

House File 2266 - Enrolled

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1 1 Section 1. Section 101A.1, subsection 3, Code 2007, is
1 2 amended to read as follows:
1 3 3. "Explosive" or ~~"explosives"~~ means any chemical
1 4 compound, mixture or device, the primary or common purpose of
1 5 which is to function by explosion, ~~i.e.,~~ with substantially
1 6 instantaneous release of gas and heat, unless such compound,
1 7 mixture, or device is otherwise specifically classified by the
1 8 United States department of transportation. The term
1 9 ~~"explosives"~~ "explosive" includes all ~~material materials~~ which
1 10 ~~is~~ are classified as a class A, class B, and class C
~~explosives 1, division 1.1, 1.2, 1.3, or 1.4 explosive by the~~
1 12 United States department of transportation, under 49 C.F.R. }
1 13 173.50, and all materials classified as explosive materials
1 14 under 18 U.S.C. } 841, and includes, but is not limited to,
1 15 dynamite, black powder, pellet powders, initiating explosives,
1 16 blasting caps, electric blasting caps, safety fuse, fuse
1 17 lighters, fuse igniters, squibs, cordeau detonative fuse,
1 18 instantaneous fuse, igniter cord, igniters, smokeless
1 19 propellant, cartridges for propellant-actuated power devices,
1 20 ~~and~~ cartridges for industrial guns, and overpressure devices,
1 21 but ~~shall~~ does not include "fireworks" as defined in section
1 22 727.2 ~~nor~~ or ammunition or small arms primers manufactured for
1 23 use in shotguns, rifles, and pistols. Commercial explosives
1 24 are those explosives which are intended to be used in
1 25 commercial or industrial operations.
1 26 Sec. 2. Section 101A.1, Code 2007, is amended by adding
1 27 the following new subsection:
1 28 NEW SUBSECTION. 7A. "Overpressure device" means any
1 29 device constructed of a container or improvised container
1 30 which is filled with a mixture of chemicals or sublimating
1 31 materials or gases that generate an expanding gas, which is
1 32 designed or constructed to cause the container to break,
1 33 fracture, or rupture in a violent manner capable of causing
1 34 death, serious injury, or property damage.
1 35 Sec. 3. Section 321.279, subsection 1, Code 2007, is
2 1 amended to read as follows:
2 2 1. The driver of a motor vehicle commits a serious
2 3 misdemeanor if the driver willfully fails to bring the motor
2 4 vehicle to a stop or otherwise eludes or attempts to elude a
2 5 marked official law enforcement vehicle driven by a uniformed
2 6 peace officer after being given a visual and audible signal to
2 7 stop. The signal given by the peace officer shall be by
2 8 flashing red light, or by flashing red and blue lights, and
2 9 siren. For purposes of this section, "peace officer" means
2 10 those officers designated under section 801.4, subsection 11,
2 11 paragraphs "a", "b", "c", "f", "g", and "h".
2 12 Sec. 4. Section 712.6, Code 2007, is amended to read as
2 13 follows:
2 14 712.6 EXPLOSIVE OR INCENDIARY MATERIALS OR DEVICES.
2 15 1. ~~Any A~~ person who ~~shall possess~~ possesses any incendiary
2 16 or explosive device or material with the intent to use such
2 17 device or material to commit ~~any~~ a public offense shall be
2 18 guilty of a class "C" felony.
2 19 2. a. A person who possesses any incendiary or explosive
2 20 device or material shall be guilty of an aggravated
2 21 misdemeanor.
2 22 b. This subsection does not apply to a person holding a
2 23 valid commercial license or user's permit issued pursuant to
2 24 chapter 101A, provided that the person is acting within the
2 25 scope of authority granted by the license or permit.
2 26 ~~2- 3. Any A~~ person who, with the intent to intimidate,
2 27 annoy, or alarm another person, ~~who~~ places a simulated
2 28 explosive or simulated incendiary device in or near an
2 29 occupied structure as defined in section 702.12, is guilty of
2 30 a serious misdemeanor.
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