

House File 343

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1 3 AN ACT
1 4 RELATING TO ENFORCEMENT OF MOTOR VEHICLE LAW PROVISIONS AND
1 5 MAKING PENALTIES APPLICABLE.

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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 8
1 9 Section 1. Section 321.1, subsection 30, Code 2003, is
1 10 amended to read as follows:

1 11 30. "Guaranteed arrest bond certificate" means any
1 12 printed, unexpired certificate issued by an automobile club or
1 13 association to any of its members, or any printed, unexpired
1 14 certificate issued by an insurance company authorized to write
1 15 automobile liability insurance within this state, which ~~said~~
1 16 certificate is signed by such member or insured and contains a
1 17 printed statement that such automobile club, association, or
1 18 insurance company and a surety company which is doing business
1 19 in this state under the provisions of section 515.48,
1 20 subsection 2, guarantee the appearance of the person whose
1 21 signature appears on the certificate and that they will, in
1 22 the event of failure of such person to appear in court at the
1 23 time of trial, pay any fine or forfeiture imposed on such
1 24 person in an amount not to exceed ~~two hundred~~ one thousand
1 25 dollars. If such insurance company is itself qualified under
1 26 the provisions of section 515.48, subsection 2, ~~then it the~~
1 27 insurance company may be its own surety. Bail in this form
1 28 shall be subject to the forfeiture and enforcement provisions
1 29 with respect to bail bonds in criminal cases as provided by
1 30 law.

1 31 Sec. 2. Section 321.302, Code 2003, is amended to read as
1 32 follows:

1 33 321.302 OVERTAKING ~~ON THE RIGHT AND OTHERWISE.~~

1 34 1. ~~The~~ Unless otherwise prohibited by law, the driver of a
1 35 vehicle on a roadway with unobstructed pavement of sufficient
2 1 width for two or more lines of traffic moving in the same
2 2 direction as the vehicle being passed may overtake and pass
2 3 upon the right of another vehicle which is making or about to
2 4 make a left turn when such movement can be made in safety.

2 5 2. ~~The~~ Unless otherwise prohibited by law, the driver of a
2 6 vehicle may overtake and, allowing sufficient clearance, pass
2 7 another vehicle proceeding in the same direction either upon
2 8 the left or upon the right on a roadway with unobstructed
2 9 pavement of sufficient width for four or more lines of moving
2 10 traffic when such movement can be made in safety.

2 11 3. ~~No person~~ The driver of a vehicle shall not drive off
2 12 the pavement or upon the shoulder of the roadway or upon the
2 13 apron or roadway of an intersecting roadway in overtaking or
2 14 passing on the right or the left.

2 15 ~~3- 4.~~ A person convicted of a violation of this section is
2 16 guilty of a simple misdemeanor punishable as a scheduled
2 17 violation under section 805.8A, subsection 6, paragraph "d".

2 18 Sec. 3. Section 321.486, subsection 1, Code 2003, is
2 19 amended to read as follows:

2 20 1. A current guaranteed arrest bond certificate as defined
2 21 in section 321.1, subsection 30 shall be considered sufficient
2 22 surety if the defendant is charged with an offense where the
2 23 penalty does not exceed ~~two hundred~~ one thousand dollars.

2 24 Sec. 4. Section 321K.1, Code 2003, is amended by adding
2 25 the following new subsection:

2 26 NEW SUBSECTION. 3. A law enforcement agency conducting a
2 27 roadblock in accordance with this section may require the
2 28 driver to provide proof of financial liability coverage
2 29 required under section 321.20B.

2 30 Sec. 5. Section 805.6, subsection 1, paragraph c,
2 31 subparagraph (3), Code 2003, is amended by striking the
2 32 subparagraph.

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CHRISTOPHER C. RANTS
Speaker of the House

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MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 343, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor