

House File 2525 - Enrolled

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HOUSE FILE 2525

AN ACT

RELATING TO POLICIES AND DUTIES OF THE STATE DEPARTMENT OF
TRANSPORTATION, INCLUDING PLACEMENT OF OFFICIAL SIGNS ON
PRIMARY HIGHWAYS, INSPECTION OF BRIDGES, ADMINISTRATIVE
DUTIES, MOTOR VEHICLE REGISTRATION AND TITLING, DRIVER
LICENSING, LICENSING AND REGULATION OF VEHICLE-RELATED
BUSINESSES, VEHICLE BRAKING REQUIREMENTS, VEHICLE LENGTH
RESTRICTIONS, PROOF OF FINANCIAL RESPONSIBILITY REQUIRE-
MENTS, AND PERSONS WITH DISABILITIES PARKING PERMITS,
AND INCLUDING EFFECTIVE DATES.

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

DIVISION I HIGHWAYS

Section 1. Section 306C.11, subsection 4, Code 2005, is
amended to read as follows:

4. Official and directional signs and notices which shall
include, but not be limited to, signs and notices pertaining
to natural wonders, scenic and historic attractions, and
~~recreational attractions and municipal recognition signs,~~
~~which.~~ The signs and notices shall conform with rules
promulgated by the department, provided that such rules shall
be consistent with national standards promulgated pursuant to
23 U.S.C. } 131(c).

Sec. 2. Section 306C.12, Code 2005, is amended to read as
follows:

306C.12 NONE VISIBLE FROM HIGHWAY.

An advertising device shall not be constructed or
reconstructed beyond the adjacent area in unincorporated areas
of the state if it is visible from the main-traveled way of
any interstate or primary highway except for advertising
devices permitted in section 306C.11, subsections 1 and 2, ~~and~~
~~municipal recognition signs erected by any city.~~ Any

advertising device permitted beyond an adjacent area in
unincorporated areas of the state shall be subject to the
applicable permit provisions of section 306C.18.

Sec. 3. Section 306C.18, unnumbered paragraph 1, Code
2005, is amended to read as follows:

The owner of every advertising device regulated by this
chapter, except signs and advertising devices excepted by
section 306C.11, subsections 1, 2, and 5, and official signs
~~erected by public officers or agencies,~~ shall be required to
make application to the department for a permit.

Sec. 4. NEW SECTION. 314.18 RESPONSIBILITY FOR BRIDGE
INSPECTION.

The department, counties, cities, and other public entities
shall be responsible for the safety inspection and evaluation
of all highway bridges under their jurisdiction which are
located on public roads, in accordance with the national
bridge inspection standards. These responsibilities include
inspection policies and procedures, inspections, reports, load
ratings, quality control and quality assurance, maintaining a
bridge inventory, and other requirements of the national
bridge inspection standards.

DIVISION II

DEPARTMENT ADMINISTRATION

Sec. 5. Section 307.12, Code Supplement 2005, is amended
by adding the following new subsection:

NEW SUBSECTION. 5A. Present the department's proposed
budget to the commission prior to December 31 of each year.

DIVISION III

MOTOR VEHICLE REGULATION

Sec. 6. Section 321.1, subsection 40, paragraphs b and c,
Code Supplement 2005, are amended to read as follows:

b. "Motorized bicycle" ~~or "motor bicycle"~~ means a motor
vehicle having a saddle or a seat for the use of a rider, and
designed to travel on not more than three wheels in contact
with the ground, ~~with an engine having a displacement no~~
~~greater than fifty cubic centimeters~~ and not capable of
operating at a speed in excess of thirty miles per hour on

3 4 level ground unassisted by human power.

3 5 c. "Bicycle" means ~~a~~ either of the following:

3 6 (1) A device having two wheels and having at least one
3 7 saddle or seat for the use of a rider which is propelled by
3 8 human power.

3 9 (2) A device having two or three wheels with fully
3 10 operable pedals and an electric motor of less than seven
3 11 hundred fifty watts (one horsepower), whose maximum speed on a
3 12 paved level surface, when powered solely by such a motor while
3 13 ridden, is less than twenty miles per hour.

3 14 Sec. 7. Section 321.1, subsection 86, Code Supplement
3 15 2005, is amended by striking the subsection.

3 16 Sec. 8. Section 321.18, subsection 8, Code 2005, is
3 17 amended to read as follows:

3 18 8. Any mobile home or manufactured home and any temporary
3 19 undercarriage used solely for transporting manufactured homes,
3 20 modular homes, or other portable buildings used or intended to
3 21 be used for human occupancy.

3 22 Sec. 9. Section 321.20, subsection 1, Code Supplement
3 23 2005, is amended to read as follows:

3 24 1. The full legal name; social security number or Iowa
3 25 driver's license number or Iowa nonoperator's identification
3 26 card number; date of birth; bona fide residence; and mailing
3 27 address of the owner and of the lessee if the vehicle is being
3 28 leased. If the owner or lessee is a firm, association, or
3 29 corporation, the application shall contain the bona fide
3 30 business address and federal employer identification number of
3 31 the owner or lessee. Up to three owners' names may be listed
3 32 on the application. If the vehicle is a leased vehicle, the
3 33 application shall state whether the notice of registration
3 34 renewal shall be sent to the lessor or to the lessee and
3 35 whether the lessor or the lessee shall receive the

4 1 registration fee refund, if any. Information relating to the
4 2 lessee of a vehicle shall not be required on an application
4 3 for registration and a certificate of title for a vehicle with
4 4 a gross vehicle weight rating of ten thousand pounds or more.

4 5 Sec. 10. Section 321.30, Code 2005, is amended by adding
4 6 the following new subsection:

4 7 NEW SUBSECTION. 15. Unless otherwise provided for in this
4 8 chapter, the department or the county treasurer shall refuse
4 9 registration and issuance of a certificate of title unless the
4 10 vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt.
4 11 567 certifying that the vehicle meets federal motor vehicle
4 12 safety standards.

