

House File 2543

H-8155

1 Amend House File 2543 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 321.445, subsection 2, paragraph a,
4 Code 2020, is amended to read as follows:

5 a. The driver and ~~front seat occupants~~ passengers of a
6 type of motor vehicle that is subject to registration in Iowa,
7 except a motorcycle or a motorized bicycle, shall each wear a
8 properly adjusted and fastened safety belt or safety harness
9 any time the vehicle is in forward motion on a street or
10 highway in this state, except that a child under eighteen years
11 of age shall be secured as required under [section 321.446](#).

12 Sec. _____. Section 321.445, subsection 2, paragraph b,
13 subparagraphs (1), (2), and (6), Code 2020, are amended to read
14 as follows:

15 (1) The driver ~~or front seat occupants~~ and passengers of a
16 motor vehicle which is not required to be equipped with safety
17 belts or safety harnesses.

18 (2) The driver and ~~front seat occupants~~ passengers of a
19 motor vehicle who are actively engaged in work which requires
20 them to alight from and reenter the vehicle at frequent
21 intervals, providing the vehicle does not exceed twenty-five
22 miles per hour between stops.

23 (6) ~~Front seat occupants~~ Passengers of an authorized
24 emergency vehicle while they are being transported in an
25 emergency. However, this exemption does not apply to the
26 driver of the authorized emergency vehicle.

27 Sec. _____. Section 321.445, subsections 3 and 5, Code 2020,
28 are amended to read as follows:

29 3. The driver and ~~front seat~~ passengers may be each charged
30 separately for improperly used or nonused equipment under
31 subsection 2. However, the driver shall not be charged for a
32 violation committed by a passenger who is fourteen years of
33 age or older unless the passenger is unable to properly fasten
34 a ~~seat~~ safety belt or safety harness due to a temporary or
35 permanent disability. The owner of the motor vehicle may be

1 charged for equipment violations under [subsection 1](#).

2 5. The department shall adopt rules pursuant to [chapter 17A](#)
3 providing exceptions from application of [subsections 1 and 2](#)
4 for ~~front~~ seats and ~~front-seat~~ passengers of motor vehicles
5 owned, leased, rented, or primarily used by persons with
6 disabilities who use collapsible wheelchairs.

7 Sec. _____. Section 321.446, subsection 3, paragraph d, Code
8 2020, is amended by striking the paragraph.

9 Sec. _____. Section 321.446, subsection 4, paragraphs b and c,
10 Code 2020, are amended to read as follows:

11 *b.* If a passenger fourteen years of age or older is unable
12 to properly fasten a ~~seatbelt~~ safety belt or safety harness
13 due to a temporary or permanent disability, an operator who
14 transports such a person in violation of [subsection 2](#) may
15 be charged with a violation of [this section](#). Otherwise,
16 a passenger fourteen years of age or older who violates
17 subsection 2 shall be charged in lieu of the operator.

18 *c.* If a child under fourteen years of age, or a child
19 fourteen years of age or older who is unable to fasten a
20 ~~seatbelt~~ safety belt or safety harness due to a temporary or
21 permanent disability, is being transported in a taxicab or
22 in a personal vehicle operated by a transportation network
23 company driver, as defined in [section 321N.1](#), in a manner
24 that is not in compliance with [subsection 1 or 2](#), the parent,
25 legal guardian, or other responsible adult traveling with the
26 child shall be served with a citation for a violation of this
27 section in lieu of the taxicab operator or transportation
28 network company driver. Otherwise, if a passenger being
29 transported in the taxicab or in a personal vehicle operated by
30 a transportation network company driver is fourteen years of
31 age or older, the citation shall be served on the passenger in
32 lieu of the taxicab operator or transportation network company
33 driver.>

34 2. Page 1, by striking lines 16 through 19 and inserting:
35 <Sec. _____. APPLICABILITY. The following applies to

1 first-party automobile partial losses, and first-party
2 automobile total losses, for automobiles that are subject to a
3 partial loss or to a total loss occurring on or after July 1,
4 2020:

5 The section of this Act enacting section 507B.4D.>

6 3. Title page, by striking lines 1 through 5 and inserting
7 <An Act relating to safety belts, safety harnesses, and child
8 restraint systems in motor vehicles, including applicability
9 provisions and making penalties applicable.>
10 4. By renumbering as necessary.

ISENHART of Dubuque

KACENA of Woodbury