

House File 2437

H-8140

1 Amend the amendment, H-8133, to House File 2437 as
2 follows:

3 1. Page 1, after line 1 by inserting:

4 <___. By striking page 1, line 3, through page 3,
5 line 22, and inserting:

6 <Sec. ___. Section 321.1, Code 2016, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 06A. "Autocycle" means a
9 three-wheeled motor vehicle originally designed with
10 two front wheels and one rear wheel, a steering wheel
11 rather than handlebars, no more than two permanent
12 seats that do not require the operator or a passenger
13 to straddle or sit astride the vehicle, and foot
14 pedals that control the brakes, acceleration, and
15 clutch, where applicable. A motor vehicle meeting the
16 definition of "autocycle" is an autocycle even if the
17 vehicle bears a vehicle identification number, or is
18 accompanied by a manufacturer's certificate of origin,
19 that identifies the vehicle as a motorcycle.

20 Sec. ___. Section 321.1, subsection 40, paragraph
21 a, Code 2016, is amended to read as follows:

22 a. "Motorcycle" means every motor vehicle having a
23 saddle or seat for the use of the rider and designed to
24 travel on not more than three wheels in contact with
25 the ground including a motor scooter but excluding a
26 tractor, an autocycle, and a motorized bicycle.

27 Sec. ___. Section 321.34, subsection 1, Code 2016,
28 is amended to read as follows:

29 1. *Plates issued.* The county treasurer upon
30 receiving application, accompanied by proper fee, for
31 registration of a vehicle shall issue to the owner one
32 registration plate for a motorcycle, motorized bicycle,
33 autocycle, truck tractor, trailer, or semitrailer and
34 two registration plates for every other motor vehicle.
35 The registration plates, including special registration

1 plates, shall be assigned to the owner of a vehicle.
2 When the owner of a registered vehicle transfers or
3 assigns ownership of the vehicle to another person, the
4 owner shall remove the registration plates from the
5 vehicle. The owner shall forward the plates to the
6 county treasurer where the vehicle is registered or the
7 owner may have the plates assigned to another vehicle
8 within thirty days after transfer, upon payment of the
9 fees required by law. The owner shall immediately
10 affix registration plates retained by the owner
11 to another vehicle owned or acquired by the owner,
12 providing the owner complies with [section 321.46](#).
13 The department shall adopt rules providing for the
14 assignment of registration plates to the transferee of
15 a vehicle for which a credit is allowed under section
16 321.46, subsection 6.

17 Sec. _____. Section 321.34, subsection 5, paragraph
18 a, Code 2016, is amended to read as follows:

19 a. Upon application and the payment of a fee of
20 twenty-five dollars, the director may issue to the
21 owner of a motor vehicle registered in this state or
22 a trailer or travel trailer registered in this state,
23 personalized registration plates marked with up to
24 seven initials, letters, or combination of numerals and
25 letters requested by the owner. However, personalized
26 registration plates for autocycles, motorcycles, and
27 motorized bicycles shall be marked with no more than
28 six initials, letters, or combinations of numerals and
29 letters. Upon receipt of the personalized registration
30 plates, the applicant shall surrender the regular
31 registration plates to the county treasurer. The fee
32 for issuance of the personalized registration plates
33 shall be in addition to the regular annual registration
34 fee.

35 Sec. _____. Section 321.34, subsection 8, paragraph

1 a, Code 2016, is amended to read as follows:

2 a. The owner of a motor vehicle subject to
3 registration under section 321.109, subsection
4 1, autocycle, motorcycle, trailer, or motor truck
5 who has been awarded the medal of honor may, upon
6 written application to the department, order special
7 registration plates which shall be red, white, and blue
8 in color and shall bear an emblem of the medal of honor
9 and an identifying number. Each applicant applying for
10 special registration plates under [this subsection](#) may
11 order only one set of registration plates under this
12 subsection. The application is subject to approval
13 by the department and the special registration plates
14 shall be issued at no charge to the applicant in
15 exchange for the registration plates previously issued
16 to the person. A person who is issued special plates
17 under [this subsection](#) is exempt from payment of any
18 annual registration fee for the motor vehicle bearing
19 the special plates. The department shall validate
20 the special plates in the same manner as regular
21 registration plates are validated under [this section](#).
22 The department shall not issue special registration
23 plates until service organizations in the state have
24 furnished the department either the special dies or the
25 cost of the special dies necessary for the manufacture
26 of the special registration plate.