4 13 Sec. 11. Section 321.42, subsection 1, Code Supplement
4 14 2005, is amended to read as follows:

4 15 1. If a registration card, plate, or pair of plates is
4 16 lost or becomes illegible, the owner shall immediately apply
4 17 for replacement. The fee for a replacement registration card
4 18 shall be three dollars. The fee for a replacement plate or
4 19 pair of plates shall be five dollars. When the owner has
4 20 furnished information required by the department and paid the
4 21 proper fee, a duplicate, substitute, or new registration card,
4 22 plate, or pair of plates may be issued. The county treasurer
4 23 or the department may waive the fee for a replacement plate if
4 24 the plate is lost during a documented accident.

4 25 Sec. 12. Section 321.46, subsection 5, Code Supplement
4 26 2005, is amended to read as follows:

4 27 5. The seller or transferor may file an affidavit on forms
4 28 prescribed and provided by the department with the county
4 29 treasurer of the county where the vehicle is registered
4 30 certifying the sale or transfer of ownership of the vehicle
4 31 and the assignment and delivery of the certificate of title
4 32 for the vehicle. Upon receipt of the affidavit, the county
4 33 treasurer shall file the affidavit with the copy of the
4 34 registration receipt for the vehicle on file in the
4 35 treasurer's office and on that day the treasurer shall forward
5 1 ~~copies of the affidavit to the department and to the county~~
5 2 ~~treasurer of the county of residence of the purchaser or~~
5 3 ~~transferee~~ note receipt of the affidavit in the vehicle
5 4 registration and titling system. Upon filing the affidavit,

5 5 it shall be presumed that the seller or transferor has
5 6 assigned and delivered the certificate of title for the
5 7 vehicle. For a leased vehicle, the lessor licensed pursuant
5 8 to chapter 321F or the lessee may file an affidavit as
5 9 provided in this subsection certifying that the lease has
5 10 expired or been terminated and the date that the leased
5 11 vehicle was surrendered to the lessor.

5 12 Sec. 13. Section 321.46, subsection 7, Code Supplement
5 13 2005, is amended to read as follows:

5 14 7. If a motor vehicle is leased and the lessee purchases

5 15 the vehicle upon termination of the lease, the lessor shall,
5 16 upon claim by the lessee with the lessor within ~~fifteen~~ thirty
5 17 days of the purchase, assign the registration fee credit and
5 18 registration plates for the leased motor vehicle to the
5 19 lessee. Credit shall be applied as provided in subsection 3.
5 20 Sec. 14. Section 321.52, subsection 4, paragraphs b and d,
5 21 Code Supplement 2005, are amended to read as follows:
5 22 b. When a wrecked or salvage vehicle has been repaired,
5 23 the owner may apply for a regular certificate of title by
5 24 paying the appropriate fees and surrendering the salvage
5 25 certificate of title and a properly executed salvage theft
5 26 examination certificate. A motor vehicle with a gross vehicle
5 27 weight rating of thirty thousand pounds or more is not subject
5 28 to the salvage theft examination otherwise required under
5 29 paragraph "c", and the owner of such vehicle is not required
5 30 to submit a salvage theft examination certificate. The county
5 31 treasurer shall issue a regular certificate of title which
5 32 shall bear a designation stamped or printed on the face of the
5 33 title and stamped and printed on the registration receipt
5 34 indicating that the vehicle was previously titled on a salvage
5 35 certificate of title in a form approved by the department.
6 1 This designation shall be included on every Iowa certificate
6 2 of title and registration receipt issued thereafter for the
6 3 vehicle. The stamped designation shall be in black and shall
6 4 be in letters no bigger than sixteen point type and located on
6 5 the center of the right side of the registration receipt.
6 6 However, if ownership of a stolen vehicle has been transferred
6 7 to an insurer organized under the laws of this state or
6 8 admitted to do business in this state, or if the transfer was
6 9 the result of a settlement with the owner of the vehicle
6 10 arising from damage to or the unrecovered theft of the
6 11 vehicle, and if the insurer certifies to the county treasurer
6 12 on a form approved by the department that the insurance
6 13 company has received one or more written estimates which state
6 14 that the retail cost of repairs including labor, parts, and
6 15 other materials of all damage to the vehicle is less than
6 16 three thousand dollars, the county treasurer shall issue to
6 17 the insurance company the regular certificate of title and
6 18 registration receipt without this designation.
6 19 d. For purposes of this subsection, ~~a~~ "wrecked or salvage
6 20 vehicle" means a damaged motor vehicle subject to registration
6 21 ~~and having a gross vehicle weight rating of less than thirty~~
6 22 ~~thousand pounds,~~ for which the cost of repair exceeds fifty
6 23 percent of the fair market value of the vehicle, as determined
6 24 in accordance with rules adopted by the department, before it
6 25 became damaged.
6 26 Sec. 15. Section 321.57, subsection 1, Code 2005, is
6 27 amended to read as follows:
6 28 1. A dealer owning any vehicle of a type otherwise
6 29 required to be registered under this chapter may operate or
6 30 move the vehicle upon the highways solely for purposes of
6 31 transporting, testing, demonstrating, or selling the vehicle
6 32 without registering the vehicle, upon condition that the
6 33 vehicle display in the manner prescribed in sections 321.37
6 34 and 321.38 a special plate issued to the owner as provided in
6 35 sections 321.58 ~~to through~~ 321.62. ~~Additionally, a new car~~
7 1 ~~dealer or a used car~~ A dealer may operate or move upon the
7 2 highways a new or used car or trailer vehicle owned by the
7 3 dealer for either private or business purposes without
7 4 registering it if the new or used car or trailer vehicle is in
7 5 the dealer's inventory and is continuously offered for sale at
7 6 retail, and there is displayed on it a special plate issued to
7 7 the dealer as provided in sections 321.58 to through 321.62.
7 8 A dealer may operate or move upon the highways an unregistered
7 9 vehicle owned by a lessor licensed pursuant to chapter 321F
7 10 solely for the purpose of delivering the vehicle to the owner
7 11 or transporting the vehicle to or from an auction if there is
7 12 displayed on the vehicle a special plate issued to the dealer
7 13 as provided in sections 321.58 through 321.62.
7 14 Sec. 16. Section 321.109, subsection 1, Code Supplement
7 15 2005, is amended to read as follows:
7 16 1. a. The annual fee for all motor vehicles including
7 17 vehicles designated by manufacturers as station wagons, and
7 18 1993 and subsequent model years for multipurpose vehicles,
7 19 except motor trucks, motor homes, ambulances, hearses,
7 20 motorcycles, ~~motor~~ motorized bicycles, and 1992 and older
7 21 model years for multipurpose vehicles, shall be equal to one
7 22 percent of the value as fixed by the department plus forty
7 23 cents for each one hundred pounds or fraction thereof of
7 24 weight of vehicle, as fixed by the department. The weight of
7 25 a motor vehicle, fixed by the department for registration

