

February 19, 1969
Passed on File
Judiciary 2-18

SENATE FILE 274

By COMMITTEE ON JUDICIARY

Passed Senate, Date.....3-14-69..... Passed House, Date4-11-69.....

Vote: Ayes25..... Nays4..... Vote: Ayes122..... Nays9.....

Approved

A BILL FOR

1 An Act relating to leased and rented vehicles offenses.

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

3 Section 1. Chapter four hundred fourteen (414), Acts of
4 the Sixty-second General Assembly, amending chapter seven hun-
5 dred ten (710), Code 1966, is hereby repealed and the follow-
6 ing enacted in lieu thereof:

7 1. "Whoever rents or leases any motor vehicle, as defined
8 under section three hundred twenty-one point one (321.1) of
9 the Code, with intent to defraud, alter, or attempt to alter
10 the odometer or other instrument which records the distance
11 traveled by the vehicle, shall be punished by imprisonment in
12 the county jail for not less than six months and not more than
13 one year, or by fine not exceeding five hundred dollars, or
14 both."

15 2. "Whoever, after renting a motor vehicle, as defined
16 under section three hundred twenty-one point one (321.1) of the
17 Code, from any person or persons under an agreement to pay for
18 the use of such vehicle a sum of money determinable either in
19 whole or in part upon the distance such vehicle travels during
20 the period for which hired, removes, attempts to remove, tam-
21 pers with, or attempts to tamper with, or otherwise interfere
22 with any odometer or other mechanical device attached to said
23 hired vehicle for the purpose of registering the distance such
24 vehicle travels, with the intent to deceive the person or per-
25 sons letting such vehicle or their lawful agent as to the

1 actual distance traveled thereby, shall be guilty of a misde-
2 meanor and upon conviction shall be punished by imprisonment
3 in the county jail for not less than six months and not more
4 than one year, or by fine not exceeding five hundred dollars,
5 or both."

6 3. "Whoever, after renting a motor vehicle, as defined
7 under section three hundred twenty-one point one (321.1) of
8 the Code, under an agreement to redeliver the same to the per-
9 son letting such vehicle or his agent, shall, with intent to
10 defraud, abandon such vehicle or willfully refuse or willfully
11 neglect to redeliver such vehicle as agreed, shall be guilty
12 of a felony and punished by imprisonment in the penitentiary
13 for not more than one year or by fine not to exceed one thou-
14 sand dollars, or both. If the person letting the vehicle has
15 performed all of his obligations under the agreement, the
16 failure to return the vehicle within seventy-two hours of the
17 time agreed shall be evidence of such abandonment or willful
18 refusal or willful neglect to redeliver such vehicle."

EXPLANATION OF SENATE FILE 274

The 1967 act, while amending a wrong chapter in the Code, also created a conflict in the punishment clause, causing violations of parts of the act to be both felonies and misdemeanors, which this bill will correct. This bill will also redefine the words "motor vehicle", by using the definition ascribed to motor vehicles under section 321.1 of the Code.

1 Amend Senate File 274 as follows:

- 2 1. Page 2, line 6, by striking the word "renting" and
- 3 inserting in lieu thereof the words "consenting to the use of".
- 4 2. Page 2, line 8, by striking the word "an", and inserting
- 5 in lieu thereof the words "a written".

Filed - *adopted 3-14*
February 25, 1969

By DENMAN, THORSEN
and KYHL