27 Sec. _____. Section 321.34, subsection 8A, paragraph
28 a, Code 2016, is amended to read as follows:

29 a. The owner of a motor vehicle subject to
30 registration under [section 321.109, subsection 1,](#)
31 autocycle, motorcycle, trailer, or motor truck who was
32 a prisoner of war during a time of military conflict
33 may, upon written application to the department, order
34 only one set of special registration plates with an
35 ex-prisoner of war processed emblem. The emblem shall

1 be designed by the department in cooperation with the
2 adjutant general and shall signify that the owner was
3 a prisoner of war as described in [this subsection](#). The
4 application is subject to approval by the department,
5 in consultation with the adjutant general. The special
6 plates shall be issued at no charge and are subject to
7 an annual registration fee of fifteen dollars. The
8 county treasurer shall validate the special plates in
9 the same manner as regular registration plates are
10 validated under [this section](#).

11 Sec. _____. Section 321.34, subsection 11, paragraph
12 a, Code 2016, is amended to read as follows:

13 a. Upon application and payment of the proper fees,
14 the director may issue natural resources plates to the
15 owner of a motor vehicle subject to registration under
16 section 321.109, subsection 1, autocycle, motor truck,
17 motor home, multipurpose vehicle, motorcycle, trailer,
18 or travel trailer.

19 Sec. _____. Section 321.34, subsection 11A, paragraph
20 a, Code 2016, is amended to read as follows:

21 a. Upon application and payment of the proper fees,
22 the director may issue "love our kids" plates to the
23 owner of a motor vehicle subject to registration under
24 section 321.109, subsection 1, autocycle, motor truck,
25 motor home, multipurpose vehicle, motorcycle, trailer,
26 or travel trailer.

27 Sec. _____. Section 321.34, subsection 11B, paragraph
28 a, Code 2016, is amended to read as follows:

29 a. Upon application and payment of the proper fees,
30 the director may issue "motorcycle rider education"
31 plates to the owner of a motor vehicle subject to
32 registration under [section 321.109, subsection 1](#),
33 autocycle, motor truck, motor home, multipurpose
34 vehicle, motorcycle, trailer, or travel trailer.

35 Sec. _____. Section 321.34, subsection 12, paragraphs

1 a and d, Code 2016, are amended to read as follows:

2 a. The owner of a motor vehicle subject to
3 registration pursuant to section 321.109, subsection
4 1, autocycle, motor truck, motor home, multipurpose
5 vehicle, motorcycle, trailer, or travel trailer may,
6 upon written application to the department, order
7 special registration plates with a distinguishing
8 processed emblem as authorized by [this section](#) or as
9 approved by the department. The fee for the issuance
10 of special registration plates is twenty-five dollars
11 for each vehicle, unless otherwise provided by this
12 section, which fee is in addition to the regular annual
13 registration fee. The county treasurer shall validate
14 special registration plates with a distinguishing
15 processed emblem in the same manner as regular
16 registration plates, upon payment of five dollars in
17 addition to the regular annual registration fee.

18 d. A special registration plate issued for a
19 motorcycle, autocycle, or motorized bicycle under this
20 section shall be designated in the manner provided for
21 personalized registration plates under [subsection 5](#),
22 paragraph "a".

