

321I.15A Civil penalty and restitution.

Upon conviction for a violation of section 321I.14, subsection 1, paragraph “e”, “f”, or “g”, the defendant, in addition to any other penalty including the criminal penalty provided in section 321I.15, shall be subject to civil remedies as follows:

1. *a.* The court may assess the defendant a civil penalty of two hundred fifty dollars. The civil penalty shall be deposited in the special all-terrain vehicle fund created pursuant to section 321I.8.

b. The court may order the defendant to pay restitution to the titleholder of land for damages caused by the defendant’s violation, to the extent that the titleholder consents to joining the action, and the titleholder’s damages are established at trial. If the titleholder is the state, the amount of restitution ordered to be paid by the court shall be deposited in the special all-terrain vehicle fund created pursuant to section 321I.8. If the titleholder is a governmental entity other than the state, the moneys shall be paid to the governmental entity for deposit in any fund or account from which moneys are used for the maintenance, repair, or improvement of the land where the damage occurred.

2. The attorney general or a county attorney who prosecutes the criminal violation shall execute the civil judgment, in cooperation with the commission, as any other civil judgment.

2008 Acts, ch 1161, §5