

April 14, 1965.

House File 637

Placed on Calendar.

By TRANSPORTATION COMMITTEE.

Passed House, Date *5/6, 5/7, 5/11*

Passed Senate, Date *5/20*

Vote: Ayes *100* Nays *5*

Vote: Ayes *45* Nays *7*

Approved *May 28, 1965*

*passed on file 5/12
ways + means 5/13
pass 5/19*

A BILL FOR

An Act to amend Chapter 326, Code 1962, relating to proration of registration fees of commercial motor vehicles.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section three hundred twenty-six point two

2 (326.2), Code 1962, is hereby amended as follows:

3 1. By striking from lines twenty-eight (28) and twenty-nine

4 (29) the words "other states in which such fleets operate." and

5 inserting in lieu thereof the words: "the other states a party

6 to such agreements."

7 2. By striking lines thirty-two (32) through thirty-four

8 (34), and inserting in lieu thereof the following: "fleets

9 operate in all states with whom Iowa has an apportionment

10 registration agreement and with whom the fleet owner has or

11 will register vehicles on an apportioned registration basis

12 shall be used by the Iowa reciprocity board to determine the

13 amount of registration computed on a dollar basis. Mile-"

14 3. By striking lines fifty-three (53) through sixty-five

15 (65) and inserting in lieu thereof the following: "miles

16 traveled in states with whom Iowa has an apportionment regis-

17 tration agreement and with whom the fleet owner has or will

18 register vehicles on an apportioned registration basis to the

19 fees which would otherwise be required for total fleet regis-

20 tration in this state and shall mean a percentage of the annual

21 fee on each vehicle of an apportioned fleet. If the composite
22 percentage paid by the Iowa resident to each of the states a
23 party to an apportioned registration agreement with Iowa for
24 apportioned registrations is less than one hundred (100)
25 percent percentagewise, the Iowa reciprocity board may redeter-
26 mine the registration fees due the state of Iowa to bring the
27 composite percent to one hundred (100) percentagewise. If the
28 composite percent paid by the nonresident fleet operator to
29 each of the states a party to an apportioned registration
30 agreement with Iowa for apportioned registration fees on
31 vehicles base plated in Iowa is less than one hundred (100)
32 percent percentagewise, the Iowa reciprocity board may redeter-
33 mine the registration fees due the state of Iowa to bring the
34 composite percent to one hundred (100) percent percentagewise
35 on such Iowa base plated vehicles. The minimum proportional
36 registration fee for each vehicle registered with the state of
37 Iowa in accordance with the provisions of this Act shall not
38 be less than one (1) dollar. In addition to the apportioned
39 registration fees, the Iowa reciprocity board shall collect
40 the amount of fees due as hereinafter provided for the issuance
41 of plates, stickers, or other identification of all the vehi-
42 cles registered in accordance with this Act. The proportional
43 registration provision of this Act shall apply to vehicles
44 added to a fleet during the registration year and operated in
45 this state in interstate commerce.”

46 4. By striking lines eighty-two (82) through ninety-two
47 (92).

1 Sec. 2. Section three hundred twenty-six point three

2 (326.3), Code 1962, is hereby amended as follows:

3 1. By striking from lines seven (7) and eight (8) the
4 following: "or vehicle registration apportionment".

5 2. By striking the period in line fifteen (15) and in-
6 serting the following: "as directed by the Iowa reciprocity
7 board."

8 3. By inserting after the word "thereto" in line twenty
9 (20) the following: "on the basis of the apportioned regis-
10 tration application and supporting documents filed with the
11 Iowa reciprocity board by the fleet operator".

1 Sec. 3. Section three hundred twenty-six point five
2 (326.5), Code 1962, is hereby amended by striking lines six-
3 teen (16) through twenty-one (21) and inserting in lieu
4 thereof the following: "ant to the provisions hereof. In
5 addition, the Iowa reciprocity board shall charge and collect
6 an additional fee of one (1) dollar for each plate, sticker,
7 or other identification furnished for each vehicle registered
8 in accordance with the provisions of this Act or extended
9 reciprocity in accordance with the provisions of this Act.
10 The same fee".

