

March 28, 1969
Ways and Means, *Page 4-17*

Reprinted 4/30
HOUSE FILE 714

By COMMITTEE ON TRANSPORTATION

Passed House, Date *4-22-69* Passed Senate, Date.....

Vote: Ayes *93* Nays *27* Vote: Ayes Nays

Approved

*Motion to reconsider
filed and tabled 4-29*

A BILL FOR

1 An Act relating to motor vehicle registration fees and the
2 state road use tax fund.

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

*Original amendments
withdrawn due to
adoption of McCarty et al.
amendment.*

4 Section 1. Section three hundred twenty-four point seventy-
5 eight (324.78), Code 1966, is hereby repealed and the following
6 enacted in lieu thereof:

7 "The net proceeds of eight cents per gallon excise tax on
8 the diesel special fuel and seven cents per gallon excise tax
9 on motor fuel and other special fuel, and penalties collected
10 under the provisions of this chapter, shall be credited to the
11 road use tax fund."

12 Sec. 2. Section three hundred twelve point one (312.1),
13 Code 1966, is hereby amended by repealing subsection two (2)
14 and enacting in lieu thereof the following:

15 "All the net proceeds of the motor vehicle fuel tax or license
16 fees under chapter three hundred twenty-four (324) of the Code."

17 Sec. 3. Chapter three hundred forty-eight (348), section fifty
18 (50), Acts of the Sixty-second General Assembly, amending section
19 four hundred twenty-two point sixty-two (422.62), Code 1966, is
20 repealed, effective July 1, 1971.

21 Sec. 4. Chapter three hundred twenty-one (321), Code 1966,
22 is hereby amended by adding the following new section:

23 "Value' as used in section three hundred twenty-one point
24 one hundred nine (321.109) of the Code concerning registration
25 fees for motor vehicles for which the 1970 annual registration

1 is the first registration and for all motor vehicles registered
2 for the first time after December 1, 1969 shall be determined
3 as follows:

4 1. At the time of the initial registration of a motor
5 vehicle, the applicant shall present to the county treasurer
6 the window sticker which was affixed to the motor vehicle under
7 the automobile information disclosure act, title fifteen (15),
8 chapter twenty-eight (28), United States Code.

9 2. Excluding destination charges, the county treasurer shall
10 set the value of the vehicle at the next even one hundred dollars
11 above the total price stated on such sticker.

12 3. The county treasurer shall note on the registration re-
13 ceipt the value so set. Such value shall be used in computing
14 renewal registration fees as provided in section three hundred
15 twenty-one point one hundred thirteen (321.113) of the Code.

16 4. In the case of motor vehicles which are not subject to
17 title fifteen (15), chapter twenty-eight (28), United States
18 Code, the value of such vehicles shall be determined by the
19 department as provided in sections three hundred twenty-one point
20 one hundred fifty-seven (321.157) through three hundred twenty-
21 one point one hundred sixty-two (321.162) of the Code, except
22 that the department in determining value shall include excise
23 tax and the cost of all accessories and equipment attached to
24 the vehicle at the time of sale."

25 Sec. 5. Section three hundred twenty-one point one hundred
26 nine (321.109), Code 1966, is hereby amended by inserting in
27 line seven (7) after the word "department" the words "or county
28 treasurer,".

29 Sec. 6. Section three hundred twenty-one point one hundred
30 sixty-two (321.162), Code 1966, is hereby amended as follows:

31 1. By striking from line one (1) the first word "The" and
32 inserting in lieu thereof the words "For motor vehicles regis-
33 tered for the first time for the 1970 annual registration, the".

34 2. By striking from line three (3) the words ", and the
35 weight" and inserting in lieu thereof the words ". The weight

1 for all motor vehicles”.

2 Sec. 7. Section three hundred twelve point two (312.2),

3 Code 1966, is hereby amended as follows:

4 1. By striking from line two (2) of subsection two (2)

5 the word “thirty” and inserting in lieu thereof the word

6 “twenty-eight”.

7 2. By striking from line two (2) of subsection four (4)

8 the word “thirteen” and inserting in lieu thereof the word

9 “fifteen”.

10 Sec. 8. Section three hundred twelve point three (312.3),

11 Code 1966, is hereby amended by striking from line six (6) of

12 subsection two (2) the word “thirteen” and inserting in lieu

13 thereof the word “fifteen”.

EXPLANATION OF HOUSE FILE 714

This bill increases the share of cities and towns in the road use tax fund by two percent, and decreases the share of secondary roads by the same percentage. The bill also provides that all road users taxes shall go to the road use tax fund, and increases the allotment of sales taxes to this fund.

In addition, this bill will clarify the method of determining the value of an auto for registration purposes, by including extra equipment and accessories.

The overall effect of these changes will increase the funds available for streets and highways without creating any new taxes.

1 Amend House File 714 as follows:

2 Page two (2) by striking all of lines nine (9) to
3 eleven (11) inclusive and inserting in lieu thereof
4 the following:

5 "2. If any equipment or accessory listed on such
6 window sticker was removed from the motor vehicle prior
7 to the sale of the vehicle, the buyer may file with the
8 treasurer the dealer's affidavit concerning the revised
9 list price.

10 3. Excluding destination charges, the county
11 treasurer shall set the value of the vehicle at the next
12 even one hundred dollars above the total price stated on
13 such sticker or above the revised list price as revealed
14 by the dealer's affidavit."

15 Further amend section 4, page two (2), by renumbering
16 the following subsections.

Filed

April 1, 1969

GOODE of Appanoose-Davis

1 Amend House File 714 by striking all after the enact-
2 ing clause and inserting in lieu thereof the following:

3 Section 1. Section three hundred twelve point two
4 (312.2), Code 1966, is amended as follows:

5 1. By striking from subsection two (2), line two (2),
6 the word "thirty" and inserting in lieu thereof the word
7 "twenty-eight".

8 2. By striking from subsection four (4), line two (2),
9 the word "thirteen" and inserting in lieu thereof the word
10 "fifteen".

11 Sec. 2. Section three hundred twelve point three
12 (312.3), Code 1966, is amended by striking from subsection
13 two (2), line six (6), the words "thirteen percent of"
14 and inserting in lieu thereof the words "allocation from".

15 Further amend by striking from the title in line
16 one (1) the words "motor vehicle registration fees and".

17 EXPLANATION OF HOUSE FILE 714

18 This bill would increase the share of cities and towns in
19 the road use tax fund from 13 percent to 15 percent, and
20 would decrease the share of the secondary roads from 30
21 percent to 28 percent.

Filed - *Withdrawn 4-28*
April 4, 1969

MILLIGAN of Polk

1 Amend House File 714 by adding the following new section:

2 Sec. 9. Section three hundred twenty-four point eight (324.8),
3 Code 1966, is amended by striking all of subsection 4 and
4 inserting in lieu thereof the following:

5 "From the total number of invoiced gallons of motor
6 fuel 'received' by the distributor within the state
7 during the next preceding calendar month shall be
8 deducted the gallonage of motor fuel received and
9 thereafter sold within the exemptions provided for in
10 section three hundred twenty-four point three (324.3)
11 of the Code."

Filed

April 7, 1969

McINTYRE of Linn

1 Amend House File 714 as follows:

2 1. By striking sections one (1) and two (2).

3 2. By adding the following new sections:

4 Sec. 9. Sections three hundred twenty-one point one
5 hundred nineteen (321.119) and three hundred twenty-one point
6 one hundred twenty-one (321.121), Code 1966, are hereby
7 repealed.

8 Sec. 10. Section three hundred twenty-one point one
9 hundred twenty-two (321.122), subsection one (1), Code 1966,
10 is hereby amended by striking lines one (1) through thirty-
11 one (31), inclusive, and inserting in lieu thereof the following:

12 "The annual registration fee for motor trucks, truck tractors,
13 or road tractors shall be based on the combined gross weight
14 of any combination of vehicles. All trucks, truck tractors,
15 or road tractors shall be registered for a gross weight equal
16 to or in excess of the unladen weight of the vehicle or combina-
17 tion of vehicles. The annual registration fee for such vehicle
18 or combination of vehicles shall be:

19 For a combined gross weight of three tons or less, thirty-nine
20 dollars.

21 For a combined gross weight exceeding three tons the fee
22 shall be computed as follows: take the total combined gross
23 weight in tons for which the vehicle is to be registered,
24 add ten, and multiply the result times the tons for which the
25 vehicle is to be registered. The result is the rate in dollars."

26 Sec. 11. Chapter two hundred eighty-five (285), section
27 fifteen (15), Acts of the Sixty-second General Assembly, is
28 hereby amended by striking from line two (2) the words and
29 figures "ten (10)" and inserting in lieu thereof the words
30 "one hundred".

31 3. By renumbering the remaining sections.

Filed

April 21, 1969

LIPSKY of Linn

1 Amend House File 714, Page 3 by striking lines two (2) through
2 six (6) inclusive and inserting in lieu thereof the following:

3 Sec. 7. Section three hundred twelve point two (312.2), Code
4 of 1966, is hereby amended as follows:

5 1. By striking from line one (1) of subsection 1 the word
6 "forty-seven" and inserting in lieu thereof the word "forty-
7 five".

Filed

April 23, 1969

RODGERS of Dallas

1 Amend the amendment to House File 714, filed April 24,
2 1969, by McCartney of Floyd, et al., by striking all after
3 line two (2) and inserting in lieu thereof the contents
4 of House File 290.

Filed - Lost 4-28

April 24, 1969

ANDERSEN of Woodbury

- 1 Amend House File 714 as follows:
- 2 1. Page 1 by striking all of lines four (4) through
- 3 sixteen (16).
- 4 2. By renumbering the remaining sections.

5 **EXPLANATION OF THE AMENDMENT**
6 This leaves the primary system as it is.

Filed
April 9, 1969

ANDERSEN of Woodbury

- 1 Amend House File 714 as follows:
- 2 1. Page 1 by striking all of section three (3).
- 3 2. By striking all of sections four (4), five (5),
- 4 and six (6).
- 5 3. By renumbering the remaining sections.

Filed
April 18, 1969

McINTYRE of Linn
SORG of Linn
RADL of Linn

- 1 Amend House File 714 by striking all after the
- 2 enacting clause and inserting in lieu thereof the contents
- 3 of House File 290.

Filed
April 15, 1969

ANDERSEN of Woodbury

- 1 Amend House File 714 by adding the following new section:
- 2 Sec. 9. Section three hundred twenty-four point
- 3 eight (324.8) subsection (4), Code 1966, is hereby
- 4 amended by striking from line nine (9) the word "three"
- 5 and inserting in lieu thereof the words "one and one-half".

