

FILED JAN 28 1971

How Higher Educ. 2/9

SENATE FILE 120

BY COMMITTEE ON HIGHER EDUCATION

Passed Senate, Date 2-8-71 Passed House, Date 4-16-71
 Vote: Ayes 46 Nays 1 Vote: Ayes 66 Nays 16
 Approved 4-29-71

*Passed Senate per House amendment
 4-20-71
 ayes 44, nays 1*

A BILL FOR

1 An Act relating to the control of vehicles at institutions
 2 under the jurisdiction of the state board of regents.
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Chapter two hundred sixty-two (262), Code 1971,
2 is amended by adding the following new section:

3 "The state board of regents may make such rules as it deems
4 necessary and proper to provide for the policing, control, and
5 regulation of traffic and parking of vehicles on the property
6 of any institution under its control. The rules may provide
7 for the use of institutional roads, driveways, and grounds,
8 registration of vehicles, the designation of parking areas,
9 the erection and maintenance of signs designating prohibitions
10 or restrictions, the installation and maintenance of parking
11 control devices, and assessment, enforcement, and collection
12 of reasonable sanctions for the violation of the rules.

13 Any rules made pursuant to this section may be enforced under
14 procedures adopted by the board for each institution under its
15 control. Sanctions may be imposed upon students, faculty and
16 staff for violation of the rules, including, but not limited to,
17 a reasonable monetary sanction which may be deducted from
18 student deposits and faculty or staff salaries or other funds
19 in the possession of the institution, or added to student
20 tuition bills. The rules made pursuant to this section may also
21 be enforced by the impoundment of vehicles parked in violation
22 of the rules, and a reasonable fee may be charged for the cost
23 of impoundment and storage, prior to the release of the vehicles
24 to their owners. Each institution under the control of the
25 board shall establish procedures for the determination of
26 controversies in connection with imposition of sanctions."

27 Sec. 2. This Act, being deemed of immediate importance, shall
28 take effect and be in force from and after its publication in
29 _____, a newspaper published in _____,
30 Iowa, and in _____, a newspaper published in
31 _____, Iowa.

32 EXPLANATION

33 This bill provides for specific legislative authority under
34 which the Board of Regents may control traffic and parking on
35 state university campuses. This authority allows for, among

1 other things, the assessment of penalties and the collection
2 of fines. The authority of the Board to engage in such traffic
3 regulating activities is currently being subject to court
4 challenge.

5
6 1 Amend Senate File 120, page 2, by striking lines
7 2 27 through 31, inclusive, and inserting in lieu thereof
8 3 the following:
9 4 Sec. 2. This Act, being deemed of immediate
10 5 importance, shall take effect and be in force from and
11 6 after its publication in The Denison Bulletin, a news-
12 7 paper published in Denison, Iowa, and in the Estherville
13 8 Daily News, a newspaper published in Estherville, Iowa.

1 Filed - *Adopted 2/8/71* By NEU and BROWNLEE
2 February 2, 1971
3 *Senate*

1 1 Amend Senate File 120 as follows:
2 2 1. Page 2, line 20, by inserting before the period
3 3 the following:
4 4 "provided that compliance is made with Article I,
5 5 Section 6 and Article I, Section 9 of the Constitution
6 6 of Iowa, and with the Iowa Rules of Civil Practice and
7 7 Procedure, Chapter 624, Chapter 626 of the Code of Iowa
8 8 1971".

Filed - *Lock 4/16* By EWELL of Black Hawk
February 12, 1971 District 39
SMALL of Johnson
District 69

1 Amend Senate File 120 as amended and passed by the
2 Senate as follows:
3 1. Page 2, line 15, by inserting after the period the
4 4 following:
5 5 "Such procedure shall provide for adequate notice of
6 6 violation, as well as sanction to be imposed, and shall
7 7 allow an opportunity for hearing."
8 8 2. Page 2, line 20, by inserting after the period the
9 9 following:
10 10 "When there is a written agreement between the institu-
11 11 tion and its students, faculty, or staff, the sanction
12 12 shall be included in the agreement."

Filed - *Lock 4/18* By HANSEN of Black Hawk
March 25, 1971 District 37

34
35

LSB 421

1 Amend Senate File 120 as follows:

2 1. Page 2 line 10, by inserting after the comma
3 the word "and".

4 2. Page 2 line 11, by striking all after the
5 word "devices" and inserting after the word "devices"
6 a period.

7 3. Page 2 by striking lines 12 through 26 and
8 inserting in lieu thereof the following:

9 "All rules and regulations proposed hereunder
10 shall be subject to chapter 17A, Code 1971.

11 A violation of such rules shall be a misdemeanor
12 punishable by a fine of not more than one hundred
13 dollars or by imprisonment in the county jail not
14 to exceed thirty days."

