

Reprinted

FEB 18 1976

HOUSE FILE 1332

Place On Calendar

By COMMITTEE ON TRANSPORTATION

Passed House, Date 4-7-76 (1694) Passed Senate, Date _____

Vote: Ayes 93 Nays 1 Vote: Ayes _____ Nays _____

Approved June 26, 1976

A BILL FOR

1 An Act relating to vehicles and the operation of vehicles
 2 including vehicle registration, issuance and suspension
 3 of operators' licenses, vehicle lighting and miscellaneous
 4 equipment, operating and passenger rules, imposition of
 5 penalties related to equipment and operating and passenger
 6 rules, and the correction of erroneous, inconsistent and
 7 obsolete sections of chapter three hundred twenty-one
 8 (321) of the Code referring to duties and operations of
 9 the state department of transportation.

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

11

HOUSE FILE 1332

H-5288

1 Amend House File 1332, page 12, by inserting after
 2 line 5 the following new section:
 3 "Sec. ____ . Section three hundred twenty-one point
 4 fifty-two (321.52), Code 1975, is amended by adding
 5 the following new subsection:
 6 NEW SUBSECTION. Where in the course of operation,
 7 a motor vehicle is destroyed to the extent that the
 8 insurer makes a cash settlement with an insured, the
 9 insurer shall apply for registration and title with
 10 the county treasurer. The treasurer shall issue a
 11 restricted title for the vehicle to the insurer.
 12 The insurer may transfer the damaged vehicle using
 13 the registration and restricted title to any purchaser.
 14 Upon repair of the vehicle, the purchaser may present
 15 the restricted title and a vehicle inspection
 16 certificate and acquire a valid title to the vehicle."

H-5288 FILED - *Adopted* BY MILLER of Buchanan

FEBRUARY 19, 1976

*Rule 6072, Reconsidered and lost
 ruled out of order upon consideration of 53-29 4/7
 4/7 (1692)*

1 Section 1. Section three hundred twenty-one point four
2 (321.4), Code 1975, is amended to read as follows:
3 321.4 RULES. The director is ~~hereby~~ authorized to adopt
4 and enforce such ~~departmental~~ administrative rules promul-
5 gated by the transportation commission governing procedure
6 as may be necessary to carry out the provisions of this
7 chapter, ~~also~~ and to carry out any other laws the enforcement
8 of which is vested in the department.

9 Sec. 2. Section three hundred twenty-one point forty-four
10 (321.44), Code 1975, is amended to read as follows:

11 321.44 REGULATIONS GOVERNING CHANGE OF MOTORS. The direc-
12 tor is authorized to ~~adopt~~ and enforce such ~~registration~~ rules
13 ~~and regulations~~ governing registration as may be deemed
14 necessary by the transportation commission and compatible
15 with the public interest with respect to the change or
16 substitution of one engine in place of another in any motor
17 vehicle.

18 Sec. 3. Section three hundred twenty-one point one hundred
19 twenty-six (321.126), subsection five (5), unnumbered paragraph
20 one (1), Code 1975, is amended to read as follows:

21 If the motor vehicle is ~~licensed~~ registered by the county
22 treasurer during the registration year and the owner or lessee
23 registers the vehicle for prorated under chapter 326, the owner
24 of the registered vehicle shall surrender the registration
25 plates to the county treasurer and may file a claim for refund.

26 Sec. 4. Section three hundred twenty-one point one hundred
27 thirty-four (321.134), unnumbered paragraph one (1), Code
28 1975, is amended to read as follows:

29 On February 4 first of each year, a penalty of five percent
30 of the annual registration fee shall be added to all fees
31 not paid by that date, and five percent of the annual
32 registration fee shall be added to such fees on the first
33 of each month thereafter that the same remains unpaid, until
34 paid, provided that ~~said~~ the penalty in no case shall be less
35 than one dollar, and provided that the owner of a vehicle

1 who, before February 4 first of any year, surrenders all
 2 registration plates for ~~said~~ that vehicle to the county
 3 treasurer of the county in which ~~said~~ the plates are of record,
 4 shall have the right to register ~~said~~ the vehicle at any later
 5 period of ~~said~~ that year by paying the full yearly registration
 6 fee without ~~said~~ penalty. The owner of a travel trailer who
 7 puts the travel trailer in storage for the year shall not
 8 be required to pay a registration fee for that year if the
 9 registration plates are surrendered to the county treasurer.
 10 The owner of a travel trailer may register the travel trailer
 11 at any later time during the year upon payment of the full
 12 yearly registration fee without penalty. Provided, however,
 13 that the annual registration fee for trucks, truck tractors,
 14 road tractors, trailers and semitrailers, as provided in sec-
 15 tions 321.120 to 321.123, inclusive, when said annual registra-
 16 tion fee is in excess of seventy dollars, may be payable in
 17 two equal semiannual installments.

18 Sec. 5. Section three hundred twenty-one point one hun-
 19 dred seventy-six (321.176), subsection one (1), Code 1975,
 20 is amended to read as follows:

21 1. Any person while operating a motor vehicle in the
 22 service of the ~~army, navy, or marine corps~~ armed forces of
 23 the United States.

24 Sec. 6. Section three hundred twenty-one point one hun-
 25 dred eighty-four (321.184), Code 1975, is amended to read
 26 as follows:

27 321.184 APPLICATIONS OF MINORS. The application of any
 28 person under the age of eighteen years for an instruction
 29 permit, operator's license, or permit issued under section
 30 321.194 shall contain the verified consent and confirmation
 31 of applicant's birthday by ~~both the father and mother~~ either
 32 parent of the applicant, or the parent having custody in the
 33 event of the legal separation or the death of one parent;
 34 if neither parent is living, the guardian or other person
 35 having custody, or the employer, of such minor may consent.

1 Officers and employees of the department are hereby authorized
2 to administer such oaths without charge.

3 Sec. 7. Section three hundred twenty-one point one hun-
4 dred eighty-seven (321.187), Code 1975, is amended to read
5 as follows:

6 321.187 APPOINTMENT OF EXAMINERS. The department is
7 hereby authorized to appoint persons from the members of the
8 department or may designate the county sheriff for the pur-
9 pose of examining applicants for operators' and chauffeurs'
10 licenses. It shall be the duty of any such person so ap-
11 pointed to conduct examinations of applicants for operators'
12 and chauffeurs' licenses under the provisions of this chap-
13 ter to make a written report of findings and recommendations
14 upon such examination to the department. Examiners appointed
15 by the department when on duty shall wear a proper identifying
16 badge or badges as prescribed by the director which shall
17 be purchased by the department ~~and-paid-for-from-the-department~~
18 ~~maintenance-fund.~~

19 Sec. 8. Section three hundred twenty-one point two hundred
20 eleven (321.211), Code 1975, is amended to read as follows:

21 321.211 NOTICE AND HEARING. Upon suspending the license
22 of any person as hereinbefore authorized the department shall
23 immediately notify the licensee in writing and upon his re-
24 quest shall afford him an opportunity for a hearing before
25 the director or his duly authorized agent as early as practi-
26 cal within not to exceed ~~twenty~~ thirty days after receipt
27 of such request in the county wherein the licensee resides
28 unless the department and the licensee agree that such hearing
29 may be held in some other county. Upon such hearing the di-
30 rector or his duly authorized agent may administer oaths and
31 may issue subpoenas for the attendance of witnesses and the
32 production of relevant books and papers and may require a
33 re-examination of the licensee. Upon such hearing the
34 department shall either rescind its order of suspension or
35 for good cause ~~appearing-therefor~~, may extend the suspension

1 of such license or revoke such license.

2 Sec. 9. Section three hundred twenty-one point two hun-
3 dred thirty-eight (321.238), subsection one (1), Code 1975,
4 is amended to read as follows:

5 1. The director may grant permits for the operation of
6 vehicle inspection stations authorized to issue official
7 certificates of inspection of vehicles. The ~~director~~
8 transportation commission may adopt such rules and ~~reg-~~
9 ~~ulations~~, subject to the provisions of chapter 17A, as shall
10 be necessary for the efficient operation and maintenance
11 of vehicle inspection stations.

12 Sec. 10. Section three hundred twenty-one point two hun-
13 dred thirty-eight (321.238), subsection twenty-one (21),
14 paragraph c, Code 1975, is amended to read as follows:

15 c. An employee of the ~~state-highway-commission~~ depart-
16 ment experienced in automotive mechanics designated by the
17 director ~~of-highways~~.

18 Sec. 11. Section three hundred twenty-one point two hun-
19 dred thirty-eight (321.238), subsection twenty-one (21), un-
20 numbered paragraph three (3), Code 1975, is amended to read
21 as follows:

22 After the hearing, the review board may sustain, modify,
23 or reverse the ~~commissioner's~~ director's order of suspen-
24 sion or revocation. A suspension or revocation sustained
25 or modified by the review board shall take effect ten days
26 from the date of the decision. Judicial review of actions
27 of the review board may be sought in accordance with the terms
28 of the Iowa administrative procedure Act.

29 Sec. 12. Section three hundred twenty-one point two hun-
30 dred fifty-two (321.252), unnumbered paragraph one (1), Code
31 1975, is amended to read as follows:

32 321.252 DEPARTMENT TO ADOPT SIGN MANUAL. The department
33 shall adopt a manual and specifications for a uniform system
34 of traffic-control devices consistent with the provisions
35 of this chapter for use upon highways within this state.

1 Such uniform system shall correlate with and so far as possible
2 conform to the system then current as approved by the American
3 association of state highway and transportation officials.

4 Sec. 13. Section three hundred twenty-one point two hun-
5 dred fifty-three (321.253), Code 1975, is amended to read
6 as follows:

7 321.253 ~~HIGHWAY-COMMISSION~~ DEPARTMENT TO ERECT SIGNS.

8 The ~~state-highway-commission~~ department shall place and
9 maintain such traffic-control devices, conforming to its
10 manual and specifications, upon all primary highways as it
11 shall deem necessary to indicate and to carry out the pro-
12 visions of this chapter or to regulate, warn, or guide traf-
13 fic. Whenever practical, said devices or signs shall be pur-
14 chased from the director of the division of corrections of
15 the department of social services.

16 Sec. 14. Section three hundred twenty-one point two hun-
17 dred eighty-eight (321.288), Code 1975, is amended to read
18 as follows:

19 321.288 CONTROL OF VEHICLE. ~~The~~ A person operating a
20 motor vehicle ~~or-motereyele~~ shall have the same under con-
21 trol at all times and shall reduce the speed to a reasonable
22 and proper rate:

23 1. When approaching and passing a person walking in the
24 traveled portion of the public highway.

25 2. When approaching and passing an animal which is being
26 led, ridden, or driven upon a public highway.

27 3. When approaching and traversing a crossing or inter-
28 section of public highways, or a bridge, or a sharp turn,
29 or a curve, or a steep descent, in a public highway.

30 4. When approaching and passing a fusee, flares, red
31 reflector electric lanterns, red reflectors or red flags
32 displayed in accordance with section 321.448, or an emer-
33 gency vehicle displaying a revolving or flashing light.

34 Sec. 15. Section three hundred twenty-one point two hundred
35 eighty-eight (321.288), Code 1975, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. When approaching and passing a slow moving
3 vehicle displaying a reflective device as provided by section
4 three hundred twenty-one point three hundred eighty-three
5 (321.383) of the Code.

6 Sec. 16. Section three hundred twenty-one point three
7 hundred twenty-four (321.324), unnumbered paragraph one (1),
8 Code 1975, is amended to read as follows:

9 Upon the immediate approach of an authorized emergency
10 vehicle with any lamp or device displaying a red ~~light-or~~
11 flashing-red or blue light from-directly-in-front-thereof,
12 or when the driver is giving audible signal by siren, exhaust
13 whistle, or bell, the driver of every other vehicle shall
14 yield the right of way and shall immediately drive to a
15 position parallel to, and as close as possible to, the right-
16 hand edge or curb of the highway clear of any intersection
17 and shall stop and remain in such position until the authorized
18 emergency vehicle has passed, except when otherwise directed
19 by a police officer. For the purposes of this section, "red
20 or blue light" means a light or lighting device that, when
21 illuminated, will exhibit a solid flashing or strobing red
22 or blue light.

23 Sec. 17. Section three hundred twenty-one point three
24 hundred seventy-six (321.376), unnumbered paragraph one (1),
25 Code 1975, is amended to read as follows:

26 321.376 LICENSE AND WRITTEN PERMISSION. The driver of
27 every school bus shall have a regular or special chauffeur's
28 license issued by the department ~~of-public-safety~~, and in
29 addition thereto, must hold a school bus driver's permit is-
30 sued by the department of public instruction.

31 Sec. 18. Section three hundred twenty-one point three
32 hundred eighty-three (321.383), Code 1975, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. Garbage collection vehicles, when operated
35 on the streets or highways of this state at speeds of twenty-

1 five miles per hour or less, may display a reflective device
2 of a type and in a manner approved by the director. At speeds
3 in excess of twenty-five miles per hour the device shall not
4 be visible.

5 Sec. 19. Section three hundred twenty-one point three
6 hundred ninety-three (321.393), unnumbered paragraph four
7 (4), Code 1975, is amended to read as follows:

8 The provisions of this section shall not prohibit the use
9 of a lighting device or reflector displaying ~~a-blue-or~~ an
10 amber light when such lighting device or reflector is mounted
11 on a motor truck, trailer, tractor, or motor grader owned
12 by the state, or any political subdivision of the state, or
13 any municipality therein, while such equipment is being used
14 for snow removal, sanding, maintenance, or repair of the
15 public streets or highways.

16 Sec. 20. Section three hundred twenty-one point four hun-
17 dred four (321.404), Code 1975, is amended to read as fol-
18 lows:

19 321.404 SIGNAL LAMPS AND SIGNAL DEVICES. Every motor
20 vehicle or combination of vehicles shall be equipped with
21 a signal lamp or signal device which is so constructed and
22 located ~~on-the-vehicle~~ as to give a signal of intention to
23 stop, which shall be red or yellow in color, which signal
24 shall be plainly visible and understandable in normal sunlight
25 and at night from a distance of one hundred feet to the rear
26 but shall not project a glaring or dazzling light.

27 Sec. 21. Section three hundred twenty-one point four
28 hundred twenty-three (321.423), Code 1975, is amended by
29 striking the section and inserting in lieu thereof the
30 following:

31 321.423 FLASHING LIGHTS.

32 1. Definitions. As used in this section, unless the con-
33 text otherwise requires:

34 a. "Fire department" means a paid or volunteer organized
35 fire department.

1 b. "Member" means a person who is a member in good stand-
2 ing of a fire department.

3 2. A flashing light on or in a motor vehicle is prohibited
4 except as follows:

5 a. On an authorized emergency vehicle.

6 b. On a vehicle as a means of indicating a right or left
7 turn, a mechanical failure, or an emergency stop or intent
8 to stop.

9 c. On a motor vehicle used by a rural mail carrier when
10 stopping or stopped on or near a highway in the process of
11 delivering mail, if such a light is any shade of color between
12 white and amber and if it is mounted as a dome light on the
13 roof of the vehicle.

14 d. On a vehicle being operated under an excess size per-
15 mit issued under chapter three hundred twenty-one E (321E)
16 of the Code.

17 3. A blue light shall not be used on any vehicle except:

18 a. A vehicle owned or exclusively operated by a fire
19 department; or

20 b. A vehicle authorized by the director when:

21 (1) The vehicle is owned or usually operated by a member
22 of a fire department.

23 (2) The request for authorization is made by the member
24 on forms provided by the department.

25 (3) Necessity for authorization is demonstrated in the
26 request.

27 (4) The chief of the fire department certifies that the
28 member is in good standing with the fire department and
29 recommends that the authorization be granted.

30 4. The authorization shall expire at midnight on the
31 thirty-first day of December five years from the year in which
32 it was issued, or when the vehicle is no longer owned or
33 usually operated by the member, or when the member has ceased
34 to be an active member of the fire department.

35 5. The certificate of authorization shall be carried at

1 all times with the certificate of registration of the author-
2 ized vehicle and the operator of the vehicle shall not illumi-
3 nate the blue light except:

4 a. When the member is en route to the scene of a fire
5 or is responding to an emergency requiring the services of
6 the member;

7 b. When the authorized vehicle is transporting a person
8 requiring emergency care; or

9 c. When the authorized vehicle is at the scene of an
10 emergency.

11 6. A farm tractor, farm tractor with towed equipment,
12 self-propelled implement of husbandry, road construction or
13 maintenance vehicle, road grader, or other vehicle principally
14 designed for use off the highway which, when operated on a
15 primary or secondary road, is operated at a speed of twenty-
16 five miles an hour or less, shall be equipped with and display
17 an amber flashing light visible from the rear at any time
18 from sunset to sunrise. All vehicles specified in this
19 subsection which are manufactured for sale or sold in this
20 state shall be equipped with an amber flashing light. The
21 type, number, dimensions, and method of mounting of the lights
22 shall be determined by the director. The director, when
23 approving the light, shall be guided as far as practicable
24 by the standards of the American Society of Agricultural
25 Engineers.

26 Sec. 22. Section three hundred twenty-one point four hun-
27 dred twenty-eight (321.428), unnumbered paragraph one (1),
28 Code 1975, is amended to read as follows:

29 The director is hereby authorized to approve or disap-
30 prove lighting devices and to issue and enforce regulations
31 establishing standards and specifications for the approval
32 of such lighting devices, their installation, adjustment and
33 aiming, and adjustment when in use on motor vehicles. Such
34 regulations shall be approved by the transportation commission
35 and shall correlate with and, so far as practicable, conform

1 to the then current standards and specifications of the society
2 of automotive engineers applicable to such equipment.

3 Sec. 23. Section three hundred twenty-one point four hun-
4 dred thirty-eight (321.438), Code 1975, is amended to read
5 as follows:

6 321.438 WINDSHIELDS AND WINDOWS. No person shall drive
7 any motor vehicle equipped with a windshield, sidewings, or
8 side or rear windows which do not permit clear vision. Every
9 motor vehicle except a motorcycle, or a vehicle included in
10 the provisions of section three hundred twenty-one point three
11 hundred eighty-three (321.383) or section three hundred twenty-
12 one point one hundred fifteen (321.115) of the Code, shall
13 be equipped with a windshield in accordance with section three
14 hundred twenty-one point four hundred forty-four (321.444)
15 of the Code.

16 Sec. 24. Section three hundred twenty-one point four
17 hundred fifty-five (321.455), Code 1975, is amended to read
18 as follows:

19 321.455 PROJECTING LOADS ON PASSENGER VEHICLES. No
20 passenger-type vehicle shall be operated on any highway with
21 any load carried thereon extending beyond the line of the
22 fenders on the left side of such vehicle nor extending more
23 than six inches beyond the line of the fenders on the right
24 side thereof. Passengers shall not ride on any part of any
25 vehicle unless it is expressly designed either for passenger
26 use or designed for carrying livestock, merchandise, or
27 freight.

28 Sec. 25. Section three hundred twenty-one point four
29 hundred fifty-seven (321.457), subsection three (3), Code
30 1975, is amended to read as follows:

31 3. Except as to combinations of vehicles, provisions for
32 which are otherwise made in this chapter, no combination
33 of truck tractor and a semitrailer hauling livestock shall
34 have an overall length, inclusive of front and rear bumpers,
35 in excess of sixty feet, nor shall any other combination

1 of vehicles coupled together, unladen or with load, have an
2 overall length, inclusive of front and rear bumpers, in excess
3 of fifty-five feet. Combinations of vehicles consisting of
4 a motor vehicle upon which a van box is fastened and which
5 draws and bears a portion of the weight of a semitrailer
6 purchased by an Iowa resident prior to April 16, 1974, may
7 be operated on the highways of this state with a length
8 exceeding fifty-five feet but not exceeding sixty feet, if
9 a special overlength permit is obtained from the ~~state-highway~~
10 ~~commission~~ department for such operation. The special
11 overlength permit shall be issued for the vehicle and such
12 permit shall be valid until such time as the vehicle is no
13 longer operable or until the owner of the vehicle transfers
14 title to the vehicle to a nonresident. All such vehicles
15 purchased after April 16, 1974, shall not be allowed to operate
16 on the highways of this state.

17 Sec. 26. Section three hundred twenty-one point four hun-
18 dred seventy-eight (321.478), Code 1975, is amended to read
19 as follows:

20 321.478 BOND. Prior to entering upon the discharge of
21 his duties as such peace officer, each of said designated
22 employees shall furnish to the ~~commission~~ department a surety
23 bond to the state in the sum of five hundred dollars,
24 conditioned upon the faithful discharge of his duties.

25 Sec. 27. Section three hundred twenty-one point four hun-
26 dred eighty-five (321.485), subsection two (2), paragraph
27 b, Code 1975, is amended to read as follows:

28 b. Prepare a memorandum of the alleged traffic viola-
29 tion containing the name and address of such person, the
30 registration number, if any, of his vehicle, the offense
31 alleged to have been committed, and such other information
32 as may be prescribed by the commissioner of public safety
33 with the concurrence of the director.

34 Sec. 28. Section three hundred twenty-one point four
35 hundred eighty-five (321.485), unnumbered paragraph two (2),

1 Code 1975, is amended to read as follows:

2 The number of copies and the form of the citations and
3 memorandums authorized by this section shall be as prescribed
4 by the commissioner of public safety with the concurrence
5 of the director.

6 EXPLANATION

7 This bill corrects erroneous, inconsistent and obsolete
8 sections of chapter 321 of the Code relating to the duties
9 and operations of the state department of transportation.
10 In addition, section 4 provides that the owner of a travel
11 trailer may put his trailer in storage upon surrender of his
12 registration plates to the county treasurer and not be required
13 to pay a registration fee for the year in which the travel
14 trailer is in storage. The owner of a travel trailer may
15 register the travel trailer at any time during the year by
16 paying the registration fee for that year without penalty.

17 Section 6 allows either parent to sign a minor's applica-
18 tion for a driver's license. Presently both parents' signa-
19 tures are required.

20 Section 8 changes from twenty days to thirty days the time
21 within which a requested hearing on suspension of an operator's
22 or chauffeur's license must be set.

23 Sections 14 and 15 require that drivers must have motor
24 vehicles under control at all times, and add the approach
25 to and passing of an emergency vehicle and of a slow moving
26 vehicle displaying a reflecting device to the list of cir-
27 cumstances which require a driver to reduce the speed of the
28 vehicle.

29 Sections 16, 19, and 21 prescribe the conditions under
30 which flashing lights may be used on motor vehicles.

31 Section 18 permits garbage collection vehicles to dis-
32 play reflective devices when operating at speeds of twenty-
33 five miles per hour or less.

34 Section 20 requires a combination of vehicles to be equipped
35 with a red or yellow stop light. Stop lights are presently

1 required on trailers over 3000 pounds gross weight but not
2 on those lighter in weight.

3 Section 23 requires that all motor vehicles, with certain
4 exceptions, must have a windshield.

5 Section 24 provides that passengers may not ride on a
6 vehicle part not intended for passenger or load use.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

FISCAL NOTE
HOUSE FILE 1332

Date Prepared April 6, 1976

Requested by Representative Hutchins

Prepared in regard to Amendment H-6152 to H.F. 1332.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

The proposal provides for an increase from \$.75 to \$1.00 in the amount retained by counties from registration fees (Sec. 321.152).

The effect of this amendment would be that the sum of \$623,293.50 would be retained in the counties and there would be a like decrease in motor vehicle registration fees collected by the state.

Source: DOT, Motor Vehicle Registration

FILED

GERRY D. RANKIN

APRIL 6, 1976

Legislative Fiscal Director

34
35

LSB 3393
mr/rh/31

H-6179

1 Amend House File 1332 as follows:

2 1. Page 5, by inserting after line 15 the following
3 new section:

4 "Sec. _____. Section three hundred twenty-one point
5 two hundred eighty-one (321.281), Code 1975, is amended
6 by striking the section and inserting in lieu thereof
7 the following:

8 321.281 OPERATING UNDER THE INFLUENCE.

9 1. Whoever operates a motor vehicle upon the
10 public highways of this state under the influence
11 of an alcoholic beverage, a narcotic, hypnotic or
12 other drug, or having alcohol in their blood above
13 the limits prescribed by this section shall be guilty
14 of a public offense.

15 2. Any person who operates a motor vehicle upon
16 the public highways of this state having ten or more
17 hundredths of one per centum by weight of alcohol
18 in the blood shall upon a plea of guilty or conviction
19 be guilty of a simple misdemeanor and shall be
20 imprisoned in the county jail for not less than seven
21 days.

22 3. Any person who operates a motor vehicle upon
23 the public highways of this state having fifteen or
24 more hundredths of one per centum by weight of alcohol
25 in the blood shall upon a plea of guilty or conviction
26 be guilty of a serious misdemeanor.

27 4. Any person who operates a motor vehicle upon
28 the public highways of this state having more than
29 nineteen hundredths of one per centum by weight of
30 alcohol in the blood shall upon a plea of guilty or
31 conviction be guilty of a serious misdemeanor and,
32 upon a third offense of this section, be guilty of
33 an aggravated misdemeanor.

34 5. Any person who violates the provisions of
35 subsection one (1) of this section and is not subject
36 to the provisions of subsections two (2), three (3),
37 or four (4) of this section shall upon a plea of
38 guilty or conviction be guilty of a serious misdemeanor
39 for the first offense, be guilty of an aggravated
40 misdemeanor for the second violation of this section,
41 and be guilty of a class "D" felony for the third
42 violation of this section.

43 6. The court in pronouncing sentence shall provide
44 as to the period during which a new license to operate
45 a motor vehicle shall not be issued to the defendant.
46 Notwithstanding the provisions of section three hundred
47 twenty-one point two hundred twelve (321.212) of the
48 Code, the period for violation of subsection two (2)
49 of this section shall not be less than one hundred
50 twenty days, the period for violation of subsection

1 three (3) of this section shall be one year, the
2 period for violation of subsection four (4) of this
3 section shall be five years, and the periods for
4 violation of subsection five (5) of this section shall
5 be not less than one hundred twenty days for the first
6 violation and shall be one year for the second
7 violation of this section; and upon a third violation
8 of this section the defendant shall never be issued
9 a new license. All periods of license ineligibility
10 shall be consecutive. The clerk of the court shall
11 forthwith certify to the department a true copy of
12 the judgment sentencing the defendant under this
13 section. The department may receive an application
14 for and shall grant a new license at the expiration
15 of the period provided in the judgment of the court
16 notwithstanding the provisions of sections three
17 hundred twenty-one point one hundred seventy-seven
18 (321.177) and three hundred twenty-one point two
19 hundred twelve (321.212) of the Code.

20 7. The court shall after pronouncing sentence
21 cause the clerk to certify a true copy of the judgment
22 to the Iowa liquor control commission. Said commission
23 upon receipt of such copy shall cause notice of such
24 conviction and judgment to be sent to the manager
25 of each liquor store in the state which notice shall
26 be posted therein.

27 d. This section shall not apply to a person
28 operating a motor vehicle while under the influence
29 of a narcotic, hypnotic or other drug if such
30 substances were prescribed for such person and have
31 been taken under such prescription and in accordance
32 with the directions of a reputable doctor of medicine,
33 provided however there is no evidence of the con-
34 sumption of alcohol and further provided said doctor
35 of medicine has not directed such person to refrain
36 from operating a motor vehicle.

37 9. In lieu of, or prior to imposition of, the
38 punishment above described for the first and second
39 offense, the court upon hearing may commit the
40 defendant for treatment of alcoholism or drug addiction
41 or dependency to any hospital or institution in Iowa
42 providing such treatment. The court may prescribe
43 the length of time for such treatment or it may request
44 that the hospital to which the person is committed
45 immediately report to the court when the person has
46 received maximum benefit from the program of the
47 hospital or institution or has recovered from his
48 addiction, dependency or tendency to chronically abuse
49 alcohol or drugs. A person committed under this
50 section shall be considered a state patient."

1 2. Page 12, by inserting after line 5 the
2 following:

3 "Sec. ____ Section three hundred twenty-one B
4 point seven (321B.7), Code 1975, is amended to read
5 as follows:

6 321B.7 REFUSAL TO SUBMIT. If a person under
7 arrest refuses to submit to the chemical testing,
8 no test shall be given, but the director, upon the
9 receipt of a sworn report of the peace officer that
10 he had reasonable grounds to believe the arrested
11 person to have been operating a motor vehicle upon
12 a public highway of this state while under the
13 influence of an alcoholic beverage, that he had placed
14 such person under arrest for the offense of operating
15 a motor vehicle while under the influence of an
16 alcoholic beverage and that the person had refused
17 to submit to the chemical testing, shall,
18 notwithstanding the provisions of section three hundred
19 twenty-one point two hundred twelve (321.212) of the
20 Code, revoke his license or permit to drive and any
21 nonresident operating privilege for a period of not
22 less than one hundred twenty days nor more than one
23 year if the person does not have a prior conviction
24 of section three hundred twenty-one point two hundred
25 eighty-one (321.281) of the Code, for a period of
26 one year if the person has a prior conviction of
27 section three hundred twenty-one point two hundred
28 eighty-one (321.281) of the Code, and permanently
29 if the person has two prior convictions of section
30 three hundred twenty-one point two hundred eighty-
31 one (321.281) of the Code; or if the person is a
32 resident without a license or permit to operate a
33 motor vehicle in this state, the director shall deny
34 to the person the issuance of a license or permit
35 within one year from the date of the alleged violation,
36 subject to review as hereinafter provided. The
37 effective date of any such revocation shall be twenty
38 days after the director has mailed notice of such
39 revocation to such person by registered or certified
40 mail."

41 3. By renumbering the sections in accordance with
42 this amendment.

H-6179 FILED, RULED NOT BY JUNKER of Woodbury
GERMANE, WITHDRAWN (1690) DIELEMAN of Marion
APRIL 7, 1976

H-6183

1 Amend House File 1332 as follows:
2 1. Page 2, by inserting after line 23 the fol-
3 lowing:
4 "Sec. _____. Section three hundred twenty-one point
5 one hundred eighty-one (321.181), Code 1975, is amended
6 by adding the following new paragraph:
7 NEW PARAGRAPH. A person issued a temporary driver's
8 permit whose permit is canceled upon conviction for
9 a moving traffic violation may be issued by the depart-
10 ment upon a showing of need by the permittee a
11 restricted temporary driver's permit authorizing the
12 permittee to drive from the permittee's residence
13 to designated locations such as the permittee's place
14 of employment during the cancellation period. The
15 temporary restricted driver's permit shall be canceled
16 upon violation of the restrictions of the permit or
17 for conviction of a moving traffic violation and
18 application for a temporary driver's permit or
19 restricted temporary driver's permit may not be made
20 within a time period fixed by the department but not
21 to exceed ninety days."
22 2. Renumber the sections and correct internal
23 references as necessary in conformance with this
24 amendment.

H-6183 FILED, ADOPTED BY NIELSEN of Polk
APRIL 7, 1976 (1687)

H-6190

1 Amend the Miller amendment, H-5288, to House File
2 1332, page 1, line 8, by inserting after the word
3 "settlement" the words ", which shall include a pro-
4 rata portion of the vehicle registration fee for the
5 remaining portion of the year,".

H-6190 FILED, ADOPTED BY MENNENGA of Clinton
APRIL 7, 1976 (1691)

H-6218

1 Amend House File 1332 as follows:
2 1. Title page, line 3 by inserting after "licenses,"
3 the following: "temporary driver permits and instruc-
4 tion permits,".
5 2. Title page, line 6, by inserting after the
6 word "rules," the following: "the transfer of motor
7 vehicle certification,". (1694)

H-6218 FILED, ADOPTED, APRIL 7, 1976 BY KRAUSE of Palo Alto

H-6192

1 Amend the Varley amendment H-6189 to House
2 File 1332 by inserting on line 27 after the figures
3 "1975" the words "except those vehicles registered
4 under section three hundred twenty one point
5 twenty-three (321.23), Code 1975".