Filed
April 22, 1969

KLEIN of Winnebago-Worth
EDGINGTON of Franklin
VAN NOSTRAND of Pottawattamie

- 1 Amend House File 714 by adding the following new section:
- 2 Section three hundred twenty-one point eighteen (321.18),
- 3 Code 1966, is hereby amended by adding the following new
- 4 subsection thereto:
- 5 "Any school bus in this state and used exclusively for the
- 6 transportation of pupils to and from school or a school
- 7 function. Upon application the department shall, without
- 8 charge, issue a registration certificate and shall also issue
- 9 registration plates which shall have imprinted thereon the
- 10 word 'Private School Bus' and a distinguishing number
- 11 assigned to the applicant. Such plates shall be attached
- 12 to the front and rear of each bus exempt from registration
- 13 under this Act.
- 14 The effective date of this Act shall be January 1, 1970."

Filed
April 23, 1969

KNOBLAUCH of Carroll

Page 1

1 Amend House File 714 by striking all after the enacting clause
2 and inserting in lieu thereof the following:

3 Section 1. Section three hundred twenty-four point seventy-
4 eight (324.78), Code 1966, is hereby amended as follows:

5 1. By inserting in line two (2) after the word "seven" the
6 words "and one half".

7 2. By inserting in line three (3) after the word "six" the
8 words "and one half".

9 3. By striking in line eight (8) the word "one" and inserting
10 in lieu thereof the words "one half".

11 4. By striking in line nine (9) the word "one" and inserting
12 in lieu thereof the words "one half".

13 5. By striking in line eighteen (18) the word "one" and
14 inserting in lieu thereof the words "one half".

15 Sec. 2. Section three hundred twelve point two (312.2),
16 Code 1966, is hereby amended as follows:

17 1. By striking from line two (2) of subsection two (2) the
18 word "thirty" and inserting in lieu thereof the word "twenty-nine".

19 2. By striking from line one (1) of subsection three (3)
20 the word "ten" and inserting in lieu thereof the word "nine".

21 3. By striking from line two (2) of subsection four (4) the
22 word "thirteen" and inserting in lieu thereof the word "fifteen".

23 Sec. 3. Section three hundred twelve point three (312.3),
24 Code 1966, as amended by Chapter two hundred fifty-three (253),
25 Section one (1), Acts of the Sixty-second General Assembly, is
26 hereby further amended by striking from line six (6) of subsection
27 two (2) the word "thirteen" and inserting in lieu thereof the word
28 "fifteen".

29 Sec. 4. Sections three hundred twenty-one point one
30 hundred nineteen (321.119) and three hundred twenty-one point
31 one hundred twenty-one (321.121), Code 1966, are hereby repealed.

32 Sec. 5. Section three hundred twenty-one point one
33 hundred twenty-two (321.122), Code 1966, is hereby amended as
34 follows:

35 1. By striking from subsection one (1), lines one (1)
36 through thirty-one (31), inclusive, and inserting in lieu
37 thereof the following:

38 'The annual registration fee for motor trucks, truck tractors,
39 or road tractors, shall be based on the combined gross weight
40 of any combination of vehicles. All trucks, truck tractors,
41 or road tractors shall be registered for a gross weight equal
42 to or in excess of the unladen weight of the vehicle or combina-
43 tion of vehicles. The annual registration fee for such vehicle
44 or combination of vehicles shall be:

45 For a combined gross weight of three tons or less, thirty-
46 five dollars.

47 For a combined gross weight exceeding three tons and not
48 exceeding four tons, forty-five dollars.

49 For a combined gross weight exceeding four tons and not
50 exceeding five tons, sixty dollars.

51 For a combined gross weight exceeding five tons and not
52 exceeding six tons, seventy-five dollars.

53 For a combined gross weight exceeding six tons but not
54 exceeding seven tons, one hundred dollars.

55 For a combined gross weight exceeding seven tons, the
56 fee shall be one hundred dollars, and in addition thereto
57 forty dollars for each ton over seven tons.'

58 2. By striking subsection two (2) and inserting in lieu
59 thereof the following:

60 'For semitrailers the annual registration fee shall be
61 ten dollars.'

62 Sec. 6. Section three hundred twenty-four point eight
63 (324.8), subsection four (4), Code 1966, is hereby amended by
64 striking from line ten (10) the words "net number" and inserting
65 in lieu thereof the words "first three hundred thousand gallons
66 and one and one-quarter per centum of all gallonage in excess of
67 three hundred thousand gallons".

Filed - *adapted as amended 4-29*
April 24, 1969

McCARTNEY of Floyd
SCHROEDER of Pottawattamie
VARLEY of Madison
DEN HERDER of Sioux
KLEIN of Winnebago-Worth
MILLEN of Jefferson-Van Buren
HOLDEN of Scott
VAN DRIE of Story

1 Amend the amendment to House File 714, filed April 24,
2 1969, by McCartney of Floyd, et al., as follows:
3 1. By striking all of Sections one (1), two (2) and
4 three (3).
5 2. By renumbering the remaining sections.

6 EXPLANATION OF THE AMENDMENT

7 This leaves the primary system as it is.

Filed - *Lost 4-28*
April 24, 1969

ANDERSEN of Woodbury

1 Amend the McCartney, et al., amendment to House File
2 714, filed April 24, as follows:
3 By striking section one (1) and inserting in lieu
4 thereof the following:
5 Section 1. Section 324.78, Code 1966, is hereby re-
6 pealed and the following inserted in lieu thereof.
7 "Sec. 324.78. The net proceeds of seven and one-
8 half cents ($7\frac{1}{2}\phi$) per gallon excise tax on the diesel
9 special fuel and six and one-half cents ($6\frac{1}{2}\phi$) per gallon
10 excise tax on motor fuel and other special fuel, and
11 penalties collected under the provision of this chapter,
12 shall be credited to the road use tax fund.
13 The net proceeds of one-half cent ($\frac{1}{2}\phi$) per gallon
14 excise tax on diesel special fuel and one-half cent ($\frac{1}{2}\phi$)
15 per gallon excise tax on motor fuel and other special
16 fuel collected under the provisions of this chapter shall
17 be credited by the treasurer of state to the primary road
18 fund."

Filed - *Adopted 4-28*
April 25, 1969

GOODE of Appanoose-Davis

1 Amend the McCartney, et al., amendment to House File 714, filed
2 April 24, by adding thereto the following section:
3 Section three hundred twenty-one point eighteen (321.18),
4 Code 1966, is hereby amended by adding the following new
5 subsection thereto:
6 "Any school bus in this state and used exclusively for the
7 transportation of pupils to and from school or a school
8 function. Upon application the department shall, without
9 charge, issue a registration certificate and shall also issue
10 registration plates which shall have imprinted thereon the
11 word 'Private School Bus' and a distinguishing number
12 assigned to the applicant. Such plates shall be attached
13 to the front and rear of each bus exempt from registration
14 under this Act.
15 The effective date of this section shall be January 1, 1970."

Filed - *Ruled not germane 4-29*
April 25, 1969

KNOBLAUCH of Carroll

- 1 Amend the amendment to House File 714, filed April 24, 1969,
- 2 by McCartney, et al., as follows:
- 3 1. By striking all of lines seventeen (17) through twenty
- 4 (20) and inserting in lieu thereof the following:
- 5 "1. By striking from line one (1) of subsection one (1)
- 6 the words 'forty-seven' and inserting in lieu thereof the words
- 7 'forty-five'".
- 8 2. By striking from line twenty-one (21) the figure "3" and
- 9 inserting in lieu thereof the figure "2".

Filed - *Lost 4-28*
April 25, 1969

RODGERS of Dallas

- 1 Amend the amendment to House File 714, filed April 24,
- 2 1969, by McCartney of Floyd, et al., as follows:
- 3 1. By striking all of section one (1).
- 4 2. By renumbering the remaining sections.

5 EXPLANATION OF THE AMENDMENT

- 6 This leaves the primary system as it is.

Filed - *Lost 4-28*
April 25, 1969

ANDERSEN of Woodbury

- 1 Amend the McCartney, et al., amendment, filed April 24, to House
- File 714, section
- 2 five (5), lines forty-five (45) and forty-six (46), by striking
- 3 the word "thirty-five" and inserting in lieu thereof the word
- 4 "twenty-five".

Filed - *Withdrawn 4-28*
April 25, 1969

PRIEBE of Kossuth

- 1 Amend the McCartney, et al., amendment to House File
- 2 714, filed April 24, as follows:
- 3 Amend page one (1), line eighteen (18), by striking
- 4 the word "twenty-nine" and inserting in lieu thereof
- 5 the word "twenty-eight".
- 6 Also amend the amendment by striking subsection two (2)
- 7 of Section two (2).

Filed - *Lost 4-28*
April 25, 1969

GOODE of Appanoose-Davis

- 1 Amend the McCartney, et al., amendment to House File
- 2 714, filed April 24, by striking lines forty-five (45)
- 3 and forty-six (46) and inserting in lieu thereof the
- 4 following: "For a combined gross weight of three tons
- 5 or less, thirty dollars."

Filed - *Lost 4-28*
April 25, 1969

GRAHAM of Ida-Sac

- 1 Amend the McCartney amendment, filed April 24, to House File 714
- 2 by striking from line 57 the word "forty" and inserting in lieu
- 3 thereof the word "twenty".

Filed - *Withdrawn 4-29*
April 28, 1969

BENNETT of Polk

- 1 Amend the McCartney, et al., amendment to House File
- 2 714, filed April 24, line fifty-seven (57), by
- 3 striking the word "forty" and insert in lieu thereof
- 4 the word "thirty-five".

Filed - *Withdrawn 4-29*
April 28, 1969

PERKINS of Pottawattamie

- 1 Amend the amendment to House File 714, filed April 24, 1969,
- 2 by McCartney of Floyd, et al., by striking lines fifty-eight (58),
- 3 fifty-nine (59), sixty (60), and sixty-one (61).

Filed - *Adopted 4-29*
April 28, 1969

RADL of Linn

- 1 Amend the McCartney, et al., amendment to House File 714 by add-
ing
- 2 the following new section: "The effective date of this Act as amended
- 3 shall be July 1, 1971."

Filed - *Lost 4-29*
April 28, 1969

PERKINS of Pottawattamie

- 1 Amend the McCartney, et al., amendment to House File 714,
- 2 filed April 24, 1969, as follows:
- 3 1. By inserting after line sixty-one (61) the following:
- 4 3. By striking from subsection four (4), line seven (7),
- 5 the word "twenty-five" and inserting in lieu thereof the
- 6 word "forty".