7 26 purposes, shall include the weight of a battery, heater,
7 27 bumpers, spare tire, and wheel. Provided, however, that for
7 28 any new vehicle purchased in this state by a nonresident for
7 29 removal to the nonresident's state of residence the purchaser
7 30 may make application to the county treasurer in the county of
7 31 purchase for a transit plate for which a fee of ten dollars
7 32 shall be paid. And provided, however, that for any used
7 33 vehicle held by a registered dealer and not currently
7 34 registered in this state, or for any vehicle held by an
7 35 individual and currently registered in this state, when
8 1 purchased in this state by a nonresident for removal to the
8 2 nonresident's state of residence, the purchaser may make
8 3 application to the county treasurer in the county of purchase
8 4 for a transit plate for which a fee of three dollars shall be
8 5 paid. The county treasurer shall issue a nontransferable
8 6 certificate of registration for which no refund shall be
8 7 allowed; and the transit plates shall be void thirty days
8 8 after issuance. Such purchaser may apply for a certificate of
8 9 title by surrendering the manufacturer's or importer's
8 10 certificate or certificate of title, duly assigned as provided
8 11 in this chapter. In this event, the treasurer in the county
8 12 of purchase shall, when satisfied with the genuineness and
8 13 regularity of the application, and upon payment of a fee of
8 14 ten dollars, issue a certificate of title in the name and
8 15 address of the nonresident purchaser delivering the ~~same title~~
8 16 ~~to the person entitled to the title as provided in this~~
~~8 17 chapter owner. If there is a security interest noted on the~~
8 18 title, the county treasurer shall mail to the secured party an
8 19 acknowledgment of the notation of the security interest. The
8 20 county treasurer shall not release a security interest that
8 21 has been noted on a title issued to a nonresident purchaser as
8 22 provided in this paragraph. The application requirements of
8 23 section 321.20 apply to a title issued as provided in this
8 24 subsection, except that a natural person who applies for a
8 25 certificate of title shall provide either the person's social
8 26 security number, passport number, or driver's license number,
8 27 whether the license was issued by this state, another state,
8 28 or another country. The provisions of this subsection
8 29 relating to multipurpose vehicles are effective January 1,
8 30 1993, for all 1993 and subsequent model years. The annual
8 31 registration fee for multipurpose vehicles that are 1992 model
8 32 years and older shall be in accordance with section 321.124.
8 33 b. The annual registration fee for a multipurpose vehicle
8 34 with permanently installed equipment manufactured for and
8 35 necessary to assist a person with a disability who is either
9 1 the owner or a member of the owner's household in entry and
9 2 exit of the vehicle or for a multipurpose vehicle if the
9 3 vehicle's owner or a member of the vehicle owner's household
9 4 uses a wheelchair as the only means of mobility shall be sixty
9 5 dollars. For purposes of this ~~unnumbered~~ paragraph, "uses a
9 6 wheelchair" does not include use of a wheelchair due to a
9 7 temporary injury or medical condition.
9 8 Sec. 17. Section 321.115, subsection 2, Code 2005, is
9 9 amended to read as follows:
9 10 2. The sale of a motor vehicle twenty years old or older
9 11 which is primarily of value as a collector's item and not as
9 12 transportation is not subject to chapter 322 and any person
9 13 may sell such a vehicle at retail ~~or wholesale~~ without a
9 14 license as required under chapter 322.
9 15 Sec. 18. Section 321.126, Code Supplement 2005, is amended
9 16 by adding the following new subsection:
9 17 NEW SUBSECTION. 6A. If the vehicle was leased and an
9 18 affidavit was filed by the lessor or the lessee as provided in
9 19 section 321.46, the lessor or the lessee, as applicable, may
9 20 make a claim for a refund with the county treasurer of the
9 21 county where the vehicle was registered within six months of
9 22 the vehicle's surrender to the lessor. The refund shall be
9 23 paid to either the lessor or the lessee, as specified on the
9 24 application for title and registration pursuant to section
9 25 321.20.
9 26 Sec. 19. Section 321.176A, subsection 1, Code Supplement
9 27 2005, is amended to read as follows:
9 28 1. A farmer or a person working for a farmer while
9 29 operating a commercial motor vehicle ~~owned~~ controlled by the
9 30 farmer within one hundred fifty air miles of the farmer's farm
9 31 to transport the farmer's own agricultural products, farm
9 32 machinery, or farm supplies to or from the farm. The
9 33 exemption provided in this subsection shall apply to farmers
9 34 who assist each other through an exchange of services and
9 35 shall include operation of a commercial motor vehicle between
10 1 the farms of the farmers who are exchanging services.

10 2 Sec. 20. Section 321.180, subsection 1, paragraph a,
10 3 unnumbered paragraph 1, Code 2005, is amended to read as
10 4 follows:

10 5 A person who is at least eighteen years of age and who,
10 6 except for the person's lack of instruction in operating a
10 7 motor vehicle, would be qualified to obtain a driver's
10 8 license, shall, upon meeting the requirements of section
10 9 321.186 other than a driving demonstration, and upon paying
10 10 the required fee, be issued an instruction permit by the
10 11 department. Subject to the limitations in this subsection, an
10 12 instruction permit entitles the permittee, while having the
10 13 permit in the permittee's immediate possession, to operate a
10 14 motor vehicle, other than a commercial motor vehicle or as a
10 15 chauffeur or a motor vehicle with a gross vehicle weight
10 16 rating of sixteen thousand one or more pounds, upon the
10 17 highways for a period not to exceed ~~two~~ four years from the
10 18 licensee's birthday anniversary in the year of issuance. If
10 19 the applicant for an instruction permit holds a driver's
10 20 license issued in this state valid for the operation of a
10 21 motorized bicycle or a motorcycle, the instruction permit
10 22 shall be valid for such operation without the need of an
10 23 accompanying person.