23 Sec. _____. Section 321.34, subsection 15, paragraph
24 a, Code 2016, is amended to read as follows:

25 a. The owner of a motor vehicle subject to
26 registration under [section 321.109, subsection 1](#),
27 autocycle, motorcycle, trailer, or motor truck who has
28 been awarded the legion of merit shall be issued one
29 set of special registration plates with a legion of
30 merit processed emblem, upon written application to
31 the department and presentation of satisfactory proof
32 of the award of the legion of merit as established by
33 the Congress of the United States. The emblem shall
34 be designed by the department in cooperation with the
35 adjutant general and shall signify that the owner

1 was awarded the legion of merit. The application is
2 subject to approval by the department, in consultation
3 with the adjutant general. The special plates shall
4 be issued at no charge and are subject to an annual
5 registration fee of fifteen dollars. The county
6 treasurer shall validate the special plates in the same
7 manner as regular registration plates are validated
8 under [this section](#).

9 Sec. _____. Section 321.37, subsections 1 and 2, Code
10 2016, are amended to read as follows:

11 1. Registration plates issued for a motor vehicle
12 other than a an autocycle, motorcycle, motorized
13 bicycle, or a truck tractor shall be attached to
14 the motor vehicle, one in the front and the other in
15 the rear. The registration plate issued for a an
16 autocycle, motorcycle, or other vehicle required to be
17 registered hereunder shall be attached to the rear of
18 the vehicle. The registration plate issued for a truck
19 tractor shall be attached to the front of the truck
20 tractor. The special plate issued to a dealer shall be
21 attached on the rear of the vehicle when operated on
22 the highways of this state.

23 2. Registration plates issued for a motor vehicle
24 which is model year 1948 or older, and reconstructed
25 or specially constructed vehicles built to resemble
26 a model year 1948 vehicle or older, other than a
27 truck registered for more than five tons, autocycle,
28 motorcycle, or truck tractor, may display one
29 registration plate on the rear of the vehicle if the
30 other registration plate issued to the vehicle is
31 carried in the vehicle at all times when the vehicle is
32 operated on a public highway.

33 Sec. _____. Section 321.69, subsection 9, Code 2016,
34 is amended to read as follows:

35 9. Except for [subsections 10 and 11](#), [this section](#)

1 does not apply to motor trucks and truck tractors with
2 a gross vehicle weight rating of sixteen thousand
3 pounds or more, vehicles more than seven model years
4 old, autocycles, motorcycles, motorized bicycles, and
5 special mobile equipment. This section does apply to
6 motor homes. The requirement in subsection 1 that
7 the new certificate of title and registration receipt
8 shall state on the face whether a prior owner had
9 disclosed that the vehicle was damaged to the extent
10 that it was a wrecked or salvage vehicle as defined
11 in section 321.52, subsection 4, paragraph "d", does
12 not apply to a vehicle with a certificate of title
13 bearing a designation that the vehicle was previously
14 titled on a salvage certificate of title pursuant to
15 section 321.52, subsection 4, paragraph "b", or to a
16 vehicle with a certificate of title bearing a "REBUILT"
17 or "SALVAGE" designation pursuant to section 321.24,
18 subsection 4 or 5. Except for subsections 10 and 11,
19 this section does not apply to new motor vehicles
20 with a true mileage, as defined in section 321.71, of
21 one thousand miles or less, unless such vehicle has
22 incurred damage as described in subsection 2.

23 Sec. _____. Section 321.105A, subsection 2, paragraph
24 c, subparagraph (6), Code 2016, is amended to read as
25 follows:

26 (6) Vehicles, excluding autocycles, motorcycles,
27 and motorized bicycles, subject to registration in
28 any state when purchased for rental or registered and
29 titled by a motor vehicle dealer licensed pursuant to
30 chapter 322 for rental use, and held for rental for a
31 period of one hundred twenty days or more and actually
32 rented for periods of sixty days or less by a person
33 regularly engaged in the business of renting vehicles,
34 including but not limited to motor vehicle dealers
35 licensed pursuant to chapter 322 who rent automobiles

1 to users, if the rental of the vehicles is subject to
2 taxation under [section 423.2](#) or [chapter 423C](#).

