

January 20, 1969

HOUSE FILE 2

Passed on File

*Transportation 1-21* By MILLER of Page, FISHER of Greene, HOLDEN  
*Pass 3-14* GANNON, BENNETT, DUNTON and HANSON of Howard-Michell  
*Transportation 3-26, Pass 4-10* (Lamborn, Denman, and Smith)  
Request of the Legislative  
Research Committee

Passed House, Date *3-26-69* Passed Senate, Date *5-23-69*

Vote: Ayes *116* Nays *2* Vote: Ayes *48* Nays *0*

Approved .....

*Passed as further  
amended by Senate  
5/23; 88-1*

*Motion to reconsider filed and prevailed 5/23*

# A BILL FOR

*Passed Senate 5/23; 48-0*

- 1 An Act relating to motor vehicle registration fees.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Section three hundred twenty-one point one
- 4 (321.1), Code 1966, is hereby amended by adding thereto the
- 5 following new subsection:
- 6 1. "Unladen weight' means the weight of a vehicle or
- 7 vehicle combination without load."
- 8 Sec. 2. Section three hundred twenty-one point one hundred
- 9 six (321.106), Code 1966, is hereby repealed and the following
- 10 enacted in lieu thereof:
- 11 "Where there is no delinquency and the registration is made
- 12 in February or succeeding months to and including November,
- 13 registration fees for vehicles designed to carry nine passen-
- 14 gers or less shall be computed on the basis of one-twelfth of
- 15 the annual registration fee as provided in this chapter multi-
- 16 plied by the number of unexpired months of the year. No fee
- 17 shall be required for the month of December for a new car in
- 18 good faith delivered during that month.
- 19 Registration fees for vehicles designed to carry property
- 20 or more than nine passengers which are registered prior to
- 21 April first shall be computed on the basis of the full annual
- 22 fee for such vehicle. Where there is no delinquency and the
- 23 registration is made in April or succeeding months, registra-
- 24 tion fees for vehicles designed to carry property or more than
- 25 nine passengers shall be computed on the basis of one-twelfth

1 of the annual registration fees as provided in this chapter  
2 multiplied by the number of unexpired months of the year.

3 Whenever any registration fee computed under this section  
4 contains a fractional part of a dollar, the fee shall be  
5 computed to the nearest whole dollar which amount shall be  
6 the fee collected. The fee so computed for an original  
7 registration shall be deemed to be the annual registration  
8 fee for the remainder of the registration year."

9 Sec. 3. Section three hundred twenty-one point one hundred  
10 nineteen (321.119), Code 1966, is hereby amended by striking  
11 lines one (1) through three (3) and inserting the following  
12 in lieu thereof:

13 "All motor trucks equipped with pneumatic tires shall be  
14 registered for a gross weight equal to or in excess of the  
15 unladen weight of the vehicle. The annual registration fee  
16 for such motor trucks shall be:".

17 Sec. 4. Section three hundred twenty-one point one hundred  
18 twenty-one (321.121), Code 1966, is hereby repealed and the  
19 following enacted in lieu thereof:

20 "All motor trucks with gross weights exceeding twelve tons  
21 shall be registered for a gross weight equal to or in excess  
22 of the unladen weight of the vehicle. The annual registration  
23 fee for all motor trucks with pneumatic tires and gross weights  
24 in excess of twelve tons, shall be the fee for a truck having  
25 a gross weight of twelve tons, and in addition thereto, twenty-  
26 five dollars for each ton of gross weight over twelve tons."

27 Sec. 5. Section three hundred twenty-one point one hundred  
28 twenty-two (321.122), subsection one (1), Code 1966, is hereby  
29 amended by striking lines one (1) through six (6) and inserting  
30 the following in lieu thereof:

31 "The annual registration fee for a truck tractor or road  
32 tractor drawing or designed to draw a semitrailer or trailer  
33 shall be based on the combined gross weight of such combination;  
34 however, all such truck tractors or road tractors shall be reg-  
35 istered for a gross weight equal to or in excess of the unladen

1 weight of the combination. The annual registration fee for such  
2 combination shall be:".