10 24 Sec. 21. Section 321.180, subsection 2, Code 2005, is
10 25 amended to read as follows:

10 26 2. A person who holds a class A, B, C, or D driver's
10 27 license, upon meeting each of the following requirements,
10 28 shall be eligible to apply for a commercial driver's
10 29 instruction permit valid for the operation of a commercial
10 30 motor vehicle, except a vehicle transporting hazardous
10 31 materials requiring placarding, when the permittee is
10 32 accompanied by a person properly licensed to operate a
10 33 commercial motor vehicle and actually occupying a seat beside
10 34 the permittee. An applicant must be at least eighteen years
10 35 of age and qualified to obtain a valid commercial driver's
11 1 license including the requirements of section 321.188 other
11 2 than the knowledge examination and driving skills tests. The
11 3 commercial driver's instruction permit shall be valid for a
11 4 period not to exceed six months. A commercial driver's
11 5 instruction permit may be renewed only once in any two-year
11 6 period. If the applicant for a commercial driver's
11 7 instruction permit holds a driver's license issued in this
11 8 state valid for the operation of a commercial or noncommercial
11 9 vehicle, the commercial driver's instruction permit shall be
11 10 valid for such operation without the need of an accompanying
11 11 person.

11 12 Sec. 22. Section 321.180B, subsection 1, unnumbered
11 13 paragraph 1, Code 2005, is amended to read as follows:

11 14 The department may issue an instruction permit to an
11 15 applicant between the ages of fourteen and eighteen years if
11 16 the applicant meets the requirements of sections 321.184 and
11 17 321.186, other than a driving demonstration, and pays the
11 18 required fee. An instruction permit issued under this section
11 19 shall be valid for a period not to exceed ~~two~~ four years from
11 20 the licensee's birthday anniversary in the year of issuance.
11 21 A motorcycle instruction permit issued under this section is
11 22 not renewable.

11 23 Sec. 23. Section 321.180B, subsection 2, unnumbered
11 24 paragraph 1, Code 2005, is amended to read as follows:

11 25 The department may issue an intermediate driver's license
11 26 to a person sixteen or seventeen years of age who possesses a
11 27 instruction permit issued under subsection 1 or a comparable
11 28 instruction permit issued by another state for a minimum of
11 29 six months immediately preceding application, and who presents
11 30 an affidavit signed by a parent or guardian on a form to be
11 31 provided by the department that the permittee has accumulated
11 32 a total of twenty hours of street or highway driving of which
11 33 two hours were conducted after sunset and before sunrise and
11 34 the street or highway driving was with the permittee's parent,
11 35 guardian, instructor, a person certified by the department, or
12 1 a person at least twenty-five years of age who had written
12 2 permission from a parent or guardian to accompany the
12 3 permittee, and whose driving privileges have not been
12 4 suspended, revoked, or barred under this chapter or chapter
12 5 321J during, and who has been accident and ~~conviction~~
12 6 violation free continuously for, the six-month period
12 7 immediately preceding the application for an intermediate
12 8 license. An applicant for an intermediate license must meet
12 9 the requirements of section 321.186, including satisfactory
12 10 completion of driver education as required in section 321.178,
12 11 and payment of the required license fee before an intermediate
12 12 license will be issued. A person issued an intermediate

12 13 license must limit the number of passengers in the motor
12 14 vehicle when the intermediate licensee is operating the motor
12 15 vehicle to the number of passenger safety belts.

12 16 Sec. 24. Section 321.180B, subsections 3 and 4, Code 2005,
12 17 are amended to read as follows:

12 18 3. ~~REMEDIAL DRIVER IMPROVEMENT ACTION OR == SUSPENSION OF~~
12 19 ~~PERMIT, OR INTERMEDIATE LICENSE, OR FULL LICENSE.~~ A person
12 20 who has been issued an instruction permit, ~~or~~ an intermediate
12 21 license, ~~or a full driver's license~~ under this section, upon
12 22 conviction of a moving traffic violation or involvement in a
12 23 motor vehicle accident which occurred during the term of the
12 24 instruction permit or intermediate license, shall be subject
12 25 to remedial driver improvement action or suspension of the
12 26 permit or current license. A person possessing an instruction
12 27 permit who has been convicted of a moving traffic violation or
12 28 has been involved in an accident shall not be issued an
12 29 intermediate license until the person has completed the
12 30 remedial driver improvement action and has been accident and
12 31 ~~conviction violation~~ free continuously for the six-month
12 32 period immediately preceding the application for the
12 33 intermediate license. A person possessing an intermediate
12 34 license who has been convicted of a moving traffic violation
12 35 or has been involved in an accident shall not be issued a full
13 1 driver's license until the person has completed the remedial
13 2 driver improvement action and has been accident and ~~conviction~~
13 3 violation free continuously for the twelve-month period
13 4 immediately preceding the application for a full driver's
13 5 license.

13 6 4. FULL DRIVER'S LICENSE. A full driver's license may be
13 7 issued to a person seventeen years of age who possesses an
13 8 intermediate license issued under subsection 2 or a comparable
13 9 intermediate license issued by another state for a minimum of
13 10 twelve months immediately preceding application, and who
13 11 presents an affidavit signed by a parent or guardian on a form
13 12 to be provided by the department that the intermediate
13 13 licensee has accumulated a total of ten hours of street or
13 14 highway driving of which two hours were conducted after sunset
13 15 and before sunrise and the street or highway driving was with
13 16 the licensee's parent, guardian, instructor, a person
13 17 certified by the department, or a person at least twenty-five
13 18 years of age who had written permission from a parent or
13 19 guardian to accompany the licensee, whose driving privileges
13 20 have not been suspended, revoked, or barred under this chapter
13 21 or chapter 321J during, and who has been accident and
13 22 ~~conviction violation~~ free continuously for, the twelve-month
13 23 period immediately preceding the application for a full
13 24 driver's license, and who has paid the required fee.

13 25 Sec. 25. Section 321.188, subsection 1, Code 2005, is
13 26 amended by adding the following new paragraph:

13 27 NEW PARAGRAPH. f. Identify all states where the applicant
13 28 has been licensed to drive any type of motor vehicle during
13 29 the previous ten years.