Filed
April 28, 1969

SCHROEDER of Pottawattamie

- 1 Amend the amendment to House File 714, as filed on
- 2 page 1228 of the House Journal by McCartney, et al.,
- 3 as follows:
- 4 By striking from lines sixty-six (66) of said
- 5 amendment the words "one and one-quarter" and insert-
- 6 ing in lieu thereof the word "two".

Filed - *Withdrawn 4-29*
April 28, 1969

FISCHER of Grundy
WELDEN of Hardin
DUNTON of Keokuk
MILLER of Page

- 1 Amend the McCartney, et al., amendment to House File 714, filed
- 2 April 24, as follows:
- 3 1. Line forty (40) by inserting after the word "tractors", the
- 4 word "semi-trailers".
- 5 2. By inserting after the line 61 the following:
- 6 "3. By striking from line seven (7) of subsection four (4)
- 7 the word 'twenty-five' and inserting in lieu thereof the word 'forty'."

Filed - *Adopted 4-29*
April 28, 1969

MILLER of Page

1 Amend the amendment to House File 714, filed April 24,
2 1969, by McCartney of Floyd, et al., as follows:
3 1. By striking all of sections one (1), two (2) and
4 three (3), and insert in lieu thereof the following:
5 Sec. 1. The treasurer shall determine the amount of additional
6 revenue derived as a result of this Act and shall credit that
7 amount on a per capita basis to the secondary road fund of
8 the various counties, and to the street fund of the various
9 cities and towns. As used in this Act, "per capita basis"
10 means the treasurer shall determine, by the last regular or
11 special federal census, the population of each city, town
12 and county, and distribute said funds to said units of
13 government in the proportion that each bears to the total
14 population of the state. In determining the population of
15 counties, the treasurer shall deduct the population of the
16 cities and twons located in each county from that county's
17 total population.
18 2. By renumbering the remaining sections.

Filed and lost, *Action to reconsider filed 4-28*
April 28, 1969 " " " *failed 4-29* GANNON of Jasper

1 Amend the amendment to House File 714, filed April 24, 1969,
2 by McCartney of Floyd et al., as follows:
3 1. By inserting following line fifty-seven (57) the following
4 paragraphs:
5 "The registration fee for farm trucks shall be one-half the
6 rate for motor trucks, truck tractors, or road tractors of the
7 same combined gross weight."
8 "Any person convicted of using a farm truck for any purpose
9 other than as specified in section seven (7) of this act shall,
10 in addition to any other penalty imposed by law, be required to
11 pay regular registration fees for a motor truck. A bright-colored
12 decal shall be applied to the truck windshield for an easy identi-
13 fication of farm trucks.
14 2. By adding the following section:
15 Sec. 7. Section three hundred twenty-one point one (321.1),
16 Code 1966, is hereby amended by adding thereto the following new
17 subsection:
18 "Farm truck" means a motor truck with a gross weight registra-
19 tion of not less than six tons and not exceeding twelve tons used
20 by a farm operator exclusively for transporting his farm commodi-
21 ties, supplies, or property, or for transporting such commodities,
22 supplies, or property of his landlord or tenant.

Filed - *Lost 4-29*
April 28, 1969 COCHRAN of Webster

1 Amend the McCartney, et al., amendment to House File 714, filed
2 April 24, line forty-six (46), by adding after the word "dollars"
3 the following: "for the first ten full registrations, and the fee
4 shall be twenty-five dollars thereafter."

Filed - *Lost - Reconsidered - adopted*
April 28, 1969

TIEDEN of Clayton
CHRISTENSEN of Clarke-Union
GRASSLEY of Butler
LANGLAND of Winneshiek
WINKELMAN of Calhoun
WAUGH of Monona

1 Amend the amendment to House File 714 filed April 24, 1969
2 by McCartney, et al., as follows:

3 Strike lines forty-five (45) to fifty-seven (57), inclusive,
4 and insert in lieu thereof the following:

5 "For a combined gross weight of three tons or less, thirty
6 dollars.

7 For a combined gross weight exceeding three tons and not
8 exceeding five tons, forty-eight dollars.

9 For a combined gross weight exceeding five tons and not
10 exceeding six tons, eighty-four dollars.

11 For a combined gross weight exceeding six tons and not
12 exceeding seven tons, one hundred fourteen dollars.

13 For a combined gross weight exceeding seven tons and not
14 exceeding eight tons, one hundred forty-four dollars.

15 For a combined gross weight exceeding eight tons and not
16 exceeding nine tons, one hundred eighty-six dollars.

17 For a combined gross weight exceeding nine tons and not
18 exceeding ten tons, two hundred twenty-eight dollars.

19 For a combined gross weight exceeding ten tons and not
20 exceeding eleven tons, two hundred fifty dollars.

21 For a combined gross weight exceeding eleven tons and not
22 exceeding twelve tons, three hundred eighteen dollars.

23 For a combined gross weight exceeding twelve tons, the fee
24 shall be three hundred eighteen dollars, and in addition thereto
25 thirty dollars for each ton over twelve tons."

~~Filed and lost~~
April 28, 1969

MILLER of Page

1 The McCartney Amendment to House File 714, filed April 24,
2 1969, is hereby amended as follows:

3 1. By striking lines seventeen (17) and eighteen (18),
4 inclusive, and inserting in lieu thereof the following:

5 "1. By striking from subsection two (2), line two (2),
6 the words 'thirty percent.' and inserting in lieu thereof
7 the words 'twenty-nine percent, except to counties with a
8 population of forty thousand or more, thirty percent.'"

9 2. By striking lines nineteen (19) and twenty (20),
10 inclusive, and inserting in lieu thereof the following:

11 "2. By striking from subsection three (3), lines one (1)
12 and two (2), the words 'ten percent.' and inserting in
13 lieu thereof the words 'nine percent, except to counties with
14 a population of forty thousand or more, ten percent.'"

~~Filed and lost~~
April 28, 1969

SCHMEISER of Des Moines

1 Amend the McCartney, et al., amendment to House File 714, filed
2 April 14, by adding the following new section:

3 "Sec. 7. Section three hundred twenty-one point one hundred
4 nine (321.109), Code 1966, is hereby amended as follows:

5 1. By striking from lines five (5) and six (6) the words
6 "equal to one percent" and inserting in lieu thereof the words
7 "three dollars for each three hundred dollars or fraction thereof".

8 2. By striking from lines seven (7) and eight (8) the words
9 "forty cents for each one hundred pounds" and inserting in lieu
10 thereof the words "two dollars for each five hundred pounds".

~~Filed - Withdrawn 4-29~~
April 28, 1969

MILLER of Page

- 1 Amend the McCartney, et al., amendment to House File 714, filed
- 2 April 24, line forty-six (46), by adding after the word "dollars"
- 3 the following: "for the first five full registrations, and the fee
- 4 shall be twenty-five dollars thereafter."

Filed - *Withdrawn 4-29*
April 28, 1969

CHRISTENSEN of Clarke-Union
LANGLAND of Winneshiek
TIEDEN of Clayton
WAUGH of Monona
SCHMEISER of Des Moines
RODGERS of Dallas
BAILEY of Wright
GRASSLEY of Butler
PIERSON of Mahaska
STOKES of Plymouth
ROORDA of Jasper
WARREN of Decatur-Wayne
STROBURG of Ringgold-Taylor
WINKELMAN of Calhoun

- 1 Amend the McCartney, et al., amendment to House File 714, filed
April 24,
- 2 as follows:
- 3 By striking from line 57 the word "forty" and inserting in lieu
- 4 thereof the word "thirty-five".
- 5 Further amend by striking from line 61 the word "ten" and inserting
- 6 in lieu thereof the word "seventy".

Filed - *Lost 4-29*
April 28, 1969

BAKER of Boone
BLOUIN of Dubuque

- 1 Amend the amendment to House File 714, filed April
- 2 24, 1969, by McCartney of Floyd, et al., as follows:
- 3 1. By striking from line sixty (60) the word "annual".
- 4 2. By inserting in line sixty-one (61) after the word
- 5 "dollars" the words "per year or any portion thereof".

Filed
April 18, 1969

SCHROEDER of Pottawattamie

- 1 Amend the McCartney, et al., amendment to House File 714
- 2 filed April 24, 1969, in line 57 by adding after the
- 3 word "tons", the following: "for the first ten full registrations
- 4 and then seventy per cent of the full registration thereafter."

Filed and lost
April 29, 1969

BENNETT of Polk

April 30, 1969
*See Appropriation 5-1,
Pass as amended 5-9*

HOUSE FILE 714

By COMMITTEE ON TRANSPORTATION
(AS AMENDED AND PASSED
BY THE HOUSE)

Passed House, Date 4-29-69 Passed Senate, Date 5-14-69
Vote: Ayes 93 Nays 27 Vote: Ayes 38 Nays 17

*Passed House
per conference
committee Report 5-21
93-24.*

A BILL FOR

*Senate Conference Com.
Keph, Lamborn, Keith, O'Malley
5-16*
*House Confer Com. -
Van Nostrand
Mullen, Lipicky, Reuda*
*Passed Senate per
Conference Committee
Report
5/23;
37-20*

- 1 An Act relating to motor vehicle registration fees and the
- 2 state road use tax fund.
- 3 *Be It Enacted by the General Assembly of the State of Iowa:*
- 4 Section 1. Section three hundred twenty-four point
- 5 seventy-eight (324.78), Code 1966, is hereby repealed and
- 6 the following inserted in lieu thereof:
- 7 "The net proceeds of seven and one-half cents (7½c) per
- 8 gallon excise tax on the diesel special fuel and six and one-
- 9 half cents (6½c) per gallon excise tax on motor fuel and other
- 10 special fuel, and penalties collected under the provision
- 11 of this chapter, shall be credited to the road use tax fund.
- 12 The net proceeds of one-half (½c) per gallon excise
- 13 tax on diesel special fuel and one-half (½c) per gallon
- 14 excise tax on motor fuel and other special fuel collected
- 15 under the provisions of this chapter shall be credited by
- 16 the treasurer of state to the primary road fund."
- 17 Sec. 2. Section three hundred twelve point two (312.2),
- 18 Code 1966, is hereby amended as follows:
- 19 1. By striking from line two (2) of subsection two (2)
- 20 the word "thirty" and inserting in lieu thereof the word
- 21 "twenty-nine".
- 22 2. By striking from line one (1) of subsection three (3)
- 23 the word "ten" and inserting in lieu thereof the word "nine".
- 24 3. By striking from line two (2) of subsection four (4) the
- 25 word "thirteen" and inserting in lieu thereof the word "fifteen".