3 Sec. 6. Section three hundred twenty-one point one hundred  
4 twenty-six (321.126), Code 1966, is hereby repealed and the  
5 following enacted in lieu thereof:

6 "Refunds of fees previously paid for the registration of  
7 motor vehicles shall be allowed in accordance with this section.  
8 Such refunds shall be made as follows:

9 1. If the motor vehicle is destroyed by fire or accident,  
10 or junked and its identity as a motor vehicle entirely elim-  
11 nated, or removed and continuously used beyond the boundaries  
12 of this state, the owner in whose name the motor vehicle was  
13 registered at the time of such destruction, dismantling or  
14 removal from the state shall return the plates to the county  
15 treasurer or the Iowa reciprocity board and within thirty days  
16 thereafter make affidavit of such destruction, dismantling, or  
17 removal and make claim for refund. With reference to the de-  
18 struction or dismantling of a vehicle, the affidavit shall be  
19 accompanied by the certificate of title, if titled in Iowa, as  
20 provided in section three hundred twenty-one point fifty-two  
21 (321.52). With reference to the removal of a vehicle from  
22 this state as provided herein, the affidavit shall contain a  
23 statement indicating the foreign registration number of such  
24 vehicle, the name and address of the official of the foreign  
25 state to whom the Iowa certificate of title, if any, has been  
26 surrendered, and the number of the foreign certificate of title  
27 issued for such vehicle if registered in a title law state.

28 2. If the motor vehicle is sold to a person whose residence  
29 or place of business is without the state, the owner in whose  
30 name the motor vehicle was registered at the time of the sale  
31 shall give notice in accordance with the provisions of section  
32 three hundred twenty-one point fifty-two (321.52), return the  
33 plates to the county treasurer or the Iowa reciprocity board,  
34 and within thirty days thereafter make affidavit of such sale  
35 and make claim for refund.

1 3. If the motor vehicle is stolen, the owner shall give  
2 notice of such theft to the county treasurer or the Iowa reci-  
3 procity board within five days, who in turn shall notify the  
4 department. If the motor vehicle is not recovered by the owner  
5 before December first of the year for which the registration fee  
6 was paid, the owner shall make affidavit of such theft and make  
7 claim for refund.

8 4. If the motor vehicle is placed in storage by the owner  
9 upon his entry into the military service of the United States,  
10 the owner shall return the plates to the county treasurer or  
11 the Iowa reciprocity board and make affidavit regarding such  
12 storage and military service and make claim for refund. When-  
13 ever the owner of a motor vehicle so placed in storage desires  
14 to again register such vehicle, the county treasurer or Iowa  
15 reciprocity board shall compute and collect the fees for such  
16 registration in accordance with section two (2) of this Act.

17 Notwithstanding any provisions of this section to the contrary,  
18 there shall be no refund of proportional registration fees unless  
19 the state which issued the base plate for the vehicle allows such  
20 refund. If an owner subject to proportional registration leases  
21 the vehicle for which the refund is sought, the claim shall be  
22 filed in the names of both the lessee and the lessor and the  
23 refund payment made payable to both the lessor and the lessee.  
24 The term 'owner' for purposes of this section shall include a  
25 person in whom is vested right of possession or control of a  
26 vehicle which is subject to a lease, contract, or other legal  
27 arrangement vesting right of possession or control in addition  
28 to the term as defined in section three hundred twenty-one  
29 point one (321.1), subsection thirty-six (36), of the Code."

30 Sec. 7. Section three hundred twenty-one point four hun-  
31 dred sixty-six (321.466), Code 1966, is hereby amended by  
32 striking lines thirty (30) through thirty-nine (39) and in-  
33 serting the following in lieu thereof:

34 "Upon conversion of a truck to a truck tractor or a truck  
35 tractor to a truck, an increased gross weight registration

1 of the proper type may be obtained for any such vehicle by  
2 payment, except as provided in section two (2) of this Act,  
3 of one-twelfth of the difference between the annual fee for  
4 the higher gross weight and the amount of the annual fee for  
5 the gross weight at which the vehicle is registered multi-  
6 plied by the number of unexpired months of the year from the  
7 date of such conversion.”

#### EXPLANATION

This bill does not affect the registration fees of automobiles and other vehicles designed to carry nine passengers or less registered after the commencement of the registration year, but owners of all other vehicles registered during the first quarter of the year are required to pay on the basis of the full annual registration fee. Monthly reduction of fees is permitted after the end of the first quarter year. Furthermore, this bill requires that motor trucks register for a gross weight at least equal to the unladen weight of the vehicle. Provisions affecting refund procedures are also contained in this bill. For a detailed explanation of this bill, see the Report of the Interstate Truck Rate Reciprocity Procedures Study Committee which is contained in the Report of the Legislative Research Committee submitted to the Sixty-third General Assembly.

