

MAR 11 1975

Place On Calendar

*Reprinted 4/11*  
HOUSE FILE 450

By COMMITTEE ON TRANSPORTATION

Passed House, Date 4-7-75 (972) Passed Senate, Date 6-19-75 (2217)

Vote: Ayes 88 Nays 1 Vote: Ayes 45 Nays 0

Approved \_\_\_\_\_

*W. concurred 6/20/75 (2722)  
84-6*

## A BILL FOR

1 An Act relating to vehicle registration by revising the  
2 registration filing system, requiring a bond to be posted  
3 in situations where vehicle ownership is not established,  
4 providing for publication of notice regarding vehicle  
5 registration renewals, increasing motorcycle and hearse  
6 registration fees, providing for receipt of new registra-  
7 tion for all vehicles transferred in December, and  
8 relating to the base price of a vehicle for registration  
9 purposes, subject to penalties provided by law.

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

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1 Section 1. Section three hundred twenty-one point twenty-  
2 four (321.24), Code 1975, is amended to read as follows:

3 321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE OF TITLE.

4 Upon receipt of the application for title and payment of the  
5 required fees for motor vehicle, trailer, or semitrailer,  
6 the county treasurer shall, when satisfied as to the  
7 genuineness and regularity thereof, issue a registration  
8 receipt and certificate of title and shall file the  
9 application, the manufacturer's or importer's certificate,  
10 certificate of title, or other evidence of ownership, as  
11 prescribed by the department. The registration receipt shall  
12 be delivered to the owner and shall contain upon the face  
13 thereof the date issued, the name and address of the owner,  
14 the registration number assigned to the vehicle, the title  
15 number assigned to the owner of the vehicle, the amount of  
16 the fee paid, the amount of tax paid pursuant to section  
17 423.7, type of fuel used and such description of the vehicle  
18 as determined by the department and upon the reverse side  
19 a form for notice of transfer of the vehicle. ~~One copy of~~  
20 ~~the registration receipt shall be retained by the county~~  
21 ~~treasurer in a registration number file and said file~~ The  
22 county treasurer shall maintain in the county record system  
23 information contained on the registration receipt. Such  
24 information shall be accessible by registration number and  
25 shall be open for public inspection during reasonable business  
26 hours. ~~Two copies~~ Such copies as the department may require  
27 shall be ~~mailed to~~ sent to the department in the manner and  
28 at such time as the department ~~on date of issuance~~ may direct.  
29 The certificate of title shall contain upon the face thereof  
30 the identical information required upon the face of the  
31 registration receipt ~~and such information shall be so placed~~  
32 ~~on the title form as to permit the county treasurer to prepare~~  
33 ~~the certificate of title simultaneously with the registration~~  
34 ~~receipt.~~ In addition thereto, the certificate of title shall  
35 contain a statement of the owner's title, the amount of tax

1 paid pursuant to section 423.7, name and address of previous  
2 owner, and a statement of all liens security interests and  
3 encumbrances as shown in the application, upon the vehicle  
4 therein described including the nature of the lien-or-liens  
5 security interest, amount, date of notation and name and  
6 address of lienholder-or-lienholders the secured party. Said  
7 certificate shall bear thereon the seal of the county  
8 treasurer, ~~his~~ the signature of the county treasurer or that  
9 of ~~his~~ the deputy county treasurer, and shall provide space  
10 for the signature of the owner. The owner shall ~~write-his~~  
11 ~~name~~ sign the certificate of title in the space provided with  
12 pen and ink upon receipt of certificate of title. The  
13 certificate of title shall contain upon the reverse side a  
14 form for assignment of title or interest and warranty thereof  
15 by the owner, for reassignments by a licensed dealer and for  
16 application for a new certificate of title by the transferee  
17 as provided in this chapter. All certificates of title shall  
18 be typewritten ~~and-shall-be-issued-in-triplicate~~ or printed  
19 by other mechanical means. The original certificate of title  
20 shall be delivered to the owner in the event no lien security  
21 interest or encumbrance appears thereon. Otherwise the  
22 certificate of title shall be delivered by the county treasurer  
23 to the person holding the first lien security interest or  
24 encumbrance as shown in the certificate. ~~One-copy-of-the~~  
25 ~~certificate-shall-be-retained-by-the-county-treasurer-in-a~~  
26 ~~title-number-file-in-the-manner-prescribed-by-the-department~~  
27 ~~and-shall-remain-in-the-file-of-the-county-issuing-the-title~~  
28 The county treasurer shall maintain in the county records  
29 system information contained on the certificate of title.  
30 Such information shall be accessible by title certificate  
31 number for a period of three years from the date of  
32 notification of cancellation of title or that a new title  
33 has been issued as provided in this chapter ~~after-which-it~~  
34 ~~may-be-destroyed.--One-copy~~ Such copies as the department  
35 may require shall be ~~mailed~~ sent to the department ~~on-the~~