1 **Sec. 3. Section three hundred twelve point three (312.3),**
2 **Code 1966, as amended by chapter two hundred fifty-three (253),**
3 **section one (1), Acts of the Sixty-second General Assembly, is**
4 **hereby further amended by striking from line six (6) of**
5 **subsection two (2) the word "thirteen" and inserting in lieu**
6 **thereof the word "fifteen".**

7 **Sec. 4. Sections three hundred twenty-one point one**
8 **hundred nineteen (321.119) and three hundred twenty-one point**
9 **one hundred twenty-one (321.121), Code 1966, are hereby**
10 **repealed.**

11 **Sec. 5. Section three hundred twenty-one point one**
12 **hundred twenty-two (321.122), Code 1966, is hereby amended as**
13 **follows:**

14 **1. By striking from subsection one (1), lines one (1)**
15 **through thirty-one (31), inclusive, and inserting in lieu**
16 **thereof the following:**

17 **"The annual registration fee for motor trucks, truck**
18 **tractors, or road tractors, shall be based on the combined**
19 **gross weight of any combination of vehicles. All trucks,**
20 **truck tractors, semitrailers, or road tractors shall be**
21 **registered for a gross weight equal to or in excess of the**
22 **unladen weight of the vehicle or combination of vehicles.**
23 **The annual registration fee for such vehicle or combination**
24 **of vehicles shall be:**

25 **For a combined gross weight of three tons or less, thirty-**
26 **five dollars for the first ten full registrations, and the**
27 **fee shall be twenty-five dollars thereafter.**

28 **For a combined gross weight exceeding three tons and not**
29 **exceeding four tons, forty-five dollars.**

30 **For a combined gross weight exceeding four tons and not**
31 **exceeding five tons, sixty dollars.**

32 **For a combined gross weight exceeding five tons and not**
33 **exceeding six tons, seventy-five dollars.**

34 **For a combined gross weight exceeding six tons but not**
35 **exceeding seven tons, one hundred dollars.**

1 For a combined gross weight exceeding seven tons, the
 2 fee shall be one hundred dollars, and in addition thereto
 3 forty dollars for each ton over seven tons.”

4 2. By striking from line seven (7) of subsection four (4)
 5 the word “twenty-five” and inserting in lieu thereof the
 6 word “forty”.

7 Sec. 6. Section three hundred twenty-four point eight
 8 (324.8), subsection four (4), Code 1966, is hereby amended by
 9 striking from line ten (10) the words “net number” and
 10 inserting in lieu thereof the words “first three hundred
 11 thousand gallons and one and one-quarter per centum of all
 12 gallonage in excess of three hundred thousand gallons”.

EXPLANATION OF HOUSE FILE 714

This bill increases the share of cities and towns in the road use tax fund by two percent, and decreases the share of secondary roads by the same percentage. The bill also provides that all road users taxes shall go to the road use tax fund, and increases the allotment of sales taxes to this fund.

In addition, this bill will clarify the method of determining the value of an auto for registration purposes, by including extra equipment and accessories.

The overall effect of these changes will increase the funds available for streets and highways without creating any new taxes.

FISCAL NOTE
 HOUSE FILE 714

Date prepared May 13, 1969

Requested by Senator DeKoster.
 Prepared in regard to amendment to House File 714, an act relating to motor vehicle registration fees and the state road use tax fund.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47: No cost estimate available.

Note: Although the highway commission has a comprehensive breakdown of trucks by weight, they do not have a breakdown as to the purpose for which these trucks are being used. Therefore, the number of trucks being used on a seasonal basis cannot be determined.

Filed
 May 13, 1969

GERRY D. RANKIN
 Legislative Fiscal Director

HOUSE FILE 714

1 Amend House File 714 as follows:

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

4 "Sec. 5. Section three hundred twenty-one point one hun-
5 dred twenty-two (321.122), Code 1966, is hereby repealed and
6 the following enacted in lieu thereof:

7 'The registration fee for motor trucks with three axles,
8 truck tractors, road tractors and semitrailers shall be
9 twenty-five dollars per year or any portion thereof.

10 The annual registration fee for motor trucks with two
11 axles shall be:

12 For a gross weight of three tons or less, thirty-five
13 dollars for the first ten full registrations, and the fee
14 shall be twenty-five dollars thereafter.

15 For a gross weight exceeding three tons, the fee
16 shall be thirty-five dollars, and in addition thereto
17 thirty-five dollars for each ton over three tons.' "

18 2. By adding the following new sections:

19 "Sec. 7. As used in this Act:

20 1. 'Motor vehicle' means everything on wheels which is
21 self-propelled, other than by muscular power or power collected
22 from electric trolley wires and other than vehicles or machin-
23 ery not designed for or employed in general highway transpor-
24 tation, used to transport or propel property over a public
25 highway.

26 2. 'Commercial car' means any motor vehicle used for trans-
27 porting property, wholly on its own structure on a public
28 highway.

29 3. 'Commercial tractor' means any motor vehicle designed
30 and used to propel or draw a trailer or semitrailer or both
31 on a public highway without having any provision for carrying
32 loads independently of such trailer or semitrailer.

33 4. 'Trailer' means everything on wheels which is not self-
34 propelled, except vehicles or machinery not designed for or
35 employed in general highway transportation and except vehicles
36 whose total weight excluding load is less than three thousand
37 pounds, used for carrying property wholly on its own structure
38 and for being drawn by a motor vehicle on a public highway,
39 including any such vehicle when formed by or operated as a
40 combination of a semitrailer and a vehicle of a dolly type
41 such as that commonly known as a trailer dolly, except a house
42 trailer.

43 5. 'Semitrailer' means everything on wheels which is not
44 self-propelled, except vehicles or machinery not designed for
45 or employed in general highway transportation and except
46 vehicles whose total weight excluding load is less than three
47 thousand pounds, designed and used for carrying property on a
48 public highway when being propelled or drawn by a commercial
49 tractor when part of its own weight or the weight of its load,
50 or both, rest upon and is carried by a commercial tractor.

51 6. 'Commercial tandem' means any commercial car and trailer
52 or any commercial tractor, semitrailer, and trailer when fas-
53 tended together and used as one unit.

54 7. 'Commercial tractor combination' means any commercial
55 tractor and semitrailer when fastened together and used as
56 one unit.

57 8. 'Axle' means two or more load carrying wheels mounted
58 in a single transverse vertical plane.

59 9. 'Public highway' means any highway, road, or street
60 dedicated to public use.

61 Sec. 8. Every person who is the owner of a commercial car
62 with three or more axles, a commercial car which is to be
63 operated as part of a commercial tandem or a commercial trac-
64 tor which is, or is to be, operated or driven upon a public
65 highway shall cause to be filed with the department of revenue
66 a written application for a permanent highway use permit on
67 blank forms to be furnished by the department of revenue for
68 that purpose.

69 Each application for a highway use permit for a commercial
70 car or a commercial tractor shall state the number of axles
71 on such commercial car or commercial tractor and such other
72 pertinent information as the department of revenue reasonably
73 prescribes.

74 The application shall be accompanied by a fee of ten dollars.

75 Upon receipt of such application and fee the department of
76 revenue shall issue, to the person making the application a
77 highway use permit and such identification device or devices
78 as it deems necessary for the proper administration of this
79 Act. The permit and the identification device or devices shall
80 be of such design and contain such information as the depart-
81 ment of revenue deems necessary. Such identification device
82 or devices shall be displayed on the commercial car or commer-
83 cial tractor for which it was issued at all times in such
84 manner as the department prescribes. The highway use permits
85 and the identification device and devices shall not be trans-
86 ferable. In case of the loss of a highway use permit or iden-
87 tification device the department of revenue shall issue a
88 duplicate thereof upon payment of a fee of five dollars.

89 Such highway use permit shall be valid until suspended or
90 surrendered. All moneys collected pursuant to the provisions
91 of this section shall be deposited in the road use tax fund.

92 Sec. 9. It shall be unlawful for any person to operate a
93 commercial car with three or more axles, a commercial car as
94 part of a commercial tandem, or a commercial tractor as part
95 of a commercial tractor combination or commercial tandem on a
96 public highway without a valid highway use permit for such
97 commercial car or commercial tractor.

98 The court finding any person guilty of unlawfully operating
99 a commercial car or commercial tractor as provided for in this
100 section shall immediately notify the department of revenue of
101 such violation shall transmit to the department the name
102 and the permanent address of the owner of the commercial car

Senate 17

103 or commercial tractor operated in violation of this section,
104 the registration number, the state of registraion, and the
105 certificate of title number of the commercial car or commercial
106 tractor.

107 Sec. 10. There is hereby levied a highway use tax upon
108 each commercial car with three or more axles, each commercial
109 car used as part of a commercial tandem, and each commercial
110 tractor used as part of a commercial tractor combination or
111 commercial tandem at the following rates:

112 1. One-half cent for each mile traveled on a public high-
113 way in Iowa by each commercial car with three or more axles;

114 2. One cent for each mile traveled on a public highway
115 in Iowa by a commercial tandem with three axles or a commercial
116 tractor operated as part of a commercial tractor combination
117 with three axles;

118 3. One and one-half cents for each mile traveled on a pub-
119 lic highway in Iowa by a commercial tractor operated as a part
120 of a commercial tractor combination with four axles;

121 4. Two cents for each mile traveled on a public highway in
122 Iowa by a commercial tractor operated as part of a commercial
123 tractor combination with a total of five or more axles;

124 5. Two and one-half cents for each mile traveled on a pub-
125 lic highway in Iowa by each commercial car or commercial trac-
126 tor operated as part of a commercial tandem with four or more
127 axles.

128 The highway use tax shall not be collected on miles traveled
129 when the vehicle or combination carries no cargo. All highway
130 use tax shall be deposited in the road use tax fund.