H-6192 FILED, ADOPTED BY VARLEY of Adair
APRIL 7, 1976 (1695)

H-6186

1 Amend House File 1332 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Sec. _____. Section three hundred twenty-one point
5 one (321.1), Code 1975, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. "Fifth-wheel travel trailer" means
8 a type of travel trailer which is towed by a pickup
9 by a connecting device known as a fifth wheel.
10 However, this type of travel trailer may have an
11 overall length which shall not exceed forty feet."

12 2. Page 1, by inserting after line 17 the
13 following:

14 "Sec. _____. Section three hundred twenty-one point
15 one hundred twenty-three (321.123), subsection three
16 (3), unlettered paragraph two (2), Code 1975, is
17 amended to read as follows:

18 Travel trailers and fifth-wheel travel trailers,
19 ~~regardless of whether or not they are used on the~~
20 ~~highways,~~ except those in manufacturer's or dealer's
21 stock, an annual fee of twenty cents per square foot
22 of floor space computed on the exterior overall
23 measurements, but excluding three feet occupied by
24 any trailer hitch as provided by and certified to
25 by the owner, to the nearest whole dollar, which
26 amount shall not be prorated or refunded; except the
27 annual fee for travel trailers of any type, when
28 registered in Iowa for the first time, shall be
29 prorated on a monthly basis. The registrant of a
30 travel trailer of any type shall be issued a "travel
31 trailer" plate. It is further provided the annual
32 fee thus computed shall be limited to seventy-five
33 percent of the full fee after the sixth registration."

H-6186 FILED, ADOPTED BY DOYLE of Woodbury
APRIL 7, 1976 (1657)

H-6176

1 Amend House File 1332 as follows:

2 1. Page 7, by striking all of lines 16
3 through 26.

H-6176 FILED, ADOPTED BY BENNETT of Ida
APRIL 7, 1976 (1635)

H-6175

1 Amend House File 1332 as follows:

2 1. Page 7, by striking all of lines 16 through
3 30.

H-6175 FILED - *Amended* BY BENNETT of Ida
APRIL 6, 1976 *order was*
withdrawn of 6175 47 (1685)

H-6189

1 House File 1332 is amended as follows:
 2 1. Page 1, by striking line 1 and inserting
 3 in lieu thereof the following:
 4 "Section 1. Section three hundred twenty-
 5 one point one (321.1), Code 1975, is amended by
 6 adding the following new subsection:
 7 'Motor home' means a self-propelled motor
 8 vehicle so manufactured, constructed or reconstruc-
 9 ted as to permit its being used as a conveyance upon
 10 public streets or highways and so designed, con-
 11 structed or reconstructed as will permit the
 12 vehicle to be used as a place for human habitation
 13 and which is not designed to transport over nine
 14 persons as passengers. The term 'motor home'
 15 shall not apply to a 'mobile home' which is a
 16 trailer type vehicle.
 17 Sec. 2. Chapter three hundred twenty-one
 18 (321), Code 1975, is amended by adding the follow-
 19 ing new section:
 20 NEW SECTION. Motor homes. The owner of
 21 a motor vehicle designated by the manufacturer
 22 as a motor home may register the motor vehicle as
 23 a motor truck if it is used a majority of the time
 24 for commercial purposes but the annual registration
 25 fee shall be as provided in section three hundred
 26 twenty-one point one hundred nine (321.109), sub-
 27 section one (1), Code 1975.
 28 Section 3. Section three hundred twenty-
 29 one point four".
 30 2. By renumbering subsequent sections to
 31 conform with the provisions of this amendment.

H-6189 FILED, LOST 35-45 BY VARLEY of Adair
 APRIL 7, 1976 (1691)

H-6174

1 Amend House File 1332 as follows:
 2 1. Page 12, by inserting after line 5 the
 3 following section:
 4 "Sec. _____. Section three hundred twenty-five
 5 point thirty-seven (325.37), Code 1975, is amended
 6 to read as follows:
 7 325.37 SAFETY EQUIPMENT AND REGULATIONS FOR
 8 ALL TRUCK OPERATORS. "Motor carrier" when used in
 9 this section and sections 325.38 and 325.39 means
 10 carriers holding a certificate under this chapter,
 11 truck operators and contract carriers holding
 12 permits under chapter 327, liquid transport carriers
 13 holding a certificate under chapter 327A, and
 14 private carriers. However, private carriers operating
 15 intrastate are not subject to federal drivers
 16 compliance and qualification requirements."

H-6174 FILED - adopted 4/7 BY WELDEN of Hardin
 APRIL 6, 1976 (1685) SCHROEDER of Pottawattamie

H-6169

1 Amend House File 1332 as follows by adding the
2 following new section:

3 1. Page 1, by inserting before line 1 the
4 following new section:

5 "Section 1. Section three hundred seven point
6 ten (307.10), subsection five (5), Code 1975, is
7 amended to read as follows:

8 5. Adopt rules in accordance with the provisions
9 of chapter 17A as it may deem necessary to transact
10 its business and for the administration and exer-
11 cise of its powers and duties. The transportation
12 commission shall also adopt rules, which rules
13 shall be exempt from the provisions of chapter 17A,
14 governing the length of vehicles and combinations
15 of vehicles which are subject to the limitations
16 imposed under section 321.457. ~~The commission may~~
17 ~~adopt such rules which permit vehicles and combin-~~
18 ~~ations of vehicles in excess of the length limita-~~
19 ~~tions imposed under section 321.457, but not~~
20 ~~exceeding sixty-five feet in length, which may be~~
21 ~~moved on the highways of this state.~~ Any such
22 proposed rules shall be submitted to the general
23 assembly within five days following the convening
24 of a regular session of the general assembly. The
25 general assembly may approve or disapprove the rules
26 submitted by the commission not later than sixty
27 days from the date such rules are submitted and,
28 if approved or no action is taken by the general
29 assembly on the proposed rules, such rules shall
30 become effective May 1 first and thereafter all
31 laws in conflict therewith shall be of no further
32 force and effect."

33 2. Page 12, after line 5, by inserting the
34 following:

35 "Sec. ____ . Section 1 of this amendment shall become
36 effective and be in force and retroactive to
37 January 1, 1976, after its publication in the
38 Telegraph-Herald, a newspaper published in Dubuque,
39 Iowa, and in the Council Bluffs Nonpareil, a news-
40 paper published in Council Bluffs, Iowa."

H-6169 FILED, *Revised not* BY TAUKE of Dubuque
APRIL 6, 1976 *german motion* CRAWFORD of Story
to suspend rules loss 4/6/1960 NEWHARD of Jones
WALTER OF Pottawattamie
LIPSKY of Linn
GENTLEMAN of Polk
JOCHUM of Dubuque

H-6161

1 Amend House File 1332 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Sec. _____. Chapter one hundred thirty-five D
5 (135D), Code 1975, as amended by Acts of the Sixty-
6 sixth General Assembly, 1975 Session, is amended by
7 adding the following new section:
8 NEW SECTION. MOBILE HOME FEE CREDIT.
9 1. For the purposes of this section:
10 a. "Semiannual mobile home tax" means the
11 semiannual tax computed under the provisions of section
12 one hundred thirty-five D point twenty-two (135D.22)
13 of the Code, without inclusion of any penalty assessed
14 under the provisions of section one hundred thirty-
15 five D point twenty-four (135D.24) of the Code.
16 b. "Fee credit" means the amount allowed as a
17 deduction from the semiannual mobile home tax provided
18 by this section.
19 2. A fee credit shall be allowed a mobile home
20 owner who uses the mobile home as a permanent resi-
21 dence and who has not moved the mobile home any time
22 within the twelve-month period prior to the delinquent
23 date for the semiannual mobile home tax and who has
24 not converted the mobile home to real property. The
25 fee credit shall be a deduction from the semiannual
26 mobile home tax.
27 3. The amount of deduction allowed the owner for
28 a mobile home shall be equal to twenty percent of
29 the semiannual mobile home tax not to exceed thirty-
30 one dollars and twenty-five cents.
31 4. Application for the fee credit shall be made
32 on forms provided by the county treasurer as
33 standardized by the director of the state depart-
34 ment of revenue. The forms shall require the applicant
35 to furnish such information as necessary to determine
36 eligibility for a fee credit. Forms shall be submitted
37 with the payment of the semiannual mobile home tax
38 as reduced by the claimed fee credit.
39 5. If an applicant deducts from the semiannual
40 mobile home tax a fee credit in excess of that amount
41 the applicant is eligible to receive the county
42 treasurer shall increase the next following semiannual
43 mobile home tax by the excess so deducted by the
44 applicant. The excess fee credit deducted shall
45 become a lien on the mobile home from the date of
46 payment of the semiannual mobile home tax equal in
47 priority to the semiannual mobile home tax lien.
48 6. There is appropriated annually from the general
49 fund of the state to the department of revenue to
50 be credited to a county in an amount equal to the

Page 2
1 fee credits granted in each county."

2 2. Amend the title, line 1, by striking all
3 after the word "vehicles", all of lines 2 through
4 9 and inserting in lieu thereof a period.

H-6161 FILED, RULED NOT GERMANE, BY MILLER of Buchanan
MOVED TO SUSPEND RULES, PREVAILED
APRIL 6, 1976 *Lat 4/6 (1657) 44-47*

HOUSE FILE 1332

H-6152

1 Amend House File 1332 as follows:

2 1. Page 2, by inserting after line 17 the
3 following section:

4 "Sec. ____ . Section three hundred twenty-
5 one point one hundred fifty-two (321.152), Code
6 1975, is amended to read as follows:

7 321.152 FEE FOR COUNTY. Each county treas-
8 urer shall be allowed to retain for deposit in
9 the county general fund, seventy-five-cents one (1)
10 dollar for each annual or semiannual vehicle regis-
11 tration and each duplicate registration card or
12 plate issued; sixty-five percent of all fees col-
13 lected for certificates of title, notations of lien
14 or encumbrance and a certified copy of a certi-
15 ficate of title. The moneys retained shall be
16 deducted, and reported to the department, when
17 the county treasurer transfers the money col-
18 lected under the provisions of this chapter;
19 provided, however, that no such deduction shall
20 be lawful unless the county treasurer has com-
21 plied with the provisions of sections 321.24
22 and 321.153."

H-6152 FILED - *Revised not* BY HUTCHINS of Guthrie
APRIL 6, 1976 *germane 4/6 (1662)*

HOUSE FILE 1332

H-5289

1 Amend House File 1332 as follows:

2 1. Page 1, by striking lines 3 through 5 and in-
3 serting in lieu thereof the following:

4 "321.4 RULES. The ~~director~~ commission is hereby
5 authorized to adopt and ~~enforce such departmental~~
6 promulgate administrative rules governing procedure
7 procedures".

8 2. Page 1, line 14, by striking the word
9 "transportation".

10 3. Page 2, by striking lines 6 through 12 and
11 inserting in lieu thereof the words "fee without said
12 penalty. Provided, however,".

13 4. Page 2, line 21, by inserting after the words
14 "operating a" the word "military".

15 5. Page 4, line 8, by striking the word
16 "transportation".

17 6. Page 6, by striking lines 6 through 22.

18 7. Page 7, line 23, by striking the word "yellow"
19 and inserting in lieu thereof the words "yellow amber".

20 8. Page 9, by inserting after line 10 the
21 following:

22 "d. The use of a blue light in or on a private
23 motor vehicle shall be for identification purposes
24 only."

25 9. Renumber sections and correct internal refer-
26 ences as necessary in conformance with this amend-
27 ment.

H-5289 FILED. *Adopted as* BY COMMITTEE ON TRANSPORTATION
FEBRUARY 20, 1976 *amended* KRAUSE of Palo Alto, Chair
by 5352 (1661)

HOUSE FILE 1332

H-5345

1 Amend House File 1332 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Chapter three hundred twenty-one
5 (321), Code 1975, as amended by Acts of the Sixty-
6 sixth General Assembly, 1975 Session, is amended by
7 adding the following new section:

8 NEW SECTION. ENFORCEMENT OF MOTOR VEHICLE TRAFFIC
9 CONTROL AND SAFETY LAWS. The department of public
10 safety to regulate and enforce motor vehicle laws
11 governing traffic control and laws designed to maintain
12 the public peace, pursuant to duties as provided in
13 section eighty point nine (80.9), of the Code, may
14 seek the cooperation of the Iowa national guard to
15 enforce motor vehicle traffic control and safety laws
16 at large public gatherings where traffic control and
17 safety may require additional enforcement facilities.
18 Under this provision the Iowa national guard may
19 provide assistance only with "on duty" members assigned
20 by the adjutant general of the guard who will be
21 subject to the direction of the department of public
22 safety while enforcing the motor vehicle traffic
23 control laws."

24 2. Amend the title, line 9, by inserting after
25 the word "transportation" the words ", the depart-
26 ment of public safety and the Iowa national guard".

27 3. Renumber the sections and correct internal
28 references as necessary in conformance with this
29 amendment.

H-5345 FILED
FEBRUARY 25, 1976

Revised under german 4/6 (1658)

BY MILLER of Buchanan
WYCKOFF of Benton
HARVEY of Scott
MENKE of O'Brien
SCHROEDER of Pottawattamie
KRAUSE of Palo Alto

HOUSE FILE 1332

H-5526

1 Amend House File 1332 as follows:

2 1. Page 2, line 33, by inserting after the word
3 "parent" the words "or the applicant's spouse if the
4 spouse is the age of eighteen years or older".

5 2. Page 2, line 34, by inserting after the word
6 "if" the words "the applicant's spouse is under the
7 age of eighteen years and".

H-5526 FILED BY KRAUSE of Palo Alto
MARCH 4, 1976 *Adopted 4/6 (1663)*

H-5352

1 Amend the Committee on Transportation amendment
2 H-5289 to House File 1332 as follows:

3 1. By striking line 17 and inserting in lieu
4 thereof the following:

5 "6. Page 6, by striking lines 6 through 22 and
6 inserting in lieu thereof the following:

7 Sec. 16. Section three hundred twenty-one point
8 three hundred twenty-four (321.324), unnumbered
9 paragraph one (1), Code 1975, is amended to read as
10 follows:

11 Upon the immediate approach of an authorized
12 emergency vehicle with any lamp or device displaying
13 a red ~~light-or-flashing-red~~ light or an authorized
14 emergency vehicle of a fire department displaying
15 a blue light from-directly-in-front-thereof, or
16 when the driver is giving audible signal by siren,
17 exhaust whistle, or bell, the driver of every other
18 vehicle shall yield the right of way and shall
19 immediately drive to a position parallel to, and as
20 close as possible to, the right-hand edge or curb of
21 the highway clear of any intersection and shall stop
22 and remain in such position until the authorized
23 emergency vehicle has passed, except when otherwise
24 directed by a police officer. For the purposes of
25 this section, "red light" or "blue light" means a
26 light or lighting device that, when illuminated,
27 will exhibit a solid flashing or strobing red or blue
28 light."

29 2. By inserting after line 19 the following:

30 "8. Page 8, by inserting after line 16 the
31 following:

32 "e. A flashing blue light on a vehicle upon which
33 a blue light is permitted pursuant to subsection
34 three (3) of this section."

H-5352 FILED - *Adopted 4/6* BY DRAKE of Muscatine
FEBRUARY 26, 1976 *(1661)* KOOGLER of Mahaska
HUTCHINS of Guthrie
BORTELL of Madison
KRAUSE of Palo Alto

H-5555

1 Amend House File 1332 as follows:

2 1. Page 8, by inserting after line 16 the
3 following:

4 "e. On a motor vehicle operated by a member of
5 and organized ambulance service."

6 2. Page 8, line 19, by inserting after the word
7 "department" the words "or ambulance service".

8 3. Page 8, line 22, by inserting after the word
9 "department" the words "or ambulance service".

10 4. Page 8, line 27, by inserting after the word
11 "department" the words "or the director of the
12 ambulance service".

13 5. Renumber sections and correct internal refer-
14 ences in conformance with this amendment.

H-5555 FILED BY PATCHETT of Johnson
MARCH 5, 1976 *Filed out of order 7/6 (1664)*

H-5765

1 Amend House File 1332, page 2, line 17, by
2 inserting after the word "installments" the words
3 "except that semiannual installments shall not
4 apply to commercial vehicles subject to proportional
5 registration with a base state other than the state
6 of Iowa as defined in section three hundred twenty-
7 six point two (326.2), subsection six (6). of the
8 Code".

H-5765 FILED BY DRAKE of Muscatine
MARCH 15, 1976 KRAUSE of Palo Alto
Adopted 4/6 (1662) BRUNOW of Appanoose
SCHROEDER of Pottawattamie

H-6072

1 Amend House File 1332 as follows:
2 1. Page 4, by inserting after line 11 the
3 following new section:
4 "Sec. _____. Section three hundred twenty-one
5 point two hundred thirty-eight (321.238), sub-
6 section twelve (12), Code 1975, as amended by
7 Acts of the Sixty-sixth General Assembly, 1975
8 Session, chapter one hundred seventy-nine (179),
9 section one (1), is amended by adding the
10 following new unnumbered paragraph:
11 NEW UNNUMBERED PARAGRAPH. The provisions of
12 this subsection shall not be applicable to the
13 transfer of a motor vehicle to the insurer of
14 such vehicle who obtains ownership of such vehicle
15 as a result of a settlement with the owner thereof
16 arising out of damage to such vehicle and written
17 proof thereof is submitted to the county treasurer
18 on forms prescribed by the department."

H-6072 FILED - *Adopted* BY DRAKE of Muscatine
MARCH 31, 1976 *4/6 (1663)* DOYLE of Woodbury
Motion to reconsider lost 4/7 (1691) KOOGLER of Mahaska

H-6105

1 Amend House File 1332 as follows:
2 1. Page 12, by inserting after line 5 the
3 following section:
4 "Sec. _____. Section three hundred twenty-
5 five point thirty-seven (325.37), Code 1975, is
6 amended to read as follows:
7 325.37 SAFETY EQUIPMENT AND REGULATIONS FOR
8 ALL TRUCK OPERATORS. "Motor carrier" when used in
9 this section and sections 352.38 and 325.39 means
10 carriers holding a certificate under this chapter,
11 truck operators and contract carriers holding per-
12 mits under chapter 327, and liquid transport car-
13 riers holding a certificate under chapter 327A
14 ~~7-and-private-carriers.~~

H-6105 FILED - *Withdrawn 4/7* BY WELDEN of Hardin
APRIL 1, 1976 (1685)

4/13, Pass 4/21

House File 1332
By COMMITTEE ON TRANSPORTATION

(As Amended and Passed by the House)

per Senate committee as amended
Passed House, Date 5-24-76 (3099) Passed Senate, Date 5-12-76 (1927)

Vote: Ayes 90 Nays 11 Vote: Ayes 47 Nays 0

Approved June 26, 1976
Motion to reconsider 5/13 (1946) w. d. 5/17 (2005)

A BILL FOR *Repassed Senate 5-29-76 (p. 2510) 44-0*

1 An Act relating to vehicles and the operation of vehicles
2 including vehicle registration, issuance and suspension
3 of operators' licenses, temporary driver permits and
4 instruction permits, vehicle lighting and miscellaneous
5 equipment, operating and passenger rules, imposition of
6 penalties related to equipment and operating and passenger
7 rules, the transfer of motor vehicle certification,
8 and the correction of erroneous, inconsistent and
9 obsolete sections of chapter three hundred twenty-one
10 (321) of the Code referring to duties and operations of
11 the state department of transportation.

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

13
14
15
16
17
18
19
20

House Amendments _____

1 Section 1. Section three hundred twenty-one point one
2 (321.1), Code 1975, is amended by adding the following new
3 subsection:

4 NEW SUBSECTION. "Fifth-wheel travel trailer" means a
5 type of travel trailer which is towed by a pickup by a
6 connecting device known as a fifth wheel. However, this
7 type of travel trailer may have an overall length which
8 shall not exceed forty feet.

9 Sec. 2. Section three hundred twenty-one point four
10 (321.4), Code 1975, is amended to read as follows:

11 321.4 RULES. The ~~director~~ commission is hereby authorized
12 to adopt and ~~enforce-such-departmental~~ promulgate administrative
13 rules governing ~~procedure~~ procedures
14 as may be necessary to carry out the provisions of this
15 chapter, ~~also~~ and to carry out any other laws the enforcement
16 of which is vested in the department.

17 Sec. 3. Section three hundred twenty-one point forty-four
18 (321.44), Code 1975, is amended to read as follows:

19 321.44 REGULATIONS GOVERNING CHANGE OF MOTORS. The direc-
20 tor is authorized to ~~adept~~ and enforce such registration rules
21 and ~~regulations~~ governing registration as may be deemed
22 necessary by the commission and compatible
23 with the public interest with respect to the change or
24 substitution of one engine in place of another in any motor
25 vehicle.

26 Sec. 4. Section three hundred twenty-one point one
27 hundred twenty-three (321.123), subsection three (3),
28 unlettered paragraph two (2), Code 1975, is amended to
29 read as follows:

30 Travel trailers and fifth-wheel travel trailers,
31 ~~regardless-of-whether-or-not-they-are-used-on-the-highways,~~
32 except those in manufacturer's or dealer's stock, an
33 annual fee of twenty cents per square foot of floor space
34 computed on the exterior overall measurements, but excluding
35 three feet occupied by any trailer hitch as provided by and

1 certified to by the owner, to the nearest whole dollar, which
2 amount shall not be prorated or refunded; except the annual
3 fee for travel trailers of any type, when registered in
4 Iowa for the first time, shall be prorated on a monthly
5 basis. The registrant of a travel trailer of any type
6 shall be issued a "travel trailer" plate. It is further
7 provided the annual fee thus computed shall be limited to
8 seventy-five percent of the full fee after the sixth
9 registration.

10 Sec. 5. Section three hundred twenty-one point one hundred
11 twenty-six (321.126), subsection five (5), unnumbered paragraph
12 one (1), Code 1975, is amended to read as follows:

13 If the motor vehicle is ~~licensed~~ registered by the county
14 treasurer during the registration year and the owner or lessee
15 registers the vehicle for prorate under chapter 326, the owner
16 of the registered vehicle shall surrender the registration
17 plates to the county treasurer and may file a claim for refund.

18 Sec. 6. Section three hundred twenty-one point one hundred
19 thirty-four (321.134), unnumbered paragraph one (1), Code
20 1975, is amended to read as follows:

21 On February 4 first of each year, a penalty of five percent
22 of the annual registration fee shall be added to all fees
23 not paid by that date, and five percent of the annual
24 registration fee shall be added to such fees on the first
25 of each month thereafter that the same remains unpaid, until
26 paid, provided that ~~said~~ the penalty in no case shall be less
27 than one dollar, and provided that the owner of a vehicle
28 who, before February 4 first of any year, surrenders all
29 registration plates for ~~said~~ that vehicle to the county
30 treasurer of the county in which ~~said~~ the plates are of record,
31 shall have the right to register ~~said~~ the vehicle at any later
32 period of ~~said~~ that year by paying the full yearly registration
33 fee without ~~said~~ penalty. Provided, however,
34 that the annual registration fee for trucks, truck tractors,
35 road tractors, trailers and semitrailers, as provided in sec-

1 tions 321.120 to 321.123, inclusive, when said annual registra-
2 tion fee is in excess of seventy dollars, may be payable in
3 two equal semiannual installments except that semiannual
4 installments shall not apply to commercial vehicles subject
5 to proportional registration with a base state other than
6 the state of Iowa as defined in section three hundred
7 twenty-six point two (326.2), subsection six (6), of the
8 Code.

9 Sec. 7. Section three hundred twenty-one point one hun-
10 dred seventy-six (321.176), subsection one (1), Code 1975,
11 is amended to read as follows:

12 1. Any person while operating a military motor vehicle in the
13 service of the army, navy, or marine corps armed forces of
14 the United States.

15 Sec. 8. Section three hundred twenty-one point
16 one hundred eighty-one (321.181), Code 1975, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. A person issued a temporary driver's
19 permit whose permit is canceled upon conviction for
20 a moving traffic violation may be issued by the department
21 upon a showing of need by the permittee a restricted
22 temporary driver's permit authorizing the permittee to
23 drive from the permittee's residence to designated
24 locations such as the permittee's place of employment
25 during the cancellation period. The temporary restricted
26 driver's permit shall be canceled upon violation of the
27 restrictions of the permit or for conviction of a moving
28 traffic violation and application for a temporary
29 driver's permit or restricted temporary driver's permit
30 may not be made within a time period fixed by the department
31 but not to exceed ninety days.

32 Sec. 9. Section three hundred twenty-one point one hun-
33 dred eighty-four (321.184), Code 1975, is amended to read
34 as follows:

35 321.184 APPLICATIONS OF MINORS. The application of any

1 person under the age of eighteen years for an instruction
2 permit, operator's license, or permit issued under section
3 321.194 shall contain the verified consent and confirmation
4 of applicant's birthday by ~~both the father and mother~~ either
5 parent of the applicant, or the parent having custody in the
6 event of the legal separation or the death of one parent,
7 or the applicant's spouse if the spouse is the age of
8 eighteen years or older;
9 if the applicant's spouse is under the age of eighteen
10 years and neither parent is living, the guardian or other person
11 having custody, or the employer, of such minor may consent.
12 Officers and employees of the department are hereby authorized
13 to administer such oaths without charge.

14 Sec. 10. Section three hundred twenty-one point one hun-
15 dred eighty-seven (321.187), Code 1975, is amended to read
16 as follows:

17 321.187 APPOINTMENT OF EXAMINERS. The department is
18 hereby authorized to appoint persons from the members of the
19 department or may designate the county sheriff for the pur-
20 pose of examining applicants for operators' and chauffeurs'
21 licenses. It shall be the duty of any such person so ap-
22 pointed to conduct examinations of applicants for operators' and
23 chauffeurs' licenses under the provisions of this chap-
24 ter to make a written report of findings and recommendations
25 upon such examination to the department. Examiners appointed
26 by the department when on duty shall wear a proper identifying
27 badge or badges as prescribed by the director which shall
28 be purchased by the department ~~and paid for from the department~~
29 ~~maintenance fund.~~

30 Sec. 11. Section three hundred twenty-one point two hundred
31 eleven (321.211), Code 1975, is amended to read as follows:

32 321.211 NOTICE AND HEARING. Upon suspending the license
33 of any person as hereinbefore authorized the department shall
34 immediately notify the licensee in writing and upon his re-
35 quest shall afford him an opportunity for a hearing before

1 the director or his duly authorized agent as early as practi-
2 cal within not to exceed twenty thirty days after receipt
3 of such request in the county wherein the licensee resides
4 unless the department and the licensee agree that such hearing
5 may be held in some other county. Upon such hearing the di-
6 rector or his duly authorized agent may administer oaths and
7 may issue subpoenas for the attendance of witnesses and the
8 production of relevant books and papers and may require a
9 re-examination of the licensee. Upon such hearing the
10 department, shall either rescind its order of suspension or,
11 for good cause appearing therefor, may extend the suspension
12 of such license or revoke such license.

13 Sec. 12. Section three hundred twenty-one point two hun-
14 dred thirty-eight (321.238), subsection one (1), Code 1975,
15 is amended to read as follows:

16 1. The director may grant permits for the operation of
17 vehicle inspection stations authorized to issue official
18 certificates of inspection of vehicles. The ~~director~~
19 commission may adopt such rules and reg-
20 ~~ulations,~~ subject to the provisions of chapter 17A, as shall
21 be necessary for the efficient operation and maintenance
22 of vehicle inspection stations.

23 Sec. 13. Section three hundred twenty-one point two
24 hundred thirty-eight (321.238), subsection twelve (12),
25 Code 1975, as amended by Acts of the Sixty-sixth
26 General Assembly, 1975 Session, chapter one hundred
27 seventy-nine (179), section one (1), is amended by
28 adding the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. The provisions of this
30 subsection shall not be applicable to the transfer of
31 a motor vehicle to the insurer of such vehicle who
32 obtains ownership of such vehicle as a result of a
33 settlement with the owner thereof arising out of
34 damage to such vehicle and written proof thereof is
35 submitted to the county treasurer on forms prescribed

1 by the department.

2 Sec. 14. Section three hundred twenty-one point two hun-
3 dred thirty-eight (321.238), subsection twenty-one (21),
4 paragraph c, Code 1975, is amended to read as follows:

5 c. An employee of the ~~state-highway-commission~~ depart-
6 ment experienced in automotive mechanics designated by the
7 ~~director of-highways.~~

8 Sec. 15. Section three hundred twenty-one point two hun-
9 dred thirty-eight (321.238), subsection twenty-one (21), un-
10 numbered paragraph three (3), Code 1975, is amended to read
11 as follows:

12 After the hearing, the review board may sustain, modify,
13 or reverse the ~~commissioner's~~ director's order of suspen-
14 sion or revocation. A suspension or revocation sustained
15 or modified by the review board shall take effect ten days
16 from the date of the decision. Judicial review of actions
17 of the review board may be sought in accordance with the terms
18 of the Iowa administrative procedure Act.

19 Sec. 16. Section three hundred twenty-one point two hun-
20 dred fifty-two (321.252), unnumbered paragraph one (1), Code
21 1975, is amended to read as follows:

22 321.252 DEPARTMENT TO ADOPT SIGN MANUAL. The department
23 shall adopt a manual and specifications for a uniform system
24 of traffic-control devices consistent with the provisions
25 of this chapter for use upon highways within this state.
26 Such uniform system shall correlate with and so far as possible
27 conform to the system then current as approved by the American
28 association of state highway and transportation officials.

29 Sec. 17. Section three hundred twenty-one point two hun-
30 dred fifty-three (321.253), Code 1975, is amended to read
31 as follows:

32 321.253 HIGHWAY-COMMISSION DEPARTMENT TO ERECT SIGNS.
33 The ~~state-highway-commission~~ department shall place and
34 maintain such traffic-control devices, conforming to its
35 manual and specifications, upon all primary highways as it

1 shall deem necessary to indicate and to carry out the pro-
2 visions of this chapter or to regulate, warn, or guide traf-
3 fic. Whenever practical, said devices or signs shall be pur-
4 chased from the director of the division of corrections of
5 the department of social services.

6 Sec. 18. Section three hundred twenty-one point two hun-
7 dred eighty-eight (321.288), Code 1975, is amended to read
8 as follows:

9 321.288 CONTROL OF VEHICLE. The A person operating a
10 motor vehicle ~~or-motereyete~~ shall have the same under con-
11 trol at all times and shall reduce the speed to a reasonable
12 and proper rate:

13 1. When approaching and passing a person walking in the
14 traveled portion of the public highway.

15 2. When approaching and passing an animal which is being
16 led, ridden, or driven upon a public highway.

17 3. When approaching and traversing a crossing or inter-
18 section of public highways, or a bridge, or a sharp turn,
19 or a curve, or a steep descent, in a public highway.

20 4. When approaching and passing a fusee, flares, red
21 reflector electric lanterns, red reflectors or red flags
22 displayed in accordance with section 321.448, or an emer-
23 gency vehicle displaying a revolving or flashing light.

24 Sec. 19. Section three hundred twenty-one point two hundred
25 eighty-eight (321.288), Code 1975, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. When approaching and passing a slow moving
28 vehicle displaying a reflective device as provided by section
29 three hundred twenty-one point three hundred eighty-three
30 (321.383) of the Code.

