



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 REQUIREMENTS, 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 level ground unassisted by human power.

c. "Bicycle" means a either of the following:

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

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

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

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

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

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

1. The full legal name; social security number or Iowa driver's license number or Iowa nonoperator's identification card number; date of birth; bona fide residence; and mailing address of the owner and of the lessee if the vehicle is being leased. If the owner or lessee is a firm, association, or corporation, the application shall contain the bona fide business address and federal employer identification number of the owner or lessee. Up to three owners' names may be listed on the application. If the vehicle is a leased vehicle, the application shall state whether the notice of registration renewal shall be sent to the lessor or to the lessee and whether the lessor or the lessee shall receive the registration fee refund, if any. Information relating to the lessee of a vehicle shall not be required on an application for registration and a certificate of title for a vehicle with a gross vehicle weight rating of ten thousand pounds or more.

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

NEW SUBSECTION. 15. Unless otherwise provided for in this chapter, the department or the county treasurer shall refuse registration and issuance of a certificate of title unless the vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt.

567 certifying that the vehicle meets federal motor vehicle safety standards.

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

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

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

5. The seller or transferor may file an affidavit on forms prescribed and provided by the department with the county treasurer of the county where the vehicle is registered certifying the sale or transfer of ownership of the vehicle and the assignment and delivery of the certificate of title for the vehicle. Upon receipt of the affidavit, the county treasurer shall file the affidavit with the copy of the registration receipt for the vehicle on file in the treasurer's office and on that day the treasurer shall ~~forward copies of the affidavit to the department and to the county treasurer of the county of residence of the purchaser or transferee~~ note receipt of the affidavit in the vehicle registration and titling system. Upon filing the affidavit, it shall be presumed that the seller or transferor has assigned and delivered the certificate of title for the vehicle. For a leased vehicle, the lessor licensed pursuant to chapter 321F or the lessee may file an affidavit as provided in this subsection certifying that the lease has expired or been terminated and the date that the leased vehicle was surrendered to the lessor.

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

7. If a motor vehicle is leased and the lessee purchases the vehicle upon termination of the lease, the lessor shall, upon claim by the lessee with the lessor within ~~fifteen~~ thirty

days of the purchase, assign the registration fee credit and registration plates for the leased motor vehicle to the lessee. Credit shall be applied as provided in subsection 3.

Sec. 14. Section 321.52, subsection 4, paragraphs b and d, Code Supplement 2005, are amended to read as follows:

b. When a wrecked or salvage vehicle has been repaired, the owner may apply for a regular certificate of title by paying the appropriate fees and surrendering the salvage certificate of title and a properly executed salvage theft examination certificate. A motor vehicle with a gross vehicle weight rating of thirty thousand pounds or more is not subject to the salvage theft examination otherwise required under paragraph "c", and the owner of such vehicle is not required to submit a salvage theft examination certificate. The county treasurer shall issue a regular certificate of title which shall bear a designation stamped or printed on the face of the title and stamped and printed on the registration receipt indicating that the vehicle was previously titled on a salvage certificate of title in a form approved by the department. This designation shall be included on every Iowa certificate of title and registration receipt issued thereafter for the vehicle. The stamped designation shall be in black and shall be in letters no bigger than sixteen point type and located on the center of the right side of the registration receipt. However, if ownership of a stolen vehicle has been transferred to an insurer organized under the laws of this state or admitted to do business in this state, or if the transfer was the result of a settlement with the owner of the vehicle arising from damage to or the unrecovered theft of the vehicle, and if the insurer certifies to the county treasurer on a form approved by the department that the insurance company has received one or more written estimates which state that the retail cost of repairs including labor, parts, and other materials of all damage to the vehicle is less than three thousand dollars, the county treasurer shall issue to the insurance company the regular certificate of title and registration receipt without this designation.

d. For purposes of this subsection, a "wrecked or salvage vehicle" means a damaged motor vehicle subject to registration ~~and having a gross vehicle weight rating of less than thirty thousand pounds,~~ for which the cost of repair exceeds fifty

percent of the fair market value of the vehicle, as determined in accordance with rules adopted by the department, before it became damaged.

