporary or one permanent handicapped identification hanging device. Persons who seek a permanent handicapped identification device shall be required to furnish evidence upon initial application that they are permanently handicapped. A person who has provided satisfactory evidence to the department that the person is permanently handicapped shall not be required to furnish evidence of being handicapped at a later date, unless the department deems it necessary. Persons who seek only temporary handicapped identification stickers or hanging devices shall be required to furnish evidence upon initial application that they are temporarily handicapped and, in addition, furnish evidence at three-month intervals that they remain temporarily handicapped. Temporary handicapped identification stickers and hanging devices shall be of a distinctively different color from permanent handicapped identification stickers and hanging devices.

Sec. 8. Section 321.34, subsections 7 through 9, 12, 13, and 14, Code Supplement 1995, are amended by striking the subsections effective January 1, 1997. However, all special plates issued pursuant to section 321.34, subsections 7 through 9, 12, 13, and 14, Code Supplement 1995, shall remain valid through the month of expiration in 1997.

Sec. 9. EFFECTIVE DATE. This Act takes effect January 1, 1997.