1 ~~date-of-issuance~~ in the manner and at such time as the  
2 department shall direct. The department shall designate a  
3 uniform system of title numbers so as to indicate the county  
4 of issuance.

5 Sec. 2. Section three hundred twenty-one point twenty-  
6 four (321.24), Code 1975, is amended by adding the following  
7 new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. If the county treasurer or  
9 department is not satisfied as to the ownership of the vehicle  
10 or that there are no undisclosed security interests in it,  
11 the county treasurer or department may register the vehicle  
12 but shall as a condition of issuing a certificate of title  
13 and registration receipt, require the applicant to file with  
14 the department a bond in the form prescribed by the department  
15 and executed by the applicant, and either accompanied by the  
16 deposit of cash with the department or also executed by a  
17 person authorized to conduct a surety business in this state.  
18 The bond shall be in an amount equal to one and one-half times  
19 the current value of the vehicle as determined by the  
20 department and conditioned to indemnify any prior owner and  
21 secured party and any subsequent purchaser of the vehicle  
22 or person acquiring any security interest in it, and their  
23 respective successors in interest, against any expense, loss  
24 or damage, including reasonable attorney's fees, by reason  
25 of the issuance of the certificate of title of the vehicle  
26 or on account of any defect in or undisclosed security interest  
27 upon the right, title and interest of the applicant in and  
28 to the vehicle. Any such interested person has a right of  
29 action to recover on the bond for any breach of its conditions,  
30 but the aggregate liability of the surety to all persons shall  
31 not exceed the amount of the bond. The bond, and any deposit  
32 accompanying it, shall be returned at the end of three years  
33 or prior thereto if the vehicle is no longer registered in  
34 this state and the currently valid certificate of title is  
35 surrendered to the department, unless the department has been

1 notified of the pendency of an action to recover on the bond.

2 Sec. 3. Section three hundred twenty-one point thirty-  
3 one (321.31), Code 1975, is amended by striking the section  
4 and inserting in lieu thereof the following:

5 321.31 RECORDS SYSTEM. A state and county records system  
6 shall be maintained in the following manner:

7 1. State records system. The department shall install  
8 and maintain a records system which shall contain the name  
9 and address of the vehicle owner, current and previous  
10 registration number, vehicle identification number, make,  
11 model, style, date of purchase, registration certificate  
12 number, maximum gross weight, weight, list price or value  
13 of the vehicle as fixed by the department, fees paid and date  
14 of payment. The records system shall also contain a record  
15 of the certificate of title including the notation of all  
16 security interests recorded and released, and such other  
17 information as the department deems necessary. The information  
18 to be kept in the records system shall be entered within  
19 forty-eight hours after receipt insofar as is practical.

20 The records system shall constitute the permanent record of  
21 ownership of each vehicle titled under the laws of this state.

22 The department may make photostatic, microfilm, or other  
23 photographic copies of certificates of title, registration  
24 receipts, or other records, reports, or documents which are  
25 required to be retained by the department. When copies have  
26 been made, the department may destroy the original records  
27 in such manner as prescribed by the director. The photostatic,  
28 microfilm, or other photographic copies, when no longer of  
29 use, may be destroyed in the manner prescribed by the director,  
30 subject to the approval of the state records commission.

31 Photostatic, microfilm, or other photographic copies of records  
32 shall be admissible in evidence when duly certified and  
33 authenticated by the officer having custody and control of  
34 the copies of records.