3 Sec. _____. Section 321.109, subsection 1, paragraph
4 a, Code 2016, is amended to read as follows:

5 a. The annual fee for all motor vehicles including
6 vehicles designated by manufacturers as station
7 wagons, 1993 and subsequent model year multipurpose
8 vehicles, and 2010 and subsequent model year motor
9 trucks with an unladen weight of ten thousand pounds
10 or less, except motor trucks registered under section
11 321.122, business-trade trucks, special trucks, motor
12 homes, motorsports recreational vehicles, ambulances,
13 hearses, autocycles, motorcycles, motorized bicycles,
14 and 1992 and older model year multipurpose vehicles,
15 shall be equal to one percent of the value as fixed by
16 the department plus forty cents for each one hundred
17 pounds or fraction thereof of weight of vehicle,
18 as fixed by the department. The weight of a motor
19 vehicle, fixed by the department for registration
20 purposes, shall include the weight of a battery,
21 heater, bumpers, spare tire, and wheel. Provided,
22 however, that for any new vehicle purchased in this
23 state by a nonresident for removal to the nonresident's
24 state of residence the purchaser may make application
25 to the county treasurer in the county of purchase for
26 a transit plate for which a fee of ten dollars shall
27 be paid. And provided, however, that for any used
28 vehicle held by a registered dealer and not currently
29 registered in this state, or for any vehicle held
30 by an individual and currently registered in this
31 state, when purchased in this state by a nonresident
32 for removal to the nonresident's state of residence,
33 the purchaser may make application to the county
34 treasurer in the county of purchase for a transit
35 plate for which a fee of three dollars shall be paid.

1 The county treasurer shall issue a nontransferable
2 certificate of registration for which no refund shall
3 be allowed; and the transit plates shall be void thirty
4 days after issuance. Such purchaser may apply for a
5 certificate of title by surrendering the manufacturer's
6 or importer's certificate or certificate of title,
7 duly assigned as provided in [this chapter](#). In this
8 event, the treasurer in the county of purchase shall,
9 when satisfied with the genuineness and regularity of
10 the application, and upon payment of a fee of twenty
11 dollars, issue a certificate of title in the name and
12 address of the nonresident purchaser delivering the
13 title to the owner. If there is a security interest
14 noted on the title, the county treasurer shall mail to
15 the secured party an acknowledgment of the notation
16 of the security interest. The county treasurer shall
17 not release a security interest that has been noted on
18 a title issued to a nonresident purchaser as provided
19 in this paragraph. The application requirements of
20 section 321.20 apply to a title issued as provided
21 in [this subsection](#), except that a natural person
22 who applies for a certificate of title shall provide
23 either the person's social security number, passport
24 number, or driver's license number, whether the license
25 was issued by this state, another state, or another
26 country. The provisions of [this subsection](#) relating to
27 multipurpose vehicles are effective for all 1993 and
28 subsequent model years. The annual registration fee
29 for multipurpose vehicles that are 1992 model years and
30 older shall be in accordance with [section 321.124](#).

31 Sec. _____. Section 321.117, Code 2016, is amended to
32 read as follows:

33 **321.117 Motorcycle, autocycle, ambulance, and hearse**
34 **fees.**

35 For all motorcycles and autocycles the annual

1 registration fee shall be twenty dollars. For all
2 motorized bicycles the annual registration fee shall
3 be seven dollars. When the motorcycle or autocycle is
4 more than five model years old, the annual registration
5 fee shall be ten dollars. The annual registration fee
6 for ambulances and hearses shall be fifty dollars.
7 Passenger car plates shall be issued for ambulances and
8 hearses.

9 Sec. ____ . Section 321.166, subsections 1, 3, and 4,
10 Code 2016, are amended to read as follows:

11 1. a. Registration plates shall be of metal and
12 of a size not to exceed six inches by twelve inches,
13 except that the size of plates issued for use on
14 autocycles, motorized bicycles, motorcycles, motorcycle
15 trailers, and trailers with an empty weight of two
16 thousand pounds or less shall be established by the
17 department.