131 Sec. 11. The owner of each commercial car and commercial
132 tractor shall be liable for the payment of the full amount of
133 the taxes levied herein, and any person who leases, rents or
134 otherwise acquires a right to use or operate a commercial car
135 or commercial tractor shall be liable for the payment of the
136 taxes levied herein with respect to the miles traveled in oper-
137 ations under such lease, rental, or other agreement. The lia-
138 bility of the person leasing, renting, or otherwise acquiring
139 a right to use or operate a commercial car or commercial trac-
140 tor and the liability of the owner of such commercial car or
141 commercial tractor shall be joint and several with respect to
142 the miles traveled in operations under such lease, rental, or
143 other agreement. In the event that such owner, at the end
144 of any calendar year, has paid a tax for axles not actually
145 used in operation over a given number of miles he may file
146 with the department of revenue an application for a refund of
147 the excess taxes paid; provided, that all applications for
148 refunds filed in accordance with this section must be filed
149 within one year. The application shall state the amount of
150 the tax which has been paid by reason of the use of a tax
151 rate determined by the declaration of the maximum number of
152 axles to be used and the tax amount which would have been re-
153 quired if the rate had been determined by the number of axles

Senate 18

154 actually in use for each mile of travel. The owner of the
155 commercial car or commercial tractor shall be entitled to
156 recover the difference between the two amounts stated in the
157 application upon approval by the department of revenue. The
158 form of the application shall be prescribed by the department
159 of revenue and it shall be accompanied by a sworn statement
160 as to its truth. The department of revenue shall order the
161 amount approved for refund to be paid from the road use tax
162 funds.

163 Sec. 12. The treasurer of state shall refund the amount of
164 taxes paid illegally or erroneously, or paid on any illegal or
165 erroneous assessment. An application shall be filed with the
166 department of revenue within ninety days from the date it is
167 ascertained that the payment made or assessment paid was
168 illegal or erroneous; provided that in any event such applica-
169 tion for refund must be filed with the department of revenue
170 within one year from the date of the illegal or erroneous pay-
171 ment of the tax. On filing of such application the depart-
172 ment of revenue shall determine the amount of refund due and
173 certify such amount to the auditor of state. The department
174 of revenue shall order the amount so certified for refund to
175 be paid from the road use tax fund. The form of the applica-
176 tion for refund shall be prescribed by the department of
177 revenue and when filed shall be accompanied by a sworn state-
178 ment as to its truth. Application for refund shall be filed
179 by the person who made payment of the tax for which refund is
180 claimed.

181 Sec. 13. Every person who is or becomes liable for the
182 payment of the tax levied by this Act shall keep a complete
183 and accurate record, upon forms prescribed by the department of
184 revenue, showing the total miles traveled on a public highway
185 in this state by each commercial car and commercial tractor
186 owned, leased, rented, or otherwise operated by such person,
187 the number of axles actually used while traveling said miles,
188 the highway use permit number for each commercial car and com-
189 mercial tractor owned or operated and such other information as
190 the department of revenue may require. Such records shall be
191 available at any time, during normal business hours, for the
192 inspection of the department of revenue or its duly authorized
193 agents and shall be preserved for a period of four years.

194 Sec. 14. Whoever is liable for the payment of the tax
195 levied by this Act shall, on or before the twentieth day of
196 each January, April, July, and October, file with the treasurer
197 of state, on forms prescribed by the department of revenue, a
198 highway use tax return and make payment of the full amount of
199 the tax due for the operation of each commercial car and com-
200 mercial tractor for the next preceding three calendar months.
201 The burden of proof shall be on the person filing a highway
202 use tax to return to establish its accuracy and validity. If
203 two or more persons are jointly and severally liable for the
204 payment of the tax on a given number of miles traveled, no

205 person shall be required to pay the tax on said given number
206 of miles traveled if said tax has been paid, or is currently
207 being paid, by another. Nothing in this section shall be
208 construed to relieve any person liable for the payment of the
209 tax from the duty of filing returns showing the full amount
210 of tax accrued by reason of the operation of any commercial
211 car or commercial tractor owned, leased, rented, or otherwise
212 operated by him.

213 Immediately upon the receipt of the highway use tax return
214 the treasurer of state shall mark on such return the date it
215 was received by him and the amount of tax payment accompanying
216 the return and shall transmit such return to the department
217 of revenue.

218 Sec. 15. If any person required by this Act to file a
219 highway use tax return fails to file such return within the
220 time prescribed, files an incomplete return, files an incorrect
221 return, or fails to remit the full amount of the tax due for
222 the period covered by the return, the department of revenue
223 may make an assessment against such person, based upon any
224 information in its possession, for the period of which such
225 tax was due. The department of revenue shall give the
226 person against whom such assessment is made written notice
227 of such assessment either by personal service or by registered
228 mail.

229 A penalty of three times the amount due shall be added to
230 the amount of assessment made pursuant to the provisions of
231 this section. The department of revenue shall have power to
232 adopt and promulgate rules and regulations providing for the
233 remission of penalties added to assessments made pursuant to
234 the provisions of this section.

235 Sec. 16. When the department of revenue makes assessment
236 as provided herein, it shall suspend all highway use permits
237 issued to the person against whom such assessment was made,
238 provided that no highway use permit shall be suspended while
239 an appeal is pending, except in those cases in which no return
240 has been filed.

241 Upon suspension of a highway use permit the owner of the
242 commercial car or commercial tractor for which such permit was
243 issued shall surrender to the department of revenue such per-
244 mit and identification device.

245 Upon payment in full of such assessments and penalties the
246 department of revenue shall immediately reinstate all highway
247 use permits issued to the person against whom such assessment
248 was made which have been suspended.

249 Sec. 17. The highway commission and the department of pub-
250 lic safety shall provide such personnel as may be necessary to
251 carry out the provisions of this Act. Such personnel shall
252 perform such duties in connection with their regular duties
253 under the direction and control of the department of revenue.

254 Sec. 18. The highway commission shall establish ports of
255 entry as may be necessary to carry out the provisions of this
256 Act and may utilize existing weighing stations for this pur-

Senate 20

257 pose. All ports of entry, and weighing stations located on
258 interstate highways, shall be open at all times.

259 Sec. 19. This Act shall not apply to motor vehicles, com-
260 mercial cars, or commercial tractors owned and operated by
261 the United States, this state, or any political subdivisions
262 thereof." *Reichardt 5-14-69*

EXPLANATION OF HOUSE FILE 714

This bill will eliminate the scaled registration fee schedules for trucks, truck tractors, road tractors and semitrailers, and substitute a flat fee for \$25 for each of these vehicles. This will eliminate the registration fee as a fund raising measure for these vehicles, but will retain the registration requirements for identification purposes with a nominal fee to cover administrative expenses.

The bill would then impose a ton mile tax on all commercial vehicles using Iowa highways. Such a tax will raise the revenue necessary for the road use tax fund, yet motor vehicle taxation will then be strictly upon a use basis.

Filed
May 9, 1969

By REICHARDT

1 Amend the committee on transportation amendment to House
2 File 714, filed May 12, 1969, by inserting after line 14 the fol-
3 lowing new paragraph:
4 "Where there is no delinquency, the combined gross weight
5 may be voluntarily increased and the fee for such additional
6 combined gross weight shall be one twelfth of the difference
7 between the original and the increased annual registration fee
8 times the number of months or fractions thereof remaining in the
9 calendar year."

Filed
May 13, 1969

Withdrawn 5-14
By POTGETER and VAN GILST

1 Amend the committee on transportation amendment to House File
2 714, filed May 12, 1969, as follows:
3 1. By striking from line 23 the words "eight to twelve
4 tons" and inserting in lieu thereof the words "over eight tons".
5 2. By striking the sentence beginning in line 30 and ending
6 in line 33 and inserting in lieu thereof the following:
7 "The registration fee for special trucks shall be sixty
8 percent of the annual registration fee as provided in section
9 three hundred twenty-one point one hundred twenty-two (321.122)
10 of the Code, or one hundred dollars, whichever is the larger
11 amount."

Filed
May 13, 1969

Withdrawn 5-14-69
By CLARKE

1 Amend House File 714, as amended and passed by the House,
2 as follows:
3 1. By inserting after page 3, line 12, the following new section:
4 Section three hundred twenty-one point four hundred sixty-three
5 (321.463), Code 1966, is hereby amended by adding thereto
6 the following:
7 "The amount of the fine prescribed under this section shall
8 be doubled if the violation occurred on any secondary road,
9 except that if the violation occurred at any time from
10 February first through May thirtieth of each year, the amount
11 of the fine prescribed under this section shall be tripled.
12 Upon a third conviction within one year for a violation of
13 this section by the same vehicle the department of public
14 safety shall require that the registration card be surrendered
15 and no registration or reregistration may be made until the
16 registration card is returned to the owner. Any registration
17 fees applicable to such six months period shall not be refunded
18 on account of the violation.
19 By inserting in page 1, line 1, after the word "fees" the
20 words ", and penalty for violation thereof,".

Filed and lost
May 14, 1969

By KOSEK

1 Amend House File 714, as amended and passed by the
2 House, by inserting after page 3, line 12, the following new
3 section:
4 "Section three hundred seven point five (307.5), Code 1966,
5 is amended by adding the following new subsection: 'Keep
6 weighing stations on interstate highways open at all times.'"

Filed
May 13, 1969

Foot 5-14-69

By REICHARDT

1 Amend House File 714, as amended and passed by the
2 House, by adding the following new section:
3 "Sec. 7. Chapter three hundred twenty-one (321), Code
4 1966, is hereby amended by adding the following new section:
5 'Motor trucks, truck tractors and road tractors used on
6 a seasonal basis shall be issued a regular registration as
7 required by section five (5) of this Act for the unladen
8 weight of the vehicle. In addition to said regular regis-
9 tration, such vehicle shall, during such time as it is used
10 during the year of the regular registration, be issued a
11 seasonal registration subject to the following conditions:
12 1. The fee to be charged initially shall be computed
13 on a monthly basis for the months remaining in the term
14 of the regular registration. Any part of a month shall be
15 considered a full month for this purpose.
16 2. The fee shall be computed as the proportionate part
17 of the difference in annual fees between those for the full
18 gross weight of the vehicle and the unladen weight.
19 3. The department of public safety shall provide a
20 distinctive registration plate or tag for a vehicle regis-
21 tered upon a seasonal basis. Such plate or tag shall be
22 issued with the seasonal registration and shall be displayed
23 in conjunction with the regular license plate.
24 4. Upon return for cancellation of the seasonal
25 registration plate or tag and the seasonal registration,
26 that registration shall be cancelled and the owner of
27 such vehicle shall be entitled to a refund pro-rated on
28 the basis of the number of full months remaining in the
29 term of the regular registration applied to the difference
30 in fees between those for the full gross weight of the
31 vehicle and for the unladen weight.'"

