

House Amendment to
Senate File 2381

S-5320

1 Amend Senate File 2381, as passed by the Senate, as
2 follows:
3 1. Page 5, before line 1 by inserting:
4 <Sec. _____. Section 321.1, subsection 4, Code
5 Supplement 2009, is amended to read as follows:
6 4. "All-terrain vehicle" means a motor vehicle
7 designed to travel on three or more wheels and designed
8 primarily for off-road recreational use ~~but not~~
9 ~~including~~. "All-terrain vehicle" includes off-road
10 utility vehicles as defined in section 321I.1, but does
11 not include farm tractors or equipment, construction
12 equipment, forestry vehicles, or lawn and grounds
13 maintenance vehicles.>
14 2. Page 5, after line 8 by inserting:
15 <Sec. _____. Section 321.234A, subsection 1, Code
16 2009, is amended by adding the following new paragraph:
17 NEW PARAGRAPH. f. The all-terrain vehicle is
18 operated on a county roadway in accordance with section
19 321I.10, subsection 2, or a city street in accordance
20 with section 321I.10, subsection 3.>
21 3. Page 6, after line 15 by inserting:
22 <Sec. _____. Section 321.445, subsection 3, Code
23 2009, is amended to read as follows:
24 3. The driver and front seat passengers may be
25 each charged separately for improperly used or nonused
26 equipment under subsection 2. However, the driver
27 shall not be charged for a violation committed by a
28 passenger who is fourteen years of age or older unless
29 the passenger is unable to properly fasten a seat belt
30 due to a temporary or permanent disability. The owner
31 of the motor vehicle may be charged for equipment
32 violations under subsection 1.>
33 4. Page 7, after line 7 by inserting:
34 <Sec. _____. Section 321.446, subsection 4, Code
35 2009, is amended by striking the subsection and
36 inserting in lieu thereof the following:
37 4. A person who violates this section is guilty
38 of a simple misdemeanor punishable as a scheduled
39 violation under section 805.8A, subsection 14,
40 paragraph "c". Violations shall be charged as follows:
41 a. An operator who transports a passenger under
42 fourteen years of age in violation of subsection 1 or 2
43 may be charged with a violation of this section.
44 b. If a passenger fourteen years of age or older is
45 unable to properly fasten a seatbelt due to a temporary
46 or permanent disability, an operator who transports
47 such a person in violation of subsection 2 may be
48 charged with a violation of this section. Otherwise, a
49 passenger fourteen years of age or older who violates
50 subsection 2 shall be charged in lieu of the operator.

1 c. If a child under fourteen years of age, or a
2 child fourteen years of age or older who is unable
3 to fasten a seatbelt due to a temporary or permanent
4 disability, is being transported in a taxicab in a
5 manner that is not in compliance with subsection 1 or
6 2, the parent, legal guardian, or other responsible
7 adult traveling with the child shall be served with a
8 citation for a violation of this section in lieu of
9 the taxicab operator. Otherwise, if a passenger being
10 transported in the taxicab is fourteen years of age or
11 older, the citation shall be served on the passenger in
12 lieu of the taxicab operator.>

13 5. Page 7, after line 7 by inserting:

14 <Sec. _____. Section 321I.10, subsections 1, 2,
15 and 3, Code Supplement 2009, are amended to read as
16 follows:

17 1. A person shall not operate an all-terrain
18 vehicle or off-road utility vehicle upon roadways or
19 highways except as provided in section 321.234A and
20 this section.

21 2. A registered all-terrain vehicle or off-road
22 utility vehicle may be operated on the roadways of
23 that portion of county highways designated by the
24 county board of supervisors for such use during a
25 specified period. The county board of supervisors
26 shall evaluate the traffic conditions on all county
27 highways and designate roadways on which all-terrain
28 vehicles or off-road utility vehicles may be operated
29 for the specified period without unduly interfering
30 with or constituting an undue hazard to conventional
31 motor vehicle traffic. In designating such roadways,
32 the board may authorize all-terrain vehicles and
33 off-road utility vehicles to stop at service stations
34 or convenience stores along a designated roadway.

35 3. Cities may designate streets under the
36 jurisdiction of cities within their respective
37 corporate limits which may be used for the ~~sport~~
38 ~~of driving~~ operation of registered all-terrain
39 vehicles or registered off-road utility vehicles.
40 In designating such streets, the city may authorize
41 all-terrain vehicles and off-road utility vehicles to
42 stop at service stations or convenience stores along
43 a designated street.

44 Sec. _____. Section 322D.1, subsection 1, Code 2009,
45 is amended to read as follows:

46 1. "All-terrain vehicle" means the same as defined
47 in section 321I.1 a motor vehicle designed to travel
48 on three or more wheels and designed primarily for
49 off-road recreational use but not including farm
50 tractors or equipment, construction equipment, forestry

1 vehicles, or lawn and grounds maintenance vehicles.>
2 6. By renumbering as necessary.