31 Sec. 20. Section three hundred twenty-one point
32 three hundred twenty-four (321.324), unnumbered
33 paragraph one (1), Code 1975, is amended to read as
34 follows:

35 Upon the immediate approach of an authorized

1 emergency vehicle with any lamp or device displaying
2 a red light-or-flashing-red light or an authorized
3 emergency vehicle of a fire department displaying
4 a blue light from-directly-in-front-thereof, or
5 when the driver is giving audible signal by siren,
6 exhaust whistle, or bell, the driver of every other
7 vehicle shall yield the right of way and shall
8 immediately drive to a position parallel to, and as
9 close as possible to, the right-hand edge or curb of
10 the highway clear of any intersection and shall stop
11 and remain in such position until the authorized
12 emergency vehicle has passed, except when otherwise
13 directed by a police officer. For the purposes of
14 this section, "red light" or "blue light" means a
15 light or lighting device that, when illuminated,
16 will exhibit a solid flashing or strobing red or blue
17 light.

18 Sec. 21. Section three hundred twenty-one point three
19 hundred seventy-six (321.376), unnumbered paragraph one (1),
20 Code 1975, is amended to read as follows:

21 321.376 LICENSE AND WRITTEN PERMISSION. The driver of
22 every school bus shall have a regular or special chauffeur's
23 license issued by the department of-public-safety, and in
24 addition thereto, must hold a school bus driver's permit is-
25 sued by the department of public instruction.

26 Sec. 22. Section three hundred twenty-one point three
27 hundred eighty-three (321.383), Code 1975, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. Garbage collection vehicles, when operated
30 on the streets or highways of this state at speeds of twenty-
31 five miles per hour or less, may display a reflective device
32 of a type and in a manner approved by the director. At speeds
33 in excess of twenty-five miles per hour the device shall not
34 be visible.

35 Sec. 23. Section three hundred twenty-one point three

1 hundred ninety-three (321.393), unnumbered paragraph four
2 (4), Code 1975, is amended to read as follows:

3 The provisions of this section shall not prohibit the use
4 of a lighting device or reflector displaying a ~~blue~~ an
5 amber light when such lighting device or reflector is mounted
6 on a motor truck, trailer, tractor, or motor grader owned
7 by the state, or any political subdivision of the state, or
8 any municipality therein, while such equipment is being used
9 for snow removal, sanding, maintenance, or repair of the
10 public streets or highways.

11 Sec. 24. Section three hundred twenty-one point four
12 hundred twenty-three (321.423), Code 1975, is amended by
13 striking the section and inserting in lieu thereof the
14 following:

15 321.423 FLASHING LIGHTS.

16 1. Definitions. As used in this section, unless the con-
17 text otherwise requires:

18 a. "Fire department" means a paid or volunteer organized
19 fire department.

20 b. "Member" means a person who is a member in good stand-
21 ing of a fire department.

22 2. A flashing light on or in a motor vehicle is prohibited
23 except as follows:

24 a. On an authorized emergency vehicle.

25 b. On a vehicle as a means of indicating a right or left
26 turn, a mechanical failure, or an emergency stop or intent
27 to stop.

28 c. On a motor vehicle used by a rural mail carrier when
29 stopping or stopped on or near a highway in the process of
30 delivering mail, if such a light is any shade of color between
31 white and amber and if it is mounted as a dome light on the
32 roof of the vehicle.

33 d. On a vehicle being operated under an excess size per-
34 mit issued under chapter three hundred twenty-one E (321E)
35 of the Code.

1 e. A flashing blue light on a vehicle upon which a
2 blue light is permitted pursuant to subsection three (3)
3 of this section.

4 3. A blue light shall not be used on any vehicle except:

5 a. A vehicle owned or exclusively operated by a fire
6 department; or

7 b. A vehicle authorized by the director when:

8 (1) The vehicle is owned or usually operated by a member
9 of a fire department.

10 (2) The request for authorization is made by the member
11 on forms provided by the department.

12 (3) Necessity for authorization is demonstrated in the
13 request.

14 (4) The chief of the fire department certifies that the
15 member is in good standing with the fire department and
16 recommends that the authorization be granted.

17 4. The authorization shall expire at midnight on the
18 thirty-first day of December five years from the year in which
19 it was issued, or when the vehicle is no longer owned or
20 usually operated by the member, or when the member has ceased
21 to be an active member of the fire department.

22 5. The certificate of authorization shall be carried at
23 all times with the certificate of registration of the author-
24 ized vehicle and the operator of the vehicle shall not illumi-
25 nate the blue light except:

26 a. When the member is en route to the scene of a fire
27 or is responding to an emergency requiring the services of
28 the member;

29 b. When the authorized vehicle is transporting a person
30 requiring emergency care; or

31 c. When the authorized vehicle is at the scene of an
32 emergency.

33 d. The use of a blue light in or on a private motor
34 vehicle shall be for identification purposes only.

35 6. A farm tractor, farm tractor with towed equipment,

1 self-propelled implement of husbandry, road construction or
2 maintenance vehicle, road grader, or other vehicle principally
3 designed for use off the highway which, when operated on a
4 primary or secondary road, is operated at a speed of twenty-
5 five miles an hour or less, shall be equipped with and display
6 an amber flashing light visible from the rear at any time
7 from sunset to sunrise. All vehicles specified in this
8 subsection which are manufactured for sale or sold in this
9 state shall be equipped with an amber flashing light. The
10 type, number, dimensions, and method of mounting of the lights
11 shall be determined by the director. The director, when
12 approving the light, shall be guided as far as practicable
13 by the standards of the American Society of Agricultural
14 Engineers.

15 Sec. 25. Section three hundred twenty-one point four hun-
16 dred twenty-eight (321.428), unnumbered paragraph one (1),
17 Code 1975, is amended to read as follows:

18 The director is hereby authorized to approve or disap-
19 prove lighting devices and to issue and enforce regulations
20 establishing standards and specifications for the approval
21 of such lighting devices, their installation, adjustment and
22 aiming, and adjustment when in use on motor vehicles. Such
23 regulations shall be approved by the transportation commission
24 and shall correlate with and, so far as practicable, conform
25 to the then current standards and specifications of the society
26 of automotive engineers applicable to such equipment.

27 Sec. 26. Section three hundred twenty-one point four hun-
28 dred thirty-eight (321.438), Code 1975, is amended to read
29 as follows:

30 321.438 WINDSHIELDS AND WINDOWS. No person shall drive
31 any motor vehicle equipped with a windshield, sidewings, or
32 side or rear windows which do not permit clear vision. Every
33 motor vehicle except a motorcycle, or a vehicle included in
34 the provisions of section three hundred twenty-one point three
35 hundred eighty-three (321.383) or section three hundred twenty-

1 one point one hundred fifteen (321.115) of the Code, shall
2 be equipped with a windshield in accordance with section three
3 hundred twenty-one point four hundred forty-four (321.444)
4 of the Code.

5 Sec. 27. Section three hundred twenty-one point four
6 hundred fifty-five (321.455), Code 1975, is amended to read
7 as follows:

8 321.455 PROJECTING LOADS ON PASSENGER VEHICLES. No
9 passenger-type vehicle shall be operated on any highway with
10 any load carried thereon extending beyond the line of the
11 fenders on the left side of such vehicle nor extending more
12 than six inches beyond the line of the fenders on the right
13 side thereof. Passengers shall not ride on any part of any
14 vehicle unless it is expressly designed either for passenger
15 use or designed for carrying livestock, merchandise, or
16 freight.

17 Sec. 28. Section three hundred twenty-one point four
18 hundred fifty-seven (321.457), subsection three (3), Code
19 1975, is amended to read as follows:

20 3. Except as to combinations of vehicles, provisions for
21 which are otherwise made in this chapter, no combination
22 of truck tractor and a semitrailer hauling livestock shall
23 have an overall length, inclusive of front and rear bumpers,
24 in excess of sixty feet, nor shall any other combination
25 of vehicles coupled together, unladen or with load, have an
26 overall length, inclusive of front and rear bumpers, in excess
27 of fifty-five feet. Combinations of vehicles consisting of
28 a motor vehicle upon which a van box is fastened and which
29 draws and bears a portion of the weight of a semitrailer
30 purchased by an Iowa resident prior to April 16, 1974, may
31 be operated on the highways of this state with a length
32 exceeding fifty-five feet but not exceeding sixty feet, if
33 a special overlength permit is obtained from the state-highway
34 commission department for such operation. The special
35 overlength permit shall be issued for the vehicle and such

1 permit shall be valid until such time as the vehicle is no
2 longer operable or until the owner of the vehicle transfers
3 title to the vehicle to a nonresident. All such vehicles
4 purchased after April 16, 1974, shall not be allowed to operate
5 on the highways of this state.

6 Sec. 29. Section three hundred twenty-one point four hun-
7 dred seventy-eight (321.478), Code 1975, is amended to read
8 as follows:

9 321.478 BOND. Prior to entering upon the discharge of
10 his duties as such peace officer, each of said designated
11 employees shall furnish to the ~~commission~~ department a surety
12 bond to the state in the sum of five hundred dollars,
13 conditioned upon the faithful discharge of his duties.

14 Sec. 30. Section three hundred twenty-one point four hun-
15 dred eighty-five (321.485), subsection two (2), paragraph
16 b, Code 1975, is amended to read as follows:

17 b. Prepare a memorandum of the alleged traffic viola-
18 tion containing the name and address of such person, the
19 registration number, if any, of his vehicle, the offense
20 alleged to have been committed, and such other information
21 as may be prescribed by the commissioner of public safety
22 with the concurrence of the director.

23 Sec. 31. Section three hundred twenty-one point four
24 hundred eighty-five (321.485), unnumbered paragraph two (2),
25 Code 1975, is amended to read as follows:

26 The number of copies and the form of the citations and
27 memorandums authorized by this section shall be as prescribed
28 by the commissioner of public safety with the concurrence
29 of the director.

30 Sec. 32. Section three hundred twenty-five point
31 thirty-seven (325.37), Code 1975, is amended to read as
32 follows:

33 325.37 SAFETY EQUIPMENT AND REGULATIONS FOR ALL TRUCK
34 OPERATORS. "Motor carrier" when used in this section
35 and sections 325.38 and 325.39 means carriers holding a

1 certificate under this chapter, truck operators and
2 contract carriers holding permits under chapter 327,
3 liquid transport carriers holding a certificate under
4 chapter 327A, and private carriers. However, private
5 carriers operating intrastate are not subject to federal
6 drivers compliance and qualification requirements.

7 EXPLANATION

8 This bill corrects erroneous, inconsistent and obsolete
9 sections of chapter 321 of the Code relating to the duties
10 and operations of the state department of transportation.
11 In addition, section 4 provides that the owner of a travel
12 trailer may put his trailer in storage upon surrender of his
13 registration plates to the county treasurer and not be required
14 to pay a registration fee for the year in which the travel
15 trailer is in storage. The owner of a travel trailer may
16 register the travel trailer at any time during the year by
17 paying the registration fee for that year without penalty.

18 Section 6 allows either parent to sign a minor's applica-
19 tion for a driver's license. Presently both parents' signa-
20 tures are required.

21 Section 8 changes from twenty days to thirty days the time
22 within which a requested hearing on suspension of an operator's
23 or chauffeur's license must be set.

24 Sections 14 and 15 require that drivers must have motor
25 vehicles under control at all times, and add the approach
26 to and passing of an emergency vehicle and of a slow moving
27 vehicle displaying a reflecting device to the list of cir-
28 cumstances which require a driver to reduce the speed of the
29 vehicle.

30 Sections 16, 19, and 21 prescribe the conditions under
31 which flashing lights may be used on motor vehicles.

32 Section 18 permits garbage collection vehicles to dis-
33 play reflective devices when operating at speeds of twenty-
34 five miles per hour or less.

35 Section 20 requires a combination of vehicles to be equipped

1 with a red or yellow stop light. Stop lights are presently
2 required on trailers over 3000 pounds gross weight but not
3 on those lighter in weight.

4 Section 23 requires that all motor vehicles, with certain
5 exceptions, must have a windshield.

6 Section 24 provides that passengers may not ride on a
7 vehicle part not intended for passenger or load use.

- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 1332

S-5916

1 Amend the Senate amendment, H-6726 to House File
2 1332 as amended, passed and reprinted by the House
3 as follows:

4 1. By striking page 1, line 1 through page 4,
5 line 42 and inserting in lieu thereof the following:
6 "Amend House File 1332, as amended, passed and
7 reprinted by the House as follows:

8 1. Page 1, by striking lines 1 through 3 and
9 inserting in lieu thereof the following:

10 "Sec. ____ Chapter three hundred eight A (308A),
11 Code 1975, is amended by adding the following new
12 section:

13 NEW SECTION. Bikeways and walkways approved as
14 either incidental features of highway construction
15 projects primarily for motor vehicular traffic or
16 as an independent bikeway or walkway construction
17 project constructed pursuant to the Highway Act of
18 1973, 23 U.S.C. 217, shall not be constructed as
19 elevated structures joining private buildings or so
20 constructed to provide elevated access or egress
21 facilities to private buildings.

22 Sec. ____ Chapter three hundred twenty-one (321),
23 Code 1975, as amended by Acts of the Sixty-sixth
24 General Assembly, 1975 and 1976 Sessions, is amended
25 by adding the following new section:

26 NEW SECTION. MOTORIZED BICYCLE LICENSE.

27 1. The department may issue a motorized bicycle
28 license to any person fourteen years of age or older
29 who has passed the approved driver education course
30 required for applicants for such license. A motorized
31 bicycle license shall entitle the licensee to operate
32 a motorized bicycle while having the license in
33 immediate possession on the highways of the state
34 for a period of two years.

35 2. A motorized bicycle license shall be canceled
36 upon a conviction for a moving traffic violation and
37 reapplication may be made thirty days after the date
38 of cancellation. The cancellation of the license
39 upon conviction for a moving traffic violation shall
40 not result in requiring the applicant to maintain
41 proof of financial responsibility under section three
42 hundred twenty-one A point seventeen (321A.17), of
43 the Code, unless the conviction would otherwise result
44 in a suspension or revocation of a person's operator's
45 license.

46 3. As used in this section, "moving traffic
47 violation" does not include any violation of any
48 section of the Code or any municipal ordinance
49 pertaining to the standards to be maintained for motor
50 vehicle equipment except sections three hundred twenty-

1 one point four hundred thirty (321.430) and three
2 hundred twenty-one point four hundred thirty-one
3 (321.431) of the Code, or any municipal ordinance
4 pertaining to motor vehicle brake requirements as
5 applicable to motorized bicycles.

6 4. A motorized bicycle license is not required
7 to operate a motorized bicycle if possessed of an
8 operator's or chauffeur's license.

9 5. A motorized bicycle license shall terminate
10 upon issuance to the licensee of an operator's or
11 chauffeur's license valid for operation of motorcycles.
12 A valid motorized bicycle license shall be returned
13 to the department prior to issuance of an operator's
14 or chauffeur's license valid for operation of
15 motorcycles.

16 Sec. _____. Section three hundred twenty-one point
17 one (321.1), subsection seventy-two (72), Code 1975,
18 is amended to read as follows:

19 72. A "special truck" means a motor truck not
20 used for hire with a gross weight registration of
21 eight through ~~twelve~~ eight ~~per~~ per tons, inclusive, used
22 by a person engaged in farming to transport commodities
23 produced only by the owner, or to transport commodities
24 purchased by the owner for use in his own farming
25 operation or occasional use for charitable purposes.

26 Sec. _____. Section three hundred twenty-one point
27 one (321.1), Code 1975, as amended by Acts of the
28 Sixty-sixth General Assembly, 1975 Session, chapters
29 sixty-seven (67) and one hundred seventy (170), is
30 amended by adding the following new subsections:

31 NEW SUBSECTION. "Motorized bicycle" or "motor
32 bicycle" means a two-wheeled motor vehicle with an
33 engine having a displacement no greater than fifty
34 cubic centimeters as fixed by the department and not
35 capable of operation at a speed in excess of twenty-
36 five miles per hour on level ground unassisted by
37 human power."

38 2. Page 1, by inserting after line 8 the fol-
39 lowing:

40 "Sec. _____. Section three hundred twenty-one point
41 one (321.1), subsection three (3), Code 1975, is
42 amended to read as follows:

43 3. "Motorcycle" means every motor vehicle having
44 a saddle or seat for the use of the rider and designed
45 to travel on not more than three wheels in contact
46 with the ground including a motor scooter ~~and a bicycle~~
47 ~~with motor attached~~ but excluding a tractor and a
48 motorized bicycle."

49 3. Page 1, by inserting after line 16 the fol-
50 lowing:

1 "Sec. _____. Section three hundred twenty-one point
2 thirty-four (321.34), unnumbered paragraph one (1),
3 Code 1975, is amended to read as follows:

4 The county treasurer upon receiving application,
5 accompanied by proper fee, for registration of a
6 vehicle shall issue to the owner one registration
7 plate for a motorcycle, motorized bicycle, truck
8 tractor, trailer, or semitrailer and two registration
9 plates for every other motor vehicle.

10 Sec. _____. Section three hundred twenty-one point
11 thirty-seven (321.37), unnumbered paragraph one (1),
12 Code 1975, is amended to read as follows:

13 Registration plates issued for a motor vehicle
14 other than a motorcycle, motorized bicycle or a truck
15 tractor shall be attached thereto, one in the front
16 and the other in the rear. The registration plate
17 issued for a motorcycle or other vehicle required
18 to be registered hereunder shall be attached to the
19 rear thereof. The registration plate issued for a
20 truck tractor shall be attached to the front thereof."

21 4. Page 1, by inserting after line 25 the
22 following:

23 "Sec. _____. Section three hundred twenty-one point
24 forty-six (321.46), unnumbered paragraph one (1),
25 Code 1975, is amended to read as follows:

26 The purchaser or transferee shall immediately apply
27 for and obtain from the county treasurer of his res-
28 idence a transfer of registration and a new certificate
29 of title for such vehicle except as provided in section
30 321.48. The purchaser or transferee shall present
31 with the application the certificate of title endorsed
32 and assigned by the previous owner and the signed
33 registration card. The purchaser or the transferee
34 shall not be required to list a social security number
35 as part of the application for a registration transfer
36 and a new title.

37 Sec. _____. Section three hundred twenty-one point
38 fifty-one (321.51), subsection six (6), Code 1975,
39 is amended to read as follows:

40 6. No vehicle sold or otherwise transferred pur-
41 suant to the provisions of this section shall be
42 driven upon the highway until a valid official certi-
43 ficate of inspection has been affixed thereto and
44 an unrestricted certificate of title, a registration
45 card, and registration plates for the vehicle have
46 been issued to the purchase or transferee, except
47 as set out in section 321.98. However, upon receipt
48 of an affidavit signed by the owner of the vehicle
49 stating that the vehicle is reasonably safe for
50 operation, an inspection station may issue a permit

1 authorizing the owner to operate the vehicle to and
2 from a specific inspection station. The affidavit
3 and permit mentioned in this section shall be on forms
4 prescribed and furnished by the department which shall
5 forward these forms to each county treasurer where
6 they shall be made available upon request, such permit
7 shall be valid for forty-eight hours after issuance
8 by inspection station.

9 Sec. _____. Section three hundred twenty-one point
10 one hundred seventeen (321.117), Code 1975, as amended
11 by Acts of the Sixty-sixth General Assembly, 1975
12 Session, chapter one hundred seventy-one (171), section
13 eleven (11), is amended to read as follows:

14 321.117 MOTORCYCLE AND HEARSE FEES. For all
15 motorcycles the annual fee shall be ten dollars.
16 For all motorized bicycles the annual fee shall be
17 five dollars. When said motorcycle has been registered
18 five times, the annual registration fee shall be five
19 dollars. The annual registration fee for hearses
20 shall be fifty dollars. Passenger car plates shall
21 be issued for hearses.

22 Sec. _____. Section three hundred twenty-one point
23 one hundred twenty-one (321.121), Code 1975, is amended
24 to read as follows:

25 321.121 SPECIAL TRUCKS FOR FARM USE. The
26 registration fee for a special truck shall be one
27 hundred dollars for a gross weight of eight, ~~nine,~~
28 ~~or ten tons, and one hundred fifty dollars for a gross~~
29 ~~weight of eleven or twelve tons~~ and in addition,
30 fifteen dollars for each ton over eight tons. Any
31 person convicted of using a truck registered as a
32 special truck for any purpose other than permitted
33 by section 321.1, subsection 72, shall, in addition
34 to any other penalty imposed by law, be required to
35 pay regular motor truck registration fees upon such
36 truck. A distinctive decal shall be applied to the
37 special truck registration plate for easy
38 identification."

39 5. Page 3, by inserting after line 14 the fol-
40 lowing:

41 "Sec. _____. Section three hundred twenty-one point
42 one hundred seventy-seven (321.177), subsection one
43 (1), Code 1975, is amended to read as follows:

44 1. To any person, as an operator, who is under
45 the age of sixteen years; provided that, effective
46 August 1, 1966, the department shall not issue a
47 license to any person, as an operator, who is under
48 the age of seventeen years and effective August 1,
49 1967, the department shall not issue a license to
50 any person, as an operator, who is under the age of

1 eight years, without his first having successfully
2 completed an approved driver education course, in
3 which case, the minimum age shall be sixteen years.
4 However, the department may issue a restricted license
5 as provided in section 321.194, or an instruction
6 permit as provided in section 321.180, to any person
7 who is at least fourteen years of age. The department
8 may issue a license restricted only for use for
9 motorized bicycles as provided in this Act, to any
10 person fourteen years of age or older who has
11 successfully completed an approved driver's education
12 course established by the department of public
13 instruction to acquaint the motorized bicycle operator
14 with the rules of the road.

15 Sec. _____. Section three hundred twenty-one point
16 one hundred seventy-eight (321.178), subsection one
17 (1), unnumbered paragraph three (3), Code 1975, is
18 amended to read as follows:

19 "Student," for purposes of this section, shall
20 mean means any person between the ages of fifteen
21 years and twenty-one years who resides in the public
22 school district and who satisfies the preliminary
23 licensing requirements of the department or any person
24 between fourteen and twenty-one years of age who
25 resides in the public school district, who satisfies
26 the preliminary licensing requirements of the
27 department for operation of a motorized bicycle and
28 who is enrolled in an approved driver education course
29 for the purpose of qualifying for a motorized bicycle
30 license as provided for in this Act.

31 Sec. _____. Section three hundred twenty-one point
32 one hundred seventy-eight (321.178), Code 1975, as
33 amended by Acts of the Sixty-sixth General Assembly,
34 1975 Session, chapter seventy-nine (79) section fifteen
35 (15), is amended by adding the following new
36 subsection:

37 NEW SUBSECTION. An individual applying for a
38 motorized bicycle license shall take the approved
39 driver education course without meeting the highway
40 driving experience requirement."

41 6. Page 3, by inserting after line 31, the fol-
42 lowing:

43 "Sec. _____. Section three hundred twenty-one point
44 one hundred eighty-two (321.182), Code 1975, is amended
45 to read as follows:

46 321.182 APPLICATION FOR LICENSE OR PERMIT. Every
47 application for an instruction permit ~~or~~, an
48 operator's or chauffeur's license ~~or~~, a temporary
49 driver's permit or a motorized bicycle license shall
50 be made upon a form furnished by the department and

1 shall be verified by the applicant before a person
2 authorized to administer oaths, and officers and
3 employees of the department are hereby authorized
4 to administer such oaths without charge. The applicant
5 shall write his usual signature with pen and ink upon
6 the application in the space provided for signature."

7 7. Page 3, line 35, by inserting after the words
8 "APPLICATIONS OF" the word "UNMARRIED".

9 8. Page 3, line 35, by inserting after the word
10 "any" the word "unmarried".

11 9. Page 4, line 2, by inserting after the word
12 "license," the words "motorized bicycle license,".

13 10. Page 4, by striking lines 7 through 9.

14 11. Page 4, line 10, by striking the words "years
15 and" and inserting in lieu thereof the word "; if".

16 12. Page 4, by inserting after line 13, the fol-
17 lowing:

18 "Sec. ____: Section three hundred twenty-one point
19 one hundred eighty-six (321.186), Code 1975, is amended
20 to read as follows:

21 321.186 : EXAMINATION OF NEW OR INCOMPETENT
22 OPERATORS. The department may examine every new
23 applicant for an operator's, motorized bicycle or
24 chauffeur's license or any person holding a valid
25 operator's, motorized bicycle or chauffeur's license
26 when the department has reason to believe that such
27 person may be physically or mentally incompetent to
28 operate a motor vehicle, or whose driving record
29 appears to the department to justify such an
30 examination. Such examinations shall be held in every
31 county within periods not to exceed fifteen days.
32 It shall include a test of the applicant's eyesight,
33 his ability to read and understand highway signs
34 regulating, warning, and directing traffic, his
35 knowledge of the traffic laws of this state, and shall
36 include an actual demonstration of ability to exercise
37 ordinary and reasonable control in the operation of
38 a motor vehicle and such further physical and mental
39 examinations as the department finds necessary to
40 determine the applicant's fitness to operate a motor
41 vehicle safely upon the highways."

42 13. Page 4, line 20, by inserting after the word
43 "operators'" the words ", motorized bicycle".

44 14. Page 4, line 22, by inserting after the word
45 "operators'" the words ", motorized bicycle"."

46 15. Page 4, by inserting after line 29 the fol-
47 lowing:

48 "Sec. ____: Section three hundred twenty-one point
49 one hundred eighty-nine (321.189), Code 1975, is
50 amended to read as follows:

1 321.189 LICENSES ISSUED. The department shall
2 upon payment of the required fee, issue to every
3 applicant qualifying therefor an operator's, motorized
4 bicycle or chauffeur's license as applied for, which
5 license shall bear thereon a distinguishing number
6 assigned to the licensee, the full name, date of
7 birth, occupation, sex, residence address, a brief
8 description of the licensee, and the usual signature
9 of the licensee. No license shall be valid unless
10 it bears the signature of the licensee. The
11 distinguishing number assigned to a licensee shall
12 not be the licensee's social security number.

13 Sec. _____. Section three hundred twenty-one point
14 one hundred ninety (321.190), Code 1975, is amended
15 to read as follows:

16 321.190: CARRIED AND EXHIBITED. Every licensee
17 shall have his operator's or chauffeur's, or motorized
18 bicycle license in his immediate possession at all
19 times when operating a motor vehicle and shall display
20 the same, upon demand of a judicial magistrate or
21 district associate judge, a peace officer, or a field
22 deputy or examiner of the department. However, no
23 person charged with violating this section shall be
24 convicted if he produces in court, within a reasonable
25 time, an operator's or chauffeur's or motorized bicycle
26 license theretofore issued to him and valid at the
27 time of his arrest.

28 Sec. _____. Section three hundred twenty-one point
29 one hundred ninety-one (321.191), unnumbered paragraph
30 one (1), Code 1975, is amended to read as follows:

31 The fee for an operator's license shall be five
32 dollars if issued for a period of two years, and ten
33 dollars if issued for a period of four years. * The
34 fee for a chauffeur's license shall be ten dollars
35 if issued for a period of two years, and twenty dollars
36 if issued for a period of four years. The fee for
37 an instruction permit shall be three dollars and,
38 for a temporary driver's permit, five dollars and
39 for a motorized bicycle license, five dollars.

40 Sec. _____. Section three hundred twenty-one point
41 one hundred ninety-two (321.192), Code 1975, is amended
42 to read as follows:

43 321.192 DISPOSAL OF FEES. Such license fees shall
44 be forwarded by the department to the treasurer of
45 state who shall place same in the general fund of
46 the state, provided that for each operator's and
47 motorized bicycle license issued by a county sheriff
48 for which a license fee is paid, the sheriff issuing
49 the same shall be entitled to retain the sum of fifteen
50 cents and for each chauffeur's license, the sum of

1 fifty cents, which shall be credited to the county
2 general fund.

3 Sec. _____. Section three hundred twenty-one point
4 one hundred ninety-three (321.193), unnumbered
5 paragraph one (1), Code 1975, is amended to read as
6 follows:

7 When provided in rules adopted pursuant to chapter
8 17A, the department upon issuing an operator's or
9 chauffeur's license or motorized bicycle license shall
10 have authority whenever good cause appears to impose
11 restrictions suitable to the licensee's driving ability
12 with respect to the type of vehicle or special
13 mechanical control devices required on a motor vehicle
14 which the licensee may operate or such other
15 restrictions applicable to the licensee, including
16 licenses issued under section 321.194, as the
17 department may determine to be appropriate to assure
18 the safe operation of a motor vehicle by the licensee.
19 The department shall not require a person issued a
20 valid operator's or chauffeur's license to comply
21 with any other licensing requirements in order to
22 operate a motorized bicycle.

23 Sec. _____. Section three hundred twenty-one point
24 one hundred ninety-five (321.195), Code 1975, is
25 amended to read as follows:

26 321.195 DUPLICATE CERTIFICATES. In the event
27 that an instruction permit ~~or~~, operator's or
28 chauffeur's license, motorized bicycle license or
29 extension certificate issued under the provisions
30 of this chapter is lost or destroyed, the person to
31 whom the same was issued may upon payment of a fee
32 of two dollars for an operator's or chauffeur's
33 license, ~~or~~ extension certificate or motorized bicycle
34 license, obtain a duplicate, or substitute thereof,
35 upon furnishing proof satisfactory to the department
36 that such permit, license, or extension certificate
37 has been lost or destroyed.

38 Sec. _____. Section three hundred twenty-one point
39 two hundred one (321.201), Code 1975, is amended by
40 adding the following new unlettered paragraph:

41 NEW UNLETTERED PARAGRAPH. The provisions applicable
42 in sections three hundred twenty-one point two hundred
43 one (321.201) through three hundred twenty-one point
44 two hundred fifteen (321.215) of the Code relating
45 to cancellation, suspension or revocation of an
46 operator's or chauffeur's license are also applicable
47 to motorized bicycle licenses and licensees holding
48 motorized bicycle licenses."

49 16. Page 5, by inserting after line 12 the fol-
50 lowing:

1 "Sec. _____. Section three hundred twenty-one point
2 two hundred sixteen (321.216), Code 1975, is amended
3 to read as follows:

4 321.216 UNLAWFUL USE OF LICENSE. It is a
5 misdemeanor, punishable as provided in section 321.482
6 unless another punishment is otherwise provided, for
7 any person:

8 1. To display or cause or permit to be displayed
9 or have in his possession any canceled, revoked,
10 suspended, fictitious or fraudulently altered temporary
11 driver's permit, temporary instruction permit,
12 motorized bicycle license, operator's license, or
13 chauffeur's license.

14 2. To lend his temporary driver's permit, temporary
15 instruction permit, motorized bicycle license,
16 operator's license, or chauffeur's license to any
17 other person or knowingly permit the use thereof by
18 another.

19 3. To display or represent as one's own any
20 temporary driver's permit, temporary instruction
21 permit, motorized bicycle license, operator's license,
22 or chauffeur's license not issued to him.

23 4. To fail or refuse to surrender to the department
24 upon its lawful demand any temporary driver's permit,
25 temporary instruction permit, motorized bicycle
26 license, operator's license, or chauffeur's license
27 which has been suspended, revoked, or canceled.

28 5. To use a false or fictitious name in any
29 application for a temporary driver's permit, temporary
30 instruction permit, motorized bicycle license,
31 operator's license, or chauffeur's license or to
32 knowingly make a false statement or to knowingly
33 conceal a material fact or otherwise commit a fraud
34 in any such application.