35 2. County records system. Each county treasurer's office

1 shall maintain a county records system for vehicle registration  
2 and certificate of title documents. The records system shall  
3 consist of information from the certificate of title including  
4 the notation and cancellation of security interests,  
5 information from the registration receipt, and such information  
6 shall be maintained by retention of one copy of the  
7 registration receipt in a registration number file and one  
8 copy of the title certificate in a title number file. In  
9 lieu of retaining one copy of the registration receipt and  
10 one copy of the title certificate, the information may be  
11 maintained in such other manner as may be approved by the  
12 department, provided such information is accessible by title  
13 certificate number and registration number.

14 The county treasurer may make photostatic, microfilm, or  
15 other photographic copies of certificates of title,  
16 registration receipts, or other records, reports, or documents  
17 which are required to be retained by the county treasurer.  
18 When copies of records have been made, the county treasurer  
19 may destroy the original records three years after they have  
20 been issued, in such manner as prescribed by the department.  
21 When copies of records are no longer of use, they may be  
22 destroyed in a manner prescribed by the department.  
23 Photostatic, microfilm, or other photographic copies of records  
24 shall be admissible in evidence when duly certified and  
25 authenticated by the officer having custody and control of  
26 the copies of records.

27 Sec. 4. Section three hundred twenty-one point forty  
28 (321.40), unnumbered paragraph two (2), Code 1975, is amended  
29 to read as follows:

30 Registration receipts issued for renewals shall have the  
31 word "renewal" imprinted thereon and, if the owner making  
32 a renewal application has been issued a certificate of title,  
33 the title number shall appear on the registration receipt.  
34 All registration receipts for renewals shall be typewritten  
35 or printed by other mechanical means ~~and shall be prepared~~

1 ~~in-quadruplicate. The original registration receipt shall~~  
2 ~~be issued to the applicant, one copy retained in the county~~  
3 ~~treasurer's file and two copies shall be forwarded to the~~  
4 ~~department.~~ The applicant shall receive a registration  
5 receipt.

6 Sec. 5. Section three hundred twenty-one point forty  
7 (321.40), Code 1975, is amended by adding the following new  
8 unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Not more than thirty days nor  
10 less than twenty days prior to December first the county  
11 treasurer shall cause to be published in a newspaper of general  
12 circulation in the county, a notice to vehicle owners. The  
13 notice shall contain a list of pertinent information which  
14 is required to register a vehicle. The notice shall also  
15 include a statement that application for renewal of a vehicle  
16 registration shall be made on or after December first of the  
17 year for which it is registered and that such renewal may  
18 be made by mail on or after November first. The county  
19 treasurer may deliver registration plates and other  
20 registration documents on which application for renewal has  
21 been made in November, to the owner thereof, after the last  
22 day of November.

23 Sec. 6. Section three hundred twenty-one point forty-two  
24 (321.42), Code 1975, is amended by adding the following new  
25 unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. If a county treasurer issues  
27 vehicle registration documents for vehicles subject to  
28 registration for delivery to the owner through the United  
29 States postal service, and such documents are lost or damaged  
30 in transit, the owner of the vehicle may file application  
31 for reissuance of these documents, without cost, with the  
32 county treasurer which originally issued the documents. The  
33 county treasurer shall not reissue the documents until the  
34 person filing the application has submitted sufficient proof  
35 that such person did not receive the documents from the United

1 States postal service and signs an affidavit which recites  
2 such fact. If the owner of the vehicle subject to registration  
3 receives the original registration documents through the  
4 United States postal service after reissuance of duplicate  
5 documents by the county treasurer, the owner of the vehicle  
6 shall surrender the original documents to the county treasurer  
7 not later than five days from the date of receipt of the  
8 original documents from the United States postal service.

9 Sec. 7. Section three hundred twenty-one point fifty  
10 (321.50), subsections three (3), four (4), and seven (7),  
11 Code 1975, are amended to read as follows:

12 3. Upon receipt of the application, the certificate of  
13 title, if any, and the required fee, the county treasurer  
14 shall note such security interest, and the date thereof, on  
15 the certificate over the signature of such officer or deputy  
16 and the seal of office. ~~He~~ The county treasurer shall also note  
17 such security interest and the date thereof ~~on-the-duplicate~~  
18 ~~of-same-on-file.--On-that-day-he-shall-notify-the-department~~  
19 ~~on-forms-provided-by-the-department,which-shall-note-such~~  
20 ~~security-interests-on-the-duplicate-title-in-its-file~~ in the  
21 county records system and shall also notify the department.  
22 The county treasurer shall then mail the certificate of title  
23 to the first secured party as shown thereon.