1 Sec. 4. Chapter three hundred twenty-six (326), Code 1962,
2 is hereby amended by adding thereto the following sections:

3 "The Iowa reciprocity board may issue a trip permit to the
4 carrier who has registered a fleet of vehicles with this state
5 on an apportionment basis pursuant to this chapter to permit
6 a non-Iowa registered vehicle to operate on the highways of
7 this state in interstate commerce if that leased vehicle, when
8 operated by the lessor, would be entitled to reciprocity in
9 the state of Iowa and the Iowa reciprocity board shall charge

10 and collect a fee of five (5) dollars for each such permit
11 issued. If the vehicle operated on the trip basis is owned by
12 the prorate fleet carrier or is, at the time of the trip,
13 under lease to the prorate carrier for thirty (30) days dura-
14 tion or longer, the Iowa reciprocity board may limit the
15 issuance permits on a particular vehicle not registered in
16 Iowa to one round trip interstate on the Iowa highways for
17 each calendar quarter. The Iowa reciprocity board may issue a
18 trip permit to the Iowa carrier or Iowa broker who has not
19 registered vehicles on an apportionment basis pursuant to the
20 provisions of this chapter to permit a non-Iowa registered
21 vehicle to operate on the highways of this state in interstate
22 commerce if that leased vehicle, when operated by the lessor,
23 would be entitled to reciprocity in this state; and the Iowa
24 reciprocity board shall charge and collect a fee of five (5)
25 dollars for each permit issued. A 'trip' shall mean: (1) A
26 one way movement from one (1) point originating outside this
27 state and destined to another point outside this state; (2) a
28 round trip movement between two (2) points in Iowa; (3) a round
29 trip movement which originates in Iowa or is destined for a
30 point in Iowa. The term 'broker' means any person not includ-
31 ed in the term 'motor carrier' and not a bona fide employee or
32 agent for any such carrier, who or which as principal or agent
33 sells or offers for sale any transportation, or negotiates
34 for, or holds himself or itself out for solicitation, adver-
35 tisement, or otherwise as one who sells, provides, furnishes,
36 contracts, or arranges for such transportation."

37 "Operation of a commercial vehicle in violation of the re-
38 quirements of this chapter or in violation of the motor vehicle

39 laws of the state of Iowa may, after due notice and hearing,
 40 be grounds for denial of apportioned registration privileges
 41 on the vehicle so operated; and anyone denied such privileges
 42 shall be subject to the payment of a full annual Iowa regis-
 43 tration fee on such vehicle operated on the Iowa highways.

44 "All provisions of chapter three hundred twenty-one (321),
 45 Code 1962, in so far as the same is applicable, are hereby
 46 specifically extended to include carriers who register vehicles
 47 in this state on an apportioned registration basis or who
 48 operate interstate on the Iowa highways on reciprocity."

49 "This Act shall be effective as to all apportioned vehicle
 50 registrations issued by the state of Iowa for the 1965 regis-
 51 tration year and shall be in accordance with section 'e' of
 52 the Iowa interstate vehicle registration proration application
 53 for 1965."

1 Sec. 5. This Act, being deemed of immediate importance, shall
 2 be in full force and effect from and after its publication in The
 3 North English Record, a newspaper published in North English, Iowa,
 4 and in The Denison Bulletin, a newspaper published in Denison, Iowa.

EXPLANATION OF HOUSE FILE 637

This Act is to clarify and establish procedures to be used by the Iowa reciprocity board for determination of apportionment registration fees on commercial vehicles and to establish procedures for the issuance of trip permits to commercial carriers for operation of vehicles on a short term lease basis.

HOUSE FILE 637

1 Amend House File 637 by striking all after the enacting clause
 2 and inserting in lieu thereof the following:
 3 "Section 1. Section three hundred twenty-six point two
 4 (326.2), Code 1962, is hereby amended by striking the first
 5 sentence of the third paragraph thereof and inserting in lieu
 6 thereof the following:
 7 "The reciprocity board shall use the percentage of in-state-
 8 miles of total-fleet-miles to determine the amount of registration
 9 computed on a dollar basis.
 10 "The board may adopt a formula under which a percentage of
 11 reciprocity-state-miles is added to in-state-miles, the total of
 12 which shall be deemed in-state-miles of total-fleet-miles such
 13 percentage, however, being subject to the following limitations:
 14 "The percentage of reciprocity-state-miles which may be added
 15 to in-state-miles shall in no event exceed the number of miles
 16 determined by taking the percent of in-state-miles of prorate-
 17 state-miles and applying such percentage to reciprocity-state-
 18 miles.

19 'In no event may the number of reciprocity-state-miles added
 20 to in-state-miles, result in a mileage total in excess of one
 21 hundred percent (100%) of the total-fleet-miles of a fleet after
 22 giving effect to fleet mileage allocated to other states with
 23 which this state has an apportionment agreement.'

24 "Sec. 2. Section three hundred twenty-six point two (326.2)
 25 Code 1962, is hereby

26 (24) and twenty-five (25) of the third paragraph thereof the words
27 'in-state fleet miles to total fleet miles' and inserting in lieu
28 thereof the following: 'in-state-miles to total-fleet-miles'.