35 6. To permit any unlawful use of a temporary
36 driver's permit, temporary instruction permit,
37 motorized bicycle license, operator's license, or
38 chauffeur's license issued to him.

39 Sec. _____. Section three hundred twenty-one point
40 two hundred eighteen (321.218), Code 1975, is amended
41 by adding the following new unlettered paragraph:

42 NEW UNLETTERED PARAGRAPH. Any person operating
43 a motorized bicycle on the highways of the state not
44 possessed of an operator's or chauffeur's license
45 valid for operation of motorcycles or a valid motorized
46 bicycle license, shall, upon conviction, be guilty
47 of a misdemeanor and punished by a fine of not less
48 than five nor more than fifty dollars.

49 Sec. _____. Section three hundred twenty-one point
50 two hundred thirty-one (321.231), Code 1975, is amended

1 by striking the section and inserting in lieu thereof
2 the following:

3 321.231 AUTHORIZED EMERGENCY VEHICLES.

4 1. The driver of an authorized emergency vehicle,
5 when responding to an emergency call or when in the
6 pursuit of an actual or suspected perpetrator of a
7 felony or in response to an incident dangerous to
8 the public or when responding to but not upon returning
9 from a fire alarm, may exercise the privileges set
10 forth in this section.

11 2. The driver of any authorized emergency vehicle,
12 may:

13 a. Park or stand an authorized emergency vehicle,
14 irrespective of the provisions of this chapter.

15 b. Disregard laws or regulations governing
16 direction of movement for the minimum distance
17 necessary before an alternative route that conform
18 to the traffic laws and regulations is available.

19 3. The driver of a fire department vehicle, police
20 vehicle or ambulance may:

21 a. Proceed past a red or stop signal or stop sign,
22 but only after slowing down as may be necessary for
23 safe operation.

24 b. Exceed the maximum speed limits so long as
25 the driver does not endanger life or property.

26 4. The exemptions granted to an authorized
27 emergency vehicle under subsection two (2) of this
28 section and for a fire department vehicle, police
29 vehicle or ambulance as provided in subsection three
30 (3) of this section shall apply only when such vehicle
31 is making use of an audible signaling device meeting
32 the requirements of section three hundred twenty-one
33 point four hundred thirty-three (321.433) of the Code,
34 or a visual signaling device approved by the department
35 except that use of an audible or visual signaling
36 device shall not be required when exercising the
37 exemption granted under subsection three (3), paragraph
38 b of this section when the vehicle is operated by
39 a peace officer, pursuing a suspected violator of
40 the speed restrictions imposed by or pursuant to this
41 chapter, for the purpose of determining the speed
42 of travel of such suspected violator.

43 5. The foregoing provisions shall not relieve
44 the driver of an authorized emergency vehicle from
45 the duty to drive with due regard for the safety of
46 all persons, nor shall such provisions protect the
47 driver from the consequences of his reckless disregard
48 for the safety of others.

49 Sec. _____. Sections three hundred twenty-one point
50 two hundred thirty-two (321.232) and three hundred

1 twenty-one point two hundred ninety-six (321.296),
2 Code 1975, are repealed."

3 17. Page 5, by inserting after line 22 the fol-
4 lowing new section:

5 "Sec. _____. Section three hundred twenty-one point
6 two hundred thirty-eight (321.238), subsection twelve
7 (12), Code 1975, as amended by Acts of the Sixty-sixth
8 General Assembly, 1975 Session, chapter one hundred
9 seventy-nine (179), section one (1), is amended to
10 read as follows:

11 12. Every motor vehicle subject to registration
12 under the laws of this state, except motor vehicles
13 registered under section 321.115 and motorized
14 bicycles, when first registered in this state, other
15 than a registration to a dealer licensed under chapter
16 three hundred twenty-two (322) of the Code, and each
17 time when transferred for use within this state or
18 when registration is changed from a registration as
19 provided in section 321.115 to a regular registration,
20 other than transfers to a dealer licensed under chapter
21 three hundred twenty-two (322), shall be inspected
22 at an authorized inspection station, unless there
23 is affixed to the motor vehicle a valid certificate
24 of inspection which was issued for the motor vehicle
25 not more than sixty days prior to the date on which
26 the vehicle was transferred and the vehicle has not
27 been transferred during the sixty-day period, provided
28 that during a one-year period the vehicle may be
29 transferred between parents and their children or
30 between spouses without another inspection. A vehicle
31 inspection is not required when the transfer of the
32 vehicle or an interest in the vehicle is between
33 spouses or when required pursuant to a decree for
34 dissolution of marriage between former spouses.
35 However, the certificate of inspection for a new motor
36 vehicle which has not previously been sold at retail
37 and which is not sold within sixty days after the
38 date the inspection was performed may be revalidated
39 by the inspection station without another inspection
40 provided the motor vehicle has not been driven more
41 than one hundred miles since the inspection was
42 performed. If the motor vehicle is subject to
43 inspection, the authorized inspection station shall
44 issue and affix a valid certificate of inspection
45 or certificate of rejection, as the case may be, in
46 accordance with the results of the inspection. If
47 an inspection is required, an applicant shall file
48 with an application for title to the vehicle or for
49 registration thereof under the provisions of section
50 321.23, subsection 2 or 3, with the county treasurer

1 of the county of his residence, a statement on a form
2 provided by the director, signed by an authorized
3 inspection station certifying the date that a
4 certificate of inspection was issued for and affixed
5 to the vehicle. If an inspection is required the
6 county treasurer shall not issue a title to the vehicle
7 to the applicant or register the vehicle unless such
8 statement is filed with the application showing that
9 the inspection of the vehicle was made not more than
10 sixty days prior to the date of sale or transfer,
11 or unless the vehicle was purchased out of this state
12 by a resident of this state who resides outside of
13 this state, but desires to maintain his Iowa residency
14 and he executes a statement to that effect in form
15 and content as prescribed by the director. The county
16 treasurer shall stamp the registration card for such
17 vehicle with the words "NOT INSPECTED." A vehicle
18 so registered shall be inspected at an authorized
19 inspection station within fifteen days after being
20 brought into this state. The county treasurer shall
21 mail the statement of inspection or statement of out-
22 of-state residency to the department at the time of
23 mailing copies of the registration receipt. The
24 department may destroy any forms, certificates or
25 statements after one year from the date they are filed
26 unless they relate to pending appeals."

27 18. Page 7, by inserting after line 5 the fol-
28 lowing:

29 "Sec. _____. Section three hundred twenty-one point
30 two hundred seventy-five (321.275), Code 1975, is
31 amended by adding the following new subsection:

32 NEW SUBSECTION. The provisions of this section
33 shall apply to motorized bicycles."

34 19. Page 7, by inserting after line 30 the
35 following:

36 "Sec. _____. Section three hundred twenty-one point
37 three hundred seventeen (321.317), subsection three
38 (3), Code 1975, is amended to read as follows:

39 3. After the thirty-first day of December, 1953,
40 it shall be unlawful for any person to sell or offer
41 for sale or operate on the highways of the state of
42 Iowa any vehicle subject to registration under the
43 provisions of this chapter which has never been
44 registered in this or any other state prior to January
45 1, 1954, unless such vehicle is equipped with a
46 directional signal device of a type approved by the
47 department and is in compliance with the provisions
48 of subsection 2 of this section. Motorcycles, motor
49 scooters, bicycles-with-motor-attached and semi-
50 trailers and trailers less than forty inches in width

1 are exempt from the provisions of this section."

2 20. Page 8, by inserting after line 34 the
3 following:

4 "Sec. _____. Section three hundred twenty-one point
5 three hundred eighty-five (321.385), Code 1975, is
6 amended to read as follows:

7 321.385 HEAD LAMPS ON MOTOR VEHICLES. Every motor
8 vehicle other than a motorcycle or motorized bicycle
9 shall be equipped with at least two head lamps with
10 at least one on each side of the front of the motor
11 vehicle, which head lamps shall comply with the
12 requirements and limitations set forth in this
13 chapter."

14 21. Page 10, line 8, by striking the words "or
15 usually operated".

16 22. Page 10, lines 19 and 20, by striking the
17 words "or usually operated".

18 23. Page 10, line 21, by inserting after the word
19 "department" the words "or when the member has used
20 the blue light beyond the scope of its authorized
21 use".

22 24. Page 10, line 27, by inserting after the word
23 "emergency" the words "in the line of duty".

24 25. Page 11, by inserting after line 26 the fol-
25 lowing:

26 "Sec. _____. Section three hundred twenty-one point
27 four hundred thirty (321.430), subsection one (1),
28 Code 1975, is amended to read as follows:

29 1. Every motor vehicle, other than a motorcycle
30 or motorized bicycle, when operated upon a highway
31 shall be equipped with brakes adequate to control
32 the movement of and to stop and hold such vehicle,
33 including two separate means of applying the brakes,
34 each of which means shall be effective to apply the
35 brakes to at least two wheels. If these two separate
36 means of applying the brakes are connected in any
37 way, they shall be so constructed that failure of
38 any one part of the operating mechanism shall not
39 leave the motor vehicle without brakes on at least
40 two wheels.

41 Sec. _____. Section three hundred twenty-one point
42 four hundred thirty (321.430), subsection four (4),
43 paragraph a, is amended to read as follows:

44 a. Any motorcycle or motorized bicycle."

45 26. Page 13, by inserting after line 5 the fol-
46 lowing:

47 "Sec. _____. Section three hundred twenty-one point
48 four hundred fifty-seven (321.457), subsection five
49 (5), Code 1975, is amended to read as follows:

50 5. No combination of vehicles coupled together

S-5916
PAGE 14

1 which are used exclusively for the transportation
2 of passenger vehicles, light delivery trucks, panel
3 delivery trucks, pickup trucks, travel trailers,
4 boats, farm and industrial tractors and self-propel-
5 led farm implements, nonsel-propelled implements
6 of husbandry, and self-propelled vehicles shall have
7 an unladen length, inclusive of front and rear bumpers
8 in excess of sixty feet, but the passenger vehicles,
9 light delivery trucks, panel delivery trucks, pick-
10 up trucks, or boats being transported may extend up
11 to three feet beyond the front and rear bumpers
12 of the transporting vehicles when the overall
13 length of the vehicle with load does not exceed
14 sixty-five feet."

15 27. Page 14, by inserting after line 6 the fol-
16 lowing:

17 "Sec. _____. The sections of this Act amending
18 section three hundred twenty-one point forty-six
19 (321.46), unnumbered paragraph one (1), Code 1975,
20 and section three hundred twenty-one point one hundred
21 eighty-nine (321.189), Code 1975, shall be effective
22 January 1, 1977."

23 28. Amend the title, line 11, by inserting
24 after the word "transportation" the words "and pro-
25 viding for a motorized bicycle license and specifying
26 the operation requirements for a motorized bicycle".

27 29. Renumber the sections and correct internal references
28 as necessary in conformance with this amendment.

S-5916 FILED
MAY 25, 1976

RECEIVED FROM THE HOUSE
Senate concurred 5/29/76 (#. 2516)

S-6007

1 Amend the House amendment, S-5916, to Senate
2 amendment, H-6726, to House File 1332 as amended,
3 passed and reprinted by the House as follows:
4 1. Page 1, by striking lines 10 through 21.

S-6007 FILED - *Lost 5/29 (2516)*
MAY 29, 1976

BY EARL M. WILLITS

H-6816

1 Amend the Senate amendment, H-6726 to House File
2 1332 as amended, passed and reprinted by the House
3 as follows:

4 1. By striking page 1, line 1 through page 4,
5 line 42 and inserting in lieu thereof the following:
6 "Amend House File 1332, as amended, passed and
7 reprinted by the House as follows:

8 1. Page 1, by striking lines 1 through 3 and
9 inserting in lieu thereof the following:

10 "Sec. _____. Chapter three hundred eight A (308A),
11 Code 1975, is amended by adding the following new
12 section:

13 NEW SECTION. Bikeways and walkways approved as
14 either incidental features of highway construction
15 projects primarily for motor vehicular traffic or
16 as an independent bikeway or walkway construction
17 project constructed pursuant to the Highway Act of
18 1973, 23 U.S.C. 217, shall not be constructed as
19 elevated structures joining private buildings or so
20 constructed to provide elevated access or egress
21 facilities to private buildings."

22 Sec. _____. Chapter three hundred twenty-one (321),
23 Code 1975, as amended by Acts of the Sixty-sixth
24 General Assembly, 1975 and 1976 Sessions, is amended
25 by adding the following new section:

26 NEW SECTION. MOTORIZED BICYCLE LICENSE.

27 1. The department may issue a motorized bicycle
28 license to any person fourteen years of age or older
29 who has passed the approved driver education course
30 required for applicants for such license. A motorized
31 bicycle license shall entitle the licensee to operate
32 a motorized bicycle while having the license in
33 immediate possession on the highways of the state
34 for a period of two years.

35 2. A motorized bicycle license shall be canceled
36 upon a conviction for a moving traffic violation and
37 reapplication may be made thirty days after the date
38 of cancellation. The cancellation of the license
39 upon conviction for a moving traffic violation shall
40 not result in requiring the applicant to maintain
41 proof of financial responsibility under section three
42 hundred twenty-one A point seventeen (321A.17), of
43 the Code, unless the conviction would otherwise result
44 in a suspension or revocation of a person's operator's
45 license.

46 3. As used in this section, "moving traffic
47 violation" does not include any violation of any
48 section of the Code or any municipal ordinance
49 pertaining to the standards to be maintained for motor
50 vehicle equipment except sections three hundred twenty-

1 one point four hundred thirty (321.430) and three
2 hundred twenty-one point four hundred thirty-one
3 (321.431) of the Code, or any municipal ordinance
4 pertaining to motor vehicle brake requirements as
5 applicable to motorized bicycles.

6 4. A motorized bicycle license is not required
7 to operate a motorized bicycle if possessed of an
8 operator's or chauffeur's license.

9 5. A motorized bicycle license shall terminate
10 upon issuance to the licensee of an operator's or
11 chauffeur's license valid for operation of motorcycles.
12 A valid motorized bicycle license shall be returned
13 to the department prior to issuance of an operator's
14 or chauffeur's license valid for operation of
15 motorcycles.

16 Sec. _____. Section three hundred twenty-one point
17 one (321.1), subsection seventy-two (72), Code 1975,
18 is amended to read as follows:

19 72. A "special truck" means a motor truck not
20 used for hire with a gross weight registration of
21 eight through twelve eighteen tons, inclusive, used
22 by a person engaged in farming to transport commodities
23 produced only by the owner, or to transport commodities
24 purchased by the owner for use in his own farming
25 operation or occasional use for charitable purposes.

26 Sec. _____. Section three hundred twenty-one point
27 one (321.1), Code 1975, as amended by Acts of the
28 Sixty-sixth General Assembly, 1975 Session, chapters
29 sixty-seven (67) and one hundred seventy (170), is
30 amended by adding the following new subsections:

31 NEW SUBSECTION. "Motorized bicycle" or "motor
32 bicycle" means a two-wheeled motor vehicle with an
33 engine having a displacement no greater than fifty
34 cubic centimeters as fixed by the department and not
35 capable of operation at a speed in excess of twenty-
36 five miles per hour on level ground unassisted by
37 human power."

38 2. Page 1, by inserting after line 8 the fol-
39 lowing:

40 "Sec. _____. Section three hundred twenty-one point
41 one (321.1), subsection three (3), Code 1975, is
42 amended to read as follows:

43 3. "Motorcycle" means every motor vehicle having
44 a saddle or seat for the use of the rider and designed
45 to travel on not more than three wheels in contact
46 with the ground including a motor scooter and a-bicycle
47 with-motor-attached but excluding a tractor and a
48 motorized bicycle."

49 3. Page 1, by inserting after line 16 the fol-
50 lowing:

1 "Sec. _____. Section three hundred twenty-one point
2 thirty-four (321.34), unnumbered paragraph one (1),
3 Code 1975, is amended to read as follows:

4 The county treasurer upon receiving application,
5 accompanied by proper fee, for registration of a
6 vehicle shall issue to the owner one registration
7 plate for a motorcycle, motorized bicycle, truck
8 tractor, trailer, or semitrailer and two registration
9 plates for every other motor vehicle.

10 Sec. _____. Section three hundred twenty-one point
11 thirty-seven (321.37), unnumbered paragraph one (1),
12 Code 1975, is amended to read as follows:

13 Registration plates issued for a motor vehicle
14 other than a motorcycle, motorized bicycle or a truck
15 tractor shall be attached thereto, one in the front
16 and the other in the rear. The registration plate
17 issued for a motorcycle or other vehicle required
18 to be registered hereunder shall be attached to the
19 rear thereof. The registration plate issued for a
20 truck tractor shall be attached to the front thereof."

21 4. Page 1, by inserting after line 25 the
22 following:

23 "Sec. _____. Section three hundred twenty-one point
24 forty-six (321.46), unnumbered paragraph one (1),
25 Code 1975, is amended to read as follows:

26 The purchaser or transferee shall immediately apply
27 for and obtain from the county treasurer of his res-
28 idence a transfer of registration and a new certificate
29 of title for such vehicle except as provided in section
30 321.48. The purchaser or transferee shall present
31 with the application the certificate of title endorsed
32 and assigned by the previous owner and the signed
33 registration card. The purchaser or the transferee
34 shall not be required to list a social security number
35 as part of the application for a registration transfer
36 and a new title.

37 Sec. _____. Section three hundred twenty-one point
38 fifty-one (321.51), subsection six (6), Code 1975,
39 is amended to read as follows:

40 6. No vehicle sold or otherwise transferred pur-
41 suant to the provisions of this section shall be
42 driven upon the highway until a valid official certi-
43 ficate of inspection has been affixed thereto and
44 an unrestricted certificate of title, a registration
45 card, and registration plates for the vehicle have
46 been issued to the purchase or transferee, except
47 as set out in section 321.98. However, upon receipt
48 of an affidavit signed by the owner of the vehicle
49 stating that the vehicle is reasonably safe for
50 operation, an inspection station may issue a permit

1 authorizing the owner to operate the vehicle to and
2 from a specific inspection station. The affidavit
3 and permit mentioned in this section shall be on forms
4 prescribed and furnished by the department which shall
5 forward these forms to each county treasurer where
6 they shall be made available upon request.

7 Sec. _____. Section three hundred twenty-one point
8 one hundred seventeen (321.117), Code 1975, as amended
9 by Acts of the Sixty-sixth General Assembly, 1975
10 Session, chapter one hundred seventy-one (171), section
11 eleven (11), is amended to read as follows:

12 321.117 MOTORCYCLE AND HEARSE FEES. For all
13 motorcycles the annual fee shall be ten dollars.
14 For all motorized bicycles the annual fee shall be
15 five dollars. When said motorcycle has been registered
16 five times, the annual registration fee shall be five
17 dollars. The annual registration fee for hearses
18 shall be fifty dollars. Passenger car plates shall
19 be issued for hearses.

20 Sec. _____. Section three hundred twenty-one point
21 one hundred twenty-one (321.121), Code 1975, is amended
22 to read as follows:

23 321.121 SPECIAL TRUCKS FOR FARM USE. The
24 registration fee for a special truck shall be one
25 hundred dollars for a gross weight of eight, ~~nine,~~
26 ~~or ten tons, and one hundred fifty dollars for a gross~~
27 ~~weight of eleven or twelve tons and in addition,~~
28 fifteen dollars for each ton over eight tons. Any
29 person convicted of using a truck registered as a
30 special truck for any purpose other than permitted
31 by section 321.1, subsection 72, shall, in addition
32 to any other penalty imposed by law, be required to
33 pay regular motor truck registration fees upon such
34 truck. A distinctive decal shall be applied to the
35 special truck registration plate for easy
36 identification."

37 5. Page 3, by inserting after line 14 the fol-
38 lowing:

39 "Sec. _____. Section three hundred twenty-one point
40 one hundred seventy-seven (321.177), subsection one
41 (1), Code 1975, is amended to read as follows:

42 1. To any person, as an operator, who is under
43 the age of sixteen years; provided that, effective
44 August 1, 1966, the department shall not issue a
45 license to any person, as an operator, who is under
46 the age of seventeen years and effective August 1,
47 1967, the department shall not issue a license to
48 any person, as an operator, who is under the age of
49 eighteen years, without his first having successfully
50 completed an approved driver education course, in

1 which case, the minimum age shall be sixteen years.
2 However, the department may issue a restricted license
3 as provided in section 321.194, or an instruction
4 permit as provided in section 321.180, to any person
5 who is at least fourteen years of age. The department
6 may issue a license restricted only for use for
7 motorized bicycles as provided in this Act, to any
8 person fourteen years of age or older who has
9 successfully completed an approved driver's education
10 course established by the department of public
11 instruction to acquaint the motorized bicycle operator
12 with the rules of the road.

13 Sec. _____. Section three hundred twenty-one point
14 one hundred seventy-eight (321.178), subsection one
15 (1), unnumbered paragraph three (3), Code 1975, is
16 amended to read as follows:

17 "Student," for purposes of this section, shall
18 mean means any person between the ages of fifteen
19 years and twenty-one years who resides in the public
20 school district and who satisfies the preliminary
21 licensing requirements of the department or any person
22 between fourteen and twenty-one years of age who
23 resides in the public school district, who satisfies
24 the preliminary licensing requirements of the
25 department for operation of a motorized bicycle and
26 who is enrolled in an approved driver education course
27 for the purpose of qualifying for a motorized bicycle
28 license as provided for in this Act.

29 Sec. _____. Section three hundred twenty-one point
30 one hundred seventy-eight (321.178), Code 1975, as
31 amended by Acts of the Sixty-sixth General Assembly,
32 1975 Session, chapter seventy-nine (79) section fifteen
33 (15), is amended by adding the following new
34 subsection:

35 NEW SUBSECTION. An individual applying for a
36 motorized bicycle license shall take the approved
37 driver education course without meeting the highway
38 driving experience requirement."

39 6. Page 3, by inserting after line 31, the fol-
40 lowing:

41 "Sec. _____. Section three hundred twenty-one point
42 one hundred eighty-two (321.182), Code 1975, is amended
43 to read as follows:

44 321.182 APPLICATION FOR LICENSE OR PERMIT. Every
45 application for an instruction permit ~~or for~~, an
46 operator's or chauffeur's license ~~or~~, a temporary
47 driver's permit or a motorized bicycle license shall
48 be made upon a form furnished by the department and
49 shall be verified by the applicant before a person
50 authorized to administer oaths, and officers and

1 employees of the department are hereby authorized
2 to administer such oaths without charge. The applicant
3 shall write his usual signature with pen and ink upon
4 the application in the space provided for signature."

5 7. Page 3, line 35, by inserting after the words
6 "APPLICATIONS OF" the word "UNMARRIED".

7 8. Page 3, line 35, by inserting after the word
8 "any" the word "unmarried".

9 9. Page 4, line 2, by inserting after the word
10 "license," the words "motorized bicycle license,".

11 10. Page 4, by striking lines 7 through 9.

12 11. Page 4, line 10, by striking the words "years
13 and" and inserting in lieu thereof the word "; if".

14 12. Page 4, by inserting after line 13, the fol-
15 lowing:

16 "Sec. _____. Section three hundred twenty-one point
17 one hundred eighty-six (321.186), Code 1975, is amended
18 to read as follows:

19 321.186 EXAMINATION OF NEW OR INCOMPETENT
20 OPERATORS. The department may examine every new
21 applicant for an operator's, motorized bicycle or
22 chauffeur's license or any person holding a valid
23 operator's, motorized bicycle or chauffeur's license
24 when the department has reason to believe that such
25 person may be physically or mentally incompetent to
26 operate a motor vehicle, or whose driving record
27 appears to the department to justify such an
28 examination. Such examinations shall be held in every
29 county within periods not to exceed fifteen days.
30 It shall include a test of the applicant's eyesight,
31 his ability to read and understand highway signs
32 regulating, warning, and directing traffic, his
33 knowledge of the traffic laws of this state, and shall
34 include an actual demonstration of ability to exercise
35 ordinary and reasonable control in the operation of
36 a motor vehicle and such further physical and mental
37 examinations as the department finds necessary to
38 determine the applicant's fitness to operate a motor
39 vehicle safely upon the highways."

40 13. Page 4, line 20, by inserting after the word
41 "operators'" the words ", motorized bicycle".

42 14. Page 4, line 22, by inserting after the word
43 "operators'" the words ", motorized bicycle"."

44 15. Page 4, by inserting after line 29 the fol-
45 lowing:

46 "Sec. _____. Section three hundred twenty-one point
47 one hundred eighty-nine (321.189), Code 1975, is
48 amended to read as follows:

49 321.189 LICENSES ISSUED. The department shall
50 upon payment of the required fee, issue to every

1 applicant qualifying therefor an operator's, motorized
2 bicycle or chauffeur's license as applied for, which
3 license shall bear thereon a distinguishing number
4 assigned to the licensee, the full name, date of
5 birth, occupation, sex, residence address, a brief
6 description of the licensee, and the usual signature
7 of the licensee. No license shall be valid unless
8 it bears the signature of the licensee. The
9 distinguishing number assigned to a licensee shall
10 not be the licensee's social security number.

11 Sec. ____ . Section three hundred twenty-one point
12 one hundred ninety (321.190), Code 1975, is amended
13 to read as follows:

14 321.190 CARRIED AND EXHIBITED. Every licensee
15 shall have his operator's or chauffeur's, or motorized
16 bicycle license in his immediate possession at all
17 times when operating a motor vehicle and shall display
18 the same, upon demand of a judicial magistrate or
19 district associate judge, a peace officer, or a field
20 deputy or examiner of the department. However, no
21 person charged with violating this section shall be
22 convicted if he produces in court, within a reasonable
23 time, an operator's or chauffeur's or motorized bicycle
24 license theretofore issued to him and valid at the
25 time of his arrest.

26 Sec. ____ . Section three hundred twenty-one point
27 one hundred ninety-one (321.191), unnumbered paragraph
28 one (1), Code 1975, is amended to read as follows:

29 The fee for an operator's license shall be five
30 dollars if issued for a period of two years, and ten
31 dollars if issued for a period of four years. The
32 fee for a chauffeur's license shall be ten dollars
33 if issued for a period of two years, and twenty dollars
34 if issued for a period of four years. The fee for
35 an instruction permit shall be three dollars and,
36 for a temporary driver's permit, five dollars and
37 for a motorized bicycle license, five dollars.

38 Sec. ____ . Section three hundred twenty-one point
39 one hundred ninety-two (321.192), Code 1975, is amended
40 to read as follows:

41 321.192 DISPOSAL OF FEES. Such license fees shall
42 be forwarded by the department to the treasurer of
43 state who shall place same in the general fund of
44 the state, provided that for each operator's and
45 motorized bicycle license issued by a county sheriff
46 for which a license fee is paid, the sheriff issuing
47 the same shall be entitled to retain the sum of fifteen
48 cents and for each chauffeur's license, the sum of
49 fifty cents, which shall be credited to the county
50 general fund.

1 Sec. ____ . Section three hundred twenty-one point
2 one hundred ninety-three (321.193), unnumbered
3 paragraph one (1), Code 1975, is amended to read as
4 follows:

5 When provided in rules adopted pursuant to chapter
6 17A, the department upon issuing an operator's or
7 chauffeur's license or motorized bicycle license shall
8 have authority whenever good cause appears to impose
9 restrictions suitable to the licensee's driving ability
10 with respect to the type of vehicle or special
11 mechanical control devices required on a motor vehicle
12 which the licensee may operate or such other
13 restrictions applicable to the licensee, including
14 licenses issued under section 321.194, as the
15 department may determine to be appropriate to assure
16 the safe operation of a motor vehicle by the licensee.
17 The department shall not require a person issued a
18 valid operator's or chauffeur's license to comply
19 with any other licensing requirements in order to
20 operate a motorized bicycle.

21 Sec. ____ . Section three hundred twenty-one point
22 one hundred ninety-five (321.195), Code 1975, is
23 amended to read as follows:

24 321.195 DUPLICATE CERTIFICATES. In the event
25 that an instruction permit ~~or~~, operator's or
26 chauffeur's license, motorized bicycle license or
27 extension certificate issued under the provisions
28 of this chapter is lost or destroyed, the person to
29 whom the same was issued may upon payment of a fee
30 of two dollars for an operator's or chauffeur's
31 license, ~~or~~ extension certificate or motorized bicycle
32 license, obtain a duplicate, or substitute thereof,
33 upon furnishing proof satisfactory to the department
34 that such permit, license, or extension certificate
35 has been lost or destroyed.

36 Sec. ____ . Section three hundred twenty-one point
37 two hundred one (321.201), Code 1975, is amended by
38 adding the following new unlettered paragraph:

39 NEW UNLETTERED PARAGRAPH. The provisions applicable
40 in sections three hundred twenty-one point two hundred
41 one (321.201) through three hundred twenty-one point
42 two hundred fifteen (321.215) of the Code relating
43 to cancellation, suspension or revocation of an
44 operator's or chauffeur's license are also applicable
45 to motorized bicycle licenses and licensees holding
46 motorized bicycle licenses."

47 16. Page 5, by inserting after line 12 the fol-
48 lowing:

49 "Sec. ____ . Section three hundred twenty-one point
50 two hundred sixteen (321.216), Code 1975, is amended

1 to read as follows:

2 321.216 UNLAWFUL USE OF LICENSE. It is a
3 misdemeanor, punishable as provided in section 321.482
4 unless another punishment is otherwise provided, for
5 any person:

6 1. To display or cause or permit to be displayed
7 or have in his possession any canceled, revoked,
8 suspended, fictitious or fraudulently altered temporary
9 driver's permit, temporary instruction permit,
10 motorized bicycle license, operator's license, or
11 chauffeur's license.

12 2. To lend his temporary driver's permit, temporary
13 instruction permit, motorized bicycle license,
14 operator's license, or chauffeur's license to any
15 other person or knowingly permit the use thereof by
16 another.

17 3. To display or represent as one's own any
18 temporary driver's permit, temporary instruction
19 permit, motorized bicycle license, operator's license,
20 or chauffeur's license not issued to him.

21 4. To fail or refuse to surrender to the department
22 upon its lawful demand any temporary driver's permit,
23 temporary instruction permit, motorized bicycle
24 license, operator's license, or chauffeur's license
25 which has been suspended, revoked, or canceled.

26 5. To use a false or fictitious name in any
27 application for a temporary driver's permit, temporary
28 instruction permit, motorized bicycle license,
29 operator's license, or chauffeur's license or to
30 knowingly make a false statement or to knowingly
31 conceal a material fact or otherwise commit a fraud
32 in any such application.

33 6. To permit any unlawful use of a temporary
34 driver's permit, temporary instruction permit,
35 motorized bicycle license, operator's license, or
36 chauffeur's license issued to him.

37 Sec. _____. Section three hundred twenty-one point
38 two hundred eighteen (321.218), Code 1975, is amended
39 by adding the following new unlettered paragraph:

40 NEW UNLETTERED PARAGRAPH. Any person operating
41 a motorized bicycle on the highways of the state not
42 possessed of an operator's or chauffeur's license
43 valid for operation of motorcycles or a valid motorized
44 bicycle license, shall, upon conviction, be guilty
45 of a misdemeanor and punished by a fine of not less
46 than five nor more than fifty dollars.

47 Sec. _____. Section three hundred twenty-one point
48 two hundred thirty-one (321.231), Code 1975, is amended
49 by striking the section and inserting in lieu thereof
50 the following:

1 321.231 AUTHORIZED EMERGENCY VEHICLES.

2 1. The driver of an authorized emergency vehicle,
3 when responding to an emergency call or when in the
4 pursuit of an actual or suspected perpetrator of a
5 felony or in response to an incident dangerous to
6 the public or when responding to but not upon returning
7 from a fire alarm, may exercise the privileges set
8 forth in this section.

