

2. 7. 694 sub. for S.F. 505 6/18/73 (1828)  
0.f.

APR 24 1973

Place On Calendar

HOUSE FILE

694

By COMMITTEE ON TRANSPORTATION  
(Committee on State Government)

Passed House, Date 5-14-73 (1308) Passed Senate, Date 6-18-73.  
Vote: Ayes 81 Nays 1 Vote: Ayes 44 Nays 0  
Approved 7-6-73

## A BILL FOR

1 An Act relating to the regulation of motor vehicle  
2 odometers.

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

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1 Section 1. Section three hundred twenty-one point seventy-  
2 one (321.71), subsection one (1), paragraph b, Code 1973,  
3 is amended to read as follows:

4 b. "True mileage" is the actual mileage driven by the  
5 motor vehicle as registered by the odometer within the manu-  
6 facturer's designed tolerance has been driven.

7 Sec. 2. Section three hundred twenty-one point seventy-  
8 one (321.71), subsections six (6), seven (7), twelve (12),  
9 and fifteen (15), Code 1973, are amended to read as follows:

10 6. In the event any odometer is repaired or replaced,  
11 the reading of the repaired or replaced odometer shall be  
12 set at the reading of the odometer repaired or replaced im-  
13 mediately prior to repair or replacement, but where the odom-  
14 eter is incapable of registering the same mileage the odom-  
15 eter shall be adjusted to read zero and the any adjustment  
16 made in accordance with the provisions of this subsection  
17 shall not be deemed a violation of any provision of this sec-  
18 tion.

19 7. ~~No certificate of title shall be issued for a motor~~  
20 ~~vehicle which was equipped with an odometer by the manufac-~~  
21 ~~turer unless the statement required in subsection 8 of this~~  
22 ~~section has been furnished by the transferor. As to motor~~  
23 vehicles of a model year subsequent to the model year 1968  
24 which were equipped with an odometer by the manufacturer,  
25 no certificate of title shall be issued unless an odometer  
26 statement which is in compliance with federal law and regu-  
27 lations has been made by the transferor of such vehicle and  
28 is furnished with the application for certificate of title.  
29 The new certificate of title shall record on the face there-  
30 of the odometer reading and if the odometer reading is not  
31 the true mileage or the true mileage is unknown, then the  
32 word "unknown" shall be recorded. However a certificate of  
33 title may be issued for a motor vehicle to a person who moves  
34 into this state if such person acquired ownership of the mo-  
35 tor vehicle prior to moving to this state. The provisions

1 of this subsection shall not apply to motor vehicles trans-  
 2 ferred by operation of law pursuant to section three hundred  
 3 twenty-one point forty-seven (321.47) of the Code nor to mo-  
 4 tor vehicles having a registered gross vehicle weight of more  
 5 than sixteen thousand pounds.

6 12. An Iowa licensed motor vehicle dealer shall not have  
 7 in his possession as inventory for sale any used motor ve-  
 8 hicle acquired by the dealer after January 1, 1972, for which  
 9 he does not have in his possession ~~a statement from his trans-~~  
 10 ~~ferer as provided in subsections 8 and 9~~ an odometer state-  
 11 ment by the transferor which is in compliance with federal  
 12 law and regulations unless a certificate of title has been  
 13 issued for such vehicle in the name of the dealer.

14 15. A transferee of a motor vehicle reassigning the cer-  
 15 tificate of title to such motor vehicle pursuant to the pro-  
 16 visions of section 321.48, subsection 1, shall not be guilty  
 17 of a violation of this section if such transferee has in his  
 18 possession ~~the statement signed by his transferor as required~~  
 19 ~~by subsection 8~~ an odometer statement by the transferor which  
 20 is in compliance with federal law and regulations and if he  
 21 has no knowledge that the statement is false and that he has  
 22 no knowledge that the odometer does not reflect the true mile-  
 23 age of such motor vehicle.

24 Sec. 3. Section three hundred twenty-one point seventy-  
 25 one (321.71), Code 1973, is amended by striking subsections  
 26 eight (8), nine (9), ten (10), eleven (11), thirteen (13),  
 27 and fourteen (14).

#### 28 EXPLANATION

29 This bill conforms the Iowa law to the federal odometer  
 30 law. The federal law was passed after the Iowa law and pro-  
 31 visions of the Iowa law are in conflict or inconsistent with  
 32 the federal law. Changes in the Iowa law are necessary be-  
 33 cause it is impossible to carry out some of the state provi-  
 34 sions without violating federal law. Subsections 8, 9, 10,  
 35 11, 13 and 14 of Section 321.71 of the Iowa Code are no longer  
 36 necessary in view of the federal law.