Filed
May 13, 1969

Adopted 5-14-69

By DeKOSTER

1 Amend the committee in transportation amendment to House File
2 714 by numbering properly and adding the following new paragraph
3 thereto:

4 "By numbering properly and adding the following new sections
5 thereto:

6 'Sec. 12. Section three hundred twenty-seven point five
7 (327.5), Code 1966, is hereby amended by inserting in line two
8 (2) following the word "operator" the words "or contract carrier".

9 Sec. 13. Section three hundred twenty-seven point twenty-
10 three (327.23), Code 1966, is hereby amended by striking from lines
11 twelve (12), thirteen (13) and fourteen (14) the words "no tariff
12 or schedule of rates or charges shall be required."

13 Sec. 14. Section three hundred twenty-seven point two
14 (327.2), Code 1966, is hereby amended as follows:

15 1. By inserting in line six (6) after the word "operator,"
16 the words "or contract carrier,".

17 2. By inserting in line twenty (20) after the word
18 "operators" the words "or contract carriers". "

Filed
May 13, 1969

Withdwn 5-14
By VAN GILST and FREY

1 Amend the committee on transportation amendment to
2 House File 714, dated May 12, 1969, by adding the following
3 new sections thereto:

4 "Section three hundred twenty-seven point five (327.5),
5 Code 1966, is hereby amended by inserting in line two
6 (2) following the word 'operator' the words 'or contract
7 carrier' ".

8 "Section three hundred twenty-seven point twenty-
9 three (327.23), Code 1966, is hereby amended by striking
10 from lines thirteen (13), fourteen (14), and fifteen (15)
11 the words 'and no tariff or schedule of rates or charges
12 shall be required' ".

13 "Section three hundred twenty-seven point two (327.2),
14 Code 1966, is hereby amended as follows:

15 1. By inserting in line six (6) after the word
16 'operator' the words 'or contract carrier'.

17 2. By inserting in line twenty (20) after the word
18 'operator' the words 'or contract carriers' ".

Filed, adopted,
reconsidered and lost *5-14*
May 14, 1969

By VAN GILST and FREY

1 Amend the Hill amendment to House File 714 by striking in line
2 23 the period (.) and by inserting in lieu thereof the following:

3 " ; provided, however, such entry, measurement, weighing, and
4 inspection shall not be permitted in areas where vehicles are being
5 loaded or unloaded if such action will materially disrupt the nor-
6 mal business conducted upon such property."

Filed and adopted ✓
May 14, 1969

By HILL

- 1 Amend the committee on transportation amendment to House File
714,
2 filed May 9, 1969, by inserting after line 15 the amendment the
3 following new paragraph:
4 "Where there is no delinquency, the combined gross weight may
5 be voluntarily increased and the fee for such additional combined
6 gross weight shall be one twelfth of the difference between the
7 original and the increased annual registration fee times the number
8 of months or fractions thereof remaining in the calendar year."

Filed
May 12, 1969 *withd 5-14* By POTGETER, OLLENBURG and VAN GILST

- 1 Amend the committee on transportation amendment to
2 House File 714, filed May 12, 1969, by striking lines
3 forty-three (43) through sixty-six (66).

Filed
May 13, 1969 *withd 5-14* By HILL

- 1 Amend the committee on transportation amendment
2 to House File 714, filed May 12, 1969, by striking
3 lines 43 through 66, inclusive, and renumbering the
4 remaining divisions.

Filed
May 13, 1969 *lost 5-14-69* By LISLE

- 1 Amend the committee on transportation amendment to
2 House File 714, filed May 12, 1969, by striking lines
3 16 and 17 and inserting in lieu thereof the follow-
4 ing: "words 'one and one-quarter' and inserting in
5 lieu thereof the word 'two'".

Filed
May 13, 1969 *lost 5-14* By WALSH

- 1 Amend the committee on transportation amendment to House File
2 714, filed May 12, 1969, as follows:
3 1. By striking from line 23 the word "twelve" and inserting
4 in lieu thereof the word "twenty".
5 2. By striking the sentence beginning in line 30 and ending
6 in line 33 and inserting in lieu thereof the following:
7 "The registration fee for special trucks shall be sixty
8 percent of the annual registration fee as provided in section
9 three hundred twenty-one point one hundred twenty-two (321.122)
10 of the Code, or one hundred dollars, whichever is the larger
11 amount."

Filed, division 1 lost
division 2 withdrawn
May 14, 1969 By CLARKE

1 Amend House File 714, as amended and passed by the
2 House, by adding the following new section:

3 Section three hundred twenty-one point four hundred
4 seventy-six (321.476), Code 1966, is hereby amended by
5 striking lines nine (9) through twenty-one (21), inclu-
6 sive, and inserting in lieu thereof the following:

7 "Any person who operates a motor vehicle on the
8 highways of this state, except as provided in section
9 three hundred twenty-one point four hundred fifty-
10 three (321.453) of the Code, shall be deemed to have
11 given consent to the state highway commission to
12 measure, weigh, and inspect such motor vehicle for the
13 purpose of enforcing the provisions of this chapter,
14 whenever such vehicle is upon a highway or upon private
15 property open for public use."

16 "Any person holding a sales tax permit under the
17 provisions of section four hundred twenty-two point
18 fifty-three (422.53) of the Code, and who maintains
19 parking areas that are open to the public and adjacent
20 to any place of business, shall be deemed to have given
21 consent to the state highway commission to enter upon
22 said parking area to measure, weigh, and inspect such
23 motor vehicles as may be found thereon."

24 "The state highway commission may weigh and inspect
25 any vehicle found upon private property where the cir-
26 cumstances indicate that it is logical and proper to
27 infer that the vehicle has moved onto the private
28 property from a highway. When a vehicle inspected
29 and weighed under such circumstances is found to be
30 in violation of this chapter, a presumption shall
31 exist that the violation existed while the vehicle
32 was on the highway before the vehicle was moved onto
33 private property. Such a presumption may be overcome
34 by credible evidence to the contrary."

Adopted 5-14-69

Filed
May 13, 1969

By HILL and LAMBORN

1 Amend the committee on transportation amendment, filed May
2 12, 1969, to House File 714 by adding thereto the following new
3 section as follows:

4 1. "Section three hundred twenty-one point four hundred
5 sixty-six (321.466), Code 1966, is hereby amended by striking
6 from line 17 the words 'On or after July 1 of each year, the'
7 and inserting in lieu thereof the word 'The'."

Filed
May 13, 1969
Adopted 5-14

By POTGETER, VAN GILST and WALSH

1 Amend the committee on transportation amendment to House
2 File 714 by numbering properly and adding the following new
3 paragraph thereto:

4 "By numbering properly and adding the following new sections
5 thereto:

6 'Sec. Section three hundred twenty-one point four
7 hundred sixty three (321.463) is hereby amended as follows:

8 1. By striking in line one hundred four (104) and one
9 hundred five (105) the words, "upon conviction or a plea of
10 guilty be punished" and by inserting in lieu thereof the words,
11 "upon a finding of violating the provisions of this section or
12 an admission thereof pay into the primary road fund a sum of
13 money".

14 2. By striking in line one hundred twenty-eight (128) the
15 word, "fine" and by inserting in lieu thereof the words, "money
16 for violations".

17 3. By striking in line one hundred thirty-one (131)
18 the word, "fine" and inserting in lieu thereof the words, "money
19 for violations".

20 4. By inserting in line one hundred forty (140) after the
21 period (.) the following:

22 "All moneys for violations of this section shall
23 be paid to the commission or its authorized employees.
24 Any vehicle cited for a violation hereof shall not be allowed
25 to continue to travel on any highway until its load conforms
26 to this section. Anyone desiring to contest a citation for
27 violation shall immediately give written notice to the
28 commission or its designated employee. The commission shall
29 thereafter notify the violator, by ordinary mail, of the
30 date, time, and place of a hearing to be held to determine
31 whether or not he was in violation of this section. Such
32 hearing shall be held before the director of highways or his
33 designated appeals officer. The decision of the appeals
34 officer shall be rendered within ten (10) days of the close
35 of the hearing. Anyone who fails to pay the proper sum of
36 money to the highway commission within ten (10) days of the
37 final assessment of the sum to be paid shall have its
38 license to operate in the state of Iowa cancelled and forfeited".

39 Sec. Section three hundred twenty-one point four
40 hundred sixty-seven (321.467), Code 1966, is hereby amended
41 by adding at the end thereof the following:

42 "Anyone violating the provisions of a permit issued
43 pursuant to this section shall, in addition to any other
44 penalties authorized herein, pay to the highway commission
45 to be deposited into the primary road fund the sum of five
46 hundred (500) dollars for each such violation".'

Filed and lost
May 14, 1969

By REICHARDT

1 Amend the title to House File 714, line 1, by striking the words
2 "vehicle registration fees" and inserting in lieu thereof the word
3 "vehicles".

Filed and adopted ✓
May 15, 1969

By KYHL

- 1 Amend House File 714, as amended and passed by the House,
2 as follows:
- 3 1. By inserting in page two (2), line seventeen (17),
4 after the word "trucks" the words "except special trucks".
 - 5 2. By striking from page three (3), lines one (1) through
6 three (3), inclusive, and inserting in lieu thereof the
7 following:
8 "For a combined gross weight exceeding seven tons, but
9 not exceeding twenty-four tons, the fee shall be one hundred
10 dollars and in addition thereto thirty-five dollars for each
11 ton over seven tons.
12 For a combined gross weight exceeding twenty-four tons,
13 the fee shall be seven hundred five dollars and in addition
14 thereto forty dollars for each ton over twenty-four tons."
 - 15 3. By striking from page three (3), line eleven (11) the
16 word "one-quarter" and inserting in lieu thereof the word
17 "one-half".
 - 18 4. By adding the following new sections:
19 "Sec. 7. Section three hundred twenty-one point one (321.1),
20 Code 1966, is hereby amended by adding the following new sub-
21 section:
22 'A "special truck" means a motor truck not used for hire
23 with a gross weight registration of eight to twelve tons, used
24 by a person engaged in farming, for transportation of the
25 owner's equipment, or to transport commodities produced by the
26 owner, or to transport commodities purchased by the owner for
27 use in his own farming operation.'
28 Sec. 8. Chapter three hundred twenty-one (321), Code 1966,
29 is hereby amended by adding the following new section:
30 'The registration fee for special trucks shall be one hun-
31 dred dollars for a gross weight of eight, nine, and ten tons,
32 and one hundred fifty dollars for a gross weight of eleven and
33 twelve tons. Any person convicted of using a special truck
34 for any purpose other than permitted by this Act shall, in
35 addition to any other penalty imposed by law, be required to
36 pay regular registration fees for a motor truck. A distinctive
37 decal shall be applied to the special truck registration plate
38 for easy identification.'
39 Sec. 9. Chapter three hundred forty-eight (348), section
40 fifty (50), Acts of the Sixty-second General Assembly, amend-
41 ing section four hundred twenty-two point sixty-two (422.62),
42 Code 1966, is repealed, effective July 1, 1970.
43 Sec. 10. Section three hundred twenty-one point four hun-
44 dred fifty-seven (321.457), subsection six (6), Code 1966, is
45 hereby amended by inserting in line five (5) after the word
46 "feet" the following:
47 ' , except that such a combination of three vehicles, in
48 excess of sixty feet but not in excess of sixty-five feet,
49 may be operated as follows:
50 1. On four-lane highways, and to and from points within

51 one mile, on the most direct route, of any four-lane highway
52 for the purpose of servicing of the vehicle or to pick up or
53 deliver cargoes.