9 2. The driver of any authorized emergency vehicle,
10 may:

11 a. Park or stand an authorized emergency vehicle,
12 irrespective of the provisions of this chapter.

13 b. Disregard laws or regulations governing
14 direction of movement for the minimum distance
15 necessary before an alternative route that conform
16 to the traffic laws and regulations is available.

17 3. The driver of a fire department vehicle, police
18 vehicle or ambulance may:

19 a. Proceed past a red or stop signal or stop sign,
20 but only after slowing down as may be necessary for
21 safe operation.

22 b. Exceed the maximum speed limits so long as
23 the driver does not endanger life or property.

24 4. The exemptions granted to an authorized
25 emergency vehicle under subsection two (2) of this
26 section and for a fire department vehicle, police
27 vehicle or ambulance as provided in subsection three
28 (3) of this section shall apply only when such vehicle
29 is making use of an audible signaling device meeting
30 the requirements of section three hundred twenty-one
31 point four hundred thirty-three (321.433) of the Code,
32 or a visual signaling device approved by the department
33 except that use of an audible or visual signaling
34 device shall not be required when exercising the
35 exemption granted under subsection three (3), paragraph
36 b of this section when the vehicle is operated by
37 a peace officer, pursuing a suspected violator of
38 the speed restrictions imposed by or pursuant to this
39 chapter, for the purpose of determining the speed
40 of travel of such suspected violator.

41 5. The foregoing provisions shall not relieve
42 the driver of an authorized emergency vehicle from
43 the duty to drive with due regard for the safety of
44 all persons, nor shall such provisions protect the
45 driver from the consequences of his reckless disregard
46 for the safety of others.

47 Sec. _____. Sections three hundred twenty-one point
48 two hundred thirty-two (321.232) and three hundred
49 twenty-one point two hundred ninety-six (321.296),
50 Code 1975, are repealed."

1 17. Page 5, by inserting after line 22 the fol-
2 lowing new section:

3 "Sec. ____ . Section three hundred twenty-one point
4 two hundred thirty-eight (321.238), subsection twelve
5 (12), Code 1975, as amended by Acts of the Sixty-sixth
6 General Assembly, 1975 Session, chapter one hundred
7 seventy-nine (179), section one (1), is amended to
8 read as follows:

9 12. Every motor vehicle subject to registration
10 under the laws of this state, except motor vehicles
11 registered under section 321.115 and motorized
12 bicycles, when first registered in this state, other
13 than a registration to a dealer licensed under chapter
14 three hundred twenty-two (322) of the Code, and each
15 time when transferred for use within this state or
16 when registration is changed from a registration as
17 provided in section 321.115 to a regular registration,
18 other than transfers to a dealer licensed under chapter
19 three hundred twenty-two (322), shall be inspected
20 at an authorized inspection station, unless there
21 is affixed to the motor vehicle a valid certificate
22 of inspection which was issued for the motor vehicle
23 not more than sixty days prior to the date on which
24 the vehicle was transferred and the vehicle has not
25 been transferred during the sixty-day period, provided
26 that during a one-year period the vehicle may be
27 transferred between parents and their children or
28 between spouses without another inspection. A vehicle
29 inspection is not required when the transfer of the
30 vehicle or an interest in the vehicle is between
31 spouses or when required pursuant to a decree for
32 dissolution of marriage between former spouses.
33 However, the certificate of inspection for a new motor
34 vehicle which has not previously been sold at retail
35 and which is not sold within sixty days after the
36 date the inspection was performed may be revalidated
37 by the inspection station without another inspection
38 provided the motor vehicle has not been driven more
39 than one hundred miles since the inspection was
40 performed. If the motor vehicle is subject to
41 inspection, the authorized inspection station shall
42 issue and affix a valid certificate of inspection
43 or certificate of rejection, as the case may be, in
44 accordance with the results of the inspection. If
45 an inspection is required, an applicant shall file
46 with an application for title to the vehicle or for
47 registration thereof under the provisions of section
48 321.23, subsection 2 or 3, with the county treasurer
49 of the county of his residence, a statement on a form
50 provided by the director, signed by an authorized

1 inspection station certifying the date that a
2 certificate of inspection was issued for and affixed
3 to the vehicle. If an inspection is required the
4 county treasurer shall not issue a title to the vehicle
5 to the applicant or register the vehicle unless such
6 statement is filed with the application showing that
7 the inspection of the vehicle was made not more than
8 sixty days prior to the date of sale or transfer,
9 or unless the vehicle was purchased out of this state
10 by a resident of this state who resides outside of
11 this state, but desires to maintain his Iowa residency
12 and he executes a statement to that effect in form
13 and content as prescribed by the director. The county
14 treasurer shall stamp the registration card for such
15 vehicle with the words "NOT INSPECTED." A vehicle
16 so registered shall be inspected at an authorized
17 inspection station within fifteen days after being
18 brought into this state. The county treasurer shall
19 mail the statement of inspection or statement of out-
20 of-state residency to the department at the time of
21 mailing copies of the registration receipt. The
22 department may destroy any forms, certificates or
23 statements after one year from the date they are filed
24 unless they relate to pending appeals."

25 18. Page 7, by inserting after line 5 the fol-
26 lowing:

27 "Sec. _____. Section three hundred twenty-one point
28 two hundred seventy-five (321.275), Code 1975, is
29 amended by adding the following new subsection:

30 NEW SUBSECTION. The provisions of this section
31 shall apply to motorized bicycles."

32 19. Page 7, by inserting after line 30 the
33 following:

34 "Sec. _____. Section three hundred twenty-one point
35 three hundred seventeen (321.317), subsection three
36 (3), Code 1975, is amended to read as follows:

37 3. After the thirty-first day of December, 1953,
38 it shall be unlawful for any person to sell or offer
39 for sale or operate on the highways of the state of
40 Iowa any vehicle subject to registration under the
41 provisions of this chapter which has never been
42 registered in this or any other state prior to January
43 1, 1954, unless such vehicle is equipped with a
44 directional signal device of a type approved by the
45 department and is in compliance with the provisions
46 of subsection 2 of this section. Motorcycles, motor
47 scooters, bicycles-with-motor-attached and semi-
48 trailers and trailers less than forty inches in width
49 are exempt from the provisions of this section."

50 20. Page 8, by inserting after line 34 the

1 following:

2 "Sec. _____. Section three hundred twenty-one point
3 three hundred eighty-five (321.385), Code 1975, is
4 amended to read as follows:

5 321.385 HEAD LAMPS ON MOTOR VEHICLES. Every motor
6 vehicle other than a motorcycle or motorized bicycle
7 shall be equipped with at least two head lamps with
8 at least one on each side of the front of the motor
9 vehicle, which head lamps shall comply with the
10 requirements and limitations set forth in this
11 chapter."

12 21. Page 10, line 8, by striking the words "or
13 usually operated".

14 22. Page 10, lines 19 and 20, by striking the
15 words "or usually operated".

16 23. Page 10, line 21, by inserting after the word
17 "department" the words "or when the member has used
18 the blue light beyond the scope of its authorized
19 use".

20 24. Page 11, by inserting after line 26 the fol-
21 lowing:

22 "Sec. _____. Section three hundred twenty-one point
23 four hundred thirty (321.430), subsection one (1),
24 Code 1975, is amended to read as follows:

25 1. Every motor vehicle, other than a motorcycle
26 or motorized bicycle, when operated upon a highway
27 shall be equipped with brakes adequate to control
28 the movement of and to stop and hold such vehicle,
29 including two separate means of applying the brakes,
30 each of which means shall be effective to apply the
31 brakes to at least two wheels. If these two separate
32 means of applying the brakes are connected in any
33 way, they shall be so constructed that failure of
34 any one part of the operating mechanism shall not
35 leave the motor vehicle without brakes on at least
36 two wheels.

37 Sec. _____. Section three hundred twenty-one point
38 four hundred thirty (321.430), subsection four (4),
39 paragraph a, is amended to read as follows:

40 a. Any motorcycle or motorized bicycle."

41 25. Page 13, by inserting after line 5 the fol-
42 lowing:

43 "Sec. _____. Section three hundred twenty-one point
44 four hundred fifty-seven (321.457), subsection five
45 (5), Code 1975, is amended to read as follows:

46 5. No combination of vehicles coupled together
47 which are used exclusively for the transportation
48 of passenger vehicles, light delivery trucks, panel
49 delivery trucks, pickup trucks, travel trailers,
50 boats, farm and industrial tractors and self-propel-

1 led farm implements, nonself-propelled implements
2 of husbandry, and self-propelled vehicles shall have
3 an unladen length, inclusive of front and rear bumpers
4 in excess of sixty feet, but the passenger vehicles,
5 light delivery trucks, panel delivery trucks, pick-
6 up trucks, or boats being transported may extend up
7 to three feet beyond the front and rear bumpers of
8 the transporting vehicles when the overall length
9 of the vehicle with load does not exceed sixty-five
10 feet."

11 26. Page 14, by inserting after line 6 the fol-
12 lowing:

13 "Sec. ____ . The sections of this Act amending
14 section three hundred twenty-one point forty-six
15 (321.46), unnumbered paragraph one (1), Code 1975,
16 and section three hundred twenty-one point one hundred
17 eighty-nine (321.189), Code 1975, shall be effective
18 January 1, 1977."

19 27. Amend the title, line 11, by inserting after
20 the word "transportation" the words "and providing
21 for a motorized bicycle license and specifying the
22 operation requirements for a motorized bicycle".

23 16. Renumber the sections and correct internal
24 references as necessary in conformance with this
25 amendment.

H-6816 FILED - *Adopted as amended by 6822 and 6847 5/24 (p. 3098)*

BY KRAUSE of Palo Alto
KOOGLER of Mahaska
DRAKE of Muscatine
SCHROEDER of Pottawattamie
HUTCHINS of Guthrie
WULFF of Black Hawk
HINES of Story
MILLER of Buchanan
HARGRAVE of Johnson

HOUSE FILE 1332

H-6844

1 Amend the Krause et al amendment, H-6816, to the
2 Senate amendment, H-6726, to House File 1332 as amended
3 passed and reprinted by the House as follows:

4 1. Page 8, by striking line 46 and inserting in lieu
5 thereof the following: "motorized bicycle licenses.

6 Sec. ---. Section Three hundred twenty-one point two
7 hundred nine (321.209); Code of Iowa, 1975 is amended by
8 striking subsection seven (7).

9 Sec. ____ . Section three hundred twenty-one point two hundred
10 ten (321.210), is amended by inserting after subsection seven
11 (7) the following new subsection:

12 "8. Has been convicted of drag racing."

H-6844 FILED - *Lost 5/24 (3098)* BY AVENSON of Fayette
MAY 24, 1976

HOUSE FILE 1332

H-6788

- 1 Amend amendment H-6755, to Senate amendment
- 2 H-6726, to House File 1332, as follows:
- 3 1. Page 1, lines 44 and 45, by striking the
- 4 words "valid for operation of motorcycles".
- 5 2. Page 6, by inserting after line 29 the
- 6 following:
- 7 "The department may not require a person to
- 8 whom is issued a valid operator's or chauffeur's
- 9 license to comply with any other licensing
- 10 requirement in order to operate a motorized
- 11 bicycle."

H-6788 FILED - *Out of order* BY HINES of Story
MAY 20, 1976 *as above*

HOUSE FILE 1332

H-6796

- 1 Amend the Senate amendment H-6726 to House File
- 2 1332, as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the following:
- 5 "_____. Page 1, by inserting before line 1 the
- 6 following:
- 7 "Sec. _____. NEW SECTION. Notwithstanding any
- 8 provisions to the contrary, an individual operating
- 9 a motor vehicle on the highways of this state shall
- 10 not be required to stop or submit to any inspection
- 11 of the vehicle or person by any designated peace
- 12 officer or any official exercising the function of
- 13 a peace officer who is operating a motor vehicle
- 14 unless such peace officer's motor vehicle bears at
- 15 least two labels in a conspicuous place one on each
- 16 side of the vehicle, each label covering not less
- 17 than one square foot of surface, and such vehicle
- 18 is equipped with roof mounted flashing signal lights.
- 19 The provisions of this section shall not be applicable
- 20 to streets under the jurisdiction and control of
- 21 municipal governing bodies.""
- 22 2. By striking page 1 line 44 through page 2 line
- 23 47.
- 24 3. Renumber the sections and correct internal
- 25 references as necessary in conformance with this
- 26 amendment.

H-6796 FILED - *Out of order* BY BYERLY of Polk
MAY 20, 1976 *with adoption of* HORN of Linn
6816 (5/24 p. 2098)

HOUSE FILE 1332

H-6822

- 1 Amend amendment H-6816 to Senate amendment
- 2 H-6726 to House File 1332 as amended, passed and
- 3 reprinted by the House as follows:
- 4 1. Page 4, by inserting before the period
- 5 in line 6 the following:
- 6 "such permit shall be valid for forty-eight
- 7 hours after issuance by inspection station."

H-6822 FILED - *Adopted 5/24* BY SCHROEDER of Pottawattamie

HOUSE FILE 1332

H-6847

- 1 Amend amendment H-6816, to Senate amendment
- 2 H-6726, to House File 1332 as follows:
- 3 1. Page 13, by inserting after line 19 the
- 4 following:
- 5 "_____ . Page 10, line 27, by inserting after
- 6 the word "emergency" the words "in the line of
- 7 duty".

H-6847 FILED - *Adopted by* BY HUTCHINS of Guthrie
Unanimous
MAY 24, 1976 *consent 5/24 (3097)* KRAUSE of Palo Alto

HOUSE FILE 1332

H-6868

- 1 Amend House File 1332 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Sec. _____. Section three hundred fourteen point
- 5 twelve (314.12), Code 1975, is amended to read as
- 6 follows:
- 7 314.12 BORROW PITS--TOPSOIL PRESERVED. In the
- 8 award of contracts for the construction,
- 9 reconstruction, improvement, repair or maintenance
- 10 of any highway, the agency having charge of awarding
- 11 such contracts shall require that when fill dirt,
- 12 soil or other materials are to be removed from borrow
- 13 pits for use in the project, adequate provision shall
- 14 be made by agreement with the landowner for the
- 15 restoration of the borrow pit area, ~~either~~ by removal
- 16 and replacement of a minimum of eight inches of
- 17 topsoil, ~~or~~ by however, if the land is not primarily
- 18 used for agricultural purposes the agreement may
- 19 provide for the fertilizing, mulching, reseeding or
- 20 other appropriate measures to provide vegetative cover
- 21 or prevent erosion in lieu of topsoil replacement."
- 22 2. Amend the title by striking lines 1 through
- 23 11 and inserting in lieu thereof the words "An Act
- 24 amending the Iowa Code."
- 25 3. Renumber sections and correct internal
- 26 references in conformance with this amendment.

H-6868 FILED
MAY 25, 1976

BY HOWELL of Floyd

H-6755

1 Amend the Senate amendment, H-6726 to House File
2 1332 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 2, the fol-
5 lowing:

6 "____. Page 1, by striking lines 1 through 3 and
7 inserting in lieu thereof the following:

8 "Sec. ____ Chapter three hundred twenty-one (321),
9 Code 1975, as amended by Acts of the Sixty-sixth
10 General Assembly, 1975 and 1976 Sessions, is amended
11 by adding the following new section:

12 NEW SECTION. MOTORIZED BICYCLE LICENSE.

13 1. The department may issue a motorized bicycle
14 license to any person fourteen years of age or older
15 who has passed the approved driver education course
16 required for applicants for such license. A motorized
17 bicycle license shall entitle the licensee to operate
18 a motorized bicycle while having the license in
19 immediate possession on the highways of the state
20 for a period of two years.

21 2. A motorized bicycle license shall be canceled
22 upon a conviction for a moving traffic violation and
23 reapplication may be made thirty days after the date
24 of cancellation. The cancellation of the license
25 upon conviction for a moving traffic violation shall
26 not result in requiring the applicant to maintain
27 proof of financial responsibility under section three
28 hundred twenty-one A point seventeen (321A.17), of
29 the Code, unless the conviction would otherwise result
30 in a suspension or revocation of a person's operator's
31 license.

32 3. As used in this section, "moving traffic
33 violation" does not include any violation of any
34 section of the Code or any municipal ordinance
35 pertaining to the standards to be maintained for motor
36 vehicle equipment except sections three hundred twenty-
37 one point four hundred thirty (321.430) and three
38 hundred twenty-one point four hundred thirty-one
39 (321.431) of the Code, or any municipal ordinance
40 pertaining to motor vehicle brake requirements as
41 applicable to motorized bicycles.

42 4. A motorized bicycle license is not required
43 to operate a motorized bicycle if possessed of an
44 operator's or chauffeur's license valid for operation
45 of motorcycles.

46 5. A motorized bicycle license shall terminate
47 upon issuance to the licensee of an operator's or
48 chauffeur's license valid for operation of motorcycles.
49 A valid motorized bicycle license shall be returned
50 to the department prior to issuance of an operator's

1 or chauffeur's license valid for operation of
2 motorcycles.

3 Sec. _____. Section three hundred twenty-one point
4 one (321.1), Code 1975, as amended by Acts of the
5 Sixty-sixth General Assembly, 1975 Session, chapters
6 sixty-seven (67) and one hundred seventy (170), is
7 amended by adding the following new subsections:

8 NEW SUBSECTION. "Motorized bicycle" or "motor
9 bicycle" means a two-wheeled motor vehicle with an
10 engine having a displacement no greater than fifty
11 cubic centimeters as fixed by the department and not
12 capable of operation at a speed in excess of twenty-
13 five miles per hour on level ground unassisted by
14 human power."

15 _____. Page 1, by inserting after line 8 the fol-
16 lowing:

17 "Sec. _____. Section three hundred twenty-one point
18 one (321.1), subsection three (3), Code 1975, is
19 amended to read as follows:

20 3. "Motorcycle" means every motor vehicle having
21 a saddle or seat for the use of the rider and designed
22 to travel on not more than three wheels in contact
23 with the ground including a motor scooter ~~and a bicycle~~
24 ~~with motor attached~~ but excluding a tractor and a
25 motorized bicycle."

26 _____. Page 1, by inserting after line 16 the fol-
27 lowing:

28 "Sec. _____. Section three hundred twenty-one point
29 thirty-four (321.34), unnumbered paragraph one (1),
30 Code 1975, is amended to read as follows:

31 The county treasurer upon receiving application,
32 accompanied by proper fee, for registration of a
33 vehicle shall issue to the owner one registration
34 plate for a motorcycle, motorized bicycle, truck
35 tractor, trailer, or semitrailer and two registration
36 plates for every other motor vehicle.

37 Sec. _____. Section three hundred twenty-one point
38 thirty-seven (321.37), unnumbered paragraph one (1),
39 Code 1975, is amended to read as follows:

40 Registration plates issued for a motor vehicle
41 other than a motorcycle, motorized bicycle or a truck
42 tractor shall be attached thereto, one in the front
43 and the other in the rear. The registration plate
44 issued for a motorcycle or other vehicle required
45 to be registered hereunder shall be attached to the
46 rear thereof. The registration plate issued for a
47 truck tractor shall be attached to the front thereof."

48 2. Page 1, by striking line 19 and inserting in
49 lieu thereof the following:

50 "title."

┌

7

1 Sec. ____ . Section three hundred twenty-one point
2 one hundred seventeen (321.117), Code 1975, as amended
3 by Acts of the Sixty-sixth General Assembly, 1975
4 Session, chapter one hundred seventy-one (171), section
5 eleven (11), is amended to read as follows:

6 321.117 MOTORCYCLE AND HEARSE FEES. For all
7 motorcycles the annual fee shall be ten dollars.
8 For all motorized bicycles the annual fee shall be
9 five dollars. When said motorcycle has been registered
10 five times, the annual registration fee shall be five
11 dollars. The annual registration fee for hearses
12 shall be fifty dollars. Passenger car plates shall
13 be issued for hearses.

14 ____. Page 3, by inserting after line 14 the fol-
15 lowing:

16 "Sec. ____ . Section three hundred twenty-one point
17 one hundred seventy-seven (321.177), subsection one
18 (1), Code 1975, is amended to read as follows:

19 1. To any person, as an operator, who is under
20 the age of sixteen years; provided that, effective
21 August 1, 1966, the department shall not issue a
22 license to any person, as an operator, who is under
23 the age of seventeen years and effective August 1,
24 1967, the department shall not issue a license to
25 any person, as an operator, who is under the age of
26 eighteen years, without his first having successfully
27 completed an approved driver education course, in
28 which case, the minimum age shall be sixteen years.
29 However, the department may issue a restricted license
30 as provided in section 321.194, or an instruction
31 permit as provided in section 321.180, to any person
32 who is at least fourteen years of age. The department
33 may issue a license restricted only for use for
34 motorized bicycles as provided in section two (2)
35 of this Act, to any person fifteen years of age or
36 older who has successfully completed an approved
37 driver's education course established by the department
38 of public instruction to acquaint the motorized bicycle
39 operator with the rules of the road.

40 Sec. ____ . Section three hundred twenty-one point
41 one hundred seventy-eight (321.178), subsection one
42 (1), unnumbered paragraph three (3), Code 1975, is
43 amended to read as follows:

44 "Student," for purposes of this section, ~~shall~~
45 mean means any person between the ages of fifteen
46 years and twenty-one years who resides in the public
47 school district and who satisfies the preliminary
48 licensing requirements of the department or any person
49 between fifteen and twenty-one years of age who resides
50 in the public school district, who satisfies the

L

J

1 preliminary licensing requirements of the department
2 for operation of a motorized bicycle and who is
3 enrolled in an approved driver education course for
4 the purpose of qualifying for a motorized bicycle
5 license as provided for in section two (2) of this
6 Act.

7 Sec. _____. Section three hundred twenty-one point
8 one hundred seventy-eight (321.178), Code 1975, as
9 amended by Acts of the Sixty-sixth General Assembly,
10 1975 Session, chapter seventy-nine (79) section fifteen
11 (15), is amended by adding the following new
12 subsection:

13 NEW SUBSECTION. An individual applying for a
14 motorized bicycle license shall take the approved
15 driver education course without meeting the highway
16 driving experience requirement."

17 _____. Page 3, by inserting after line 31, the fol-
18 lowing:

19 "Sec. _____. Section three hundred twenty-one point
20 one hundred eighty-two (321.182), Code 1975, is amended
21 to read as follows:

22 321.182 APPLICATION FOR LICENSE OR PERMIT. Every
23 application for an instruction permit ~~or~~fer, an
24 operator's or chauffeur's license ~~or~~, a temporary
25 driver's permit or a motorized bicycle license shall
26 be made upon a form furnished by the department and
27 shall be verified by the applicant before a person
28 authorized to administer oaths, and officers and
29 employees of the department are hereby authorized
30 to administer such oaths without charge. The applicant
31 shall write his usual signature with pen and ink upon
32 the application in the space provided for signature."

33 3. Page 1, by inserting after line 23, the fol-
34 lowing:

35 "_____. Page 4, line 2, by inserting after the word
36 "license," the words "motorized bicycle license,"."

37 4. Page 1, by inserting after line 26 the fol-
38 lowing:

39 "_____. Page 4, by inserting after line 13, the
40 following:

41 "Sec. _____. Section three hundred twenty-one point
42 one hundred eighty-six (321.186), Code 1975, is amended
43 to read as follows:

44 321.186 EXAMINATION OF NEW OR INCOMPETENT
45 OPERATORS. The department may examine every new
46 applicant for an operator's, motorized bicycle or
47 chauffeur's license or any person holding a valid
48 operator's, motorized bicycle or chauffeur's license
49 when the department has reason to believe that such
50 person may be physically or mentally incompetent to

┌

7

1 operate a motor vehicle, or whose driving record
2 appears to the department to justify such an
3 examination. Such examinations shall be held in every
4 county within periods not to exceed fifteen days.
5 It shall include a test of the applicant's eyesight,
6 his ability to read and understand highway signs
7 regulating, warning, and directing traffic, his
8 knowledge of the traffic laws of this state, and shall
9 include an actual demonstration of ability to exercise
10 ordinary and reasonable control in the operation of
11 a motor vehicle and such further physical and mental
12 examinations as the department finds necessary to
13 determine the applicant's fitness to operate a motor
14 vehicle safely upon the highways."

15 _____. Page 4, line 20, by inserting after the word
16 "operators'" the words ", motorized bicycle".

17 _____. Page 4, line 22, by inserting after the word
18 "operators'" the words ", motorized bicycle".

19 5. Page 1, line 34, by inserting after the word
20 "operator's" the words ", motorized bicycle".

21 6. Page 1, by striking line 43 and inserting in
22 lieu thereof the following: "licensee's social
23 security number."

24 Sec. _____. Section three hundred twenty-one point
25 one hundred ninety (321.190), Code 1975, is amended
26 to read as follows:

27 321.190 CARRIED AND EXHIBITED. Every licensee
28 shall have his operator's or chauffeur's, or motorized
29 bicycle license in his immediate possession at all
30 times when operating a motor vehicle and shall display
31 the same, upon demand of a judicial magistrate or
32 district associate judge, a peace officer, or a field
33 deputy or examiner of the department. However, no
34 person charged with violating this section shall be
35 convicted if he produces in court, within a reasonable
36 time, an operator's or chauffeur's or motorized bicycle
37 license ~~theretofore~~ issued to him and valid at the
38 time of his arrest.

39 Sec. _____. Section three hundred twenty-one point
40 one hundred ninety-one (321.191), unnumbered paragraph
41 one (1), Code 1975, is amended to read as follows:

42 The fee for an operator's license shall be five
43 dollars if issued for a period of two years, and ten
44 dollars if issued for a period of four years. The
45 fee for a chauffeur's license shall be ten dollars
46 if issued for a period of two years, and twenty dollars
47 if issued for a period of four years. The fee for
48 an instruction permit shall be three dollars and,
49 for a temporary driver's permit, five dollars and
50 for a motorized bicycle license, five dollars.

└

└

1 Sec. _____. Section three hundred twenty-one point
2 one hundred ninety-two (321.192), Code 1975, is amended
3 to read as follows:

4 321.192 DISPOSAL OF FEES. Such license fees shall
5 be forwarded by the department to the treasurer of
6 state who shall place same in the general fund of
7 the state, provided that for each operator's and
8 motorized bicycle license issued by a county sheriff
9 for which a license fee is paid, the sheriff issuing
10 the same shall be entitled to retain the sum of fifteen
11 cents and for each chauffeur's license, the sum of
12 fifty cents, which shall be credited to the county
13 general fund.

14 Sec. _____. Section three hundred twenty-one point
15 one hundred ninety-three (321.193), unnumbered
16 paragraph one (1), Code 1975, is amended to read as
17 follows:

18 When provided in rules adopted pursuant to chapter
19 17A, the department upon issuing an operator's or
20 chauffeur's license or motorized bicycle license shall
21 have authority whenever good cause appears to impose
22 restrictions suitable to the licensee's driving ability
23 with respect to the type of vehicle or special
24 mechanical control devices required on a motor vehicle
25 which the licensee may operate or such other
26 restrictions applicable to the licensee, including
27 licenses issued under section 321.194, as the
28 department may determine to be appropriate to assure
29 the safe operation of a motor vehicle by the licensee.

30 Sec. _____. Section three hundred twenty-one point
31 one hundred ninety-five (321.195), Code 1975, is
32 amended to read as follows:

33 321.195 DUPLICATE CERTIFICATES. In the event
34 that an instruction permit ~~or~~, operator's or
35 chauffeur's license, motorized bicycle license or
36 extension certificate issued under the provisions
37 of this chapter is lost or destroyed, the person to
38 whom the same was issued may upon payment of a fee
39 of two dollars for an operator's or chauffeur's
40 license, ~~or~~ extension certificate or motorized bicycle
41 license, obtain a duplicate, or substitute thereof,
42 upon furnishing proof satisfactory to the department
43 that such permit, license, or extension certificate
44 has been lost or destroyed.

45 Sec. _____. Section three hundred twenty-one point
46 two hundred one (321.201), Code 1975, is amended by
47 adding the following new unlettered paragraph:

48 NEW UNLETTERED PARAGRAPH. The provisions applicable
49 in sections three hundred twenty-one point two hundred
50 one (321.201) through three hundred twenty-one point

1 two hundred fifteen (321.215) of the Code relating
2 to cancellation, suspension or revocation of an
3 operator's or chauffeur's license are also applicable
4 to motorized bicycle licenses and licensees holding
5 motorized bicycle licenses."

6 7. Page 1, by striking line 46 and inserting in
7 lieu thereof the following:

8 "Sec. _____. Section three hundred twenty-one point
9 two hundred sixteen (321.216), Code 1975, is amended
10 to read as follows:

11 321.216 UNLAWFUL USE OF LICENSE. It is a
12 misdemeanor, punishable as provided in section 321.482
13 unless another punishment is otherwise provided, for
14 any person:

15 1. To display or cause or permit to be displayed
16 or have in his possession any canceled, revoked,
17 suspended, fictitious or fraudulently altered temporary
18 driver's permit, temporary instruction permit,
19 motorized bicycle license, operator's license, or
20 chauffeur's license.

21 2. To lend his temporary driver's permit, temporary
22 instruction permit, motorized bicycle license,
23 operator's license, or chauffeur's license to any
24 other person or knowingly permit the use thereof by
25 another.

26 3. To display or represent as one's own any
27 temporary driver's permit, temporary instruction
28 permit, motorized bicycle license, operator's license,
29 or chauffeur's license not issued to him.

30 4. To fail or refuse to surrender to the department
31 upon its lawful demand any temporary driver's permit,
32 temporary instruction permit, motorized bicycle
33 license, operator's license, or chauffeur's license
34 which has been suspended, revoked, or canceled.

35 5. To use a false or fictitious name in any
36 application for a temporary driver's permit, temporary
37 instruction permit, motorized bicycle license,
38 operator's license, or chauffeur's license or to
39 knowingly make a false statement or to knowingly
40 conceal a material fact or otherwise commit a fraud
41 in any such application.

42 6. To permit any unlawful use of a temporary
43 driver's permit, temporary instruction permit,
44 motorized bicycle license, operator's license, or
45 chauffeur's license issued to him.

46 Sec. _____. Section three hundred twenty-one point
47 two hundred eighteen (321.218), Code 1975, is amended
48 by adding the following new unlettered paragraph:

49 NEW UNLETTERED PARAGRAPH. Any person operating
50 a motorized bicycle on the highways of the state not

1 possessed of an operator's or chauffeur's license
2 valid for operation of motorcycles or a valid motorized
3 bicycle license, shall, upon conviction, be guilty
4 of a misdemeanor and punished by a fine of not less
5 than five nor more than fifty dollars.

6 Sec. _____. Section three hundred twenty-one point".

7 8. Page 3, line 8, by inserting after the words
8 and figures "section 321.115" the words "and motorized
9 bicycles".

10 9. Page 4, by inserting after line 21, the fol-
11 lowing:

12 "_____. Page 7, by inserting after line 5 the fol-
13 lowing:

14 "Sec. _____. Section three hundred twenty-one point
15 two hundred seventy-five (321.275), Code 1975, is
16 amended by adding the following new subsection:

17 NEW SUBSECTION. The provisions of this section
18 shall apply to motorized bicycles."

19 "_____. Page 7, by inserting after line 30 the
20 following:

21 "Sec. _____. Section three hundred twenty-one point
22 three hundred seventeen (321.317), subsection three
23 (3), Code 1975, is amended to read as follows:

24 3. After the thirty-first day of December, 1953,
25 it shall be unlawful for any person to sell or offer
26 for sale or operate on the highways of the state of
27 Iowa any vehicle subject to registration under the
28 provisions of this chapter which has never been
29 registered in this or any other state prior to January
30 1, 1954, unless such vehicle is equipped with a
31 directional signal device of a type approved by the
32 department and is in compliance with the provisions
33 of subsection 2 of this section. Motorcycles, motor
34 scooters, ~~bicycles-with-motor-attached~~ and semi-
35 trailers and trailers less than forty inches in width
36 are exempt from the provisions of this section."

