



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

March 24, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 343, an Act relating to enforcement of motor vehicle law provisions and making penalties applicable.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Vilsack", written over a circular stamp.

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





HOUSE FILE 343

AN ACT

RELATING TO ENFORCEMENT OF MOTOR VEHICLE LAW PROVISIONS AND
MAKING PENALTIES APPLICABLE.

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

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

30. "Guaranteed arrest bond certificate" means any printed, unexpired certificate issued by an automobile club or association to any of its members, or any printed, unexpired certificate issued by an insurance company authorized to write automobile liability insurance within this state, which said certificate is signed by such member or insured and contains a printed statement that such automobile club, association, or insurance company and a surety company which is doing business in this state under the provisions of section 515.48, subsection 2, guarantee the appearance of the person whose signature appears on the certificate and that they will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person in an amount not to exceed two-hundred one thousand dollars. If such insurance company is itself qualified under

the provisions of section 515.48, subsection 2, ~~then-it~~ the insurance company may be its own surety. Bail in this form shall be subject to the forfeiture and enforcement provisions with respect to bail bonds in criminal cases as provided by law.

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

321.302 OVERTAKING ~~ON-THE-RIGHT~~ AND OTHERWISE.

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

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

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

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

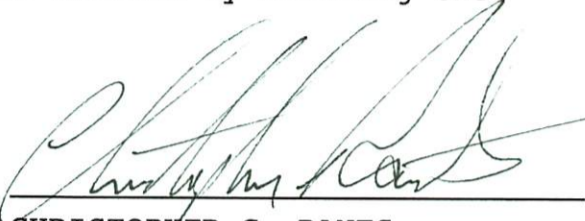
Sec. 3. Section 321.486, subsection 1, Code 2003, is amended to read as follows:

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

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

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

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



CHRISTOPHER C. RANTS

Speaker of the House



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 March 24, 2003



THOMAS J. VILLSACK

Governor