

House Amendment 1095

PAG LIN

1 1 Amend House File 320 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 321.89, subsection 1,
1 5 paragraph a, subparagraph (4), Code 2007, is amended
1 6 to read as follows:
1 7 (4) A vehicle that has been legally impounded by
1 8 order of a police authority and has not been reclaimed
1 9 for a period of ten days, or for the period required
~~1 10 under section 321.218B.~~ However, a police authority
~~1 11 may declare the vehicle abandoned within the ten-day~~
~~1 12 period sooner~~ by commencing the notification process
1 13 in subsection 3.
1 14 Sec. 2. NEW SECTION. 321.218B DRIVING WITH
1 15 SUSPENDED OR REVOKED LICENSE == MOTOR VEHICLE
1 16 IMPOUNDMENT.
1 17 1. Notwithstanding any other provision of this
1 18 chapter, if a peace officer stops a motor vehicle and
1 19 discovers that the motor vehicle operator's driver's
1 20 license or operating privilege has been denied,
1 21 canceled, suspended, revoked, or barred, the peace
1 22 officer shall immediately cause the motor vehicle
1 23 operated by the person to be impounded.
1 24 2. After the expiration of thirty days, the person
1 25 or agency having physical possession of an impounded
1 26 motor vehicle shall release the vehicle to the owner
1 27 upon payment of all towing costs, storage costs not in
1 28 excess of fifteen dollars per day, and administrative
1 29 fees associated with impoundment of the motor vehicle,
1 30 if either of the following applies:
1 31 a. The owner provides satisfactory evidence that
1 32 the owner was not the operator of the motor vehicle at
1 33 the time the impoundment occurred.
1 34 b. If the owner was the operator at the time the
1 35 impoundment occurred, the owner provides satisfactory
1 36 proof to the person or agency that the owner's
1 37 driver's license or operating privilege has been
1 38 reinstated.
1 39 3. A rental company that owns a motor vehicle
1 40 which is impounded pursuant to this section shall be
1 41 notified of the impoundment by the agency or person
1 42 taking custody of the motor vehicle within seventy-two
1 43 hours of the impoundment of the motor vehicle and
1 44 shall have the right to claim the motor vehicle upon
1 45 the payment of all fees, towing costs, and storage
1 46 costs not in excess of fifteen dollars per day.
1 47 4. Except as provided in subsection 2 or 3 or by
1 48 court order, a motor vehicle shall remain impounded
1 49 under this section until reinstatement of the motor
1 50 vehicle operator's driving privilege and payment of
2 1 all towing costs, storage costs not in excess of
2 2 fifteen dollars per day, and administrative fees
2 3 associated with impoundment of the motor vehicle.
2 4 5. The provisions of this section do not apply to
2 5 a person whose driver's license or operating privilege
2 6 is denied, revoked, suspended, or barred under chapter
2 7 321J.>
2 8 #2. Title page, line 1, by striking the words <the
2 9 revocation of a person's> and inserting the following:
2 10 <impoundment of a motor vehicle operated by a person
2 11 whose>.
2 12 #3. Title page, lines 2 and 3, by striking the
2 13 words <for a defendant who has had a previous
2 14 conviction or revocation.> and inserting the
2 15 following: <has been denied, canceled, suspended,
2 16 revoked, or barred.>
2 17 #4. By renumbering as necessary.
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2 21 PAULSEN of Linn
2 22 HF 320.501 82
2 23 dea/je/3236