13 30 Sec. 26. Section 321.189, subsection 2, paragraph c, Code
13 31 2005, is amended to read as follows:

13 32 c. The department shall assign an applicant for a driver's
13 33 license a distinguishing driver's license number other than
13 34 the applicant's social security number, ~~unless the applicant~~
13 35 ~~requests that the applicant's social security number be so~~
14 1 ~~assigned.~~

14 2 Sec. 27. Section 321.190, subsection 1, paragraph a, Code
14 3 2005, is amended to read as follows:

14 4 a. The department shall, upon application and payment of
14 5 the required fee, issue to an applicant a nonoperator's
14 6 identification card. To be valid the card shall bear a
14 7 distinguishing number other than a social security number
14 8 assigned to the card holder, the full name, date of birth,
14 9 sex, residence address, a physical description and a colored
14 10 photograph of the card holder, the usual signature of the card
14 11 holder, and such other information as the department may
14 12 require by rule. An applicant for a nonoperator's
14 13 identification card shall apply for the card in the manner
14 14 provided in section 321.182, subsections 1 through 3. The
14 15 card shall be issued to the applicant at the time of
14 16 application pursuant to procedures established by rule. An
14 17 applicant for a nonoperator's identification card who is
14 18 required by 50 U.S.C. app. } 451 et seq. to register with the
14 19 United States selective service system shall be registered by
14 20 the department with the selective service system as provided
14 21 in section 321.183.

14 22 Sec. 28. Section 321.208, subsection 2, paragraph d, Code
14 23 Supplement 2005, is amended to read as follows:

14 24 d. A felony or aggravated misdemeanor involving the use of
14 25 a ~~commercial~~ motor vehicle other than an offense involving
14 26 manufacturing, distributing, or dispensing a controlled
14 27 substance.

14 28 Sec. 29. Section 321.430, subsection 3, Code 2005, is
14 29 amended to read as follows:

14 30 3. Every trailer, ~~or semitrailer, or travel trailer~~ of a
14 31 gross weight of three thousand pounds or more, ~~and every~~
~~14 32 trailer coach or travel trailer of a gross weight of three~~
~~14 33 thousand pounds or more intended for use for human habitation,~~
~~14 34 when operated on the highways of this state,~~ shall be equipped
14 35 with brakes adequate to control the movement of and to stop
15 1 and hold such vehicle, ~~and so designed as to be applied by the~~
~~15 2 driver of the towing motor vehicle from its cab, when operated~~
~~15 3 on the highways of this state. Every trailer, semitrailer, or~~
~~15 4 travel trailer with a gross weight of three thousand pounds or~~
~~15 5 more shall be equipped with a separate, auxiliary means of~~
~~15 6 applying the brakes on the trailer, semitrailer, or travel~~
~~15 7 trailer from the cab of the towing vehicle, or with self-~~
15 8 actuating brakes, and shall also be equipped with a weight
15 9 equalizing hitch with a sway control. ~~Every semitrailer,~~
~~15 10 travel trailer, or trailer coach of a gross weight of three~~
~~15 11 thousand pounds or more shall be equipped with a separate,~~
~~15 12 auxiliary means of applying the brakes on the semitrailer,~~
~~15 13 travel trailer, or trailer coach from the cab of the towing~~
~~15 14 vehicle.~~ Trailers or semitrailers with a truck or truck
15 15 tractor need only comply with the brake requirements.

15 16 Sec. 30. Section 321.457, subsection 1, Code Supplement
15 17 2005, is amended to read as follows:

15 18 1. A combination of four vehicles is not allowed on the
15 19 highways of this state, except for power units saddle mounted
15 20 on other power units which shall be restricted to a maximum
15 21 overall length of ~~seventy-five~~ ninety-seven feet.

15 22 Sec. 31. Section 321.457, subsection 2, Code Supplement
15 23 2005, is amended by adding the following new paragraph:

15 24 NEW PARAGRAPH. m. Notwithstanding any other provision of
15 25 this chapter, and to the extent allowed under federal law, the
15 26 maximum length of a towaway trailer transporter combination
15 27 operated on the highways of this state is eighty-five feet.
15 28 For purposes of this paragraph, "towaway trailer transporter
15 29 combination" means a combination of vehicles consisting of a
15 30 towing vehicle and two unladen trailers or unladen
15 31 semitrailers in which the trailers or semitrailers constitute
15 32 inventory property of the manufacturer intended for sale and
15 33 which are being transported from a trailer manufacturer to a
15 34 trailer distributor or authorized trailer dealer.

15 35 Sec. 32. Section 321A.5, subsection 1, Code 2005, is
16 1 amended to read as follows:

16 2 1. The department shall, immediately or within sixty days
16 3 after the receipt of a report of a motor vehicle accident
16 4 within this state which has resulted in bodily injury or death
16 5 or damage to the property of any one person in ~~excess the~~
~~16 6 amount~~ of one thousand dollars or more, suspend the license of
16 7 each operator and all registrations of each owner of a motor
16 8 vehicle in any manner involved in the accident, and if the
16 9 operator is a nonresident the privilege of operating a motor
16 10 vehicle within this state, and if the owner is a nonresident
16 11 the privilege of the use within this state of any motor
16 12 vehicle owned by the owner, unless the operator or owner or
16 13 both shall deposit security in a sum which shall be sufficient
16 14 in the judgment of the department to satisfy any judgment or
16 15 judgments for damages resulting from the accident as may be
16 16 recovered against the operator or owner; provided notice of
16 17 the suspension shall be sent by the department to the operator
16 18 and owner not less than ten days prior to the effective date
16 19 of the suspension and shall state the amount required as
16 20 security.

