

House File 2304 - Enrolled

House File 2304

AN ACT

RELATING TO MOTOR VEHICLES APPROACHING CERTAIN STATIONARY MOTOR VEHICLES, AND PROVIDING PENALTIES.

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

Section 1. Section 321.323A, subsection 1, unnumbered paragraph 1, Code 2018, is amended to read as follows:

The operator of a motor vehicle approaching a stationary authorized emergency vehicle that is displaying flashing ~~yellow, amber, white, red, or red and blue~~ lights, as permitted under section 321.423, shall approach the authorized emergency vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

Sec. 2. Section 321.323A, subsection 2, unnumbered paragraph 1, Code 2018, is amended to read as follows:

The operator of a motor vehicle approaching a stationary towing or recovery vehicle, a stationary utility maintenance vehicle, a stationary municipal maintenance vehicle, a stationary highway maintenance vehicle, a stationary construction vehicle, or a stationary solid waste or recycling collection service vehicle, that is displaying flashing ~~yellow, amber, blue, white, or red~~ lights, as permitted under section 321.423, shall approach the vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

Sec. 3. Section 321.323A, subsection 2, paragraph a, Code

2018, is amended to read as follows:

a. Make a lane change into a lane not adjacent to the ~~towing, recovery, utility maintenance, municipal maintenance, or highway maintenance~~ stationary motor vehicle if possible in the existing safety and traffic conditions.

Sec. 4. Section 321.323A, Code 2018, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. The operator of a motor vehicle approaching a stationary motor vehicle that is continually displaying its emergency signal lamps flashing simultaneously shall approach the vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

a. Make a lane change into a lane not adjacent to the stationary motor vehicle if possible in the existing safety and traffic conditions.

b. If a lane change under paragraph "a" would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

Sec. 5. Section 321.423, subsection 2, paragraph h, Code 2018, is amended to read as follows:

h. A flashing amber light is permitted on a towing or recovery vehicle, a utility maintenance vehicle, a municipal maintenance vehicle, a highway maintenance vehicle, a construction vehicle, a solid waste or recycling collection service vehicle, or a vehicle operated in accordance with subsection 6 or [section 321.398](#) or [321.453](#).

Sec. 6. Section 805.8A, subsection 11, Code 2018, is amended to read as follows:

11. a. *Emergency vehicle and equipment-related violations.* For ~~emergency vehicle~~ violations relating to authorized emergency vehicles, fire apparatus and equipment, and police bicycles under the following sections, the scheduled fine is as follows:

- ~~a-~~ (1) Section [321.231](#).....\$100.
- ~~b-~~ (2) Section [321.323A, subsection 1](#).\$100.
- ~~c-~~ (3) Section [321.324](#).....\$100.

~~d.~~ (4) Section 321.367.....\$100.

~~e.~~ (5) Section 321.368.....\$100.

b. Violations relating to stationary nonemergency vehicles.

For violations relating to the approach of certain stationary nonemergency vehicles under section 321.323A, subsections 2 and 2A, the scheduled fine is one hundred dollars.

LINDA UPMEYER
Speaker of the House

CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2304, Eighty-seventh General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2018

KIM REYNOLDS
Governor