54 2. The motor vehicle of such combination of vehicles shall
55 have a special length permit issued by the Iowa reciprocity
56 board. The fee for each such permit shall be one hundred fifty
57 dollars for a year or any portion thereof and shall be in addi-
58 tion to required registration fees, and the proceeds from such
59 fees shall be deposited in the primary road fund. The reciproc-
60 ity board shall promulgate rules and regulations concerning the
61 issuance of such special length permits. If an operator or
62 owner of any vehicle violates the restrictions of any special
63 length permit, such violation shall be a misdemeanor. In the
64 event of repeated willful violations, the reciprocity board
65 may suspend the violated permit for a period not to exceed one
66 year.'

67 Sec. 11. Sections four (4) and five (5) of this Act shall
68 be effective January 1, 1970, except that vehicles registered
69 in December 1969 for 1970 shall pay the registration fees pro-
70 vided in this Act."

Adopted 5-14-69

Filed
May 12, 1969

By COMMITTEE ON TRANSPORTATION

- 1 Amend House File 714, as amended and passed by the House,
- 2 as follows:
- 3 1. By inserting after page 3, line 12, the following new section:
- 4 Section three hundred twenty-one point four hundred sixty-three
- 5 (321.463), Code 1966, is hereby amended by adding thereto the
- 6 following:
- 7 "The amount of the fine prescribed under this section shall
- 8 be doubled if the violation occurred on any secondary road,
- 9 except that if the violation occurred at any time from February
- 10 first through May thirtieth of each year, the amount of the fine
- 11 prescribed under this section shall be tripled. Upon a third
- 12 conviction within one year for a violation of this section by
- 13 the same vehicle the department of public safety shall require
- 14 that the certificate of title be surrendered to the commissioner
- 15 and shall be held by him for six months and no registration
- 16 or registration may be made until the certificate of title is
- 17 returned to the owner. Any registration fees applicable to
- 18 such six months period shall not be refunded on account of
- 19 the violation.
- 20 2. By inserting in page 1, line 1, after the word "fees" the
- 21 words ", and penalty for violation thereof,"

Filed
May 13, 1969

*Lost 5-14-69
withdrawn 5-14-69*

By KOSEK

1 Amend House File 714, amended and passed by the House, reprinted
2 April 30, 1969, as follows:
3 1. By inserting after page 3, line 3, the following paragraph:
4 "However, the annual registration fee for a farm truck
5 shall not exceed one hundred dollars (\$100.00).
6 2. By adding after page 3, line 12, a new session as
7 follows:
8 "Section three hundred twenty-one point one (321.1.), Code
9 1966, is hereby amended by adding the following new sub-
10 section:
11 'Farm truck' means a motor truck with a combined
12 gross weight of twelve tons or less used by a
13 person engaged in farming for transportation of
14 his own commodities."

By ARBUCKLE, COLEMAN, BRILES,
STEPHENS, ANDERSON, DODDS,
BALLOUN, GILLEY, KLINK and
NICHOLSON

withdrawn 5-14-69
Filed
May 5, 1969

withdrawn 5-13-69
1 Amend House File 714, as amended and passed by the House, *Page 1*
2 as follows:
3 1. By inserting in page two (2), line seventeen (17), after
4 the word "trucks" the words "except special trucks".
5 2. By striking from page two (2), line thirty-four (34)
6 and thirty-five (35) and from page three (3), lines one (1)
7 through three (3), inclusive, and inserting in lieu thereof
8 the following:
9 "For a combined gross weight exceeding six tons, but not
10 exceeding twenty-four tons, the fee shall be seventy-five
11 dollars and in addition thereto thirty-five dollars for each
12 ton over six tons.
13 For a combined gross weight exceeding twenty-four tons,
14 the fee shall be seven hundred five dollars and in addition
15 thereto forty dollars for each ton over twenty-four tons."
16 3. By striking from page three (3), line eleven (11) the
17 word "one-quarter" and inserting in lieu thereof the word
18 "one-half".
19 4. By adding the following new sections:
20 "Sec. 7. Section three hundred twenty-one point one (321.1),
21 Code 1966, is hereby amended by adding the following new sub-
22 section:
23 'A "special truck" means a motor truck not used for hire
24 with a gross registration of eight to twelve tons, used
25 by a person engaged in farming, for transportation of the
26 owner's equipment, or to transport commodities produced by the
27 owner, or to transport commodities purchased by the owner for
28 use in his own farming operation.'
29 Sec. 8. Chapter three hundred twenty-one (321), Code 1966,
30 is hereby amended by adding the following new section:
31 "The registration fee for special trucks shall be one hun-
32 dred dollars for a gross weight of eight, nine, and ten tons,
33 and one hundred fifty dollars for a gross weight of eleven and
34 twelve tons. Any person convicted of using a special truck
35 for any purpose other than permitted by this Act shall, in
36 addition to any other penalty imposed by law, be required to
37 pay regular registration fees for a motor truck. A distinctive
38 decal shall be applied to the special truck registration plate

39 for easy identification.'

40 Sec. 9. Chapter three hundred forty-eight (348), section
41 fifty (50), Acts of the Sixty-second General Assembly, amend-
42 ing section four hundred twenty-two point sixty-two (422.62),
43 Code 1966, is repealed, effective July 1, 1970.

44 Sec. 10 Section three hundred twenty-one point four hun-
45 dred fifty-seven (321.457), subsection six (6), Code 1966, is
46 hereby amended by inserting in line five (5) after the word
47 "feet" the following:

48 ', except that such a combination of three vehicles, in
49 excess of sixty feet but not in excess of sixty-five feet.
50 may be operated as follows:

51 1. On four-lane highways, and to and from points within
52 one mile, on the most direct route, of any four-lane highway
53 for the purpose of servicing of the vehicle or to pick up or
54 deliver cargoes.

55 2. The motor vehicle of such combination of vehicles shall
56 have a special length permit issued by the Iowa reciprocity
57 board. The fee for each such permit shall be one hundred fifty
58 dollars for a year or any portion thereof and shall be in addi-
59 tion to required registration fees, and the proceeds from such
60 fees shall be deposited in the primary road fund. The reciproc-
61 ity board shall promulgate rules and regulations concerning the
62 issuance of such special length permits. If an operator or
63 owner of any vehicle violates the restrictions of any special
64 length permit, such violation shall be a misdemeanor. In the
65 event of repeated willful violations, the reciprocity board
66 may suspend the violated permit for a period not to exceed one
67 year.'

68 Sec. 11. Sections four (4) and five (5) of this Act shall
69 be effective January 1, 1970, except that vehicles registered
70 in December 1969 for 1970 shall pay the registration fees pro-
71 vided in this Act.

Filed
May 9, 1969

By COMMITTEE ON TRANSPORTATION

1. Amend House File 714, as amended and passed by the House,
2 by adding the following new section:

3 "Sec. 7. Section three hundred twenty-one point one
4 hundred twenty-three (321.123), Code 1966, is hereby amended
5 as follows:

6 1. By striking from subsection one (1), lines twelve
7 (12) through twenty-six (26), inclusive, and inserting in
8 lieu thereof the following:

9 "Trailers with a gross weight exceeding two tons, but
10 not exceeding twelve tons, thirty dollars.

11 Trailers with a gross weight in excess of twelve tons,
12 but not exceeding fourteen tons, sixty dollars.'

13 2. By striking from subsection two (2), lines five (5)
14 through twenty (20), inclusive, and inserting in lieu
15 thereof the following:

16 "Trailers with a gross weight in excess of two tons,
17 but not exceeding fourteen tons, sixty dollars.'"

Filed
May 12, 1969

By LAMBORN, KYHL and O'MALLEY

Withdrawn
5-13

Withdrawn
5-13-69

Adopted
5-14

1 Amend the committee on transportation amendment, filed May 12,
2 1969, to House File 714, as passed by the House, by adding the
3 following section:
4 "Chapter three hundred twenty-one (321), Code 1966, is
5 hereby amended by adding the following section:
6 'In order to carry out the provisions of this chapter, the
7 state highway commission shall establish a port of entry at
8 each point where a highway of the interstate system, as defined
9 in section three hundred six B point one (306B.1) of the Code,
10 enters this state.'"

Filed
May 13, 1969

lost 5-14

By VAN GILST

REPORT OF CONFERENCE COMMITTEE
(House File 714)

*House adopted 5-21
Senate adopted 5/23*

Page 1

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on House File 714, a bill for an act relating to motor vehicle registration fees and the state road use tax fund, respectfully submit the following recommendations:

Amend House File 714, as amended and passed by the House, as follows:

1. By inserting in page one (1), line twelve (12), after the word "one-half" the word "cent".

2. By inserting in page one (1), line thirteen (13), after the word "one-half" the word "cent".

3. By inserting in page two (2), line seventeen (17), after the word "trucks" the words "except special trucks".

4. By striking from page three (3), lines one (1) through three (3), inclusive, and inserting in lieu thereof the following:

"For a combined gross weight exceeding seven tons, but not exceeding twenty-four tons, the fee shall be one hundred dollars and in addition thereto thirty-five dollars for each ton over seven tons.

For a combined gross weight exceeding twenty-four tons, the fee shall be six hundred ninety-five dollars and in addition thereto forty dollars for each ton over twenty-four tons.

For a combined gross weight of thirty-four tons or more, a fee of twenty-five dollars, which shall be in addition to the registration fees herein provided."

5. By adding at the end thereof the following new sections:

"Sec. 7. Section three hundred twenty-one point one (321.1), Code 1966, is hereby amended by adding the following new subsection:

'A "special truck" means a motor truck not used for hire with a gross weight registration of eight through twelve tons, inclusive, used by a person engaged in farming to transport commodities produced only by the owner, or to transport commodities purchased by the owner for use in his own farming operation.'