37 "_____. Page 8, by inserting after line 34 the
38 following:

39 "Sec. _____. Section three hundred twenty-one point
40 three hundred eighty-five (321.385), Code 1975, is
41 amended to read as follows:

42 321.385 HEAD LAMPS ON MOTOR VEHICLES. Every motor
43 vehicle other than a motorcycle or motorized bicycle
44 shall be equipped with at least two head lamps with
45 at least one on each side of the front of the motor
46 vehicle, which head lamps shall comply with the
47 requirements and limitations set forth in this
48 chapter."

49 10. Page 4, by inserting after line 31 the follow-
50 ing:

1 "_____. Page 11, by inserting after line 26 the
2 following:

3 "Sec. _____. Section three hundred twenty-one point
4 four hundred thirty (321.430), subsection one (1),
5 Code 1975, is amended to read as follows:

6 1. Every motor vehicle, other than a motorcycle
7 or motorized bicycle, when operated upon a highway
8 shall be equipped with brakes adequate to control
9 the movement of and to stop and hold such vehicle,
10 including two separate means of applying the brakes,
11 each of which means shall be effective to apply the
12 brakes to at least two wheels. If these two separate
13 means of applying the brakes are connected in any
14 way, they shall be so constructed that failure of
15 any one part of the operating mechanism shall not
16 leave the motor vehicle without brakes on at least
17 two wheels.

18 Sec. _____. Section three hundred twenty-one point
19 four hundred thirty (321.430), subsection four (4),
20 paragraph a, is amended to read as follows:

21 a. Any motorcycle or motorized bicycle."

22 11. Page 4, by inserting after line 39 the fol-
23 lowing:

24 "_____. Amend the title, line 11, by inserting after
25 the word "transportation" the words "and providing
26 for a motorized bicycle license and specifying the
27 operation requirements for a motorized bicycle".

28 12. Renumber the sections and correct internal
29 references as necessary in conformance with this
30 amendment.

H-6755 FILED *Out of order a* BY HINES of Story
MAY 19, 1976 *above*

HOUSE FILE 1332

H-6769

1 Amend the Senate amendment H-6726 to House File
2 1332, as amended, passed and reprinted by the House
3 as follows:

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

5 "_____. Page 1, by inserting before line 1 the
6 following:

7 "Sec. _____. NEW SECTION. Notwithstanding any
8 provisions to the contrary, an individual operating
9 a motor vehicle on the highways of this state shall
10 not be required to stop or submit to any inspection
11 of the vehicle or person by any designated peace
12 officer or any official exercising the function of
13 a peace officer who is operating a motor vehicle
14 unless such peace officer's motor vehicle bears at
15 least two labels in a conspicuous place one on each
16 side of the vehicle, each label covering not less
17 than one square foot of surface, and such vehicle
18 is equipped with roof mounted flashing signal lights."

19 2. Renumber the sections and correct internal
20 references as necessary in conformance with this
21 amendment.

H-6769 FILED - *Out of order* BY BYERLY of Polk
MAY 19, 1976 *with adoption* HORN of Linn
of 3098 5/24(3098)

HOUSE FILE 1332

H-6736

1 Amend the Senate amendment H-6726, to House
2 File 1332, as follows:
3 1. Page 1, line 19, by striking the quotation
4 marks and inserting in lieu thereof the following:
5 "Sec. _____. Section three hundred twenty-one
6 point fifty-one (321.51), subsection six (6), Code
7 1975, is amended to read as follows:
8 6. No vehicle sold or otherwise transferred
9 pursuant to the provisions of this section shall be
10 driven upon the highway until a valid official
11 certificate of inspection has been affixed thereto
12 and an unrestricted certificate of title, a regis-
13 tration card, and registration plates for the vehicle
14 have been issued to the purchase or transferee,
15 except as set out in section 321.98. However,
16 upon receipt of an affidavit signed by the owner of
17 the vehicle stating that the vehicle is reasonably
18 safe for operation, an inspection station may issue
19 a permit authorizing the owner to operate the vehicle
20 to and from a specific inspection station. The
21 affidavit and permit mentioned in this section shall
22 be on forms prescribed and furnished by the depart-
23 ment which shall forward these forms to each county
24 treasurer where they shall be made available upon
25 request."

H-6736 FILED - *Out of order* BY KRAUSE of Palo Alto
MAY 18, 1976 *see above* SCHROEDER of Pottawattamie
DRAKE of Muscatine

HOUSE FILE 1332

H-6738

1 Amend H-6726 to House File 1332 as follows:
2 1. Page 4, by inserting after line 31 the
3 following:
4 "Page 13, by inserting after line 5 the follow-
5 ing:
6 "Sec. _____. Section three hundred twenty-one
7 point four hundred fifty-seven (321.457), sub-
8 section five (5), Code 1975, is amended to read
9 as follows:
10 5. No combination of vehicles coupled to-
11 gether which are used exclusively for the trans-
12 portation of passenger vehicles, light delivery
13 trucks, panel delivery trucks, pickup trucks,
14 travel trailers, boats, farm and industrial tractors
15 and self-propelled farm implements, nonsel-
16 propelled implements of husbandry, and self-
17 propelled vehicles shall have an unladen length,
18 inclusive of front and rear bumpers in excess of
19 sixty feet, but the passenger vehicles, light
20 delivery trucks, panel delivery trucks, pickup
21 trucks, or boats being transported may extend up
22 to three feet beyond the front and rear bumpers
23 of the transporting vehicles when the overall
24 length of the vehicle with load does not exceed
25 sixty-five feet."

H-6738 FILED - *Out of order* BY WULFF of Black Hawk
MAY 18, 1976 *see above*

H-6735

1 Amend the Senate amendment, H-6726, to House File
2 1332, as amended, passed and reprinted by the House
3 as follows:

4 1. Page 4, by inserting after line 21 the
5 following:

6 "____. Page 7, by inserting after line 5 the
7 following:

8 "Sec. _____. Section three hundred twenty-one point
9 two hundred eighty-five (321.285), subsection eight
10 (8), Code 1975, as amended by Acts of the Sixty-sixth
11 General Assembly, 1975 Session, chapter one hundred
12 eighty (180), section one (1), is amended to read
13 as follows:

14 8. Notwithstanding any other speed restrictions,
15 the speed limits for all vehicular traffic, except
16 vehicles subject to the provisions of section 321.286
17 on fully controlled-access, divided, multilaned
18 highways including the national system of interstate
19 highways designated by the federal highway
20 administration and this state, 23 U.S.C. 103 (d),
21 shall be ~~fifty-five~~ sixty-five miles per hour.
22 However, the department or the cities, with the
23 approval of the department, may establish a lower
24 speed limit upon such highways located within the
25 corporate limits of any city used as city alternate
26 routes, commonly referred to as "freeways". For the
27 purposes of this subsection a fully controlled-access
28 highway is a highway that gives preference to through
29 traffic by providing access connections with selected
30 public roads only and by prohibiting crossings at
31 grade or direct private driveway connections. It
32 is further provided that a minimum speed of forty
33 miles per hour, road conditions permitting, shall
34 be established on the highways referred to in this
35 subsection.

36 Sec. _____. Section three hundred twenty-one point
37 two hundred eighty-six (321.286), subsection one (1),
38 Code 1975, as amended by Acts of the Sixty-sixth
39 General Assembly, 1975 Session, chapter one hundred
40 eighty (180), section two (2), is amended to read
41 as follows:

42 1. ~~Fifty-five~~ Sixty-five miles per hour on all
43 fully controlled-access, divided, multilaned high-
44 ways including interstate highways."

45 2. Page 4, by inserting after line 31 the
46 following:

47 "____. Page 13, by inserting after line 29 the
48 following:

49 "Sec. _____. Chapter three hundred twenty-one (321),
50 Code 1975, as amended by Acts of the Sixty-sixth

1 General Assembly, 1975 and 1976 Sessions, is amended
 2 by adding the following new section:
 3 NEW SECTION. The provisions of this chapter
 4 imposing a sixty-five miles per hour speed limit on
 5 fully controlled-access, divided, multilaned highways
 6 including the national system of interstate highways
 7 shall be amended to impose a fifty-five miles per
 8 hour speed limit on such highways if the federal
 9 government refuses to reimburse the state for claims
 10 made for matching federal funds on any project for
 11 which matching federal funds are available or if a
 12 ruling is issued by the United States secretary of
 13 transportation stating that approval of a project
 14 for which federal funds are sought will be denied
 15 because of the sixty-five miles per hour speed limit
 16 on certain highways. The director of the department
 17 of transportation shall issue appropriate rules under
 18 the provisions of chapter seventeen A (17A) of the
 19 Code to effect the changes required by this section."

20 3. Page 4, by inserting after line 39 the
 21 following:

22 "____. Page 14, by inserting after line 6 the
 23 following:

24 "Sec. _____. Section seven hundred fifty-three point
 25 fifteen (753.15), subsection six (6), Code 1975, is
 26 amended to read as follows:

27 6. Excess speed up to ten miles per hour over
 28 the legal limit, ~~twenty~~ ten dollars."

29 4. Renumber sections and correct internal refer-
 30 ences as necessary in conformance with this amendment.

H-6735 FILED - *Out of order* BY HORN of Linn
 MAY 18, 1976

HOUSE FILE 1332

H-6775

1 Amend Senate amendment H-6726 to House File
 2 1332 as follows:

3 "1. Page 1, by inserting before line 1 the
 4 following section:

5 Chapter three hundred eight A (308A) is
 6 amended by adding the following new section:

7 NEW SECTION. Bikeways and walkways approved
 8 as either incidental features of highway construc-
 9 tion projects primarily for motor vehicular traffic
 10 or as an independent bikeway or walkway construc-
 11 tion project constructed pursuant to the Highway
 12 Act of 1973, 23 U.S.C. 217, shall not be construc-
 13 ted as elevated structures joining private build-
 14 ings or so constructed to provide elevated access
 15 or egress facilities to private buildings."

H-6775 FILED - *Withdrawn 5/24* BY MILLER of Buchanan
 MAY 19, 1976 (3084)

H-6737

1 Amend the Senate amendment H-6726, to House
2 File 1332, as follows:

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

5 "1. Page 1, by inserting before line 1, the
6 following:

7 Section 1. Section three hundred twenty-one
8 point one (321.1), subsection seventy-two (72),
9 Code 1975, is amended to read as follows:

10 72. A "special truck" means a motor truck not
11 used for hire with a gross weight registration of
12 eight through ~~twelve~~ eighteen tons~~7--inclusive~~, used
13 by a person engaged in farming to transport
14 commodities produced only by the owner, or to
15 transport commodities purchased by the owner for use
16 in his own farming operation or occasional use for
17 charitable purposes."

18 2. Page 1, line 19, by striking the quotation
19 marks and inserting in lieu thereof the following:

20 "Sec. . Section three hundred twenty-one
21 point one hundred twenty-one (321.121), Code 1975,
22 is amended to read as follows:

23 321.121 SPECIAL TRUCKS FOR FARM USE. The
24 registration fee for a special truck shall be one
25 hundred dollars for a gross weight of eight~~7--nine~~
26 ~~ex-ten~~ tons, ~~and one-hundred-fifty-dollars-for-a~~
27 ~~gross-weight-of-eleven-or-twelve-tens~~ and in
28 addition, fifteen dollars for each ton over eight
29 tons. Any person convicted of using a truck
30 registered as a special truck for any purpose other
31 than permitted by section 321.1, subsection 72, shall,
32 in addition to any other penalty imposed by law, be
33 required to pay regular motor truck registration fees
34 upon such truck. A distinctive decal shall be
35 applied to the special truck registration plate for
36 easy identification."

H-6737 FILED *Out of order* BY SCHROEDER of Pottawattamie
MAY 18, 1976 *as above* DRAKE of Muscatine

H-6744

1 Amend the Senate amendment, H-6726, to
2 House File 1332 as amended, passed and reprinted
3 by the House as follows:

4 1. Page 4, by striking lines 30 and 31.

H-6744 FILED *Out of order* BY HUTCHINS of Guthrie
MAY 19, 1976 *as above*

HOUSE FILE 1332

H-6749

- 1 Amend the Senate amendment H-6726 to House File
2 1332 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 2, lines 3 and 4 by striking the words
5 "violiator of the law" and inserting in lieu thereof
6 the words "perpetrator of a felony or in response
7 to an incident dangerous to the public".
8 2. Page 2, lines 12 and 13 by striking the words
9 "or turning in specified directions" and inserting
10 in lieu thereof the words "for the minimum distance
11 necessary before an alternative route that conforms
12 to the traffic laws and regulations is available".
13 3. Page 2, line 22, by inserting after the words
14 "emergency vehicle" the words "under subsection two
15 (2) of this section and for a fire department vehicle,
16 police vehicle or ambulance as provided in subsection
17 three (3) of this section".
18 4. Page 2, by striking lines 28 through 37 and
19 inserting in lieu thereof the words "device shall
20 not be required when exercising the exemption granted
21 under subsection three (3), paragraph b of this section
22 when the vehicle is operated by a peace officer,
23 pursuing a suspected violator of the speed restrictions
24 imposed by or pursuant to this chapter, for the purpose
25 of determining the speed of travel of such suspected
26 violator."
27 5. Page 2, line 42, by inserting after the word
28 "reckless" the words "or negligent".

H-6749 FILED - *Sum of* BY HARGRAVE of Johnson
MAY 19, 1976 *State of Iowa*

H-6761

- 1 Amend amendment H-6758 to House File 1332 as
2 follows:
3 1. Page 1, lines 3 and 4 by striking the
4 words "valid for operation of motorcycles".
5 2. Page 6, by inserting after line 29 the
6 following:
7 The department may not require a person to
8 whom is issued a valid operator's or chauffeur's
9 license to comply with any other licensing
10 requirements in order to operate a motorized
11 bicycle.

H-6761 FILED - *Sum of* BY HINES of Story
MAY 19, 1976 *State of Iowa*

H-6727

1 Amend the Senate amendment H-6726, to House
2 File 1332, as follows:

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

5 "1. Page 1, by inserting before line 1 the
6 following:

7 Section 1. Chapter three hundred twenty-one (321),
8 Code 1975, as amended by Acts of the Sixty-sixth
9 General Assembly, 1975 and 1976 Sessions, is amended
10 by adding the following new section:

11 NEW SECTION. MOTORIZED BICYCLE LICENSE.

12 1. The department may issue a motorized bicycle
13 license to any person fifteen years of age or older
14 who has passed the approved driver education course
15 required for applicants for such license. A motorized
16 bicycle license shall entitle the licensee to operate
17 a motorized bicycle while having the license in
18 immediate possession on the highways of the state
19 for a period of two years.

20 2. A motorized bicycle license shall be canceled
21 upon a conviction for a moving traffic violation and
22 reapplication may be made thirty days after the date
23 of cancellation. The cancellation of the license
24 upon conviction for a moving traffic violation shall
25 not result in requiring the applicant to maintain
26 proof of financial responsibility under section three
27 hundred twenty-one A point seventeen (321A.17), of
28 the Code, unless the conviction would otherwise result
29 in a suspension or revocation of a person's operator's
30 license.

31 3. As used in this section, "moving traffic
32 violation" does not include any violation of any
33 section of the Code or any municipal ordinance
34 pertaining to the standards to be maintained for motor
35 vehicle equipment except sections three hundred twenty-
36 one point four hundred thirty (321.430) and three
37 hundred twenty-one point four hundred thirty-one
38 (321.431) of the Code, or any municipal ordinance
39 pertaining to motor vehicle brake requirements as
40 applicable to motorized bicycles.

41 4. A motorized bicycle license is not required
42 to operate a motorized bicycle if possessed of an
43 operator's or chauffeur's license valid for operation
44 of motorcycles.

45 5. A motorized bicycle license shall terminate
46 upon issuance to the licensee of an operator's or
47 chauffeur's license valid for operation of motorcycles.
48 A valid motorized bicycle license shall be returned
49 to the department prior to issuance of an operator's
50 or chauffeur's license valid for operation of

1 motorcycles.

2 Sec. 2. Section three hundred twenty-one point
3 one (321.1), Code 1975, as amended by Acts of the
4 Sixty-sixth General Assembly, 1975 Session, chapters
5 sixty-seven (67) and one hundred seventy (170), is
6 amended by adding the following new subsection:

7 NEW SUBSECTION. "Motorized bicycle" or "motor
8 bicycle" means a two-wheeled motor vehicle with an
9 engine having a displacement no greater than fifty
10 cubic centimeters as fixed by the department and not
11 capable of operation at a speed in excess of twenty-
12 five miles per hour on level ground unassisted by
13 human power.

14 Sec. 3. Section three hundred twenty-one point
15 one (321.1), subsection three (3), Code 1975, is
16 amended to read as follows:

17 3. "Motorcycle" means every motor vehicle having
18 a saddle or seat for the use of the rider and designed
19 to travel on not more than three wheels in contact
20 with the ground including a motor scooter and a bicycle
21 with motor attached but excluding a tractor and a
22 motorized bicycle.

23 Sec. 4. Section three hundred twenty-one point
24 thirty-four (321.34), unnumbered paragraph one (1),
25 Code 1975, is amended to read as follows:

26 The county treasurer upon receiving application,
27 accompanied by proper fee, for registration of a
28 vehicle shall issue to the owner one registration
29 plate for a motorcycle, motorized bicycle, truck
30 tractor, trailer, or semitrailer and two registration
31 plates for every other motor vehicle.

32 Sec. 5. Section three hundred twenty-one point
33 thirty-seven (321.37), unnumbered paragraph one (1),
34 Code 1975, is amended to read as follows:

35 Registration plates issued for a motor vehicle
36 other than a motorcycle, motorized bicycle or a truck
37 tractor shall be attached thereto, one in the front
38 and the other in the rear. The registration plate
39 issued for a motorcycle or other vehicle required
40 to be registered hereunder shall be attached to the
41 rear thereof. The registration plate issued for a
42 truck tractor shall be attached to the front thereof.

43 Sec. 6. Section three hundred twenty-one point
44 one hundred seventeen (321.117), Code 1975, as amended
45 by Acts of the Sixty-sixth General Assembly, 1975
46 Session, chapter one hundred seventy-one (171), section
47 eleven (11), is amended to read as follows:

48 321.117 MOTORCYCLE AND HEARSE FEES. For all
49 motorcycles the annual fee shall be ten dollars.
50 For all motorized bicycles the annual fee shall be

1 five dollars. When said motorcycle has been registered
2 five times, the annual registration fee shall be five
3 dollars. The annual registration fee for hearses
4 shall be fifty dollars. Passenger car plates shall
5 be issued for hearses.

6 Sec. 7. Section three hundred twenty-one point
7 one hundred seventy-seven (321.177), subsection one
8 (1), Code 1975, is amended to read as follows:

9 1. To any person, as an operator, who is under
10 the age of sixteen years; provided that, effective
11 August 1, 1966, the department shall not issue a
12 license to any person, as an operator, who is under
13 the age of seventeen years and effective August 1,
14 1967, the department shall not issue a license to
15 any person, as an operator, who is under the age of
16 eighteen years, without his first having successfully
17 completed an approved driver education course, in
18 which case, the minimum age shall be sixteen years.
19 However, the department may issue a restricted license
20 as provided in section 321.194, or an instruction
21 permit as provided in section 321.180, to any person
22 who is at least fourteen years of age. The department
23 may issue a license restricted only for use for
24 motorized bicycles as provided in section two (2)
25 of this Act, to any person fifteen years of age or
26 older who has successfully completed an approved
27 driver's education course established by the department
28 of public instruction to acquaint the motorized bicycle
29 operator with the rules of the road.

30 Sec. 8. Section three hundred twenty-one point
31 one hundred seventy-eight (321.178), subsection one
32 (1), unnumbered paragraph three (3), Code 1975, is
33 amended to read as follows:

34 "Student," for purposes of this section, shall
35 mean means any person between the ages of fifteen
36 years and twenty-one years who resides in the public
37 school district and who satisfies the preliminary
38 licensing requirements of the department or any person
39 between fifteen and twenty-one years of age who resides
40 in the public school district, who satisfies the
41 preliminary licensing requirements of the department
42 for operation of a motorized bicycle and who is
43 enrolled in an approved driver education course for
44 the purpose of qualifying for a motorized bicycle
45 license as provided for in section two (2) of this
46 Act.

47 Sec. 9. Section three hundred twenty-one point
48 one hundred seventy-eight (321.178), Code 1975, as
49 amended by Acts of the Sixty-sixth General Assembly,
50 1975 Session, chapter seventy-nine (79) section fifteen

(15), is amended by adding the following new subsection:

NEW SUBSECTION. An individual applying for a motorized bicycle license shall take the approved driver education course without meeting the highway driving experience requirement.

Sec. 10. Section three hundred twenty-one point one hundred eighty-two (321.182), Code 1975, is amended to read as follows:

321.182 APPLICATION FOR LICENSE OR PERMIT. Every application for an instruction permit ~~or~~, an operator's or chauffeur's license ~~or~~, a temporary driver's permit or a motorized bicycle license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths, and officers and employees of the department are hereby authorized to administer such oaths without charge. The applicant shall write his usual signature with pen and ink upon the application in the space provided for signature.

Sec. 11. Section three hundred twenty-one point one hundred eighty-four (321.184), Code 1975, is amended to read as follows:

321.184 APPLICATIONS OF MINORS. The application of any person under the age of eighteen years for an instruction permit, operator's license, motorized bicycle license, or permit issued under section 321.194 shall contain the verified consent and confirmation of applicant's birthday by both the father and mother of applicant, or the parent having custody in the event of the legal separation or the death of one parent; if neither parent is living, the guardian or other person having custody, or the employer, of such minor may consent. Officers and employees of the department are hereby authorized to administer such oaths without charge.

Sec. 12. Section three hundred twenty-one point one hundred eighty-six (321.186), Code 1975, is amended to read as follows:

321.186 EXAMINATION OF NEW OR INCOMPETENT OPERATORS. The department may examine every new applicant for an operator's, motorized bicycle or chauffeur's license or any person holding a valid operator's, motorized bicycle or chauffeur's license when the department has reason to believe that such person may be physically or mentally incompetent to operate a motor vehicle, or whose driving record appears to the department to justify such an examination. Such examinations shall be held in every county within periods not to exceed fifteen days.

1 It shall include a test of the applicant's eyesight,
2 his ability to read and understand highway signs
3 regulating, warning, and directing traffic, his
4 knowledge of the traffic laws of this state, and shall
5 include an actual demonstration of ability to exercise
6 ordinary and reasonable control in the operation of
7 a motor vehicle and such further physical and mental
8 examinations as the department finds necessary to
9 determine the applicant's fitness to operate a motor
10 vehicle safely upon the highways.

11 Sec. 13. Section three hundred twenty-one point
12 one hundred eighty-seven (321.187), Code 1975, is
13 amended to read as follows:

14 321.187 APPOINTMENT OF EXAMINERS. The department
15 is hereby authorized to appoint persons from the
16 members of the department or may designate the county
17 sheriff for the purpose of examining applicants for
18 operators', motorized bicycle and chauffeur's licenses.
19 It shall be the duty of any such person so appointed
20 to conduct examinations of applicants for operators',
21 motorized bicycle and chauffeurs' licenses under the
22 provisions of this chapter to make a written report
23 of findings and recommendations upon such examination
24 to the department. Examiners appointed by the
25 department when on duty shall wear a proper identifying
26 badge or badges as prescribed by the director which
27 shall be purchased by the department and paid for
28 from the department maintenance fund.

29 Sec. 14. Section three hundred twenty-one point
30 one hundred eighty-nine (321.189), Code 1975, is
31 amended to read as follows:

32 321.189 LICENSES ISSUED. The department shall
33 upon payment of the required fee, issue to every
34 applicant qualifying therefor an operator's or
35 chauffeur's or motorized bicycle license as applied
36 for, which license shall bear thereon a distinguishing
37 number assigned to the licensee, the full name, date
38 of birth, occupation, sex, residence address, a brief
39 description of the licensee, and the usual signature
40 of the licensee. No license shall be valid unless
41 it bears the signature of the licensee.

42 Sec. 15. Section three hundred twenty-one point
43 one hundred ninety (321.190), Code 1975, is amended
44 to read as follows:

45 321.190 CARRIED AND EXHIBITED. Every licensee
46 shall have his operator's or chauffeur's, or motorized
47 bicycle license in his immediate possession at all
48 times when operating a motor vehicle and shall display
49 the same, upon demand of a judicial magistrate or
50 district associate judge, a peace officer, or a field

1 deputy or examiner of the department. However, no
2 person charged with violating this section shall be
3 convicted if he produces in court, within a reasonable
4 time, an operator's or chauffeur's or motorized bicycle
5 license theretefere issued to him and valid at the
6 time of his arrest.

7 Sec. 16. Section three hundred twenty-one point
8 one hundred ninety-one (321.191), unnumbered paragraph
9 one (1), Code 1975, is amended to read as follows:

10 The fee for an operator's license shall be five
11 dollars if issued for a period of two years, and ten
12 dollars if issued for a period of four years. The
13 fee for a chauffeur's license shall be ten dollars
14 if issued for a period of two years, and twenty dollars
15 if issued for a period of four years. The fee for
16 an instruction permit shall be three dollars and,
17 for a temporary driver's permit, five dollars and
18 for a motorized bicycle license, five dollars.

19 Sec. 17. Section three hundred twenty-one point
20 one hundred ninety-two (321.192), Code 1975, is amended
21 to read as follows:

22 321.192 DISPOSAL OF FEES. Such license fees shall
23 be forwarded by the department to the treasurer of
24 state who shall place same in the general fund of
25 the state, provided that for each operator's and
26 motorized bicycle license issued by a county sheriff
27 for which a license fee is paid, the sheriff issuing
28 the same shall be entitled to retain the sum of fifteen
29 cents and for each chauffeur's license, the sum of
30 fifty cents, which shall be credited to the county
31 general fund.

32 Sec. 18. Section three hundred twenty-one point
33 one hundred ninety-three (321.193), unnumbered
34 paragraph one (1), Code 1975, is amended to read as
35 follows:

36 When provided in rules adopted pursuant to chapter
37 17A, the department upon issuing an operator's or
38 chauffeur's license or motorized bicycle license shall
39 have authority whenever good cause appears to impose
40 restrictions suitable to the licensee's driving ability
41 with respect to the type of vehicle or special
42 mechanical control devices required on a motor vehicle
43 which the licensee may operate or such other
44 restrictions applicable to the licensee, including
45 licenses issued under section 321.194, as the
46 department may determine to be appropriate to assure
47 the safe operation of a motor vehicle by the licensee.

48 Sec. 19. Section three hundred twenty-one point
49 one hundred ninety-five (321.195), Code 1975, is
50 amended to read as follows:

1 321.195 DUPLICATE CERTIFICATES. In the event
2 that an instruction permit ~~or~~ operator's or
3 chauffeur's license, motorized bicycle license or
4 extension certificate issued under the provisions
5 of this chapter is lost or destroyed, the person to
6 whom the same was issued may upon payment of a fee
7 of two dollars for an operator's or chauffeur's
8 license, ~~or~~ extension certificate or motorized bicycle
9 license, obtain a duplicate, or substitute thereof,
10 upon furnishing proof satisfactory to the department
11 that such permit, license, or extension certificate
12 has been lost or destroyed.

13 Sec. 20. Section three hundred twenty-one point
14 two hundred one (321.201), Code 1975, is amended by
15 adding the following new unlettered paragraph:

16 NEW UNLETTERED PARAGRAPH. The provisions applicable
17 in sections three hundred twenty-one point two hundred
18 one (321.201) through three hundred twenty-one point
19 two hundred fifteen (321.215) of the Code relating
20 to cancellation, suspension or revocation of an
21 operator's or chauffeur's license are also applicable
22 to motorized bicycle licenses and licensees holding
23 motorized bicycle licenses.

24 Sec. 21. Section three hundred twenty-one point
25 two hundred sixteen (321.216), Code 1975, is amended
26 to read as follows:

27 321.216 UNLAWFUL USE OF LICENSE. It is a
28 misdemeanor, punishable as provided in section 321.482
29 unless another punishment is otherwise provided, for
30 any person:

31 1. To display or cause or permit to be displayed
32 or have in his possession any canceled, revoked,
33 suspended, fictitious or fraudulently altered temporary
34 driver's permit, temporary instruction permit,
35 motorized bicycle license, operator's license, or
36 chauffeur's license.

37 2. To lend his temporary driver's permit, temporary
38 instruction permit, motorized bicycle license,
39 operator's license, or chauffeur's license to any
40 other person or knowingly permit the use thereof by
41 another.

42 3. To display or represent as one's own any
43 temporary driver's permit, temporary instruction
44 permit, motorized bicycle license, operator's license,
45 or chauffeur's license not issued to him.

46 4. To fail or refuse to surrender to the department
47 upon its lawful demand any temporary driver's permit,
48 temporary instruction permit, motorized bicycle
49 license, operator's license, or chauffeur's license
50 which has been suspended, revoked, or canceled.

1 5. To use a false or fictitious name in any
 2 application for a temporary driver's permit, temporary
 3 instruction permit, motorized bicycle license,
 4 operator's license, or chauffeur's license or to
 5 knowingly make a false statement or to knowingly
 6 conceal a material fact or otherwise commit a fraud
 7 in any such application.

8 6. To permit any unlawful use of a temporary
 9 driver's permit, temporary instruction permit,
 10 motorized bicycle license, operator's license, or
 11 chauffeur's license issued to him.

12 Sec. 22. Section three hundred twenty-one point
 13 two hundred eighteen (321.218), Code 1975, is amended
 14 by adding the following new unlettered paragraph:

15 NEW UNLETTERED PARAGRAPH. Any person operating
 16 a motorized bicycle on the highways of the state not
 17 possessed of an operator's or chauffeur's license
 18 valid for operation of motorcycles or a valid motorized
 19 bicycle license, shall, upon conviction, be guilty
 20 of a misdemeanor and punished by a fine of not less
 21 than five nor more than fifty dollars.