Sec. 15. Section 321.57, subsection 1, Code 2005, is amended to read as follows:

1. A dealer owning any vehicle of a type otherwise required to be registered under this chapter may operate or move the vehicle upon the highways solely for purposes of transporting, testing, demonstrating, or selling the vehicle without registering the vehicle, upon condition that the vehicle display in the manner prescribed in sections 321.37 and 321.38 a special plate issued to the owner as provided in sections 321.58 ~~to~~ through 321.62. ~~Additionally, a new-car dealer or a used-car~~ A dealer may operate or move upon the highways a new-or-used-car-or-trailer vehicle owned by the dealer for either private or business purposes without registering it if the new-or-used-car-or-trailer vehicle is in the dealer's inventory and is continuously offered for sale at retail, and there is displayed on it a special plate issued to the dealer as provided in sections 321.58 to through 321.62. A dealer may operate or move upon the highways an unregistered vehicle owned by a lessor licensed pursuant to chapter 321F solely for the purpose of delivering the vehicle to the owner or transporting the vehicle to or from an auction if there is displayed on the vehicle a special plate issued to the dealer as provided in sections 321.58 through 321.62.

Sec. 16. Section 321.109, subsection 1, Code Supplement 2005, is amended to read as follows:

1. a. The annual fee for all motor vehicles including vehicles designated by manufacturers as station wagons, and 1993 and subsequent model years for multipurpose vehicles, except motor trucks, motor homes, ambulances, hearses, motorcycles, ~~motor~~ motorized bicycles, and 1992 and older model years for multipurpose vehicles, shall be equal to one percent of the value as fixed by the department plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the department. The weight of a motor vehicle, fixed by the department for registration purposes, shall include the weight of a battery, heater, bumpers, spare tire, and wheel. Provided, however, that for any new vehicle purchased in this state by a nonresident for

removal to the nonresident's state of residence the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of ten dollars shall be paid. And provided, however, that for any used vehicle held by a registered dealer and not currently registered in this state, or for any vehicle held by an individual and currently registered in this state, when purchased in this state by a nonresident for removal to the nonresident's state of residence, the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of three dollars shall be paid. The county treasurer shall issue a nontransferable certificate of registration for which no refund shall be allowed; and the transit plates shall be void thirty days after issuance. Such purchaser may apply for a certificate of title by surrendering the manufacturer's or importer's certificate or certificate of title, duly assigned as provided in this chapter. In this event, the treasurer in the county of purchase shall, when satisfied with the genuineness and regularity of the application, and upon payment of a fee of ten dollars, issue a certificate of title in the name and address of the nonresident purchaser delivering the same title to the ~~person entitled to the title as provided in this chapter~~ owner. If there is a security interest noted on the title, the county treasurer shall mail to the secured party an acknowledgment of the notation of the security interest. The county treasurer shall not release a security interest that has been noted on a title issued to a nonresident purchaser as provided in this paragraph. The application requirements of section 321.20 apply to a title issued as provided in this subsection, except that a natural person who applies for a certificate of title shall provide either the person's social security number, passport number, or driver's license number, whether the license was issued by this state, another state, or another country. The provisions of this subsection relating to multipurpose vehicles are effective January 1, 1993, for all 1993 and subsequent model years. The annual registration fee for multipurpose vehicles that are 1992 model years and older shall be in accordance with section 321.124.

b. The annual registration fee for a multipurpose vehicle with permanently installed equipment manufactured for and

necessary to assist a person with a disability who is either the owner or a member of the owner's household in entry and exit of the vehicle or for a multipurpose vehicle if the vehicle's owner or a member of the vehicle owner's household uses a wheelchair as the only means of mobility shall be sixty dollars. For purposes of this ~~unnumbered~~ paragraph, "uses a wheelchair" does not include use of a wheelchair due to a temporary injury or medical condition.

Sec. 17. Section 321.115, subsection 2, Code 2005, is amended to read as follows:

2. The sale of a motor vehicle twenty years old or older which is primarily of value as a collector's item and not as transportation is not subject to chapter 322 and any person may sell such a vehicle at retail ~~or-wholesale~~ without a license as required under chapter 322.

Sec. 18. Section 321.126, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. If the vehicle was leased and an affidavit was filed by the lessor or the lessee as provided in section 321.46, the lessor or the lessee, as applicable, may make a claim for a refund with the county treasurer of the county where the vehicle was registered within six months of the vehicle's surrender to the lessor. The refund shall be paid to either the lessor or the lessee, as specified on the application for title and registration pursuant to section 321.20.