24 4. When a security interest is discharged, the holder  
25 thereof shall execute a release within fifteen days after  
26 payment is received, such release to contain the certificate  
27 of title number, the date of the notation thereof, and the  
28 name and address of the person to whom the title shall be  
29 delivered when such delivery is requested as hereinafter  
30 provided. The holder shall also note a cancellation of same  
31 on the face of the certificate of title over his, her or its  
32 signature, and deliver the release and certificate of title  
33 to the county treasurer where title was issued. The county  
34 treasurer shall immediately note the cancellation of said  
35 security interest on the face of the certificate of title

1 ~~and on the duplicate of same on file in his office,---On the~~  
2 ~~same day he shall notify the department, which shall note~~  
3 ~~such release on the duplicate title in its file~~ in the county  
4 records system and shall also notify the department. The  
5 county treasurer shall on the same day deliver the certificate  
6 of title to the then first secured party or, if there is no  
7 such person, to the person as directed on the ~~lien~~ security  
8 interest release or, if there is no such person designated,  
9 then to the owner. Said cancellation of the security interest  
10 shall be noted on the certificate of title by the county  
11 treasurer without charge. The holder of a ~~lien~~ security  
12 interest discharged by payment who fails to release such ~~lien~~  
13 security interest as herein provided within fifteen days after  
14 being requested in writing to do so shall forfeit to the  
15 person making such payment the sum of twenty-five dollars.  
16 Such request shall be on the release form as prescribed by  
17 the department and shall contain a statement signed by the  
18 owner setting forth the name and address of the person to  
19 whom the title shall be delivered.

20 7. Upon request of any person, the county treasurer shall<sup>1</sup>  
21 issue a certificate showing whether there are, on the date  
22 and hour stated therein, any ~~liens~~ security interests noted  
23 on a particular vehicle's certificate of title, and the name  
24 and address of each secured party whose lien is noted thereon.  
25 The uniform fee for a written certificate shall be two dollars  
26 if the request for the certificate is on a form conforming  
27 to standards prescribed by the secretary of state; otherwise,  
28 three dollars.

29 Sec. 8. Section three hundred twenty-one point one hundred  
30 five (321.105), Code 1975, is amended by adding after  
31 unnumbered paragraph two (2) the following new unnumbered  
32 paragraph:

33 NEW UNNUMBERED PARAGRAPH. Upon application by a financial  
34 institution, as defined in section four hundred twenty-two  
35 point sixty-one (422.61) of the Code, and approval of the

1 application by the county treasurer, the county treasurer  
2 in any county may authorize the financial institution to  
3 receive applications and registration fees for vehicle  
4 registration plates and validation stickers. The registration  
5 fees shall be delivered to the county treasurer at the time  
6 the county treasurer has processed the vehicle registration  
7 application. Registration fees received with vehicle  
8 registration applications shall be designated as public funds  
9 only upon receipt of such funds by the county treasurer from  
10 the financial institution.

11 Sec. 9. Section three hundred twenty-one point one hundred  
12 six (321.106), Code 1975, is amended to read as follows:

13 321.106 REGISTRATION FOR FRACTIONAL PART OF YEAR. Where  
14 there is no delinquency and the registration is made in  
15 February or succeeding months to and including November,  
16 registration fees for vehicles designed to carry nine  
17 passengers or less shall be computed on the basis of one-  
18 twelfth of the annual registration fee as provided in this  
19 chapter multiplied by the number of unexpired months of the  
20 year. No fee shall be required for the month of December  
21 for a ~~new-car-in-good-faith-delivered-during-that-month~~ vehicle  
22 on which there is no delinquency.

23 Where there is a delinquency, registration fees for vehicles  
24 designed to carry property or more than nine passengers which  
25 are registered after January 31 shall be computed on the basis  
26 of the full annual fee, plus penalties, for such vehicle.