Sec. 8. Chapter three hundred twenty-one (321), Code 1966, is hereby amended by adding the following new section:

"The registration fee for a special truck shall be one hundred dollars for a gross weight of eight, nine, or ten tons, and one hundred fifty dollars for a gross weight of eleven or twelve tons. Any person convicted of using a truck registered as a special truck for any purpose other than permitted by this Act shall, in addition to any other penalty imposed by law, be required to pay regular motor truck registration fees upon such truck. A distinctive decal shall be applied to the special truck registration plate for easy identification.'

Sec. 9. Section three hundred twenty-one point on hundred twenty-three (321.123), Code 1966, is hereby amended as follows:

1. By striking from subsection one (1), lines twelve (12) through twenty-six (26), inclusive, and inserting in lieu thereof the following:

'Trailers with a gross weight exceeding two tons, but not exceeding twelve tons, thirty dollars.

Trailers with a gross weight in excess of twelve tons, sixty dollars.'

2. By striking from subsection two (2), lines five (5) through twenty (20), inclusive, and inserting in lieu thereof the following:

'Trailers with a gross weight exceeding two tons, but not exceeding twelve tons, thirty dollars.

Trailers with a gross weight in excess of twelve tons, sixty dollars.'

3. By adding the following new subsection:

'Motor trucks pulling trailers shall be registered for the combined gross weight of the motor truck and the trailer; except that motor trucks registered for six tons or less pulling trailers registered as provided in this section shall not be subject to registration for the gross weight of such trailer.'

Sec. 10. Sections four (4) and five (5) of this Act shall be effective January 1, 1970, except that vehicles registered in December 1969 for 1970 shall pay the registration fees provided in this Act.

Sec. 11. If any provision of this Act shall be invalid, such invalidity shall not affect the provisions which can be given effect without the invalid provisions, and to this end the provisions of this Act are severable."

Amend the title to House File 714 as follows:

1. By striking from line one (1) the word "motor".

2. By inserting in line one (1) after the word "fees" the words ", motor fuel taxes,".

We, the undersigned members of the conference committee, also report that the House and Senate leadership has agreed to consider on its merits, no later than March first during the 1970 session of the Sixty-third General Assembly, the enactment of legislation authorizing the operation of a combination of three vehicles, in excess of sixty feet but not in excess of sixty-five feet, on the four-lane highways of this state, provided such vehicles have a special length permit issued for a fee of one hundred fifty dollars.

On the Part of the Senate:

VERNON H. KYHL,

Chairman

CLIFTON C. LAMBORN

WAYNE KEITH

GEORGE E. O'MALLEY

On the Part of the House:

MAURICE VAN NOSTRAND,

Chairman

JOAN LIPSKY

FLOYD MILLEN

SENATE AMENDMENT TO HOUSE FILE 714

- 1 Amend House File 714, as amended and passed by the House, as
- 2 follows:
- 3 1. Page 2, line 17, by inserting after the word "trucks" the words
- 4 "except special trucks".
- 5 2. Page 3 by striking lines 1 through 3, inclusive, and inserting
- 6 in lieu thereof the following:
- 7 "For a combined gross weight exceeding seven tons, but
- 8 not exceeding twenty-four tons, the fee shall be one hundred dollars
- 9 and in addition thereto thirty-five dollars for each ton over seven
- 10 tons.
- 11 For a combined gross weight exceeding twenty-four tons,
- 12 the fee shall be seven hundred five dollars and in addition thereto
- 13 forty dollars for each ton over twenty-four tons."
- 14 3. Page 3, line 11, by striking the word "one-quarter" and inserting
- 15 in lieu thereof the word "one-half".
- 16 4. By adding the following new section:
- 17 "Section three hundred twenty-one point one (321.1), Code 1966,
- 18 is hereby amended by adding the following new subsection:
- 19 'A "special truck" means a motor truck not used for hire with
- 20 a gross weight registration of eight to twelve tons, used by a person
- 21 engaged in farming, for transportation of the owner's equipment, or
- 22 to transport commodities produced by the owner, or to transport
- 23 commodities purchased by the owner for use in his own farming
- 24 operation."
- 25 5. By adding the following new section:
- 26 "Chapter three hundred twenty-one (321), Code 1966, is hereby
- 27 amended by adding the following new section:
- 28 "The registration fee for special trucks shall be one hundred
- 29 dollars for a gross weight of eight, nine, and ten tons, and one
- 30 hundred fifty dollars for a gross weight of eleven and twelve tons.
- 31 Any person convicted of using a special truck for any purpose other
- 32 than permitted by this Act shall, in addition to any other penalty
- 33 imposed by law, be required to pay regular registration fees for
- 34 a motor truck. A distinctive decal shall be applied to the special
- 35 truck registration plate for easy identification.'"
- 36 6. By adding the following new section:
- 37 "Chapter three hundred forty-eight (348), section fifty (50),
- 38 Acts of the Sixty-second General Assembly, amending section four
- 39 hundred twenty-two point sixty-two (422.62), Code 1966, is
- 40 repealed, effective July 1, 1970."
- 41 7. By adding the following new section:
- 42 "Section three hundred twenty-one point four hundred fifty-
- 43 seven (321.457), subsection six (6), Code 1966, is hereby amended
- 44 by inserting in line five (5) after the word 'feet' the following:
- 45 ', except that such a combination of three vehicles, in
- 46 excess of sixty feet but not in excess of sixty-five feet, may be
- 47 operated as follows:
- 48 1. On four-lane highways, and to and from points within
- 49 one mile, on the most direct route, of any four-lane highway for
- 50 the purpose of servicing of the vehicle or to pick up or deliver

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51 cargoes.

52 2. The motor vehicle of such combination of vehicles shall
53 have a special length permit issued by the Iowa reciprocity board.
54 The fee for each such permit shall be one hundred fifty dollars for
55 a year or any portion thereof and shall be in addition to required
56 registration fees, and the proceeds from such fees shall be
57 deposited in the primary road fund. The reciprocity board shall
58 promulgate rules and regulations concerning the issuance of such
59 special length permits. If an operator or owner of any vehicle
60 violates the restrictions of any special length permit, such
61 violation shall be a misdemeanor. In the event of repeated
62 willful violations, the reciprocity board may suspend the violated
63 permit for a period not to exceed one year.' ”

64 8. By adding the following new section:

65 “Sections four (4) and five (5) of this Act shall be effective
66 January 1, 1970, except that vehicles registered in December 1969
67 for 1970 shall pay the registration fees provided in this Act.”

68 9. By adding the following new section:

69 “Section three hundred twenty-one point one hundred twenty-
70 three (321.123), Code 1966, is hereby amended as follows:

71 1. By striking from subsection one (1), lines twelve (12)
72 through twenty-six (26), inclusive, and inserting in lieu thereof
73 the following:

74 “Trailers with a gross weight exceeding two tons, but
75 not exceeding twelve tons, thirty-dollars.

76 Trailers with a gross weight in excess of twelve tons,
77 but not exceeding fourteen tons, sixty dollars.’

78 2. By striking from subsection two (2), lines five (5)
79 through twenty (20), inclusive, and inserting in lieu thereof
80 the following:

81 “Trailers with a gross weight in excess of two tons, but
82 not exceeding fourteen tons, sixty dollars.’ ”

83 10. By adding the following new section:

84 “Chapter three hundred twenty-one (321), Code 1966, is
85 hereby amended by adding the following new section:

86 ‘Motor trucks, truck tractors and road tractors used on
87 a seasonal basis shall be issued a regular registration as required
88 by section five (5) of this Act for the unladen weight of the vehicle.
89 In addition to said regular registration, such vehicle shall, during
90 such time as it is used during the year of the regular registration,
91 be issued a seasonal registration subject to the following conditions:

92 1. The fee to be charged initially shall be computed on a
93 monthly basis for the months remaining in the term of the regular
94 registration. Any part of a month shall be considered a full month
95 for this purpose.

96 2. The fee shall be computed as the proportionate part of
97 the difference in annual fees between those for the full gross weight
98 of the vehicle and the unladen weight.

99 3. The department of public safety shall provide a distinctive
100 registration plate or tag for a vehicle registered upon a seasonal
101 basis. Such plate or tag shall be issued with the seasonal registration

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102 and shall be displayed in conjunction with the regular license plate.
103 4. Upon return for cancellation of the seasonal registration
104 plate or tag and the seasonal registration, that registration shall
105 be canceled and the owner of such vehicle shall be entitled to a
106 refund prorated on the basis of the number of full months remaining
107 in the term of the regular registration applied to the difference in
108 fees between those for the full gross weight of the vehicle and for
109 the unladen weight.'”

110 11. By adding the following new section:

111 “Section three hundred twenty-one point four hundred
112 seventy-six (321.476), Code 1966, is hereby amended by striking
113 lines nine (9) through twenty-one (21), inclusive, and inserting in
114 lieu thereof the following:

115 ‘Any person who operates a motor vehicle on the highways
116 of this state, except as provided in section three hundred twenty-one
117 point four hundred fifty-three (321.453) of the Code, shall be deemed
118 to have given consent to the state highway commission to measure,
119 weigh, and inspect such motor vehicle for the purpose of enforcing
120 the provisions of this chapter, whenever such vehicle is upon a
highway

121 or upon private property open for public use.

122 ‘Any person holding a sales tax permit under the provisions
123 of section four hundred twenty-two point fifty-three (422.53) of
124 the Code, and who maintains parking areas that are open to the
125 public and adjacent to any place of business, shall be deemed to
126 have given consent to the state highway commission to enter
127 upon said parking area to measure, weigh, and inspect such
128 motor vehicles as may be found thereon; provided, however, such
129 entry, measurement, weighing, and inspection shall not be
130 permitted in areas where vehicles are being serviced, loaded
131 or unloaded if such action will materially disrupt the normal
132 business conducted upon such property.

133 ‘The state highway commission may weigh and inspect
134 any vehicle found upon private property where the circumstances
135 indicate that it is logical and proper to infer that the vehicle has
136 moved onto the private property from a highway. When a vehicle
137 inspected and weighed under such circumstances is found to be
138 in violation of this chapter, a presumption shall exist that the
139 violation existed while the vehicle was on the highway before the
140 vehicle was moved onto private property. Such a presumption
141 may be overcome by credible evidence to the contrary.’”

142 1. Page 1, line 1, by striking the words “vehicle registration
143 fees” and inserting in lieu thereof the word “vehicles”.

Received

May 16, 1969