29 "Sec. 3. Chapter three hundred twenty-six (326), Code 1962,
30 is hereby amended by adding thereto the following new section:

31 "The Iowa reciprocity board may issue a trip permit to the
32 carrier who has registered a fleet of vehicles with this state
33 on an apportionment basis pursuant to this chapter to permit a
34 non-Iowa registered vehicle to operate on the highways of this
35 state in interstate commerce if that leased vehicle, when
36 operated by the lessor, would be entitled to reciprocity in
37 the State of Iowa and the Iowa reciprocity board shall charge
38 and collect a fee of five dollars (\$5.00) for each such permit
39 issued. If the vehicle operated on the trip basis is owned by
40 the prorate fleet carrier or is, at the time of the trip, under
41 lease to the prorate carrier for thirty (30) days duration or
42 longer, the Iowa reciprocity board may limit the issuance of
43 permits on a particular vehicle not registered in Iowa to one
44 round trip interstate on the Iowa highways for each calendar
45 quarter. The Iowa reciprocity board may issue a trip permit to
46 the Iowa carrier or Iowa broker who has not registered vehicles
47 on an apportionment basis pursuant to the provisions of this
48 chapter to permit a non-Iowa registered vehicle to operate on the
49 highways of this state in interstate commerce if that leased
50 vehicle, when operated by the lessor, would be entitled to
51 reciprocity in this state; and the Iowa reciprocity board shall
52 charge and collect a fee of five dollars (\$5.00) for each permit
53 issued. A "trip" shall mean: (1) a one-way movement from one
54 point originating outside this state and destined to another
55 point outside this state; (2) a round-trip movement between two
56 points in Iowa; (3) a round-trip movement which originates in
57 Iowa or is destined for a point in Iowa. The term "broker" means
58 any person not included in the term "motor carrier" and not a
59 bona fide employee or agent of any such carrier, who or which
60 as principal or agent sells or offers for sale any transportation,
61 or negotiates for, or holds himself or itself out for solicitation,
62 advertisement, or otherwise as one who sells, provides, furnishes,
63 contracts, or arranges for such transportation.'

64 "Sec. 4. Section three hundred twenty-six point two (326.2),
65 Code 1962, is hereby further amended by striking from line nine
66 (9) of the last paragraph thereof the words 'of in-state fleet
67 miles to total fleet miles' and inserting in lieu thereof the
68 following: 'of in-state-fleet-miles to total-fleet-miles'.

69 "Sec. 5. Section three hundred twenty-six point three (326.3),
70 Code 1962, is hereby amended by inserting after the word 'Iowa' in
71 line fourteen (14) of the last paragraph thereof the following:
72 'and shall be subject to all of the provisions of chapter three
73 hundred twenty-one (321) relating to nonpayment of registration
74 fees'.

75 "Sec. 6. Chapter three hundred twenty-six (326), Code 1962,
76 is hereby further amended by adding thereto the following new
77 section:

78 "When used in this chapter:

79 "1. The term "total-fleet-miles" shall be the total number
80 of miles operated in all jurisdictions during the preceding year
81 by the motor vehicles in such fleet during said year.

82 "2. The term "prorate-state-miles" means the total number of
83 miles traveled by vehicles of an apportioned fleet in all states
84 with which this state has a registration apportionment agreement.

85 "3. The term "in-state-miles" means the total number of miles
86 vehicles of an apportioned fleet travel in this state.

87 "4. The term "reciprocity-state-miles" as used in this section
88 shall mean miles traveled by the motor vehicles of such fleet in
89 another jurisdiction to which the fleet operator by virtue of
90 reciprocity did not, either voluntarily or by operation of law or
91 otherwise, pay full or proportional registration fees, trip
92 permits, mileage taxes, weight distance taxes, gross receipt
93 taxes, or any other fee or tax levied for the privilege of using
94 the highway other than a tax on the fuel used for propelling such
95 motor vehicles in such jurisdiction.'

96 "Sec. 7. Section three hundred twenty-six point five (326.5),
97 Code 1962, is hereby amended by striking the sentence beginning
98 on line sixteen (16) with the words 'In addition,' and ending on
99 line twenty-one (21) with the word 'chapter.' and inserting in
100 lieu thereof the following:

101 'In addition, the Iowa reciprocity board shall charge and
102 collect an additional fee of one dollar (\$1.00) for each plate,
103 sticker, or other identification furnished for each vehicle
104 registered in accordance with the provisions of this Act or
105 extended reciprocity in accordance with the provisions of this
106 Act.'

107 "Sec. 8. The provisions of this Act shall take effect
108 January 1, 1966."