16 21 Sec. 33. Section 321L.2, subsection 1, paragraph a,
16 22 unnumbered paragraph 1, Code Supplement 2005, is amended to
16 23 read as follows:

16 24 A resident of the state with a disability desiring a
16 25 persons with disabilities parking permit shall apply to the
16 26 department upon an application form furnished by the
16 27 department providing the applicant's full legal name, address,
16 28 date of birth, and social security number or Iowa driver's
~~16 29 license number or Iowa nonoperator's identification card~~
~~16 30 number~~, and shall also provide a statement from a physician
16 31 licensed under chapter 148, 149, 150, or 150A, a physician
16 32 assistant licensed under chapter 148C, an advanced registered
16 33 nurse practitioner licensed under chapter 152, or a
16 34 chiropractor licensed under chapter 151, or a physician,

16 35 physician assistant, nurse practitioner, or chiropractor
17 1 licensed to practice in a contiguous state, written on the
17 2 physician's, physician assistant's, nurse practitioner's, or
17 3 chiropractor's stationery, stating the nature of the
17 4 applicant's disability and such additional information as
17 5 required by rules adopted by the department under section
17 6 321L.8. If the person is applying for a temporary persons
17 7 with disabilities parking permit, the physician's, physician
17 8 assistant's, nurse practitioner's, or chiropractor's statement
17 9 shall state the period of time during which the person is
17 10 expected to be disabled and the period of time for which the
17 11 permit should be issued, not to exceed six months.

17 12 Sec. 34. Section 322.3, subsection 14, paragraph d, Code
17 13 2005, is amended to read as follows:

17 14 d. A manufacturer of motor homes, as defined in section
17 15 321.1, ~~or a manufacturer of school buses, as defined in~~
~~17 16 section 321.1,~~ from owning an interest in, operating, or
17 17 controlling a motor vehicle dealer of the motor homes ~~or~~
~~17 18 school buses~~ manufactured by that manufacturer or from being
17 19 licensed as a motor vehicle dealer only of the motor homes ~~or~~
~~17 20 school buses~~ manufactured by that manufacturer.

17 21 Sec. 35. Section 322.5, subsection 2, paragraph b, Code
17 22 Supplement 2005, is amended to read as follows:

17 23 b. An application for a temporary permit under this
17 24 subsection shall be made upon a form provided by the
17 25 department and shall be accompanied by a ten dollar permit
17 26 fee. The department may issue a temporary permit for a period
17 27 not to exceed fourteen days. The department may issue
17 28 multiple consecutive temporary permits.

17 29 Sec. 36. Section 322.27A, unnumbered paragraph 1, Code
17 30 2005, is amended to read as follows:

17 31 A person shall not engage in business as a wholesaler of
17 32 new motor vehicles in this state without a license as provided
17 33 in this chapter.

17 34 Sec. 37. Section 322.29, subsection 2, paragraph c, Code
17 35 2005, is amended by striking the paragraph.

18 1 Sec. 38. Section 322B.3, subsection 4, Code 2005, is
18 2 amended to read as follows:

18 3 4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.

18 4 Manufactured or mobile home retailers, in addition to selling
18 5 homes at their principal place of business and lots, may, upon
18 6 receipt of a temporary permit approved by the department,
18 7 display and offer new manufactured homes for sale and
18 8 negotiate sales of new manufactured homes at fairs, shows, and
18 9 exhibitions. Application for temporary permits shall be made
18 10 upon forms provided by the department and shall be accompanied
18 11 by a ten dollar permit fee. Temporary permits shall be issued
18 12 for a period not to exceed fourteen days. The department may
18 13 issue multiple consecutive temporary permits.

18 14 Sec. 39. Section 322C.3, subsection 9, Code 2005, is
18 15 amended to read as follows:

18 16 9. A travel trailer dealer may display new travel trailers
18 17 at fairs, shows, and exhibitions on any day of the week as
18 18 provided in this subsection. Travel trailer dealers, in
18 19 addition to selling travel trailers at their principal place
18 20 of business and lots, may, upon receipt of a temporary permit
18 21 approved by the department, display and offer new travel
18 22 trailers for sale and negotiate sales of new travel trailers
18 23 at fairs, shows, and exhibitions. Application for temporary
18 24 permits shall be made upon forms provided by the department
18 25 and shall be accompanied by a ten dollar permit fee.
18 26 Temporary permits shall be issued for a period not to exceed
18 27 fourteen days. The department may issue multiple consecutive
18 28 temporary permits.

18 29 Sec. 40. Section 326.2, subsection 14, Code 2005, is
18 30 amended to read as follows:

18 31 14. The words "vehicle," "motor vehicle," "motor truck,"
18 32 "truck tractor," "road tractor," "trailer," "semitrailer,"
18 33 ~~"trailer coach,"~~ "combination" or "combination of vehicles,"
18 34 "gross weight," "person," "owner," "nonresident," "street" or
18 35 "highway," and "auxiliary axle" shall have the meanings
19 1 ascribed in section 321.1.

19 2 Sec. 41. EFFECTIVE DATE. The section of this division
19 3 that amends section 321.1, subsection 40; the section that
19 4 enacts section 321.30, subsection 15; and the provision
19 5 changing the term "motor bicycles" to "motorized bicycles" in
19 6 the section that amends section 321.109, subsection 1, being
19 7 deemed of immediate importance, take effect upon enactment.

DIVISION IV

VEHICLE BUSINESS LICENSING

19 10 Sec. 42. Section 321.58, Code 2005, is amended to read as

19 11 follows:

19 12 321.58 APPLICATION.

19 13 All dealers, transporters, new motor vehicle wholesalers
19 14 licensed under chapter 322, and manufactured or mobile home
19 15 retailers licensed under chapter 322B, upon payment of a fee
19 16 of seventy dollars for ~~two years, one hundred forty dollars~~
~~19 17 for four years, or two hundred ten dollars for six years a~~
~~19 18 two-year period or part thereof~~, may make application to the
19 19 department upon the appropriate form for a certificate
19 20 containing a general distinguishing number and for one or more
19 21 special plates as appropriate to various types of vehicles
19 22 subject to registration. The applicant shall also submit
19 23 proof of the applicant's status as a bona fide transporter,
19 24 new motor vehicle wholesaler licensed under chapter 322,
19 25 manufactured or mobile home retailer licensed under chapter
19 26 322B, or dealer, as reasonably required by the department.
19 27 Dealers in new vehicles shall furnish satisfactory evidence of
19 28 a valid franchise with the manufacturer of the vehicles
19 29 authorizing the dealership.

19 30 Sec. 43. Section 321.60, Code 2005, is amended to read as
19 31 follows:

19 32 321.60 ISSUANCE OF SPECIAL PLATES.