1 Amend House File 2 as follows:

2 1. By striking section three (3) and inserting in lieu  
3 thereof the following:

4 "Sec. 3. Section three hundred twenty-one point one hundred  
5 nineteen (321.119), Code 1966, is hereby amended as follows:

6 1. By striking lines one (1) through seven (7), inclusive,  
7 and inserting in lieu thereof the following:

8 'All motor trucks equipped with pneumatic tires shall  
9 be registered for a gross weight equal to or in excess of the  
10 unladen weight of the vehicle. The annual registration fee  
11 for such motor trucks shall be:

12 For a gross weight of four tons or less, thirty dollars,  
13 except that after said motor vehicle has been registered five  
14 times, the fee shall be twenty-five dollars.

15 For a gross weight exceeding four tons and not exceeding  
16 five tons, fifty-two dollars.'

17 2. By striking from line nine (9) the word 'seventy' and  
18 inserting in lieu thereof the word 'eighty-two'.

19 3. By striking from line eleven (11) the word 'ninety-  
20 five' and inserting in lieu thereof the words 'one hundred  
21 twelve'.

22 4. By striking from line thirteen (13) the words 'one hundred  
23 twenty' and inserting in lieu thereof the words 'one hundred  
24 forty-two'.

25 5. By striking from line sixteen (16) the words 'one hundred  
26 fifty-five' and inserting in lieu thereof the words 'one hundred  
27 seventy-two'.

28 6. By striking from line nineteen (19) the words 'one  
29 hundred ninety' and inserting in lieu thereof the words 'two  
30 hundred seven'.

31 7. By striking from lines twenty-two (22) and twenty-three  
32 (23) the words 'two hundred twenty-five' and inserting in lieu  
33 thereof the words 'two hundred forty-two'.

34 8. By striking from lines twenty-five (25) and twenty-six  
35 (26) the words 'two hundred sixty-five' and inserting in lieu  
36 thereof the words 'two hundred eighty'."

37 2. By striking from lines twenty-five (25) and twenty-six  
38 (26) of page two (2) the word "twenty-five" and inserting in  
39 lieu thereof the word "thirty".

40 3. By striking section five (5) and inserting in lieu thereof  
41 the following:

42 "Sec. 5. Section three hundred twenty-one point one hundred  
43 twenty-two (321.122), subsection one (1), Code 1966, is hereby  
44 amended as follows:

45 1. By striking lines one (1) through six (6) and inserting  
46 in lieu thereof the following:

House 2

47 The annual registration fee for a truck tractor or road  
48 tractor drawing or designed to draw a semitrailer or trailer  
49 shall be based on the combined gross weight of such combination;  
50 however, all such truck tractors or road tractors shall be reg-  
51 istered for a gross weight equal to or in excess of the unladen  
52 weight of the combination. The annual registration fee for such  
53 combination shall be'.

54 2. By striking from line eight (8) the word 'forty' and  
55 inserting in lieu thereof the word 'sixty'.

56 3. By striking from line ten (10) the word 'sixty-five'  
57 and inserting in lieu thereof the word 'eighty-five'.

58 4. By striking in line fourteen (14) the word 'ninety' and  
59 inserting in lieu thereof the words 'one hundred ten'.

60 5. By striking in lines sixteen (16) and seventeen (17)  
61 the words 'one hundred twenty-five' and inserting in lieu  
62 thereof the words 'one hundred thirty-five'.

63 6. By striking in lines twenty-two (22) and twenty-three  
64 (23) the words 'one hundred ninety-five' and inserting in lieu  
65 thereof the words 'one hundred eighty-five'.

66 7. By striking in lines twenty-five (25) and twenty-six  
67 (26) the words 'two hundred thirty-five' and inserting in lieu  
68 thereof the words 'two hundred ten'.

69 8. By striking in line thirty (30) the word 'twenty-five'  
70 and inserting in lieu thereof the word 'thirty-five'."

Filed - *Lat 3-26*  
March 18, 1969

SCHROEDER of Pottawattamie

SENATE AMENDMENT TO HOUSE FILE 2

- 1 Amend House File 2 by striking sections four (4)
- 2 and five (5).

Received and concurred  
May 23, 1969

- 1 Amend House File 2, as passed by the Senate, by striking sec-
- 2 tions four (4) and five (5).

Filed and adopted  
May 23, 1969

*Senate*  
By KYHL