18 b. Trailers with empty weights of two thousand
19 pounds or less may, upon request, be licensed with
20 regular-sized license plates.

21 3. The registration plate number shall be displayed
22 in characters which shall not exceed a height of four
23 inches nor a stroke width exceeding five-eighths of an
24 inch. Special plates issued to dealers shall display
25 the alphabetical character "D", which shall be of the
26 same size as the characters in the registration plate.
27 The registration plate number issued for autocycles,
28 motorized bicycles, motorcycles, trailers with an empty
29 weight of two thousand pounds or less, and motorcycle
30 trailers shall be a size prescribed by the department.

31 4. The registration plate number, except on
32 autocycles, motorized bicycles, motorcycles, motorcycle
33 trailers, and trailers with an empty weight of two
34 thousand pounds or less, shall be of sufficient size to
35 be readable from a distance of one hundred feet during

1 daylight.

2 Sec. _____. Section 322.2, Code 2016, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 1A. "Autocycle" means as defined
5 in section 321.1.

6 Sec. _____. Section 322.5, subsection 6, paragraph a,
7 unnumbered paragraph 1, Code 2016, is amended to read
8 as follows:

9 Upon application for and receipt of a temporary
10 permit issued by the department under **this subsection**,
11 a motor vehicle dealer authorized to sell used
12 motorcycles or autocycles may display, offer for sale,
13 and negotiate sales of used motorcycles or autocycles
14 at a motorcycle rally located in this state that meets
15 all of the following conditions:

16 Sec. _____. Section 322.5, subsection 6, paragraph
17 b, subparagraph (1), Code 2016, is amended to read as
18 follows:

19 (1) The person presents the department with a
20 current motor vehicle dealer license valid for the sale
21 of used motorcycles or autocycles at retail in the
22 person's state of residence.

23 Sec. _____. Section 322.5, subsection 6, paragraph d,
24 Code 2016, is amended to read as follows:

25 d. A sale of a motorcycle or autocycle at a
26 motorcycle rally shall not be completed and an
27 agreement for the sale of a motorcycle or autocycle
28 shall not be signed at a motorcycle rally. All
29 such sales shall be consummated at the motor vehicle
30 dealer's principal place of business.

31 Sec. _____. Section 322.36, Code 2016, is amended to
32 read as follows:

33 **322.36 Motorcycle and autocycle dealer business**
34 **hours.**

35 A person in the business of selling motorcycles

1 or autocycles under [chapter 322D](#) is not required
2 to maintain regular business hours at the dealer's
3 principal place of business or other place of business.

4 Sec. _____. Section 322D.1, subsection 2, Code 2016,
5 is amended to read as follows:

6 2. "*Attachment*" means a machine or part of a
7 machine designed to be used on and in conjunction with
8 a farm implement, motorcycle, autocycle, all-terrain
9 vehicle, or snowmobile.

10 Sec. _____. Section 322D.1, Code 2016, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 2A. "*Autocycle*" means as defined
13 in section 321.1.

14 Sec. _____. Section 322D.1, subsection 4, paragraphs
15 b and e, Code 2016, are amended to read as follows:

16 b. The franchisee is granted the right to offer
17 and sell farm implements, motorcycles, autocycles,
18 all-terrain vehicles, snowmobiles, or related parts
19 or attachments manufactured or distributed by the
20 franchiser.

21 e. The operation of the franchisee's business
22 is substantially reliant on the franchiser for the
23 continued supply of farm implements, motorcycles,
24 autocycles, all-terrain vehicles, snowmobiles, or
25 related parts or attachments.

26 Sec. _____. Section 322D.1, subsections 5, 6, and 7,
27 Code 2016, are amended to read as follows:

28 5. "*Franchisee*" means a person who receives farm
29 implements, motorcycles, autocycles, all-terrain
30 vehicles, snowmobiles, or related parts or attachments
31 from the franchiser under a franchise and who offers
32 and sells the farm implements, motorcycles, autocycles,
33 all-terrain vehicles, snowmobiles, or related parts or
34 attachments to the general public.