19 33 The department shall also issue special plates as applied
19 34 for, which shall display the general distinguishing number
19 35 assigned to the applicant. Each plate so issued shall also
20 1 contain a number or symbol identifying the plate and
20 2 distinguishing it from every other plate bearing the same
20 3 general distinguishing number. The fee for each special plate
20 4 is forty dollars for ~~two years, eighty dollars for four years,~~
~~20 5 or one hundred twenty dollars for six years a two-year period~~
~~20 6 or part thereof.~~

~~20 7 Special plates may be validated in the same manner as~~
~~20 8 regular registration plates under this chapter.~~

20 9 Sec. 44. Section 321.61, Code 2005, is amended to read as
20 10 follows:

20 11 321.61 EXPIRATION OF SPECIAL PLATES.

~~20 12 A special plate shall expire at midnight on the last day of~~
~~20 13 the last month of the dealer's license expiration period, and~~
~~20 14 upon application and payment of the fee the department shall~~
~~20 15 validate the special plate in the same manner as regular~~
~~20 16 registration plates December 31 of even-numbered years. A~~
~~20 17 person shall not be considered to be driving a vehicle with an~~
~~20 18 expired registration for one month following the expiration~~
~~20 19 date of the special plate.~~

20 20 Sec. 45. Section 321F.4, Code 2005, is amended to read as
20 21 follows:

20 22 321F.4 FEES AND EXPIRATION.

20 23 1. The license fee for a license to engage in the business
20 24 of leasing vehicles in this state is thirty dollars for a two=
20 25 year license, ~~sixty dollars for a four-year license, and~~
~~20 26 ninety dollars for a six-year license period or part thereof,~~
20 27 to be paid at the time the application for a license is filed.
20 28 If the application is denied, the amount of the fee shall be
20 29 refunded to the applicant.

20 30 2. A license is ~~valid for two years, four years, or six~~
~~20 31 years and expires on the last day of the last month of the~~
~~20 32 two-year, four-year, or six-year period, as applicable~~
~~20 33 December 31 of even-numbered years.~~ A licensee shall have the
20 34 month of expiration and the month after the month of
20 35 expiration to renew the license. A person who fails to renew
21 1 a license by the end of this time period and desires to hold a
21 2 license shall file a new license application and pay the
21 3 required fee.

21 4 Sec. 46. Section 321H.4, subsection 2, unnumbered
21 5 paragraph 1, Code 2005, is amended to read as follows:

21 6 Application for a license as an authorized vehicle recycler
21 7 shall be made to the department on forms provided by the
21 8 department. The application shall be accompanied by a fee of
21 9 seventy dollars for a two-year license, ~~one hundred forty~~
~~21 10 dollars for a four-year license, or two hundred ten dollars~~
~~21 11 for a six-year license period or part thereof.~~ The license
21 12 shall be approved or disapproved within thirty days after
21 13 application for the license. A license is ~~valid for two~~
~~21 14 years, four years, or six years and expires on the last day of~~
~~21 15 the last month of the two-year, four-year, or six-year period,~~
~~21 16 as applicable December 31 of even-numbered years.~~ A licensee
21 17 shall have the month of expiration and the month after the
21 18 month of expiration to renew the license. A person who fails
21 19 to renew a license by the end of this time period and desires
21 20 to hold a license shall file a new license application and pay
21 21 the required fee. A separate license shall be obtained for

21 22 each county in which an applicant conducts operations.
21 23 Sec. 47. Section 322.5, subsection 1, unnumbered paragraph
21 24 1, Code Supplement 2005, is amended to read as follows:
21 25 The license fee for a motor vehicle dealer for a two-year
21 26 period or part thereof is the sum of seventy dollars ~~for a~~
21 27 ~~two-year license, one hundred forty dollars for a four-year~~
21 28 ~~license, or two hundred ten dollars for a six-year license~~ for
21 29 the licensee's principal place of business in each city or
21 30 township and an additional twenty dollars for ~~two years, forty~~
21 31 ~~dollars for four years, or sixty dollars for six years~~ a two-
21 32 year period or part thereof for each car lot which is in the
21 33 city or township in which the principal place of business is
21 34 located and which is not adjacent to that place, to be paid to
21 35 the department at the time a license is applied for. In case
22 1 the application is denied, the department shall refund the
22 2 amount of the fee to the applicant. For the purposes of this
22 3 section "adjacent" means that the principal place of business
22 4 and each additional lot are adjoining parcels of property.
22 5 Sec. 48. Section 322.7, subsection 3, Code 2005, is
22 6 amended to read as follows:
22 7 3. The license of a motor vehicle dealer is valid for a
22 8 ~~two-year, four-year, or six-year time period and expires,~~
22 9 ~~unless revoked or suspended,~~ on the last day of the last month
22 10 ~~of the two-year, four-year, or six-year period, as applicable~~
22 11 December 31 of even-numbered years.
22 12 Sec. 49. Section 322.29, subsection 1, Code 2005, is
22 13 amended to read as follows:
22 14 1. Application for license shall be made to the department
22 15 by a manufacturer, distributor, or wholesaler, in a form and
22 16 containing information as the department requires and shall be
22 17 accompanied by the required license fee. The license shall be
22 18 granted or refused within thirty days after application, ~~and~~
22 19 ~~shall expire.~~ A license expires, unless sooner revoked or
22 20 suspended, on December 31 of ~~the calendar year for which it is~~
22 21 ~~granted even-numbered years.~~ A licensee shall have the month
22 22 ~~of December of the calendar year for which the license was~~
22 23 ~~granted and the following month of January~~ expiration and the
22 24 month after the month of expiration to renew the license. A
22 25 person who fails to renew a license by the end of this time
22 26 period and desires to hold a license shall file a new license
22 27 application and pay the required fee.
22 28 Sec. 50. Section 322.29, subsection 2, unnumbered
22 29 paragraph 1, Code 2005, is amended to read as follows:
22 30 License fees for each ~~calendar year, two-year period or~~
22 31 ~~part thereof, shall be~~ are as follows ~~effective January 1,~~
22 32 ~~1998:~~
22 33 Sec. 51. Section 322.29, subsection 2, paragraphs a and b,
22 34 Code 2005, are amended to read as follows:
22 35 a. For a motor vehicle manufacturer, ~~thirty-five~~ seventy
23 1 dollars.
23 2 b. For a new motor vehicle distributor or wholesaler,
23 3 ~~twenty~~ forty dollars.
23 4 Sec. 52. Section 322B.3, subsection 2, Code 2005, is
23 5 amended to read as follows:
23 6 2. LICENSE FEES. The license fee for a manufactured or
23 7 mobile home retailer is seventy dollars for a two-year
23 8 ~~license, one hundred forty dollars for a four-year license, or~~
23 9 ~~two hundred ten dollars for a six-year license~~ period or part
23 10 thereof. If the application is denied, the department shall
23 11 refund the fee. Fees and funds accruing from the
23 12 administration of this chapter shall be accounted for and paid
23 13 by the department to the treasurer of state monthly for
23 14 deposit in the road use tax fund of the state.
23 15 Sec. 53. Section 322B.4, Code 2005, is amended to read as
23 16 follows:
23 17 322B.4 LICENSE APPLICATION AND FEES.
23 18 Upon application and payment of a ~~thirty-five~~ seventy
23 19 ~~dollar fee for a two-year period or part thereof,~~ a person may
23 20 be licensed as a manufacturer or distributor of manufactured
23 21 or mobile homes. The application shall be in the form and
23 22 shall contain information as the department prescribes. The
23 23 license shall be granted or refused within thirty days after
23 24 application. The license expires, unless sooner revoked or
23 25 suspended by the department, on December 31 of ~~the calendar~~
23 26 ~~year for which the license was granted even-numbered years.~~ A
23 27 licensee shall have the month of ~~December of the calendar year~~
23 28 ~~for which the license was granted and the following month of~~
23 29 ~~January~~ expiration and the month after the month of expiration
23 30 to renew the license. A person who fails to renew a license
23 31 by the end of this time period and desires to hold a license
23 32 shall file a new license application and pay the required fee.

