



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 12, 2005

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 589**, an Act relating to the property taxation of nursing facilities and including effective and applicability date provisions.

**House File 610**, an Act relating to the transmission of electronic mail including the transmission of unsolicited bulk electronic mail, and the sale or offer for direct sale of prescription drugs and the sale of adulterated or misbranded drugs through the use of electronic mail or the internet, and providing for penalties.

**House File 753**, an Act requiring certain safety-related information concerning a child to be provided to a parent, guardian, or foster parent or other custodian of a child.

**House File 774**, an Act relating to the petition and vote requirements for increasing or reducing board of supervisors membership in certain counties.

**House File 786**, an Act relating to the operating or providing of another business or activity in a health care facility.

**House File 801**, an Act providing a deduction in computing the individual income tax for certain unreimbursed expenses relating to a human organ transplant and including a retroactive applicability date.



**House File 836**, an Act relating to cemeteries and cemetery regulation, providing administration and enforcement procedures, establishing requirements for interment rights agreements and reporting, establishing and appropriating fees, and providing penalties.

**House File 837**, an Act relating to state government financial matters concerning charter agencies, the state appeal board, and reinvention initiatives of the department of management, and making appropriations.

**House File 857**, an Act relating to eligible housing businesses under the enterprise zone program.

**House File 870**, an Act relating to the applicability of motor vehicle financial responsibility provisions to special mobile equipment and providing an effective date.

The above House Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Vilsack', written in a cursive style.

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House



HOUSE FILE 870

AN ACT

RELATING TO THE APPLICABILITY OF MOTOR VEHICLE FINANCIAL  
RESPONSIBILITY PROVISIONS TO SPECIAL MOBILE EQUIPMENT AND  
PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 321A.1, subsections 3 and 5, Code 2005,  
are amended to read as follows:

3. JUDGMENT. A judgment which has become final by  
expiration without appeal during the time within which an  
appeal might have been perfected, or a judgment if an appeal  
from the judgment has been perfected, which has not been  
stayed by the execution, filing and approval of a bond as  
provided in rule of appellate procedure 6.7(1), or a judgment  
which has become final by affirmation on appeal, rendered by a  
court of competent jurisdiction of a state or of the United  
States, upon a cause of action arising out of the ownership,  
maintenance, or use of a motor vehicle, as defined in this  
section, for damages, including damages for care and loss of  
services, because of bodily injury to or death of a person, or  
for damages because of injury to or destruction of property,  
including the loss of use of property, or upon a cause of  
action on an agreement of settlement for such damages.

5. MOTOR VEHICLE. "Motor vehicle" means every vehicle  
which is self-propelled, but not including vehicles known as  
trackless trolleys which are propelled by electric power  
obtained from overhead trolley wires, ~~but~~ and not operated  
upon rails. The term "car" or "automobile" shall be  
synonymous with the term "motor vehicle". "Motor vehicle"  
does not include special mobile equipment as defined in this  
section.

Sec. 2. Section 321A.1, Code 2005, is amended by adding  
the following new subsection:

NEW SUBSECTION. 12A. SPECIAL MOBILE EQUIPMENT. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including road construction or maintenance machinery, ditch-digging apparatus, and implements of husbandry as defined in section 321.1, subsection 32. This description does not exclude other vehicles which are within the general terms of this subsection.

Sec. 3. Section 321A.6, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. To the operator or owner of special mobile equipment.

Sec. 4. IMPLEMENTATION. The department may adopt rules pursuant to chapter 17A as necessary to implement and administer this Act.

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



CHRISTOPHER C. RANTS  
Speaker of the House



JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 870, Eighty-first General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved May 12, 2005



THOMAS J. VILSACK  
Governor