Sec. 19. Section 321.176A, subsection 1, Code Supplement 2005, is amended to read as follows:

1. A farmer or a person working for a farmer while operating a commercial motor vehicle ~~owned~~ controlled by the farmer within one hundred fifty air miles of the farmer's farm to transport the farmer's own agricultural products, farm machinery, or farm supplies to or from the farm. The exemption provided in this subsection shall apply to farmers who assist each other through an exchange of services and shall include operation of a commercial motor vehicle between the farms of the farmers who are exchanging services.

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

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

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

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

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

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

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

The department may issue an intermediate driver's license to a person sixteen or seventeen years of age who possesses an instruction permit issued under subsection 1 or a comparable instruction permit issued by another state for a minimum of six months immediately preceding application, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the permittee has accumulated a total of twenty hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the permittee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the permittee, and whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and ~~conviction~~ violation free continuously for, the six-month period immediately preceding the application for an intermediate license. An applicant for an intermediate license must meet the requirements of section 321.186, including satisfactory completion of driver education as required in section 321.178, and payment of the required license fee before an intermediate license will be issued. A person issued an intermediate license must limit the number of passengers in the motor vehicle when the intermediate licensee is operating the motor vehicle to the number of passenger safety belts.

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

3. REMEDIAL DRIVER IMPROVEMENT ACTION OR SUSPENSION OF PERMIT, OR INTERMEDIATE LICENSE, OR FULL LICENSE. A person who has been issued an instruction permit, or an intermediate license, or a full driver's license under this section, upon conviction of a moving traffic violation or involvement in a motor vehicle accident which occurred during the term of the instruction permit or intermediate license, shall be subject to remedial driver improvement action or suspension of the permit or current license. A person possessing an instruction permit who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued an intermediate license until the person has completed the remedial driver improvement action and has been accident and conviction violation free continuously for the six-month period immediately preceding the application for the intermediate license. A person possessing an intermediate license who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued a full driver's license until the person has completed the remedial driver improvement action and has been accident and conviction violation free continuously for the twelve-month period immediately preceding the application for a full driver's license.

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

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

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

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

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

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

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

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

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

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

3. Every trailer, ~~or semitrailer, or travel trailer~~ of a gross weight of three thousand pounds or more, ~~and every trailer-coach-or-travel-trailer-of-a-gross-weight-of-three thousand-pounds-or-more-intended-for-use-for-human-habitation, when-operated-on-the-highways-of-this-state,~~ shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, ~~and so designed as to be applied by the driver-of-the-towing-motor-vehicle-from-its-cab,~~ when operated on the highways of this state. Every trailer, semitrailer, or travel trailer with a gross weight of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the brakes on the trailer, semitrailer, or travel trailer from the cab of the towing vehicle, or with self-actuating brakes, and shall also be equipped with a weight equalizing hitch with a sway control. ~~Every semitrailer, travel-trailer, or-trailer-coach-of-a-gross-weight-of-three thousand-pounds-or-more-shall-be-equipped-with-a-separate, auxiliary-means-of-applying-the-brakes-on-the-semitrailer, travel-trailer, or-trailer-coach-from-the-cab-of-the-towing vehicle.~~ Trailers or semitrailers with a truck or truck tractor need only comply with the brake requirements.

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

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

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

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

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

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

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

A resident of the state with a disability desiring a persons with disabilities parking permit shall apply to the department upon an application form furnished by the department providing the applicant's full legal name, address, date of birth, and social security number or Iowa driver's license number or Iowa nonoperator's identification card number, and shall also provide a statement from a physician licensed under chapter 148, 149, 150, or 150A, a physician assistant licensed under chapter 148C, an advanced registered nurse practitioner licensed under chapter 152, or a chiropractor licensed under chapter 151, or a physician, physician assistant, nurse practitioner, or chiropractor licensed to practice in a contiguous state, written on the physician's, physician assistant's, nurse practitioner's, or chiropractor's stationery, stating the nature of the applicant's disability and such additional information as required by rules adopted by the department under section

321L.8. If the person is applying for a temporary persons with disabilities parking permit, the physician's, physician assistant's, nurse practitioner's, or chiropractor's statement shall state the period of time during which the person is expected to be disabled and the period of time for which the permit should be issued, not to exceed six months.