27 Where there is no delinquency and the registration is made  
28 in February or succeeding months, registration fees for  
29 vehicles designed to carry property or more than nine  
30 passengers shall be computed on the basis of one-twelfth of  
31 the annual registration fees as provided in this chapter  
32 multiplied by the number of unexpired months of the year.  
33 No fee shall be required for the month of December for vehicles  
34 on which there is no delinquency.

35 Whenever any registration fee computed under this section

1 contains a fractional part of a dollar, the fee shall be  
 2 computed to the nearest whole dollar, except that any such  
 3 fee so computed shall not be less than five dollars, which  
 4 amount shall be the fee collected. The fee so computed for  
 5 an original registration shall be deemed to be the annual  
 6 registration fee for the remainder of the registration year.

7 Sec. 10. Section three hundred twenty-one point one hundred  
 8 seventeen (321.117), Code 1975, is amended to read as follows:

9 321.117 MOTORCYCLE AND HEARSE FEES. For all motorcycles  
 10 the annual fee shall be ~~five~~ ten dollars. When said motorcycle  
 11 has been registered five times, the annual registration fee  
 12 shall be ~~one-half-the-rate-when-new~~ five dollars. The annual  
 13 registration fee for hearses shall be ~~thirty~~ forty dollars.  
 14 Passenger car plates shall be issued for hearses.

15 Sec. 11. Section three hundred twenty-one point one hundred  
 16 fifty-seven (321.157), Code 1975, is amended to read as  
 17 follows:

18 321.157 SCHEDULE OF PRICES AND WEIGHTS. Every manufacturer  
 19 or importer of a motor vehicle sold or offered for sale within  
 20 this state, either by the manufacturer, importer, distributor,  
 21 dealer, or any other person, shall ~~on or before the first~~  
 22 ~~day of August, annually~~ not less than ten days prior to the  
 23 date such motor vehicle is sold or offered for sale in this  
 24 state, file in the office of the department a sworn statement  
 25 showing the various models manufactured by ~~him~~ the  
 26 manufacturer, importer, distributor, dealer, or other person,  
 27 and the retail list price and weight of each model ~~as of~~  
 28 ~~August 4 of that year.~~ The manufacturer, importer,  
 29 distributor, dealer, or other person shall also make the same  
 30 report on subsequent new models manufactured ~~prior to August~~  
 31 ~~4 of the following year.~~

32 Sec. 12. Section three hundred twenty-one point one hundred  
 33 sixty-one (321.161), Code 1975, is amended to read as follows:

34 321.161 DEPARTMENT TO FIX VALUES AND WEIGHT. The  
 35 department shall ~~on or before the first day of August,~~

1 annually, and at such other times as new makes or models of  
2 motor vehicles are offered for sale or sold in this state,  
3 fix the value and weight of each of the different makes and  
4 models of motor vehicles which are sold or offered for sale  
5 within the state. The value and weight as fixed by the  
6 department shall, on 1975 and subsequent year model motor  
7 vehicles, be based on the original certification as provided  
8 in section three hundred twenty-one point one hundred fifty-  
9 seven (321.157) of the Code.

10 EXPLANATION

11 Sections 1, 3, 4, and 7 provide for the modification of  
12 the present filing systems of the department of transportation  
13 and the county treasurers' offices for vehicle registration  
14 related documents.

15 Section 2 permits the issuance of a certificate of title  
16 and registration documents when the applicant is unable to  
17 present official evidence of ownership of the vehicle at the  
18 time of registration by permitting the applicant to post bond.

19 Section 5 provides for giving of such notice and also  
20 authorizes the county treasurer to mail registration plates,  
21 registration receipts, validation stickers and truck tonnage  
22 stickers, covering those applications which have been made  
23 in November, to the vehicle owner on or after the last day  
24 of November.

25 Section 6 allows the county treasurer to issue registration  
26 documents, without fee, if the documents are lost by the  
27 United States Postal Service.

28 Section 8 permits a county treasurer to designate any  
29 financial institution as a place where residents of the county  
30 may make application for vehicle registration plates and  
31 validation stickers.