15 4. Page 2 by striking lines 27 through 31. - *Div 2 adopted*
4/16

Offered from the floor
and Pending
April 8, 1971

By KNOKE of Pottawattamie
District 79

House 5
April 16, 1971

SENATE FILE 120

- 1 Amend Senate File 120 as follows:
- 2 1. Page 2, by striking lines 27 through 31. - *Withdrawn 4/16*
- 3 2. Page 3, by adding the following new section:
- 4 "All monetary sanctions collected shall be remitted
- 5 each month to the treasurer of state for placement
- 6 in the general fund." } *Law 4/16*

Filed
April 15, 1971

By SCHROEDER of Pottawattamie
District 54

SENATE FILE 120

- 1 Amend Senate File 120, as amended and passed by the
- 2 Senate, page 2, by adding after the period in line 26 the
- 3 following new sentences:
- 4 "The procedures shall require giving notice of the
- 5 violation and the sanction involved and provide an oppor-
- 6 tunity for an administrative hearing. Appeal of the
- 7 administrative ruling may be heard de novo by the district
- 8 court. The rules promulgated under this section shall be
- 9 subject to chapter seventeen A (17A) of the Code."

Filed - *Adopted 4/16*
April 15, 1971

By HANSEN of Black Hawk,	District 37
VARLEY of Adair,	District 84
KREAMER of Polk,	District 63
MILLEN of Van Buren,	District 99
DRAKE of Muscatine,	District 71
CAMP of Clinton,	District 73
GRASSELY of Butler,	District 10
PIERSON of Mahaska,	District 87
MENDENHALL of Allamakee,	District 13
KRUSE of O'Brien,	District 4
MOLLETT of Pottawattamie,	District 80
LAWSON of Cerro Gordo,	District 17
TIEDEN of Clayton,	District 14
MOFFITT of Appanoose,	District 96
SIGLIN of Lucas,	District 86
STRAND of Poweshiek,	District 68
REX of Hamilton,	District 31
CLARK of Lee,	District 100
BERGMAN of Osceola,	District 3
ANDERSEN of Woodbury,	District 23
WAUGH of Nonona,	District 27
PELLETT of Cass,	District 83
NIELSEN of Shelby,	District 53
CAMPBELL of Washington,	District 89
LOGEMANN of Worth,	District 7

House 6
April 16, 1971

KELLY of Woodbury,	District 22	JESSE of Polk,	District 58
FISCHER OF Grundy,	District 35	BRAY of Scott,	District 77
WIRTZ of Palo Alto,	District 16	UBAN of Black Hawk,	District 38
ELLSWORTH of Dubuque,	District 50	GLUBA of Scott,	District 76
DEN HERDER of Sioux,	District 1	MONROE of Des Moines,	District 92
CHRISTENSEN of Union,	District 95	SKINNER of Polk,	District 60
LIPSKY of Linn,	District 46	LARSON of Story,	District 34
STANLEY of Linn,	District 45	FRANKLIN of Polk,	District 64
SHAW of Scott,	District 78	BENNETT of Polk,	District 59
TROWBRIDGE of Floyd,	District 9	DUNTON of Keokuk,	District 88
STROTHMAN of Henry,	District 90	MAYBERRY of Webster,	District 30
TAYLOR of Dubuque,	District 51	WELLS of Linn,	District 44
WINKELMAN of Calhoun,	District 26	NORPEL of Jackson,	District 52
STROMER of Hancock,	District 8	BLOUIN of Dubuque,	District 49
NYSTROM of Boone,	District 55	PRIEBE of Kossuth,	District 6
SCHWIEGER of Black Hawk,	District 40	SCOTT of Cerro Gordo,	District 18
WELDEN of Hardin,	District 32	RADL of Linn,	District 43
FREEMAN of Buena Vista,	District 15	DOYLE of Woodbury,	District 21
EGENES of Story,	District 33	RODGERS of Dallas,	District 85
DOUGHERTY of Monroe,	District 94	MIDDLESWART of Warren,	District 93
JOHNSTON of Johnson,	District 70		
KENNEDY of Chickasaw,	District 11		

HOUSE AMENDMENT TO SENATE FILE 120

- 1 Amend Senate File 120, as amended and passed by the
2 Senate as follows:
3 1. Page 2, by adding after the period in line 26 the
4 following new sentences:
5 "The procedures shall require giving notice of the
6 violation and the sanction involved and provide an
7 opportunity for an administrative hearing. Appeal of the
8 administrative ruling may be heard de novo by the district
9 court. The rules promulgated under this section shall be
10 subject to chapter seventeen A (17A) of the Code."
11 2. Page 2, by striking lines 27 through 31.

Received from the House
April 19, 1971

*Senate concurred
4/20*