

FEB 25 1972

HOUSE FILE 1258

Place On Calendar

By COMMITTEE ON TRANSPORTATION

*From 2-28-72, pass 3/8*

Passed House, Date 2-28-72

Passed Senate, Date 3-16-72

Vote: Ayes 82 Nays 0

Vote: Ayes 37 Nays 0

Approved \_\_\_\_\_

*Passed House as amended by Senate*

*3-20-72  
aye 88 nays 2*

## A BILL FOR

1 An Act to amend chapter 183, Acts of the Sixty-fourth General  
 2 Assembly relating to motor vehicle inspection to extend  
 3 the time within which a vehicle failing inspection must  
 4 be repaired, to require inspection upon the transfer of  
 5 a motor vehicle, to lengthen the period within which a  
 6 motor vehicle must be inspected prior to transfer, and  
 7 to permit the regrooving of specially designed tires.

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

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1 Section 1. Chapter one hundred eighty-three (183), sec-  
2 tion one (1), subsections eleven (11), twelve (12), and  
3 eighteen (18), Acts of the Sixty-fourth General Assembly,  
4 First Session, are amended to read as follows:

5 11. "If an inspection discloses the necessity for re-  
6 pairs, the owner of the vehicle or person having custody  
7 thereof shall be so notified. Repairs and adjustments need  
8 not be made at the inspection station which has made the  
9 inspection and if the owner or person having custody of the  
10 vehicle elects not to have the repairs or adjustments made at  
11 that time a certificate of rejection shall be affixed to the  
12 vehicle. If an official certificate of inspection has been  
13 affixed to the vehicle which is valid on the date of rejec-  
14 tion, the certificate of inspection shall no longer be valid  
15 even though the period for which it was issued has not ex-  
16 pired and the inspection station shall remove the certificate.  
17 After correction of the stated defects, the inspection station  
18 which made the inspection shall reinspect the vehicle once  
19 without additional charge if requested so to do within fifteen  
20 thirty days after its issuance of the rejection certificate.

21 The owner or other person having custody of the vehicle  
22 shall have such repairs made or defects corrected as are re-  
23 quired by the rejection certificate within fifteen thirty  
24 days from the date of the rejection certificate. A vehicle  
25 for which the repairs are not made or defects not corrected,  
26 shall not thereafter be operated on the streets or highways  
27 until a valid certificate of inspection has been obtained  
28 and affixed to the vehicle."

29 12. "After December 31, 1971, every motor vehicle subject  
30 to registration under the laws of this state, except motor  
31 vehicles registered under section three hundred twenty-one  
32 point one hundred fifteen (321.115) of the Code, when first  
33 registered in this state or when sold at retail within or  
34 without this state, or otherwise transferred, except transfers  
35 by operation of law as set out in section three hundred twenty-

1 one point forty-seven (321.47) of the Code, shall be inspected  
2 at an authorized inspection station unless there is affixed  
3 to the motor vehicle a valid certificate of inspection which  
4 was issued for such motor vehicle not more than ~~thirty~~ sixty  
5 days prior to the date on which such vehicle was sold. If  
6 the motor vehicle is subject to inspection, the authorized  
7 inspection station shall issue and affix a valid certificate  
8 of inspection or certificate of rejection, as the case may  
9 be, in accordance with the results of the inspection. The  
10 applicant shall file with an application for title to the  
11 vehicle or for registration thereof under the provisions of  
12 subsection two (2) or three (3) of section three hundred  
13 twenty-one point twenty-three (321.23) of the Code, with the  
14 county treasurer of the county of his residence, a statement  
15 on a form provided by the commissioner, signed by an authorized  
16 inspection station certifying the date that a certificate  
17 of inspection was issued for and affixed to the vehicle.  
18 The county treasurer shall not issue a title to the vehicle  
19 to the applicant or register the vehicle unless such statement  
20 is filed with the application showing that the inspection  
21 of the vehicle was made not more than ~~thirty~~ sixty days prior  
22 to the date of sale or transfer. The county treasurer shall  
23 mail the statement of inspection to the department at the  
24 time of mailing copies of the registration receipt."

25 18. "A person shall not sell or transfer any motor vehicle,  
26 other than transfers to a dealer licensed under chapter three  
27 hundred twenty-two (322) of the Code and other than transfers  
28 by operation of law as set out in section three hundred twenty-  
29 one point forty-seven (321.47) of the Code, unless there is  
30 a valid official certificate of inspection affixed to such  
31 vehicle at the time of sale. Any person violating the  
32 provisions of this section shall be subject to a fine of one  
33 hundred dollars and shall be liable to the purchaser in damages  
34 for all costs involved in obtaining a valid certificate of  
35 inspection for such vehicle."



1 Amend House File 1258 as follows:

2 1. Page 2, by inserting the following after line 28:

3 "The owner or person having custody of the vehicle  
4 to which a certificate of rejection has been affixed  
5 may appeal the rejection to the department of public  
6 safety. The appeal shall be in writing and shall be  
7 filed with the department of public safety within ten  
8 days of the rejection. The department of public safety  
9 shall hold a hearing on the appeal within ten days of  
10 receipt of the appeal and shall issue a decision affirm-  
11 ing the rejection or disallowing the rejection, in whole  
12 or in part, within seven days of the hearing."

13 2. Page 1, line 6, by amending the title by insert-  
14 ing before the word "and" the following: "to provide  
15 for administrative appeal,".

Filed - *A Deptd 3/16/72 (1003)*  
March 15, 1972

By LAMBORN

*Senate*

1 Amend House File 1258 as follows:

2 1. Page 2, by inserting the following after line 28:

3 "The owner or person having custody of the vehicle  
4 to which a certificate of rejection has been affixed may  
5 appeal the rejection to the department of public safety.  
6 The appeal shall be in writing and shall be filed with  
7 the department of public safety within ten days of the  
8 rejection. The department of public safety shall hold  
9 a hearing on the appeal within ten days of receipt of  
10 the appeal and shall issue a decision affirming the  
11 rejection or disallowing the rejection, in whole or in  
12 part, within seven days of the hearing."

13 2. Page 1, line 6, by amending the title by inserting  
14 before the word "and" the following: "to provide for  
15 administrative appeal,".

*House concurred 3/20/72 (1293)*

Received from the Senate  
March 17, 1972