



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

May 15, 2004

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

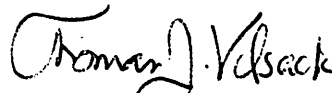
Dear Mr. Secretary:

I hereby transmit:

Senate File 2154, an Act relating to parties to whom traffic citations are issued for failure to obey school bus warning devices.

The above Senate File is hereby approved this date.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 2154

AN ACT

RELATING TO PARTIES TO WHOM TRAFFIC CITATIONS ARE ISSUED FOR
FAILURE TO OBEY SCHOOL BUS WARNING DEVICES.

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

Section 1. Section 321.372A, Code 2003, is amended to read
as follows:

321.372A PROMPT INVESTIGATION OF REPORTED VIOLATION OF
FAILING TO OBEY SCHOOL BUS WARNING DEVICES -- CITATION ISSUED
TO DRIVER OR OWNER.

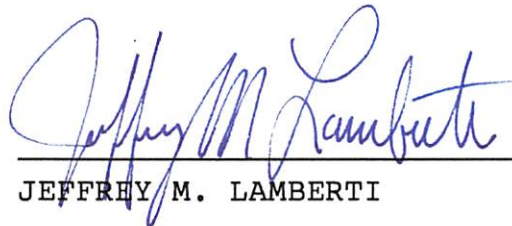
1. The driver of a school bus who observes a violation of
section 321.372, subsection 3, may prepare a written report on
a form provided by the department of public safety indicating
that a violation has occurred. The school bus driver or a
school official may deliver the report not more than seventy-
two hours after the violation occurred to a peace officer of
the state or a peace officer of the county or municipality in
which the violation occurred. The report shall state the time
and the location at which the violation occurred and shall
include the registration plate number and a description of the
vehicle involved in the violation.

2. Not more than seven calendar days after receiving a
report of a violation of section 321.372, subsection 3, from a
school bus driver or a school official, the peace officer
shall initiate an investigation of the reported violation and
contact the owner of the motor vehicle involved in the
reported violation and request that the owner supply
information identifying the driver in accordance with section
321.484.

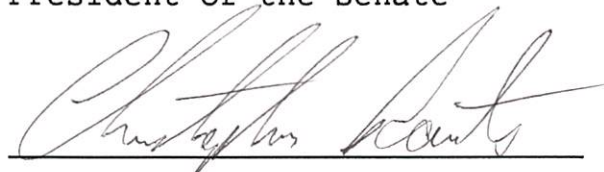
a. If, from the investigation, the peace officer is able
to identify the driver and has reasonable cause to believe a
violation of section 321.372, subsection 3, has occurred, the

peace officer shall prepare a uniform traffic citation for the violation and shall serve it personally or by certified mail to the driver of the vehicle.

b. If, from the investigation, the peace officer has reasonable cause to believe that a violation of section 321.372, subsection 3, occurred but is unable to identify the driver, the peace officer shall serve a uniform traffic citation for the violation to the owner of the motor vehicle. Notwithstanding section 321.484, in a proceeding where the peace officer who conducted the investigation was not able to identify the driver of the motor vehicle, proof that the motor vehicle described in the uniform traffic citation was used to commit the violation of section 321.372, subsection 3, together with proof that the defendant named in the citation was the registered owner of the motor vehicle at the time the violation occurred, constitutes a permissible inference that the registered owner was the driver who committed the violation.



JEFFREY M. LAMBERTI
President of the Senate



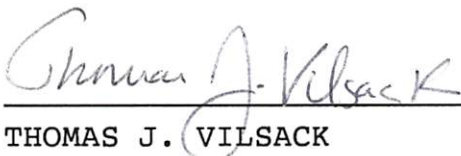
CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2154, Eightieth General Assembly.



MICHAEL E. MARSHALL
Secretary of the Senate

Approved May 15, 2004



THOMAS J. VILSACK
Governor