23 33 Sec. 54. Section 322C.4, subsection 1, unnumbered
23 34 paragraph 1, Code 2005, is amended to read as follows:

23 35 Upon application and payment of a fee, a person may be
24 1 licensed as a travel trailer dealer. The license fee is
24 2 seventy dollars for a two-year license, one hundred forty
~~24 3 dollars for a four-year license, or two hundred ten dollars~~
~~24 4 for a six-year license period or part thereof.~~ The person
24 5 shall pay an additional fee of twenty dollars for two years,
~~24 6 forty dollars for four years, or sixty dollars for six years a~~
~~24 7 two-year period or part thereof~~ for each travel trailer lot in
24 8 addition to the principal place of business unless the lot is
24 9 adjacent to the principal place of business. For purposes of
24 10 this subsection, "adjacent" means that the principal place of
24 11 business and each additional lot are adjoining parcels of
24 12 property. The applicant shall file in the office of the
24 13 department a verified application for license as a travel
24 14 trailer dealer in the form the department prescribes, which
24 15 shall include the following:

24 16 Sec. 55. Section 322C.4, subsection 2, Code 2005, is
24 17 amended to read as follows:

24 18 2. The license shall be granted or refused within thirty
24 19 days after application. A license is valid for a two-year-
~~24 20 four-year, or six-year period and expires, unless revoked or~~
~~24 21 suspended by the department, on the last day of the last month~~
~~24 22 of the two-year, four-year, or six-year period, as applicable~~
24 23 December 31 of even-numbered years. A licensee shall have the
24 24 month of expiration and the month after the month of
24 25 expiration to renew the license. A person who fails to renew
24 26 a license by the end of this time period and desires to hold a
24 27 license shall file a new license application and pay the
24 28 required fee. A separate license shall be obtained for each
24 29 county in which an applicant does business as a travel trailer
24 30 dealer.

24 31 Sec. 56. Section 322C.9, Code 2005, is amended to read as
24 32 follows:

24 33 322C.9 LICENSE APPLICATION AND FEES.

24 34 Upon application and payment of a ~~thirty-five-dollar fee~~
24 35 ~~seventy dollar fee for a two-year period or part thereof,~~ a
25 1 person may be licensed as a manufacturer or distributor of
25 2 travel trailers. The application shall be in the form and
25 3 shall contain information as the department prescribes. The
25 4 license shall be granted or refused within thirty days after
25 5 application. The license expires, unless sooner revoked or
25 6 suspended by the department, on ~~December 31 of the calendar~~
~~25 7 year for which the license was granted of even-numbered years.~~
25 8 A licensee shall have the month of ~~December of the calendar~~
~~25 9 year for which the license was granted and the following month~~
~~25 10 of January expiration and the month after the month of~~
25 11 expiration to renew the license. A person who fails to renew
25 12 a license by the end of this time period and desires to hold a
25 13 license shall file a new license application and pay the
25 14 required fee.

25 15 Sec. 57. EFFECTIVE DATE AND DISPOSITION OF EXCESS FEES.

25 16 1. This division of this Act takes effect January 1, 2007.

25 17 2. Due to the transition to two-year licensing periods
25 18 provided for in this division of this Act, the state
25 19 department of transportation shall provide a credit for excess
25 20 license fees paid pursuant to section 321F.4, 321H.4, 322.5,
25 21 322.29, 322B.3, 322B.4, 322C.4, or 322C.9 by any licensee
25 22 prior to January 1, 2007. The department shall also provide a
25 23 credit for excess fees paid by a vehicle dealer, transporter,
25 24 or manufacturer for a distinguishing number and special plates
25 25 pursuant to section 321.58 or 321.60 prior to January 1, 2007.

25 26
25 27
25 28
25 29 _____
CHRISTOPHER C. RANTS
25 30 Speaker of the House

25 31
25 32
25 33 _____
JEFFREY M. LAMBERTI
25 34 President of the Senate

26 1
26 2 I hereby certify that this bill originated in the House and
26 3 is known as House File 2525, Eighty-first General Assembly.

26 4
26 5
26 6 _____
MARGARET THOMSON
26 7 Chief Clerk of the House
26 8

26 9 Approved _____, 2006
26 10
26 11
26 12 _____
26 13 THOMAS J. VILSACK
26 14 Governor