

Senate File 359 - Enrolled

Senate File 359

AN ACT

RELATING TO THE CHARGING PROCEDURE FOR SCHEDULED VIOLATIONS FOR EXCEEDING WEIGHT LIMITS ON AN AXLE OR VEHICLE.

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

Section 1. Section 805.8A, subsection 12, paragraph e, Code 2023, is amended to read as follows:

e. (1) Violations of the schedule of axle, ~~and tandem axle,~~ ~~and gross or group of axle~~ axles, and gross weight violations limits in section 321.463 shall be scheduled violations subject to the uniform citation and complaint provisions, procedures, and exceptions contained in sections 805.6 through 805.11, irrespective of the amount of the scheduled fine ~~under that schedule.~~

~~(a) Violations of the schedule of weight violations shall be chargeable, where the fine charged does not exceed one thousand dollars, only by uniform citation and complaint.~~

~~(b) Violations of the schedule of weight violations, where the fine charged exceeds one thousand dollars shall, when the violation is admitted and section 805.9 applies, be chargeable upon uniform citation and complaint, indictment, or county attorney's information, but otherwise shall be chargeable only upon indictment or county attorney's information.~~

(2) In all cases of charges under the schedule of weight violations, the charge citation and complaint shall specify the amount of fine charged under the schedule. ~~Where a defendant is convicted and the fine under the foregoing schedule of weight violations exceeds one thousand dollars, the conviction shall be of an indictable offense although [section 805.9](#) is employed and whether the violation is charged upon uniform citation and complaint, indictment, or county attorney's information.~~

AMY SINCLAIR
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 359, Ninetieth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2023

KIM REYNOLDS
Governor