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Transportation 3/10, Pass 5/6
" 1/10/72, Pass 3/20

SENATE FILE **376**
By COLEMAN and KYHL

Passed Senate, Date 3-21-72 Passed House, Date 3-23-72
Vote: Ayes 45 Nays 0 Vote: Ayes 79 Nays 12

Approved _____
Passed Senate w/ House amendment
3-24-72
aye 43, nays 0

A BILL FOR

1 An Act relating to vehicle equipment requirements.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 Section 1. Section three hundred twenty-one point twenty-
4 three (321.23), Code 1971, is amended by adding the follow-
5 ing new subsection:
6 "Any vehicle which does not meet the equipment requirements
7 of this chapter due to the particular use for which it is
8 designed or intended, may be registered and titled by the
9 department upon payment of appropriate fees and after inspection
10 and certification by the department that the vehicle is not in
11 an unsafe condition and will not endanger any person.
12 If the department's inspection reveals that that vehicle may
13 be safely operated only under certain conditions or on certain
14 types of roadways, the department may restrict the registration
15 to limit operation of the vehicle to the appropriate conditions
16 or roadways."

EXPLANATION

17 This bill provides that vehicles which do not meet the equip-
18 ment requirements of chapter 321 due to being designed for a
19 particular use, may be licensed and titled upon passing a safety
20 inspection by the Department of Public Safety.
21 The department may restrict the registration to allow vehicle
22 operation only under conditions or types of roadways which pro-
23 tect human safety.
24

SENATE FILE 376

1 Amend Senate File 376 as follows:

2 1. Page 1, by inserting after line 16 the following
3 new sections:

4 Sec. 2. As used in sections two (2) through ten
5 (10) of this Act, unless the context otherwise requires:

6 1. "Commission" means the Iowa State commerce
7 commission.

8 2. "Common carrier by rail" means any railroad
9 company operating in this state.

10 3. "Motor vehicle means any vehicle which is self-
11 propelled and designed primarily for highway use, and
12 which may or may not be equipped with retractable flanged
13 wheels for operation on railroad tracks.

14 4. "Owner" means any person having the lawful use
15 or control of a motor vehicle as holder of the legal
16 title of the motor vehicle or under contract or lease
17 or otherwise.

18 5. "Place of employment" means that location where
19 one or more workers are actually performing the labor
20 incident to their employment.

21 6. "Worker" means an individual employed for any
22 period in any work for which he is compensated, whether
23 full or part-time.

24 Sec. 3. Every motor vehicle provided by a railroad
25 company and used to transport one or more workers to

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1 and from their places of employment or during the course
2 of their employment shall be maintained in a safe
3 condition and operated in a safe manner at all times,
4 whether or not used upon a public highway.

5 Sec. 4. The commission shall adopt and enforce
6 reasonable rules and regulations relating to motor
7 vehicles used to transport workers to and from their
8 places of employment or during the course of their
9 employment. These rules and regulations shall establish
10 minimum standards.

11 1. For the construction and mechanical equipment
12 of a motor vehicle, including its coupling devices,
13 lighting devices and reflectors, motor exhaust system,
14 rear-vision mirrors, service and parking brakes, steering
15 mechanism, tires, warning and signaling devices and
16 windshield wipers. The motor vehicle shall be equipped
17 with safe space heating device or appliance capable
18 of maintaining a temperature of at least sixty degrees
19 Fahrenheit in those areas of the vehicle where workers
20 will be required to ride.

21 2. For the insurance coverage carried by employers

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22 and owners to protect the employees from loss resulting
23 from bodily injury or death suffered because of a motor
24 vehicle accident.

25 3. For the operation of a motor vehicle, including

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1 driving rules, loading and carrying freight and
2 passengers, maximum daily hours of service by drivers,
3 minimum age and skill of drivers, physical condition
4 of drivers, refueling, road warning devices and the
5 transportation of gasoline and explosives.