32 Section 9 provides that no fee shall be required for the  
33 month of December for any vehicle registered during that month  
34 if there is no delinquency.

35 Section 10 increases the registration fee for motorcycles

1 from five dollars to ten dollars and for hearses from thirty  
2 dollars to forty dollars.

3 Sections 11 and 12 require the department of transportation  
4 to set the registration fee on 1975 and subsequent year models  
5 on the basis of the first certification of the manufacturer.

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LSB 105  
bk/rh/31

H-3396

1 Amend House File 450 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting in lieu thereof the following:  
4 "Section 1. Section three hundred twenty-one point  
5 one (321.1), Code 1975, is amended by adding the  
6 following new subsections:

7 NEW SUBSECTION. "Passenger motor vehicle" means  
8 a new car or used car as defined in this section.

9 NEW SUBSECTION. "Registration period" means the  
10 twelve consecutive month period for vehicle  
11 registration as provided in section three (3) of this  
12 Act.

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

16 In lieu of issuing new registration plates each  
17 year for a vehicle renewing registration, the  
18 department may reassign the registration plates  
19 previously issued to such vehicle and may adopt and  
20 prescribe an annual validation sticker indicating  
21 payment of registration fee, which annual valida-  
22 tion sticker shall be attached to said registration  
23 plates ~~bearing the numerals~~ indicating ~~the year the~~  
24 registration period for which the original plates  
25 are validated.

26 Sec. 3. Section three hundred twenty-one point  
27 thirty-four (321.34), Code 1975, is amended by adding  
28 the following new unnumbered paragraphs:

29 NEW UNNUMBERED PARAGRAPH. The registration period  
30 for any vehicle except a passenger motor vehicle or  
31 a pickup shall be the calendar year commencing on  
32 the first of January and ending on the thirty-first  
33 of December of each year. There are established  
34 twelve registration periods for the registration  
35 of passenger motor vehicles and pickups, each of which  
36 shall commence on the first day of each calendar month  
37 and end on the last day of the twelfth month from  
38 the date of beginning. Passenger motor vehicles and  
39 pickups not previously registered in this state and  
40 operated for the first time on the highways of this  
41 state shall be registered for a full twelve-month  
42 period commencing the month when first operated in  
43 this state. Passenger motor vehicles and pickups  
44 operated under the provisions of section three hundred  
45 twenty-one point fifty-seven (321.57) of the Code  
46 shall be registered for a full twelve-month period  
47 at such time as registration of such vehicle is  
48 required under this chapter.

49 NEW UNNUMBERED PARAGRAPH. If the volume of work  
50 in a given registration period is disproportionate

1 to the volume in other registration periods, the  
2 county treasurer may adjust the renewal or expiration  
3 date of the number of passenger motor vehicles and  
4 pickups as necessary to equalize the volume of work  
5 throughout the year. The adjustment of registration  
6 periods shall be accomplished by notifying the ve-  
7 hicle owner of the change and providing credit for  
8 the remaining part of the registration period. In  
9 such cases, the county treasurer shall order the  
10 vehicle owner to surrender the registration card and  
11 shall assign and issue, upon payment of the difference  
12 between the amount of the credit and the full annual  
13 registration fee on the vehicle, a new registration  
14 card and plate or annual validation sticker desig-  
15 nating the new registration expiration date.

16 Sec. 4. Section three hundred twenty-one point  
17 thirty-six (321.36), Code 1975, is amended to read  
18 as follows:

19 321.36 SIZE OF NUMBERS. Such registration plate  
20 and the required letters and numerals thereon, except  
21 the month of expiration or year number for which  
22 issued, shall be of sufficient size to be plainly  
23 readable from a distance of one hundred feet during  
24 daylight.

25 Sec. 5. Section three hundred twenty-one point  
26 thirty-nine (321.39), Code 1975, is amended to read  
27 as follows:

28 321.39 EXPIRATION OF REGISTRATION. Every vehicle  
29 registration under this chapter and every registration  
30 card and registration plate issued hereunder shall  
31 ~~expire at midnight on the thirty-first day of December~~  
32 ~~of each year as provided in section three (3) of this~~  
33 Act. The provisions of this section shall not apply  
34 to any vehicle which is registered without the payment  
35 of fees as provided in section 321.19, but the  
36 registration plate or plates issued for such vehicle  
37 shall remain valid until suspended or revoked or  
38 canceled by the department, or until the title or  
39 ownership of such vehicle has been transferred.

40 Sec. 6. Section three hundred twenty-one point  
41 forty (321.40), unnumbered paragraph one (1), Code  
42 1975, is amended to read as follows:

43 Application for renewal of a vehicle registration  
44 shall be made ~~on or after December 1 of the year~~  
45 during the month in which the registration period  
46 expires for which it is registered by the owner upon  
47 proper application and by payment of the registration  
48 fee for such vehicle, as provided by law.

49 Sec. 7. Section three hundred twenty-one point  
50 sixty-one (321.61), Code 1975, is amended by adding

1 the following new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. The registration period  
3 specified in section three (3) of this Act for any  
4 vehicle except a passenger motor vehicle or a pickup  
5 shall apply to all vehicles upon which special plates  
6 are displayed.

7 Sec. 8. Section three hundred twenty-one point  
8 sixty-nine (321.69), Code 1975, is amended to read  
9 as follows:

10 321.69 RIGHT TO OPERATE. Registered car dealers  
11 having on hand ~~February-1-of-any-year~~ the first day  
12 of the month following the commencement of the  
13 registration period for sale or trade, used motor  
14 vehicles upon which registration in Iowa for the  
15 previous year has been paid, as hereinafter provided,  
16 may operate such motor vehicles as provided by section  
17 321.57.

18 Sec. 9. Section three hundred twenty-one point  
19 seventy (321.70), unnumbered paragraph one (1), Code  
20 1975, is amended to read as follows:

21 Dealers registered under the provisions of this  
22 chapter must, on or before ~~February-5-of-each-year~~  
23 the fifth day of the month following the commencement  
24 of the registration period, furnish the county  
25 treasurer and department with a list of all used motor  
26 vehicles held by them for sale or trade, and upon  
27 which the registration fee for the current year is  
28 not paid, giving registration number, initials of  
29 state issuing registration plates, the year, together  
30 with the factory number, description, and previous  
31 ownership at the time such motor vehicle was  
32 transferred to the dealer.

33 Sec. 10. Section three hundred twenty-one point  
34 one hundred six (321.106), Code 1975, is amended to  
35 read as follows:

36 321.106 REGISTRATION FOR FRACTIONAL PART OF YEAR.  
37 Where there is no delinquency and the registration  
38 is made in February or succeeding months to and  
39 including November, registration fees for vehicles  
40 ~~designed-to-carry-nine-passengers-or-less~~ except  
41 passenger motor vehicles and pickups shall be computed  
42 on the basis of one-twelfth of the annual registration  
43 fee as provided in this chapter multiplied by the  
44 number of unexpired months of the year. ~~No-fee-shall~~  
45 ~~be-required-for-the-month-of-December-for-a-new-car~~  
46 ~~in-good-faith-delivered-during-that-month.~~

47 Where there is a delinquency, registration fees  
48 for vehicles designed to carry property or more than  
49 nine passengers except pickups which are registered  
50 after January 31 thirty-first shall be computed on

1 the basis of the full annual fee, plus penalties,  
2 for such vehicle. Where there is no delinquency and  
3 the registration is made in February or succeeding  
4 months, registration fees for vehicles designed to  
5 carry property or more than nine passengers except  
6 pickups shall be computed on the basis of one-twelfth  
7 of the annual registration fees as provided in this  
8 chapter multiplied by the number of unexpired months  
9 of the year.

10 Whenever any registration fee computed under this  
11 section contains a fractional part of a dollar, the  
12 fee shall be computed to the nearest whole dollar,  
13 except that any such fee so computed shall not be  
14 less than five dollars, which amount shall be the  
15 fee collected. The fee so computed for an original  
16 registration shall be deemed to be the annual registra-  
17 tion fee for the remainder of the registration year.