35 6. "*Franchiser*" means a person who manufactures,

1 wholesales, or distributes farm implements,
2 motorcycles, autocycles, all-terrain vehicles,
3 snowmobiles, or related parts or attachments, and who
4 enters into a franchise.

5 7. "Motorcycle" means a motor vehicle as defined
6 in [section 321.1](#) other than an all-terrain vehicle,
7 which has a saddle or seat for the use of a rider and
8 that is designed to travel on not more than two wheels
9 in contact with the ground, but excluding a motorized
10 bicycle or autocycle as defined in [section 321.1](#).

11 Sec. _____. Section 322D.2, Code 2016, is amended to
12 read as follows:

13 **322D.2 Franchisee's rights to payment.**

14 1. A franchisee who enters into a written
15 franchise with a franchiser to maintain a stock of
16 farm implements, motorcycles, autocycles, all-terrain
17 vehicles, snowmobiles, or related parts or attachments
18 has the following rights to payment, at the option of
19 the franchisee, if the franchise is terminated:

20 a. One hundred percent of the net cost of new,
21 unused, complete farm implements, motorcycles,
22 autocycles, all-terrain vehicles, snowmobiles, or
23 related attachments, which were purchased from the
24 franchiser. In addition, the franchisee shall have
25 a right of payment for transportation charges on the
26 farm implements, motorcycles, autocycles, all-terrain
27 vehicles, or snowmobiles, which have been paid by the
28 franchisee.

29 b. Eighty-five percent of the net prices of any
30 repair parts, including superseded parts, which
31 were purchased from the franchiser and held by the
32 franchisee on the date that the franchise terminated.

33 c. Five percent of the net prices of parts resold
34 under paragraph "b" for handling, packing, and loading
35 of the parts. However, this payment shall not be due

1 to the franchisee if the franchiser elects to perform
2 the handling, packing, and loading.

3 2. Upon receipt of the payments due under
4 subsection 1, the franchiser is entitled to possession
5 of and title to the farm implements, motorcycles,
6 autocycles, all-terrain vehicles, snowmobiles, or
7 related parts or attachments.

8 3. The cost of farm implements, motorcycles,
9 autocycles, all-terrain vehicles, snowmobiles, or
10 related attachments and the price of repair parts shall
11 be determined by reference to the franchiser's price
12 list or catalog in effect at the time of the franchise
13 termination.

14 Sec. _____. Section 322D.3, subsections 7 and 9, Code
15 2016, are amended to read as follows:

16 7. A farm implement, motorcycle, autocycle,
17 all-terrain vehicle, or snowmobile which is not in new,
18 unused, undamaged, or complete condition.

19 9. A farm implement, motorcycle, autocycle,
20 all-terrain vehicle, or snowmobile which was purchased
21 twenty-four months or more prior to the termination of
22 the franchise.

23 Sec. _____. Section 322D.8, Code 2016, is amended to
24 read as follows:

25 **322D.8 Application — motorcycle or autocycle**
26 **franchise agreements.**

27 The rights under [section 322D.2, subsection 1](#),
28 [apply to motorcycle or autocycle franchise agreements](#)
29 in effect on July 1, 1985, which have no expiration
30 date and are continuing agreements, and to those
31 entered into or renewed after July 1, 1985, but only to
32 motorcycles, autocycles, and motorcycle or autocycle
33 attachments and parts purchased after July 1, 1985.

34 Sec. _____. Section 322G.2, subsection 13, Code 2016,
35 is amended to read as follows:

1 13. "Motor vehicle" means a self-propelled vehicle
2 purchased or leased in this state, except as provided
3 in [section 322G.15](#), and primarily designed for the
4 transportation of persons or property over public
5 streets and highways, but does not include mopeds,
6 motorcycles, autocycles, motor homes, or vehicles over
7 fifteen thousand pounds gross vehicle weight rating.>>

8 2. By renumbering as necessary.

B. MOORE of Jackson