6 4. For the safety of passengers in a motor vehicle,
7 including emergency exits, fire extinguishers, first
8 aid kits, facilities for communication between cab and
9 rear compartment, means of ingress and egress, side
10 walls, canopy, and a tailgate or other means of retaining
11 freight and passengers within the motor vehicle.

12 Sec. 5. Before formulating the rules and regulations,
13 the commission shall conduct hearings and invite the
14 participation of interested groups. These groups may
15 make recommendations relating to the minimum standards
16 to be embodied in the rules and regulations. The
17 commission shall consider the recommendations prior
18 to the issuance of any rules or regulations.

19 Sec. 6. The commission may amend the rules and
20 regulations at any time upon its own motion or upon
21 complaint by any individual or group, in the same manner
22 as it adopts other rules and regulations.

23 Sec. 7. The commission may, in enforcing the rules
24 and regulations, inspect any motor vehicle used to
25 transport workers to and from their places of employment

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1 or during the course of their employment.

2 Sec. 8. Whenever the commission finds that a motor
3 vehicle used to transport workers to and from their
4 places of employment or during the course of their
5 employment violates any provision of sections two (2)
6 through ten (10) of this Act or the rules and regulations
7 of the commission, the commission shall make, enter
8 and serve upon the owner of the motor vehicle any order
9 necessary to protect the safety of workers transported
10 in the motor vehicle. The commission may direct in
11 the order, as a condition to the continued use of the
12 motor vehicle for transporting workers to and from their
13 places of employment or during the course of their
14 employment, that the additions, repairs, improvements
15 or changes be made and any safety devices and safeguards

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16 be furnished and used as are reasonably required to
17 satisfy the requirements of the rules and regulations,
18 in the manner and within the time specified in the
19 order. The order may also require that any driver of
20 the motor vehicle satisfy the minimum standards for
21 a driver under the rules and regulations.

22 Sec. 9. The commission shall have jurisdiction to
23 enforce rules and regulations adopted under sections
24 two (2) through ten (10) of this Act relating to motor
25 vehicles used to transport railroad workers to and from

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1 their place of employment or during the course of their
2 employment. The rules and regulations adopted by the
3 commission shall be subject to the provisions of chapter
4 seventeen A (17A) of the Code.

5 Sec. 10. Any violation by the owner of a motor
6 vehicle of any rule or regulation adopted by the
7 commission under sections two (2) through ten (10) of
8 this Act or any order issued by the commission under
9 section eight (8) of this Act, or willful failure to
10 comply with the order, is a misdemeanor and, upon
11 conviction thereof, the owner shall be subject to
12 imprisonment in the county jail for not more than one
13 year, or to a fine not exceeding five hundred dollars,
14 or both such imprisonment and fine.

15 2. Amend the title, on page 1, line 1, by inserting
16 after the word "requirements" the words "and safety
17 standards on specially designed vehicles, to the
18 authority of the Iowa state commerce commission, and
19 to provide penalties for violations".

Filed - *Revised out of order 3/21 (1069)* By RILEY
February 8, 1972

EXPLANATION OF AMENDMENT

This amendment requires the Iowa State Commerce Commission to adopt, by rule and regulation, minimum standards for safety equipment for, and the safe use of, motor vehicles for transporting workers to and from work by railroad companies. The companies or owners of the vehicles are also required to have liability insurance in the event of injury or death due to accident.

- 1 Amend Senate File 376 as follows:
- 2 By inserting after line 16 the words "This
- 3 subsection shall not apply to snowmobiles as defined
- 4 in section 321G.1 of the Code."

Offered from the floor and adopted
March 23, 1972

By TIEDEN of Clayton
HUSAK of Tama
CHRISTENSEN of Union

House

HOUSE AMENDMENT TO SENATE FILE 376

- 1 Amend Senate File 376 as follows:
- 2 By inserting after line 16 the words "This
- 3 subsection shall not apply to snowmobiles as defined
- 4 in section three hundred twenty-one G point one (321G.1)
- 5 of the Code."

Received from the House
March 24, 1972

Senate concurred 3/24(1160)