22 Sec. 23. Section three hundred twenty-one point
 23 two hundred thirty-eight (321.238), subsection twelve
 24 (12), Code 1975, as amended by Acts of the Sixty-sixth
 25 General Assembly, 1975 Session, chapter one hundred
 26 seventy-nine (179), section one (1), is amended to
 27 read as follows:

28 12. Every motor vehicle subject to registration
 29 under the laws of this state, except motor vehicles
 30 registered under section 321.115 and motorized
 31 bicycles, when first registered in this state and
 32 each time when transferred for use within this state
 33 or when registration is changed from a registration
 34 as provided in section 321.115 to a regular
 35 registration, other than transfers to a dealer licensed
 36 under chapter three hundred twenty-two (322), shall
 37 be inspected at an authorized inspection station,
 38 unless there is affixed to the motor vehicle a valid
 39 certificate of inspection which was issued for the
 40 motor vehicle not more than sixty days prior to the
 41 date on which the vehicle was transferred and the
 42 vehicle has not been transferred during the sixty-
 43 day period, provided that during a one-year period
 44 the vehicle may be transferred between parents and
 45 their children or between spouses without another
 46 inspection. A vehicle inspection is not required
 47 when the transfer of the vehicle or an interest in
 48 the vehicle is between spouses or when required
 49 pursuant to a decree for dissolution of marriage
 50 between former spouses. However, the certificate

1 of inspection for a new motor vehicle which has not
2 previously been sold at retail and which is not sold
3 within sixty days after the date the inspection was
4 performed may be revalidated by the inspection station
5 without another inspection provided the motor vehicle
6 has not been driven more than one hundred miles since
7 the inspection was performed. If the motor vehicle
8 is subject to inspection, the authorized inspection
9 station shall issue and affix a valid certificate
10 of inspection or certificate of rejection, as the
11 case may be, in accordance with the results of the
12 inspection. If an inspection is required, an applicant
13 shall file with an application for title to the vehicle
14 or for registration thereof under the provisions of
15 section 321.23, subsection 2 or 3, with the county
16 treasurer of the county of his residence, a statement
17 on a form provided by the director, signed by an
18 authorized inspection station certifying the date
19 that a certificate of inspection was issued for and
20 affixed to the vehicle. If an inspection is required
21 the county treasurer shall not issue a title to the
22 vehicle to the applicant or register the vehicle
23 unless such statement is filed with the application
24 showing that the inspection of the vehicle was made
25 not more than sixty days prior to the date of sale
26 or transfer, or unless the vehicle was purchased out
27 of this state by a resident of this state who resides
28 outside of this state, but desires to maintain his
29 Iowa residency and he executes a statement to that
30 effect in form and content as prescribed by the
31 director. The county treasurer shall stamp the
32 registration card for such vehicle with the words
33 "NOT INSPECTED." A vehicle so registered shall be
34 inspected at an authorized inspection station within
35 fifteen days after being brought into this state.
36 The county treasurer shall mail the statement of
37 inspection or statement of out-of-state residency
38 to the department at the time of mailing copies of
39 the registration receipt. The department may destroy
40 any forms, certificates or statements after one year
41 from the date they are filed unless they relate to
42 pending appeals.

44 Sec. 24. Section three hundred twenty-one point
45 two hundred seventy-five (321.275), Code 1975, is
46 amended by adding the following new subsection:

47 NEW SUBSECTION. The provisions of this section
48 shall apply to motorized bicycles.

49 Sec. 25. Section three hundred twenty-one point
50 three hundred eighty-five (321.385), Code 1975, is
amended to read as follows:

1 321.385 HEAD LAMPS ON MOTOR VEHICLES. Every motor
2 vehicle other than a motorcycle or motorized bicycle
3 shall be equipped with at least two head lamps with
4 at least one on each side of the front of the motor
5 vehicle, which head lamps shall comply with the
6 requirements and limitations set forth in this chapter.

7 Sec. 26. Section three hundred twenty-one point
8 four hundred thirty (321.430), subsection one (1),
9 Code 1975, is amended to read as follows:

10 1. Every motor vehicle, other than a motorcycle
11 or motorized bicycle, when operated upon a highway
12 shall be equipped with brakes adequate to control
13 the movement of and to stop and hold such vehicle,
14 including two separate means of applying the brakes,
15 each of which means shall be effective to apply the
16 brakes to at least two wheels. If these two separate
17 means of applying the brakes are connected in any
18 way, they shall be so constructed that failure of
19 any one part of the operating mechanism shall not
20 leave the motor vehicle without brakes on at least
21 two wheels.

22 Sec. 27. Section three hundred twenty-one point
23 four hundred thirty (321.430), subsection four (4),
24 paragraph a, is amended to read as follows:

25 a. Any motorcycle or motorized bicycle."

26 2. Page 4, by inserting after line 39 the
27 following:

28 "Amend the title by inserting after the word
29 "to" in line 1 the words "bicycles and motorized
30 bicycles and providing for a motorized bicycle
31 license and relating to".
32

H-6727 FILED - *Out of order* BY HINES of Story
MAY 18, 1976 *with adoption*
of 6816 5/24

H-6726

1 Amend House File 1332, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 25 the
4 following:

5 "Sec. _____. Section three hundred twenty-one point
6 forty-six (321.46), unnumbered paragraph one (1),
7 Code 1975, is amended to read as follows:

8 The purchaser or transferee shall immediately apply
9 for and obtain from the county treasurer of his re-
10 sidence a transfer of registration and a new
11 certificate of title for such vehicle, except as
12 provided in section 321.48. The purchaser or
13 transferee shall present with the application the
14 certificate of title endorsed and assigned by the
15 previous owner and the signed registration card.
16 The purchaser or the transferee shall not be required
17 to list a social security number as part of the
18 application for a registration transfer and a new
19 title."

20 2. Page 3, line 35, by inserting after the words
21 "APPLICATIONS OF" the word "UNMARRIED".

22 3. Page 3, line 35, by inserting after the word
23 "any" the word "unmarried".

24 4. Page 4, by striking lines 7 through 9.

25 5. Page 4, line 10, by striking the words "years
26 and" and inserting in lieu thereof the word "; if".

27 6. Page 4, by inserting after line 29 the fol-
28 lowing:

29 "Sec. _____. Section three hundred twenty-one point
30 one hundred eighty-nine (321.189), Code 1975, is
31 amended to read as follows:

32 321.189 LICENSES ISSUED. The department shall
33 upon payment of the required fee, issue to every
34 applicant qualifying therefor an operator's or
35 chauffeur's license as applied for, which license
36 shall bear thereon a distinguishing number assigned
37 to the licensee, the full name, date of birth,
38 occupation, sex, residence address, a brief description
39 of the licensee, and the usual signature of the
40 licensee. No license shall be valid unless it bears
41 the signature of the licensee. The distinguishing
42 number assigned to a licensee shall not be the
43 licensee's social security number".

44 7. Page 5, by inserting after line 12 the
45 following:

46 "Sec. _____. Section three hundred twenty-one point
47 two hundred thirty-one (321.231), Code 1975, is amended
48 by striking the section and inserting in lieu thereof
49 the following:

50 321.231 AUTHORIZED EMERGENCY VEHICLES.

1 1. The driver of an authorized emergency vehicle,
2 when responding to an emergency call or when in the
3 pursuit of an actual or suspected violator of the
4 law or when responding to but not upon returning from
5 a fire alarm, may exercise the privileges set forth
6 in this section.

7 2. The driver of any authorized emergency vehicle
8 may:

9 a. Park or stand an authorized emergency vehicle,
10 irrespective of the provisions of this chapter.

11 b. Disregard laws or regulations governing
12 direction of movement or turning in specified
13 directions.

14 3. The driver of a fire department vehicle, police
15 vehicle or ambulance may:

16 a. Proceed past a red or stop signal or stop sign,
17 but only after slowing down as may be necessary for
18 safe operation.

19 b. Exceed the maximum speed limits so long as
20 the driver does not endanger life or property.

21 4. The exemptions granted to an authorized
22 emergency vehicle shall apply only when such vehicle
23 is making use of an audible signaling device meeting
24 the requirements of section three hundred twenty-one
25 point four hundred thirty-three (321.433) of the Code,
26 or a visual signaling device approved by the department
27 except that use of an audible or visual signaling
28 device shall not be required under the following
29 circumstances:

30 a. The vehicle is not equipped with such device,
31 and is not required to be so equipped.

32 b. The vehicle is operated by a peace officer,
33 pursuing a suspected violator of the speed restric-
34 tions imposed by or pursuant to this chapter, for
35 the purpose of determining the speed of travel of
36 such suspected violator.

37 c. The vehicle is stopped, standing, or parked.

38 5. The foregoing provisions shall not relieve
39 the driver of an authorized emergency vehicle from
40 the duty to drive with due regard for the safety of
41 all persons, nor shall such provisions protect the
42 driver from the consequences of his reckless disregard
43 for the safety of others.

44 Sec. ____ . Sections three hundred twenty-one point
45 two hundred thirty-two (321.232) and three hundred
46 twenty-one point two hundred ninety-six (321.296),
47 Code 1975, are repealed."

48 3. Page 5, by inserting after line 22 the fol-
49 lowing new section:

50 "Sec. ____ . Section three hundred twenty-one point

1 two hundred thirty-eight (321.238), subsection twelve
2 (12), Code 1975, as amended by Acts of the Sixty-sixth
3 General Assembly, 1975 Session, chapter one hundred
4 seventy-nine (179), section one (1), is amended to
5 read as follows:

6 12. Every motor vehicle subject to registration
7 under the laws of this state, except motor vehicles
8 registered under section 321.115, when first registered
9 in this state, other than a registration to a dealer
10 licensed under chapter three hundred twenty-two (322)
11 of the Code, and each time when transferred for use
12 within this state or when registration is changed
13 from a registration as provided in section 321.115
14 to a regular registration, other than transfers to
15 a dealer licensed under chapter three hundred twenty-
16 two (322), shall be inspected at an authorized
17 inspection station, unless there is affixed to the
18 motor vehicle a valid certificate of inspection which
19 was issued for the motor vehicle not more than sixty
20 days prior to the date on which the vehicle was
21 transferred and the vehicle has not been transferred
22 during the sixty-day period, provided that during
23 a one-year period the vehicle may be transferred
24 between parents and their children or between spouses
25 without another inspection. A vehicle inspection
26 is not required when the transfer of the vehicle or
27 an interest in the vehicle is between spouses or when
28 required pursuant to a decree for dissolution of
29 marriage between former spouses. However, the
30 certificate of inspection for a new motor vehicle
31 which has not previously been sold at retail and which
32 is not sold within sixty days after the date the
33 inspection was performed may be revalidated by the
34 inspection station without another inspection provided
35 the motor vehicle has not been driven more than one
36 hundred miles since the inspection was performed.
37 If the motor vehicle is subject to inspection, the
38 authorized inspection station shall issue and affix
39 a valid certificate of inspection or certificate of
40 rejection, as the case may be, in accordance with
41 the results of the inspection. If an inspection is
42 required, an applicant shall file with an application
43 for title to the vehicle or for registration thereof
44 under the provisions of section 321.23, subsection
45 2 or 3, with the county treasurer of the county of
46 his residence, a statement on a form provided by the
47 director, signed by an authorized inspection station
48 certifying the date that a certificate of inspec-
49 tion was issued for and affixed to the vehicle. If
50 an inspection is required the county treasurer shall

1 not issue a title to the vehicle to the applicant
2 or register the vehicle unless such statement is filed
3 with the application showing that the inspection of
4 the vehicle was made not more than sixty days prior
5 to the date of sale or transfer, or unless the vehicle
6 was purchased out of this state by a resident of this
7 state who resides outside of this state, but desires
8 to maintain his Iowa residency and he executes a
9 statement to that effect in form and content as
10 prescribed by the director. The county treasurer
11 shall stamp the registration card for such vehicle
12 with the words "NOT INSPECTED." A vehicle so
13 registered shall be inspected at an authorized
14 inspection station within fifteen days after being
15 brought into this state. The county treasurer shall
16 mail the statement of inspection or statement of out-
17 of-state residency to the department at the time of
18 mailing copies of the registration receipt. The
19 department may destroy any forms, certificates or
20 statements after one year from the date they are filed
21 unless they relate to pending appeals."

22 9. Page 10, line 8, by striking the words "or
23 usually operated".

24 10. Page 10, lines 19 and 20, by striking the
25 words "or usually operated".

26 11. Page 10, line 21, by inserting after the word
27 "department" the words "or when the member has used
28 the blue light beyond the scope of its authorized
29 use".

30 12. Page 10, line 27, by striking the word "an"
31 and inserting in lieu thereof the words "a public".

32 13. Page 14, by inserting after line 6 the fol-
33 lowing:

34 "Sec. ____ . The sections of this Act amending
35 section three hundred twenty-one point forty-six
36 (321.46) unnumbered paragraph one (1), Code 1975,
37 and section three hundred twenty-one point one hundred
38 eighty-nine (321.189), Code 1975, shall be effective
39 January 1, 1977."

40 14. Renumber sections and correct internal ref-
41 erences as are necessary in accordance with this
42 amendment.

H-6726 FILED
RECEIVED FROM SENATE
MAY 17, 1976

House concurred as amended 5/24 (p. 3098)

S-5759

1 Amend House File 1332, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 5, by inserting after line 22 the fol-
4 lowing new section:

5 "Sec. ____ . Section three hundred twenty-one point
6 two hundred thirty-eight (321.238), subsection twelve
7 (12), Code 1975, as amended by Acts of the Sixty-sixth
8 General Assembly, 1975 Session, chapter one hundred
9 seventy-nine (179), section one (1), is amended to
10 read as follows:

11 12. Every motor vehicle, subject to registration
12 under the laws of this state, except motor vehicles
13 registered under section 321.115, when first registered
14 in this state, other than a registration to a dealer
15 licensed under chapter three hundred twenty-two (322)
16 of the Code, and each time when transferred for use
17 within this state or when registration is changed
18 from a registration as provided in section 321.115
19 to a regular registration, other than transfers to
20 a dealer licensed under chapter three hundred twenty-
21 two (322), shall be inspected at an authorized
22 inspection station, unless there is affixed to the
23 motor vehicle a valid certificate of inspection which
24 was issued for the motor vehicle not more than sixty
25 days prior to the date on which the vehicle was
26 transferred and the vehicle has not been transferred
27 during the sixty-day period, provided that during
28 a one-year period the vehicle may be transferred
29 between parents and their children or between spouses
30 without another inspection. A vehicle inspection
31 is not required when the transfer of the vehicle or
32 an interest in the vehicle is between spouses or when
33 required pursuant to a decree for dissolution of
34 marriage between former spouses. However, the
35 certificate of inspection for a new motor vehicle
36 which has not previously been sold at retail and which
37 is not sold within sixty days after the date the
38 inspection was performed may be revalidated by the
39 inspection station without another inspection provided
40 the motor vehicle has not been driven more than one
41 hundred miles since the inspection was performed.
42 If the motor vehicle is subject to inspection, the
43 authorized inspection station shall issue and affix
44 a valid certificate of inspection or certificate
45 of rejection, as the case may be, in accordance with
46 the results of the inspection. If an inspection is
47 required, an applicant shall file with an application
48 for title to the vehicle or for registration thereof
49 under the provisions of section 321.23, subsection
50 2 or 3, with the county treasurer of the county of

1 his residence, a statement on a form provided by the
 2 director, signed by an authorized inspection station
 3 certifying the date that a certificate of inspec-
 4 tion was issued for and affixed to the vehicle. If
 5 an inspection is required the county treasurer shall
 6 not issue a title to the vehicle to the applicant
 7 or register the vehicle unless such statement is filed
 8 with the application showing that the inspection of
 9 the vehicle was made not more than sixty days prior
 10 to the date of sale or transfer, or unless the vehicle
 11 was purchased out of this state by a resident of this
 12 state who resides outside of this state, but desires
 13 to maintain his Iowa residency and he executes a
 14 statement to that effect in form and content as
 15 prescribed by the director. The county treasurer
 16 shall stamp the registration card for such vehicle
 17 with the words "NOT INSPECTED." A vehicle so
 18 registered shall be inspected at an authorized
 19 inspection station within fifteen days after being
 20 brought into this state. The county treasurer shall
 21 mail the statement of inspection or statement of out-
 22 of-state residency to the department at the time of
 23 mailing copies of the registration receipt. The
 24 department may destroy any forms, certificates or
 25 statements after one year from the date they are filed
 26 unless they relate to pending appeals."
 27 2. Renumber sections and correct internal ref-
 28 erences as are necessary in accordance with this
 29 amendment.

S-5759 FILED & ADOPTED (p. 1919)
 MAY 12, 1976

BY C. JOSEPH COLEMAN
 CLIFTON C. LAMBORN

S-5761

1 Amend House File 1332, as amended, passed and
 2 reprinted as follows:
 3 1. Page 10, line 8, by striking the words
 4 "or usually operated".
 5 2. Page 10, lines 19 and 20 by striking the
 6 words "or usually operated".
 7 3. Page 10, line 21, by inserting after the
 8 word "department" the words "or when the member has
 9 used the blue light beyond the scope of its authorized
 10 use".
 11 4. Page 10, line 27, by striking the word "an"
 12 and inserting in lieu thereof the words "a public".

S-5761 FILED & ADOPTED (1925)
 MAY 12, 1976

BY MINNETTE DODERER

1 Amend House File 1332 as amended, passed and
2 reprinted as follows:

3 1. Page 5, by inserting after line 12 the
4 following:

5 "Section 1. Section three hundred twenty-one point
6 two hundred thirty-one (321.231), Code 1975, is amended
7 by striking the section and inserting in lieu thereof
8 the following:

9 321.231 AUTHORIZED EMERGENCY VEHICLES.

10 1. The driver of an authorized emergency vehicle,
11 when responding to an emergency call or when in the
12 pursuit of an actual or suspected violator of the
13 law or when responding to but not upon returning from
14 a fire alarm, may exercise the privileges set forth
15 in this section.

16 2. The driver of any authorized emergency vehicle
17 may:

18 a. Park or stand an authorized emergency vehicle,
19 irrespective of the provisions of this chapter.

20 b. Disregard laws or regulations governing
21 direction of movement or turning in specified
22 directions.

23 3. The driver of a fire department vehicle, police
24 vehicle or ambulance may:

25 a. Proceed past a red or stop signal or stop sign,
26 but only after slowing down as may be necessary for
27 safe operation.

28 b. Exceed the maximum speed limits so long as
29 the driver does not endanger life or property.

30 4. The exceptions granted to an authorized
31 emergency vehicle shall apply only when such vehicle
32 is making use of an audible signaling device meeting
33 the requirements of section three hundred twenty-one
34 point four hundred thirty-three (321.433) of the Code,
35 or a visual signaling device approved by the department
36 except that use of an audible or visual signaling
37 device shall not be required under the following
38 circumstances:

39 a. The vehicle is not equipped with such device,
40 and is not required to be so equipped.

41 b. The vehicle is operated by a peace officer,
42 pursuing a suspected violator of the speed restric-
43 tions imposed by or pursuant to this chapter, for
44 the purpose of determining the speed of travel of
45 such suspected violator.

46 c. The vehicle is stopped, standing, or parked.

47 5. The foregoing provisions shall not relieve
48 the driver of an authorized emergency vehicle from
49 the duty to drive with due regard for the safety of
50 all persons, nor shall such provisions protect the

PAGE 2

1 driver from the consequences of his reckless disregard
2 for the safety of others.

3 Sec. 2. Sections three hundred twenty-one point
4 two hundred thirty-two (321.232) and three hundred
5 twenty-one point two hundred ninety-six (321.296),
6 Code 1975, are repealed."

S-5762

1 Amend House File 1332 as amended, passed and
2 reprinted as follows:

3 1. Page 1, by inserting after line 25 the
4 following:

5 "Sec. _____. Section three hundred twenty-one
6 point forty-six (321.46), unnumbered paragraph one
7 (1), Code 1975, is amended to read as follows:

8 The purchaser or transferee shall immediately apply
9 for and obtain from the county treasurer of his re-
10 sidence a transfer of registration and a new certificate
11 of title for such vehicle except as provided in section
12 321.48. The purchaser or transferee shall present with
13 the application the certificate of title endorsed and
14 assigned by the previous owner and the signed regis-
15 tration card. The purchaser or the transferee shall
16 not be required to list a social security number as
17 part of the application for a registration transfer
18 and a new title."

19 2. Page 4, by inserting after line 29 the fol-
20 lowing:

21 "Sec. _____. Section three hundred twenty-one
22 point one hundred eighty-nine (321.189), Code 1975,
23 is amended to read as follows:

24 321.189 LICENSES ISSUED. The department shall
25 upon payment of the required fee, issue to every
26 applicant qualifying therefor an operator's or chauffeur's
27 license as applied for, which license shall bear thereon
28 a distinguishing number assigned to the licensee, the
29 full name, date of birth, occupation, sex, residence
30 address, a brief description of the licensee, and the
31 usual signature of the licensee. No license shall be
32 valid unless it bears the signature of the licensee. The
33 distinguishing number assigned to a licensee shall not
34 be the licensee's social security number".

S-5762 FILED & ADOPTED (1925)
MAY 12, 1976

BY FRED W. NOLTING
PHILIP B. HILL

S-5771

1 Amend House File 1332 as amended, passed and
2 reprinted as follows:

3 1. Page 14, by inserting after line 6 the fol-
4 lowing:

5 "Sec. _____. The sections of this Act amending
6 section three hundred twenty-one point forty-six
7 (321.46) unnumbered paragraph one (1), Code 1975, and
8 section three hundred twenty-one point one hundred
9 eighty-nine (321.189), Code 1975, shall be effective
10 January 1, 1977".

S-5771 FILED & ADOPTED (1926)
MAY 12, 1976

BY MINNETTE DODERER

S-5772

1 Amend House File 1332 as amended, passed and
2 reprinted as follows:

3 1. Page 9, by striking line 11 through page
4 11, line 14.

S-5772 FILED & LOST (p. 1926)
MAY 12, 1976

BY EUGENE HILL

S-5546

1 Amend House File 1332 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 7, by inserting after line 5 the following:
4 "Sec. ____ . Section three hundred twenty-one point
5 two hundred eighty-five (321.285), subsection eight
6 (8), Code 1975, as amended by Acts of the Sixty-sixth
7 General Assembly, 1975 Session, chapter one hundred
8 eighty (180), section one (1), is amended to read
9 as follows:

10 8. Notwithstanding any other speed restrictions,
11 the speed limits for all vehicular traffic, except
12 vehicles subject to the provisions of section 321.286
13 on fully controlled-access, divided, multilaned
14 highways including the national system of interstate
15 highways designated by the federal highway
16 administration and this state, 23 U.S.C. 103 (d),
17 shall be ~~fifty-five~~ sixty-five miles per hour.
18 However, the department or the cities, with the
19 approval of the department, may establish a lower
20 speed limit upon such highways located within the
21 corporate limits of any city used as city alternate
22 routes, commonly referred to as "freeways". For the
23 purposes of this subsection a fully controlled-access
24 highway is a highway that gives preference to through
25 traffic by providing access connections with selected
26 public roads only and by prohibiting crossings at
27 grade or direct private driveway connections. It
28 is further provided that a minimum speed of forty
29 miles per hour, road conditions permitting, shall
30 be established on the highways referred to in this
31 subsection.

32 Sec. ____ . Section three hundred twenty-one point
33 two hundred eighty-six (321.286), subsection one (1),
34 Code 1975, as amended by Acts of the Sixty-sixth
35 General Assembly, 1975 Session, chapter one hundred
36 eighty (180), section two (2), is amended to read
37 as follows:

38 1. ~~Fifty-five~~ Sixty-five miles per hour on all
39 fully controlled-access, divided, multilaned high-
40 ways including interstate highways."

41 2. Renumber the sections and correct internal
42 references as necessary in conformance with this
43 amendment.

S-5546 FILED - *Let 5/12 (1920)*
APRIL 21, 1967

BY RICHARD J. NORPEL, SR.

1 Amend House File 1332 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 8, by inserting after line 34 the
4 following:

5 "Sec. _____. Section three hundred twenty-one point
6 three hundred eighty-one (321.381), Code 1975, is
7 amended to read as follows:

8 321.381 SCOPE AND EFFECT OF REGULATIONS. It is
9 a misdemeanor, punishable as provided in section
10 321.482, for any person to drive or move or for the
11 owner to cause or knowingly permit to be driven or
12 moved on any highway any vehicle or combination of
13 vehicles which is in such unsafe condition as to
14 endanger any person, or which does not contain those
15 parts or is not at all times equipped with such lamps
16 and other equipment in proper condition and adjustment
17 as required in this chapter, or which is equipped
18 with one or more unsafe tires or which is equipped
19 in any manner in violation of this chapter. However,
20 a warning ticket shall be issued for the first
21 violation for failing to have lights in operational
22 order. The owner shall have fourteen days from the
23 issuance of the warning ticket to repair the defective
24 lights for which the warning ticket is issued."

25 2. Page 14, by inserting after line 6 the
26 following:

27 "Sec. _____. Section seven hundred fifty-three point
28 fifteen (753.15), subsection three (3), Code 1975,
29 is amended to read as follows:

30 3. Improper lights, for the second and subse-
31 quent violations, ten dollars."

32 3. Renumber sections and correct internal refer-
33 ences in conformance with this amendment.

S-5545 FILED - *Law 5/12 (p. 1921)*
APRIL 21, 1976

BY RICHARD J. NORPEL, SR.

S-5547

- 1 Amend House File 1332, as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 14, by inserting after line 6 the
 4 following:
 5 "Sec. _____. Section seven hundred fifty-three point
 6 fifteen (753.15), subsection six (6), Code 1975, is
 7 amended by striking the subsection and inserting in
 8 lieu thereof the following:
 9 6. For speed in excess of the posted speed limit,
 10 five dollars, which violation shall not be noted on
 11 a person's operator or chauffeur license and shall
 12 not be recorded in the records maintained by the
 13 department of public safety or the state department
 14 of transportation."
 15 2. Renumber the sections and correct internal
 16 references in conformance with this amendment.

S-5547 FILED - *Build out of order 5/12 (1975)*
 APRIL 21, 1976

BY RICHARD J. NORPEL, SR.

HOUSE FILE 1332

S-5592

- 1 Amend House File 1332 as follows:
 2 1. Page 3, line 35, by inserting after the
 3 words "APPLICATIONS OF" the word "UNMARRIED".
 4 2. Page 3, line 35, by inserting after the
 5 word "any" the word "unmarried".
 6 3. Page 4, by striking lines 7 through 9.
 7 4. Page 4, line 10, by striking the words
 8 "years and", and inserting in lieu thereof the word
 9 "; if".

S-5592 FILED - *Adopted 5/12 (p. 1917)*
 APRIL 27, 1976

BY MINNETTE F. DODERER

HOUSE FILE 1332

AN ACT

RELATING TO VEHICLES AND THE OPERATION OF VEHICLES INCLUDING VEHICLE REGISTRATION, ISSUANCE AND SUSPENSION OF OPERATORS' LICENSES, TEMPORARY DRIVER PERMITS AND INSTRUCTION PERMITS, VEHICLE LIGHTING AND MISCELLANEOUS EQUIPMENT, OPERATING AND PASSENGER RULES, IMPOSITION OF PENALTIES RELATED TO EQUIPMENT AND OPERATING AND PASSENGER RULES, THE TRANSFER OF MOTOR VEHICLE CERTIFICATION, AND THE CORRECTION OF ERRONEOUS, INCONSISTENT AND OBSOLETE SECTIONS OF CHAPTER THREE HUNDRED TWENTY-ONE (321) OF THE CODE REFERRING TO DUTIES AND OPERATIONS OF THE STATE DEPARTMENT OF TRANSPORTATION AND PROVIDING FOR A MOTORIZED BICYCLE LICENSE AND SPECIFYING THE OPERATION REQUIREMENTS FOR A MOTORIZED BICYCLE.

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

Section 1. Chapter three hundred eight A (308A), Code 1975, is amended by adding the following new section:

NEW SECTION. Bikeways and walkways approved as either incidental features of highway construction projects primarily for motor vehicular traffic or as an independent bikeway or walkway construction project constructed pursuant to the Highway Act of 1973, 23 U.S.C. 217, shall not be constructed as elevated structures joining private buildings or so constructed to provide elevated access or egress facilities to private buildings.

Sec. 2. Chapter three hundred twenty-one (321), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 and 1976 Sessions, is amended by adding the following new section:

NEW SECTION. MOTORIZED BICYCLE LICENSE.

1. The department may issue a motorized bicycle license to any person fourteen years of age or older who has passed the approved driver education course required for applicants

for such license. A motorized bicycle license shall entitle the licensee to operate a motorized bicycle while having the license in immediate possession on the highways of the state for a period of two years.

2. A motorized bicycle license shall be canceled upon a conviction for a moving traffic violation and reapplication may be made thirty days after the date of cancellation. The cancellation of the license upon conviction for a moving traffic violation shall not result in requiring the applicant to maintain proof of financial responsibility under section three hundred twenty-one A point seventeen (321A.17), of the Code, unless the conviction would otherwise result in a suspension or revocation of a person's operator's license.

3. As used in this section, "moving traffic violation" does not include any violation of any section of the Code or any municipal ordinance pertaining to the standards to be maintained for motor vehicle equipment except sections three hundred twenty-one point four hundred thirty (321.430) and three hundred twenty-one point four hundred thirty-one (321.431) of the Code, or any municipal ordinance pertaining to motor vehicle brake requirements as applicable to motorized bicycles.

4. A motorized bicycle license is not required to operate a motorized bicycle if possessed of an operator's or chauffeur's license.

5. A motorized bicycle license shall terminate upon issuance to the licensee of an operator's or chauffeur's license valid for operation of motorcycles. A valid motorized bicycle license shall be returned to the department prior to issuance of an operator's or chauffeur's license valid for operation of motorcycles.

Sec. 3. Section three hundred twenty-one point one (321.1), subsection seventy-two (72), Code 1975, is amended to read as follows:

72. A "special truck" means a motor truck not used for hire with a gross weight registration of eight through twelve

eighteen tons, ~~inclusive~~, used by a person engaged in farming to transport commodities produced only by the owner, or to transport commodities purchased by the owner for use in his own farming operation or occasional use for charitable purposes.

Sec. 4. Section three hundred twenty-one point one (321.1), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapters sixty-seven (67) and one hundred seventy (170), is amended by adding the following new subsections:

NEW SUBSECTION. "Motorized bicycle" or "motor bicycle" means a two-wheeled motor vehicle with an engine having a displacement no greater than fifty cubic centimeters as fixed by the department and not capable of operation at a speed in excess of twenty-five miles per hour on level ground unassisted by human power.

NEW SUBSECTION. "Fifth-wheel travel trailer" means a type of travel trailer which is towed by a pickup by a connecting device known as a fifth wheel. However, this type of travel trailer may have an overall length which shall not exceed forty feet.

Sec. 5. Section three hundred twenty-one point one (321.1), subsection three (3), Code 1975, is amended to read as follows:

3. "Motorcycle" means every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground including a motor scooter ~~and a bicycle with motor attached~~ but excluding a tractor and a motorized bicycle.

Sec. 6. Section three hundred twenty-one point four (321.4), Code 1975, is amended to read as follows:

321.4 RULES. The ~~director~~ commission is hereby authorized to adopt and ~~enforce such departmental~~ promulgate administrative rules governing ~~procedure~~ procedures as may be necessary to carry out the provisions of this chapter; ~~and~~ and to carry out any other laws the enforcement of which is vested in the department.

Sec. 7. Section three hundred twenty-one point thirty-four (321.34), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The county treasurer upon receiving application, accompanied by proper fee, for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, motorized bicycle, truck tractor, trailer, or semitrailer and two registration plates for every other motor vehicle.

Sec. 8. Section three hundred twenty-one point thirty-seven (321.37), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached thereto, one in the front and the other in the rear. The registration plate issued for a motorcycle or other vehicle required to be registered hereunder shall be attached to the rear thereof. The registration plate issued for a truck tractor shall be attached to the front thereof.

Sec. 9. Section three hundred twenty-one point forty-four (321.44), Code 1975, is amended to read as follows:

321.44 REGULATIONS GOVERNING CHANGE OF MOTORS. The director is authorized to ~~adopt and~~ enforce such ~~registration rules and regulations governing registration~~ as may be deemed necessary by the commission and compatible with the public interest with respect to the change or substitution of one engine in place of another in any motor vehicle.

Sec. 10. Section three hundred twenty-one point forty-six (321.46), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The purchaser or transferee shall immediately apply for and obtain from the county treasurer of his residence a transfer of registration and a new certificate of title for such vehicle except as provided in section 321.48. The purchaser or transferee shall present with the application the certificate of title endorsed and assigned by the previous owner and the signed registration card. The purchaser or

the transferee shall not be required to list a social security number as part of the application for a registration transfer and a new title.

Sec. 11. Section three hundred twenty-one point fifty-one (321.51), subsection six (6), Code 1975, is amended to read as follows:

6. No vehicle sold or otherwise transferred pursuant to the provisions of this section shall be driven upon the highway until a valid official certificate of inspection has been affixed thereto and an unrestricted certificate of title, a registration card, and registration plates for the vehicle have been issued to the purchaser or transferee, except as set out in section 321.98. However, upon receipt of an affidavit signed by the owner of the vehicle stating that the vehicle is reasonably safe for operation, an inspection station may issue a permit authorizing the owner to operate the vehicle to and from a specific inspection station. The affidavit and permit mentioned in this section shall be on forms prescribed and furnished by the department which shall forward these forms to each county treasurer where they shall be made available upon request, such permit shall be valid for forty-eight hours after issuance by inspection station.

Sec. 12. Section three hundred twenty-one point one hundred seventeen (321.117), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred seventy-one (171), section eleven (11), is amended to read as follows:

321.117 MOTORCYCLE AND HEARSE FEES. For all motorcycles the annual fee shall be ten dollars. For all motorized bicycles the annual fee shall be five dollars. When said motorcycle has been registered five times, the annual registration fee shall be five dollars. The annual registration fee for hearses shall be fifty dollars. Passenger car plates shall be issued for hearses.

Sec. 13. Section three hundred twenty-one point one hundred twenty-one (321.121), Code 1975, is amended to read as follows:

321.121 SPECIAL TRUCKS FOR FARM USE. The registration fee for a special truck shall be one hundred dollars for a gross weight of eight, ~~nine, or ten~~ tons, ~~and one hundred fifty dollars for a gross weight of eleven or twelve tons~~ and in addition, fifteen dollars for each ton over eight tons. Any person convicted of using a truck registered as a special truck for any purpose other than permitted by section 321.1, subsection 72, shall, in addition to any other penalty imposed by law, be required to pay regular motor truck registration fees upon such truck. A distinctive decal shall be applied to the special truck registration plate for easy identification.

Sec. 14. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection three (3), unlettered paragraph two (2), Code 1975, is amended to read as follows:

Travel trailers and fifth-wheel travel trailers, regardless of whether or not they are used on the highways, except those in manufacturer's or dealer's stock, an annual fee of twenty cents per square foot of floor space computed on the exterior overall measurements, but excluding three feet occupied by any trailer hitch as provided by and certified to by the owner, to the nearest whole dollar, which amount shall not be prorated or refunded; except the annual fee for travel trailers of any type, when registered in Iowa for the first time, shall be prorated on a monthly basis. The registrant of a travel trailer of any type shall be issued a "travel trailer" plate. It is further provided the annual fee thus computed shall be limited to seventy-five percent of the full fee after the sixth registration.

Sec. 15. Section three hundred twenty-one point one hundred twenty-six (321.126), subsection five (5), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

If the motor vehicle is ~~licensed~~ registered by the county treasurer during the registration year and the owner or lessee registers the vehicle for prorate under chapter 326, the owner of the registered vehicle shall surrender the registration

plates to the county treasurer and may file a claim for refund.

Sec. 16. Section three hundred twenty-one point one hundred thirty-four (321.134), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

On February 4 first of each year, a penalty of five percent of the annual registration fee shall be added to all fees not paid by that date, and five percent of the annual registration fee shall be added to such fees on the first of each month thereafter that the same remains unpaid, until paid, provided that ~~said~~ the penalty in no case shall be less than one dollar, and provided that the owner of a vehicle who, before February 4 first of any year, surrenders all registration plates for ~~said~~ that vehicle to the county treasurer of the county in which ~~said~~ the plates are of record, shall have the right to register ~~said~~ the vehicle at any later period of ~~said~~ that year by paying the full yearly registration fee without ~~said~~ penalty. Provided, however, that the annual registration fee for trucks, truck tractors, road tractors, trailers and semitrailers, as provided in sections 321.120 to 321.123, inclusive, when said annual registration fee is in excess of seventy dollars, may be payable in two equal semiannual installments except that semiannual installments shall not apply to commercial vehicles subject to proportional registration with a base state other than the state of Iowa as defined in section three hundred twenty-six point two (326.2), subsection six (6), of the Code.

Sec. 17. Section three hundred twenty-one point one hundred seventy-six (321.176), subsection one (1), Code 1975, is amended to read as follows:

1. Any person while operating a military motor vehicle in the service of the ~~army,-navy,-or-marine-corps~~ armed forces of the United States.

Sec. 18. Section three hundred twenty-one point one hundred seventy-seven (321.177), subsection one (1), Code 1975, is amended to read as follows:

1. To any person, as an operator, who is under the age

of sixteen years; provided that, effective August 1, 1966, the department shall not issue a license to any person, as an operator, who is under the age of seventeen years and effective August 1, 1967, the department shall not issue a license to any person, as an operator, who is under the age of eighteen years, without his first having successfully completed an approved driver education course, in which case, the minimum age shall be sixteen years. However, the department may issue a restricted license as provided in section 321.194, or an instruction permit as provided in section 321.180, to any person who is at least fourteen years of age. The department may issue a license restricted only for use for motorized bicycles as provided in this Act, to any person fourteen years of age or older who has successfully completed an approved driver's education course established by the department of public instruction to acquaint the motorized bicycle operator with the rules of the road.

Sec. 19. Section three hundred twenty-one point one hundred seventy-eight (321.178), subsection one (1), unnumbered paragraph three (3), Code 1975, is amended to read as follows:

"Student," for purposes of this section, ~~shall-mean~~ means any person between the ages of fifteen years and twenty-one years who resides in the public school district and who satisfies the preliminary licensing requirements of the department or any person between fourteen and twenty-one years of age who resides in the public school district, who satisfies the preliminary licensing requirements of the department for operation of a motorized bicycle and who is enrolled in an approved driver education course for the purpose of qualifying for a motorized bicycle license as provided for in this Act.

Sec. 20. Section three hundred twenty-one point one hundred seventy-eight (321.178), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter seventy-nine (79), section fifteen (15), is amended by adding the following new subsection:

NEW SUBSECTION. An individual applying for a motorized

bicycle license shall take the approved driver education course without meeting the highway driving experience requirement.

Sec. 21. Section three hundred twenty-one point one hundred eighty-one (321.181), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. A person issued a temporary driver's permit whose permit is canceled upon conviction for a moving traffic violation may be issued by the department upon a showing of need by the permittee a restricted temporary driver's permit authorizing the permittee to drive from the permittee's residence to designated locations such as the permittee's place of employment during the cancellation period. The temporary restricted driver's permit shall be canceled upon violation of the restrictions of the permit or for conviction of a moving traffic violation and application for a temporary driver's permit or restricted temporary driver's permit may not be made within a time period fixed by the department but not to exceed ninety days.

Sec. 22. Section three hundred twenty-one point one hundred eighty-two (321.182), Code 1975, is amended to read as follows:

321.182 APPLICATION FOR LICENSE OR PERMIT. Every application for an instruction permit ~~or for~~, an operator's or chauffeur's license ~~or~~, a temporary driver's permit or a motorized bicycle license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths, and officers and employees of the department are hereby authorized to administer such oaths without charge. The applicant shall write his usual signature with pen and ink upon the application in the space provided for signature.

Sec. 23. Section three hundred twenty-one point one hundred eighty-four (321.184), Code 1975, is amended to read as follows:

321.184 APPLICATIONS OF UNMARRIED MINORS. The application of any unmarried person under the age of eighteen years for

an instruction permit, operator's license, motorized bicycle license, or permit issued under section 321.194 shall contain the verified consent and confirmation of applicant's birthday by ~~both the father and mother~~ either parent of the applicant, ~~or the parent having custody in the event of the legal separation or the death of one parent~~; if neither parent is living, the guardian or other person having custody, or the employer, of such minor may consent. Officers and employees of the department are hereby authorized to administer such oaths without charge.

Sec. 24. Section three hundred twenty-one point one hundred eighty-six (321.186), Code 1975, is amended to read as follows:

321.186 EXAMINATION OF NEW OR INCOMPETENT OPERATORS. The department may examine every new applicant for an operator's, motorized bicycle or chauffeur's license or any person holding a valid operator's, motorized bicycle or chauffeur's license when the department has reason to believe that such person may be physically or mentally incompetent to operate a motor vehicle, or whose driving record appears to the department to justify such an examination. Such examinations shall be held in every county within periods not to exceed fifteen days. It shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, his knowledge of the traffic laws of this state, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle and such further physical and mental examinations as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways.

Sec. 25. Section three hundred twenty-one point one hundred eighty-seven (321.187), Code 1975, is amended to read as follows:

321.187 APPOINTMENT OF EXAMINERS. The department is hereby authorized to appoint persons from the members of the department or may designate the county sheriff for the pur-

pose of examining applicants for operators', motorized bicycle and chauffeurs' licenses. It shall be the duty of any such person so appointed to conduct examinations of applicants for operators', motorized bicycle and chauffeurs' licenses under the provisions of this chapter to make a written report of findings and recommendations upon such examination to the department. Examiners appointed by the department when on duty shall wear a proper identifying badge or badges as prescribed by the director which shall be purchased by the department ~~and-paid-for-from-the-department-maintenance-fund.~~

Sec. 26. Section three hundred twenty-one point one hundred eighty-nine (321.189), Code 1975, is amended to read as follows:

321.189 LICFNSES ISSUED. The department shall upon payment of the required fee, issue to every applicant qualifying therefor an operator's, motorized bicycle or chauffeur's license as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, occupation, sex, residence address, a brief description of the licensee, and the usual signature of the licensee. No license shall be valid unless it bears the signature of the licensee. The distinguishing number assigned to a licensee shall not be the licensee's social security number.

Sec. 27. Section three hundred twenty-one point one hundred ninety (321.190), Code 1975, is amended to read as follows:

321.190 CARRIED AND EXHIBITED. Every licensee shall have his operator's or chauffeur's, or motorized bicycle license in his immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a judicial magistrate or district associate judge, a peace officer, or a field deputy or examiner of the department. However, no person charged with violating this section shall be convicted if he produces in court, within a reasonable time, an operator's or chauffeur's or motorized bicycle license ~~therefore~~ issued to him and valid at the time of his arrest.

Sec. 28. Section three hundred twenty-one point one hundred ninety-one (321.191), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The fee for an operator's license shall be five dollars if issued for a period of two years, and ten dollars if issued for a period of four years. The fee for a chauffeur's license shall be ten dollars if issued for a period of two years, and twenty dollars if issued for a period of four years. The fee for an instruction permit shall be three dollars ~~and,~~ for a temporary driver's permit, five dollars and for a motorized bicycle license, five dollars.

Sec. 29. Section three hundred twenty-one point one hundred ninety-two (321.192), Code 1975, is amended to read as follows:

321.192 DISPOSAL OF FEES. Such license fees shall be forwarded by the department to the treasurer of state who shall place same in the general fund of the state, provided that for each operator's and motorized bicycle license issued by a county sheriff for which a license fee is paid, the sheriff issuing the same shall be entitled to retain the sum of fifteen cents and for each chauffeur's license, the sum of fifty cents, which shall be credited to the county general fund.

Sec. 30. Section three hundred twenty-one point one hundred ninety-three (321.193), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

When provided in rules adopted pursuant to chapter 17A, the department upon issuing an operator's or chauffeur's license or motorized bicycle license shall have authority whenever good cause appears to impose restrictions suitable to the licensee's driving ability with respect to the type of vehicle or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee, including licenses issued under section 321.194, as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee. The department shall not

require a person issued a valid operator's or chauffeur's license to comply with any other licensing requirements in order to operate a motorized bicycle.

Sec. 31. Section three hundred twenty-one point one hundred ninety-five (321.195), Code 1975, is amended to read as follows:

321.195 DUPLICATE CERTIFICATES. In the event that an instruction permit ~~or~~, operator's or chauffeur's license, motorized bicycle license or extension certificate issued under the provisions of this chapter is lost or destroyed, the person to whom the same was issued may upon payment of a fee of two dollars for an operator's or chauffeur's license, ~~or extension certificate or motorized bicycle license~~, obtain a duplicate, or substitute thereof, upon furnishing proof satisfactory to the department that such permit, license, or extension certificate has been lost or destroyed.

Sec. 32. Section three hundred twenty-one point two hundred one (321.201), Code 1975, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. The provisions applicable in sections three hundred twenty-one point two hundred one (321.201) through three hundred twenty-one point two hundred fifteen (321.215) of the Code relating to cancellation, suspension or revocation of an operator's or chauffeur's license are also applicable to motorized bicycle licenses and licensees holding motorized bicycle licenses.

Sec. 33. Section three hundred twenty-one point two hundred eleven (321.211), Code 1975, is amended to read as follows:

321.211 NOTICE AND HEARING. Upon suspending the license of any person as hereinbefore authorized the department shall immediately notify the licensee in writing and upon his request shall afford him an opportunity for a hearing before the director or his duly authorized agent as early as practical within not to exceed twenty thirty days after receipt of such request in the county wherein the licensee resides unless the department and the licensee agree that such hearing

may be held in some other county. Upon such hearing the director or his duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension ~~or~~ for good cause appearing therefor, may extend the suspension of such license or revoke such license.

Sec. 34. Section three hundred twenty-one point two hundred sixteen (321.216), Code 1975, is amended to read as follows:

321.216 UNLAWFUL USE OF LICENSE. It is a misdemeanor, punishable as provided in section 321.482 unless another punishment is otherwise provided, for any person:

1. To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious or fraudulently altered temporary driver's permit, temporary instruction permit, motorized bicycle license, operator's license, or chauffeur's license.
2. To lend his temporary driver's permit, temporary instruction permit, motorized bicycle license, operator's license, or chauffeur's license to any other person or knowingly permit the use thereof by another.
3. To display or represent as one's own any temporary driver's permit, temporary instruction permit, motorized-bicycle license, operator's license, or chauffeur's license not issued to him.
4. To fail or refuse to surrender to the department upon its lawful demand any temporary driver's permit, temporary instruction permit, motorized bicycle license, operator's license, or chauffeur's license which has been suspended, revoked, or canceled.
5. To use a false or fictitious name in any application for a temporary driver's permit, temporary instruction permit, motorized bicycle license, operator's license, or chauffeur's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any

such application.

6. To permit any unlawful use of a temporary driver's permit, temporary instruction permit, motorized bicycle license, operator's license, or chauffeur's license issued to him.

Sec. 35. Section three hundred twenty-one point two hundred eighteen (321.218), Code 1975, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Any person operating a motorized bicycle on the highways of the state not possessed of an operator's or chauffeur's license valid for operation of motorcycles or a valid motorized bicycle license, shall, upon conviction, be guilty of a misdemeanor and punished by a fine of not less than five nor more than fifty dollars.

Sec. 36. Section three hundred twenty-one point two hundred thirty-one (321.231), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

321.231 AUTHORIZED EMERGENCY VEHICLES.

1. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of a felony or in response to an incident dangerous to the public or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.

2. The driver of any authorized emergency vehicle, may:

a. Park or stand an authorized emergency vehicle, irrespective of the provisions of this chapter.

b. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conform to the traffic laws and regulations is available.

3. The driver of a fire department vehicle, police vehicle or ambulance may:

a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

b. Exceed the maximum speed limits so long as the driver

does not endanger life or property.

4. The exemptions granted to an authorized emergency vehicle under subsection two (2) of this section and for a fire department vehicle, police vehicle or ambulance as provided in subsection three (3) of this section shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of section three hundred twenty-one point four hundred thirty-three (321.433) of the Code, or a visual signaling device approved by the department except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection three (3), paragraph b of this section when the vehicle is operated by a peace officer, pursuing a suspected violator of the speed restrictions imposed by or pursuant to this chapter, for the purpose of determining the speed of travel of such suspected violator.

5. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Sec. 37. Sections three hundred twenty-one point two hundred thirty-two (321.232) and three hundred twenty-one point two hundred ninety-six (321.296), Code 1975, are repealed.

Sec. 38. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection one (1), Code 1975, is amended to read as follows:

1. The director may grant permits for the operation of vehicle inspection stations authorized to issue official certificates of inspection of vehicles. The director commission may adopt such rules ~~and regulations~~, subject to the provisions of chapter 17A, as shall be necessary for the efficient operation and maintenance of vehicle inspection stations.

Sec. 39. Section three hundred twenty-one point two hundred

thirty-eight (321.238), subsection twelve (12), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred seventy-nine (179), section one (1), is amended to read as follows:

12. Every motor vehicle subject to registration under the laws of this state, except motor vehicles registered under section 321.115 and motorized bicycles, when first registered in this state, other than a registration to a dealer licensed under chapter three hundred twenty-two (322) of the Code, and each time when transferred for use within this state or when registration is changed from a registration as provided in section 321.115 to a regular registration, other than transfers to a dealer licensed under chapter three hundred twenty-two (322), shall be inspected at an authorized inspection station, unless there is affixed to the motor vehicle a valid certificate of inspection which was issued for the motor vehicle not more than sixty days prior to the date on which the vehicle was transferred and the vehicle has not been transferred during the sixty-day period, provided that during a one-year period the vehicle may be transferred between parents and their children or between spouses without another inspection. A vehicle inspection is not required when the transfer of the vehicle or an interest in the vehicle is between spouses or when required pursuant to a decree for dissolution of marriage between former spouses. However, the certificate of inspection for a new motor vehicle which has not previously been sold at retail and which is not sold within sixty days after the date the inspection was performed may be revalidated by the inspection station without another inspection provided the motor vehicle has not been driven more than one hundred miles since the inspection was performed. If the motor vehicle is subject to inspection, the authorized inspection station shall issue and affix a valid certificate of inspection or certificate of rejection, as the case may be, in accordance with the results of the inspection. If an inspection is required, an applicant shall file with an

application for title to the vehicle or for registration thereof under the provisions of section 321.23, subsection 2 or 3, with the county treasurer of the county of his residence, a statement on a form provided by the director, signed by an authorized inspection station certifying the date that a certificate of inspection was issued for and affixed to the vehicle. If an inspection is required the county treasurer shall not issue a title to the vehicle to the applicant or register the vehicle unless such statement is filed with the application showing that the inspection of the vehicle was made not more than sixty days prior to the date of sale or transfer, or unless the vehicle was purchased out of this state by a resident of this state who resides outside of this state, but desires to maintain his Iowa residency and he executes a statement to that effect in form and content as prescribed by the director. The county treasurer shall stamp the registration card for such vehicle with the words "NOT INSPECTED." A vehicle so registered shall be inspected at an authorized inspection station within fifteen days after being brought into this state. The county treasurer shall mail the statement of inspection or statement of out-of-state residency to the department at the time of mailing copies of the registration receipt. The department may destroy any forms, certificates or statements after one year from the date they are filed unless they relate to pending appeals.

Sec. 40. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twelve (12), Code 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one hundred seventy-nine (179), section one (1), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The provisions of this subsection shall not be applicable to the transfer of a motor vehicle to the insurer of such vehicle who obtains ownership of such vehicle as a result of a settlement with the owner thereof arising out of damage to such vehicle and written proof thereof

is submitted to the county treasurer on forms prescribed by the department.

Sec. 41. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-one (21), paragraph c, Code 1975, is amended to read as follows:

c. An employee of the ~~state-highway-commission~~ department experienced in automotive mechanics designated by the director ~~of-highways~~.

Sec. 42. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-one (21), unnumbered paragraph three (3), Code 1975, is amended to read as follows:

After the hearing, the review board may sustain, modify, or reverse the ~~commissioner's~~ director's order of suspension or revocation. A suspension or revocation sustained or modified by the review board shall take effect ten days from the date of the decision. Judicial review of actions of the review board may be sought in accordance with the terms of the Iowa administrative procedure Act.

Sec. 43. Section three hundred twenty-one point two hundred fifty-two (321.252), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

321.252 DEPARTMENT TO ADOPT SIGN MANUAL. The department shall adopt a manual and specifications for a uniform system of traffic-control devices consistent with the provisions of this chapter for use upon highways within this state. Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American association of state highway and transportation officials.

Sec. 44. Section three hundred twenty-one point two hundred fifty-three (321.253), Code 1975, is amended to read as follows:

321.253 ~~HIGHWAY-COMMISSION~~ DEPARTMENT TO ERECT SIGNS. The ~~state-highway-commission~~ department shall place and maintain such traffic-control devices, conforming to its manual and specifications, upon all primary highways as it

shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic. Whenever practical, said devices or signs shall be purchased from the director of the division of corrections of the department of social services.

Sec. 45. Section three hundred twenty-one point two hundred seventy-five (321.275), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The provisions of this section shall apply to motorized bicycles.

Sec. 46. Section three hundred twenty-one point two hundred eighty-eight (321.288), Code 1975, is amended to read as follows:

321.288 CONTROL OF VEHICLE. ~~The~~ A person operating a motor vehicle ~~or motorcycle~~ shall have the same under control at all times and shall reduce the speed to a reasonable and proper rate:

1. When approaching and passing a person walking in the traveled portion of the public highway.
2. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.
3. When approaching and traversing a crossing or intersection of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, in a public highway.
4. When approaching and passing a fusee, flares, red reflector electric lanterns, red reflectors or red flags displayed in accordance with section 321.448, or an emergency vehicle displaying a revolving or flashing light.

Sec. 47. Section three hundred twenty-one point two hundred eighty-eight (321.288), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. When approaching and passing a slow moving vehicle displaying a reflective device as provided by section three hundred twenty-one point three hundred eighty-three (321.383) of the Code.

Sec. 48. Section three hundred twenty-one point three

hundred seventeen (321.317), subsection three (3), Code 1975, is amended to read as follows:

3. After the thirty-first day of December, 1953, it shall be unlawful for any person to sell or offer for sale or operate on the highways of the state of Iowa any vehicle subject to registration under the provisions of this chapter which has never been registered in this or any other state prior to January 1, 1954, unless such vehicle is equipped with a directional signal device of a type approved by the department and is in compliance with the provisions of subsection 2 of this section. Motorcycles, motor scooters, ~~bicycles-with motor-attached~~ and semi-trailers and trailers less than forty inches in width are exempt from the provisions of this section.

Sec. 49. Section three hundred twenty-one point three hundred twenty-four (321.324), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Upon the immediate approach of an authorized emergency vehicle with any lamp or device displaying a red ~~light-or flashing-red~~ light or an authorized emergency vehicle of a fire department displaying a blue light from directly in front thereof, or when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the righthand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. For the purposes of this section, "red light" or "blue light" means a light or lighting device that, when illuminated, will exhibit a solid flashing or strobing red or blue light.

Sec. 50. Section three hundred twenty-one point three hundred seventy-six (321.376), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

The driver of every school bus shall have a regular or special chauffeur's license issued by the department ~~of public~~

~~safety~~, and in addition thereto, must hold a school bus driver's permit issued by the department of public instruction.

Sec. 51. Section three hundred twenty-one point three hundred eighty-three (321.383), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Garbage collection vehicles, when operated on the streets or highways of this state at speeds of twenty-five miles per hour or less, may display a reflective device of a type and in a manner approved by the director. At speeds in excess of twenty-five miles per hour the device shall not be visible.

Sec. 52. Section three hundred twenty-one point three hundred eighty-five (321.385), Code 1975, is amended to read as follows:

321.385 HEAD LAMPS ON MOTOR VEHICLES. Every motor vehicle other than a motorcycle or motorized bicycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this chapter.

Sec. 53. Section three hundred twenty-one point three hundred ninety-three (321.393), unnumbered paragraph four (4), Code 1975, is amended to read as follows:

The provisions of this section shall not prohibit the use of a lighting device or reflector displaying ~~a blue or an~~ amber light when such lighting device or reflector is mounted on a motor truck, trailer, tractor, or motor grader owned by the state, or any political subdivision of the state, or any municipality therein, while such equipment is being used for snow removal, sanding, maintenance, or repair of the public streets or highways.

Sec. 54. Section three hundred twenty-one point four hundred twenty-three (321.423), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

321.423 FLASHING LIGHTS.

1. Definitions. As used in this section, unless the context otherwise requires:

- a. "Fire department" means a paid or volunteer organized fire department.
 - b. "Member" means a person who is a member in good standing of a fire department.
2. A flashing light on or in a motor vehicle is prohibited except as follows:
- a. On an authorized emergency vehicle.
 - b. On a vehicle as a means of indicating a right or left turn, a mechanical failure, or an emergency stop or intent to stop.
 - c. On a motor vehicle used by a rural mail carrier when stopping or stopped on or near a highway in the process of delivering mail, if such a light is any shade of color between white and amber and if it is mounted as a dome light on the roof of the vehicle.
 - d. On a vehicle being operated under an excess size permit issued under chapter three hundred twenty-one E (321E) of the Code.
 - e. A flashing blue light on a vehicle upon which a blue light is permitted pursuant to subsection three (3) of this section.

3. A blue light shall not be used on any vehicle except:

- a. A vehicle owned or exclusively operated by a fire department; or
- b. A vehicle authorized by the director when:
 - (1) The vehicle is owned by a member of a fire department.
 - (2) The request for authorization is made by the member on forms provided by the department.
 - (3) Necessity for authorization is demonstrated in the request.
 - (4) The chief of the fire department certifies that the member is in good standing with the fire department and recommends that the authorization be granted.

4. The authorization shall expire at midnight on the thirty-first day of December five years from the year in which it was issued, or when the vehicle is no longer owned by the member, or when the member has ceased to be an active member of the fire department or when the member has used the blue light beyond the scope of its authorized use.

5. The certificate of authorization shall be carried at all times with the certificate of registration of the authorized vehicle and the operator of the vehicle shall not illuminate the blue light except:

- a. When the member is en route to the scene of a fire or is responding to an emergency in the line of duty requiring the services of the member;
- b. When the authorized vehicle is transporting a person requiring emergency care; or
- c. When the authorized vehicle is at the scene of an emergency.
- d. The use of a blue light in or on a private motor vehicle shall be for identification purposes only.

6. A farm tractor, farm tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, or other vehicle principally designed for use off the highway which, when operated on a primary or secondary road, is operated at a speed of twenty-five miles an hour or less, shall be equipped with and display an amber flashing light visible from the rear at any time from sunset to sunrise. All vehicles specified in this subsection which are manufactured for sale or sold in this state shall be equipped with an amber flashing light. The type, number, dimensions, and method of mounting of the lights shall be determined by the director. The director, when approving the light, shall be guided as far as practicable by the standards of the American Society of Agricultural Engineers.

Sec. 55. Section three hundred twenty-one point four hundred twenty-eight (321.428), unnumbered paragraph one (1),

Code 1975, is amended to read as follows:

The director is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, adjustment and aiming, and adjustment when in use on motor vehicles. Such regulations shall be approved by the transportation commission and shall correlate with and, so far as practicable, conform to the then current standards and specifications of the society of automotive engineers applicable to such equipment.

Sec. 56. Section three hundred twenty-one point four hundred thirty (321.430), subsection one (1), Code 1975, is amended to read as follows:

1. Every motor vehicle, other than a motorcycle or motorized bicycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

Sec. 57. Section three hundred twenty-one point four hundred thirty (321.430), subsection four (4), paragraph a, Code 1975, is amended to read as follows:

a. Any motorcycle or motorized bicycle.

Sec. 58. Section three hundred twenty-one point four hundred thirty-eight (321.438), Code 1975, is amended to read as follows:

321.438 WINDSHIELDS AND WINDOWS. No person shall drive any motor vehicle equipped with a windshield, sidewings, or side or rear windows which do not permit clear vision. Every motor vehicle except a motorcycle, or a vehicle included in the provisions of section three hundred twenty-one point three hundred eighty-three (321.383) or section three hundred twenty-

one point one hundred fifteen (321.115) of the Code, shall be equipped with a windshield in accordance with section three hundred twenty-one point four hundred forty-four (321.444) of the Code.

Sec. 59. Section three hundred twenty-one point four hundred fifty-five (321.455), Code 1975, is amended to read as follows:

321.455 PROJECTING LOADS ON PASSENGER VEHICLES. No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof. Passengers shall not ride on any part of any vehicle unless it is expressly designed either for passenger use or designed for carrying livestock, merchandise, or freight.

Sec. 60. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection three (3), Code 1975, is amended to read as follows:

3. Except as to combinations of vehicles, provisions for which are otherwise made in this chapter, no combination of truck tractor and a semitrailer hauling livestock shall have an overall length, inclusive of front and rear bumpers, in excess of sixty feet, nor shall any other combination of vehicles coupled together, unladen or with load, have an overall length, inclusive of front and rear bumpers, in excess of fifty-five feet. Combinations of vehicles consisting of a motor vehicle upon which a van box is fastened and which draws and bears a portion of the weight of a semitrailer purchased by an Iowa resident prior to April 16, 1974, may be operated on the highways of this state with a length exceeding fifty-five feet but not exceeding sixty feet, if a special overlength permit is obtained from the state-highway commission department for such operation. The special overlength permit shall be issued for the vehicle and such permit shall be valid until such time as the vehicle is no

longer operable or until the owner of the vehicle transfers title to the vehicle to a nonresident. All such vehicles purchased after April 16, 1974, shall not be allowed to operate on the highways of this state.

Sec. 61. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection five (5), Code 1975, is amended to read as follows:

5. No combination of vehicles coupled together which are used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, travel trailers, boats, farm and industrial tractors and self-propelled farm implements, nonself-propelled implements of husbandry, and self-propelled vehicles shall have an unladen length, inclusive of front and rear bumpers in excess of sixty feet, but the passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, or boats being transported may extend up to three feet beyond the front and rear bumpers of the transporting vehicles when the overall length of the vehicle with load does not exceed sixty-five feet.

Sec. 62. Section three hundred twenty-one point four hundred seventy-eight (321.478), Code 1975, is amended to read as follows:

321.478 BOND. Prior to entering upon the discharge of his duties as such peace officer, each of said designated employees shall furnish to the commission department a surety bond to the state in the sum of five hundred dollars, conditioned upon the faithful discharge of his duties.

Sec. 63. Section three hundred twenty-one point four hundred eighty-five (321.485), subsection two (2), paragraph b, Code 1975, is amended to read as follows:

b. Prepare a memorandum of the alleged traffic violation containing the name and address of such person, the registration number, if any, of his vehicle, the offense alleged to have been committed, and such other information as may be prescribed by the commissioner of public safety with the concurrence of the director.

Sec. 64. Section three hundred twenty-one point four hundred eighty-five (321.485), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

The number of copies and the form of the citations and memorandums authorized by this section shall be as prescribed by the commissioner of public safety with the concurrence of the director.

Sec. 65. Section three hundred twenty-five point thirty-seven (325.37), Code 1975, is amended to read as follows:

325.37 SAFETY EQUIPMENT AND REGULATIONS FOR ALL TRUCK OPERATORS. "Motor carrier" when used in this section and sections 325.38 and 325.39 means carriers holding a certificate under this chapter, truck operators and contract carriers holding permits under chapter 327, liquid transport carriers holding a certificate under chapter 327A, and private carriers. However, private carriers operating intrastate are not subject to federal drivers compliance and qualification requirements.

Sec. 66. The sections of this Act amending section three hundred twenty-one point forty-six (321.46), unnumbered paragraph one (1), Code 1975, and section three hundred twenty-one point one hundred eighty-nine (321.189), Code 1975, shall be effective January 1, 1977.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1332, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 26, 1976

ROBERT D. RAY
Governor