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

d. A manufacturer of motor homes, as defined in section 321.1, ~~or a manufacturer of school buses, as defined in section 321.17~~, from owning an interest in, operating, or controlling a motor vehicle dealer of the motor homes ~~or school buses~~ manufactured by that manufacturer or from being licensed as a motor vehicle dealer only of the motor homes ~~or school buses~~ manufactured by that manufacturer.

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

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

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

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

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

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

4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.
Manufactured or mobile home retailers, in addition to selling homes at their principal place of business and lots, may, upon receipt of a temporary permit approved by the department, display and offer new manufactured homes for sale and negotiate sales of new manufactured homes at fairs, shows, and exhibitions. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten dollar permit fee. Temporary permits shall be issued

for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

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

9. A travel trailer dealer may display new travel trailers at fairs, shows, and exhibitions on any day of the week as provided in this subsection. Travel trailer dealers, in addition to selling travel trailers at their principal place of business and lots, may, upon receipt of a temporary permit approved by the department, display and offer new travel trailers for sale and negotiate sales of new travel trailers at fairs, shows, and exhibitions. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten dollar permit fee.

Temporary permits shall be issued for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

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

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

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

DIVISION IV

VEHICLE BUSINESS LICENSING

Sec. 42. Section 321.58, Code 2005, is amended to read as follows:

321.58 APPLICATION.

All dealers, transporters, new motor vehicle wholesalers licensed under chapter 322, and manufactured or mobile home retailers licensed under chapter 322B, upon payment of a fee of seventy dollars for ~~two-years,~~ ~~one-hundred-forty-dollars~~ ~~for-four-years,~~ ~~or-two-hundred-ten-dollars-for-six-years~~ a

two-year period or part thereof, may make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more special plates as appropriate to various types of vehicles subject to registration. The applicant shall also submit proof of the applicant's status as a bona fide transporter, new motor vehicle wholesaler licensed under chapter 322, manufactured or mobile home retailer licensed under chapter 322B, or dealer, as reasonably required by the department. Dealers in new vehicles shall furnish satisfactory evidence of a valid franchise with the manufacturer of the vehicles authorizing the dealership.

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

321.60 ISSUANCE OF SPECIAL PLATES.

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

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

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

321.61 EXPIRATION OF SPECIAL PLATES.

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

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

321F.4 FEES AND EXPIRATION.

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

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

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

Application for a license as an authorized vehicle recycler shall be made to the department on forms provided by the department. The application shall be accompanied by a fee of seventy dollars for a two-year ~~license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license~~ period or part thereof. The license shall be approved or disapproved within thirty days after application for the license. A license ~~is valid for two years, four years, or six years and~~ expires on ~~the last day of the last month of the two-year, four-year, or six-year period, as applicable~~ December 31 of even-numbered years. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee. A separate license shall be obtained for each county in which an applicant conducts operations.

Sec. 47. Section 322.5, subsection 1, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

The license fee for a motor vehicle dealer for a two-year period or part thereof is the sum of seventy dollars ~~for a two-year license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license~~ for

the licensee's principal place of business in each city or township and an additional twenty dollars for ~~two-years, forty dollars-for-four-years, or sixty-dollars-for-six-years~~ a two-year period or part thereof for each car lot which is in the city or township in which the principal place of business is located and which is not adjacent to that place, to be paid to the department at the time a license is applied for. In case the application is denied, the department shall refund the amount of the fee to the applicant. For the purposes of this section "adjacent" means that the principal place of business and each additional lot are adjoining parcels of property.

Sec. 48. Section 322.7, subsection 3, Code 2005, is amended to read as follows:

3. The license of a motor vehicle dealer is valid for a ~~two-year, four-year, or six-year-time~~ period and expires, unless revoked or suspended, ~~on the last-day-of-the-last-month of-the-two-year, four-year, or six-year-period, as-applicable~~ December 31 of even-numbered years.

Sec. 49. Section 322.29, subsection 1, Code 2005, is amended to read as follows:

1. Application for license shall be made to the department by a manufacturer, distributor, or wholesaler, in a form and containing information as the department requires and shall be accompanied by the required license fee. The license shall be granted or refused within thirty days after application, ~~and shall-expire,~~ A license expires, unless sooner revoked or suspended, on December 31 of ~~the-calendar-year-for-which-it-is granted~~ even-numbered years. A licensee shall have the month of ~~December-of-the-calendar-year-for-which-the-license-was granted-and-the-following-month-of-January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 50. Section 322.29, subsection 2, unnumbered paragraph 1, Code 2005, is amended to read as follows:

License fees for each ~~calendar-year,~~ two-year period or part thereof, ~~shall-be~~ are as follows ~~effective-January-1,~~ 1998:

Sec. 51. Section 322.29, subsection 2, paragraphs a and b, Code 2005, are amended to read as follows:

a. For a motor vehicle manufacturer, ~~thirty-five~~ seventy dollars.

b. For a new motor vehicle distributor or wholesaler, ~~twenty~~ forty dollars.

Sec. 52. Section 322B.3, subsection 2, Code 2005, is amended to read as follows:

2. LICENSE FEES. The license fee for a manufactured or mobile home retailer is seventy dollars for a two-year ~~license, one-hundred-forty-dollars-for-a-four-year-license, or two-hundred-ten-dollars-for-a-six-year-license~~ period or part thereof. If the application is denied, the department shall refund the fee. Fees and funds accruing from the administration of this chapter shall be accounted for and paid by the department to the treasurer of state monthly for deposit in the road use tax fund of the state.

Sec. 53. Section 322B.4, Code 2005, is amended to read as follows:

322B.4 LICENSE APPLICATION AND FEES.

Upon application and payment of a ~~thirty-five~~ seventy dollar fee for a two-year period or part thereof, a person may be licensed as a manufacturer or distributor of manufactured or mobile homes. The application shall be in the form and shall contain information as the department prescribes. The license shall be granted or refused within thirty days after application. The license expires, unless sooner revoked or suspended by the department, on December 31 of ~~the calendar year for which the license was granted~~ even-numbered years. A licensee shall have the month of ~~December of the calendar year for which the license was granted and the following month of January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

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

Upon application and payment of a fee, a person may be licensed as a travel trailer dealer. The license fee is seventy dollars for a two-year ~~license, one-hundred-forty dollars-for-a-four-year-license, or two-hundred-ten-dollars for-a-six-year-license~~ period or part thereof. The person shall pay an additional fee of twenty dollars for ~~two-years,~~

~~forty-dollars-for-four-years, or sixty-dollars-for-six-years~~ a two-year period or part thereof for each travel trailer lot in addition to the principal place of business unless the lot is adjacent to the principal place of business. For purposes of this subsection, "adjacent" means that the principal place of business and each additional lot are adjoining parcels of property. The applicant shall file in the office of the department a verified application for license as a travel trailer dealer in the form the department prescribes, which shall include the following:

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

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

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

322C.9 LICENSE APPLICATION AND FEES.

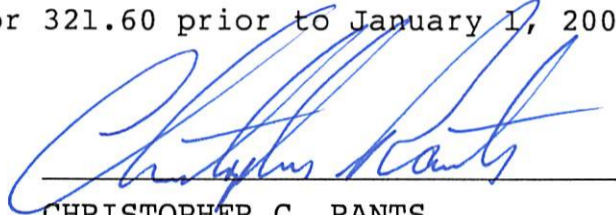
Upon application and payment of a ~~thirty-five-dollar-fee~~ seventy dollar fee for a two-year period or part thereof, a person may be licensed as a manufacturer or distributor of travel trailers. The application shall be in the form and shall contain information as the department prescribes. The license shall be granted or refused within thirty days after application. The license expires, unless sooner revoked or suspended by the department, ~~on December 31 of the calendar year for which the license was granted~~ of even-numbered years. A licensee shall have the month of ~~December of the calendar year for which the license was granted and the following month of January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew

a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

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

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

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



CHRISTOPHER C. RANTS
Speaker of the House



JEFFREY M. LAMBERTI
President of the Senate

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



MARGARET THOMSON
Chief Clerk of the House

Approved April 20, 2006



THOMAS J. VILSACK
Governor