

# Senate Amendment 3029

PAG LIN

1 1 Amend Senate File 313 as follows:  
1 2 #1. Page 2, line 3, by striking the word  
1 3 ~~<registered>~~.  
1 4 #2. Page 2, line 5, by striking the word  
1 5 ~~<registered>~~.  
1 6 #3. Page 2, by inserting after line 6 the  
1 7 following:  
1 8 <c. For purposes of this subsection, "owner" means  
1 9 a person who holds the legal title to a motor vehicle;  
1 10 however, if the motor vehicle is the subject of a  
1 11 security agreement with a right of possession in the  
1 12 debtor, the debtor shall be deemed the owner for  
1 13 purposes of this subsection, or if the motor vehicle  
1 14 is leased as defined in section 321.493, the lessee  
1 15 shall be deemed the owner for purposes of this  
1 16 subsection.  
1 17 Sec. \_\_\_\_\_. Section 321.372A, subsection 2,  
1 18 paragraph b, Code 2005, is amended to read as follows:  
1 19 b. If, from the investigation, the peace officer  
1 20 has reasonable cause to believe that a violation of  
1 21 section 321.372, subsection 3, occurred but is unable  
1 22 to identify the driver, the peace officer shall serve  
1 23 a uniform traffic citation for the violation to the  
1 24 owner of the motor vehicle. Notwithstanding section  
1 25 321.484, in a proceeding where the peace officer who  
1 26 conducted the investigation was not able to identify  
1 27 the driver of the motor vehicle, proof that the motor  
1 28 vehicle described in the uniform traffic citation was  
1 29 used to commit the violation of section 321.372,  
1 30 subsection 3, together with proof that the defendant  
1 31 named in the citation was the ~~registered~~ owner of the  
1 32 motor vehicle at the time the violation occurred,  
1 33 constitutes a permissible inference that the  
1 34 ~~registered~~ owner was the driver who committed the  
1 35 violation.  
1 36 Sec. \_\_\_\_\_. Section 321.372A, subsection 2, Code  
1 37 2005, is amended by adding the following new  
1 38 paragraph:  
1 39 NEW PARAGRAPH. c. For purposes of this  
1 40 subsection, "owner" means a person who holds the legal  
1 41 title to a motor vehicle; however, if the motor  
1 42 vehicle is the subject of a security agreement with a  
1 43 right of possession in the debtor, the debtor shall be  
1 44 deemed the owner for purposes of this subsection, or  
1 45 if the motor vehicle is leased as defined in section  
1 46 321.493, the lessee shall be deemed the owner for  
1 47 purposes of this subsection.>  
1 48 #4. Title page, line 1, by inserting after the  
1 49 word <for> the following: <school bus warning device  
1 50 and>.  
2 1 #5. By renumbering as necessary.  
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2 3  
2 4  
2 5 STEVEN H. WARNSTADT  
2 6 SF 313.701 81  
2 7 dea/gg/1087