18 Sec. 11. Section three hundred twenty-one point  
19 one hundred seven (321.107), unnumbered paragraph  
20 one (1), Code 1975, is amended to read as follows:

21 Such reduction in the registration fee shall not  
22 be allowed until the applicant first file with the  
23 county treasurer an affidavit stating the date on  
24 which the vehicle except a passenger motor vehicle  
25 or a pickup first came into his possession or control  
26 in connection with his purchase or prospective purchase  
27 thereof, and the name and address of the party from  
28 whom purchased.

29 Sec. 12. Section three hundred twenty-one point  
30 one hundred seventeen (321.117), Code 1975, is amended  
31 to read as follows:

32 321.117 MOTORCYCLE AND HEARSE FEES. For all  
33 motorcycles the annual fee shall be ~~five~~ ten dollars.  
34 When said motorcycle has been registered ~~five~~ five times,  
35 the annual registration fee shall be ~~one-half-the~~  
36 ~~rate-when-new~~ five dollars. The annual registration  
37 fee for hearses shall be ~~thirty~~ forty dollars.  
38 Passenger car plates shall be issued for hearses.

39 Sec. 13. Section three hundred twenty-one point  
40 one hundred twenty-six (321.126), subsections three  
41 (3) and four (4), Code 1975, are amended to read as  
42 follows:

43 3. If the motor vehicle is stolen, the owner shall  
44 give notice of such theft to the ~~county-treasurer~~  
45 ~~er-the~~ department within five days, or to the county  
46 treasurer who in turn shall notify the department  
47 within five days. If the motor vehicle is not  
48 recovered by the owner before December-1-of-the-year  
49 the first day of the last month of the registration  
50 period for which the registration fee was paid, the

1 owner shall make affidavit of such theft and make  
2 claim for refund.

3 4. If the motor vehicle is placed in storage by  
4 the owner upon his entry into the military service  
5 of the United States, the owner shall return the  
6 plates to the county treasurer or the department and  
7 make affidavit regarding such storage and military  
8 service and make claim for refund. Whenever the owner  
9 of a motor vehicle except a passenger motor vehicle  
10 or a pickup, so placed in storage desires to again  
11 register such vehicle, the county treasurer or  
12 department shall compute and collect the fees for  
13 such registration in accordance with section 321.106.  
14 Any passenger motor vehicle or pickup subject to this  
15 subsection shall be registered as provided in section  
16 three (3) of this Act for the twelve-month period  
17 commencing with the month when removed from storage.

18 Sec. 14. Section three hundred twenty-one point  
19 one hundred twenty-seven (321.127), Code 1975, is  
20 amended to read as follows:

21 321.127 AMOUNT OF REFUND. ~~For-December-and-each~~  
22 ~~succeeding-month-the-refund~~ Refunds of registration  
23 fees shall be computed on the basis of one-fourth  
24 of the annual registration fee multiplied by the  
25 number of remaining quarters of the year registration  
26 period from date of the return of the vehicles plates  
27 to the county treasurer, computed to the nearest  
28 quarter dollar. The department shall make refund  
29 on or before the fifteenth day of the quarter follow-  
30 ing the quarter in which the claim is filed with the  
31 department.

32 Sec. 15. Section three hundred twenty-one point  
33 one hundred thirty-two (321.132), Code 1975, is amended  
34 to read as follows:

35 321.132 WHEN LIEN ATTACHES. The lien of the  
36 original registration fee shall attach, at the time  
37 the same is first payable, as provided by law, and  
38 the lien of all renewals of registration shall attach  
39 on January-1-of-each-year the first day of the  
40 registration period thereafter.

41 Sec. 16. Section three hundred twenty-one point  
42 one hundred thirty-four (321.134), unnumbered paragraph  
43 one (1), Code 1975, is amended to read as follows:

44 On February-1-of-each-year the first day of the  
45 month following the commencement of the registration  
46 period, a penalty of five percent of the annual  
47 registration fee shall be added to all fees not paid  
48 by that date, and five percent of the annual  
49 registration fee shall be added to such fees on the  
50 first of each month thereafter that the same remains

1 unpaid, until paid, provided that said penalty in  
2 no case shall be less than one dollar, and provided  
3 that the owner of a vehicle who, before ~~February-1~~  
4 ~~of any year~~ the first day of the month following the  
5 commencement of the registration period, surrenders  
6 all registration plates for said vehicle to the county  
7 treasurer of the county in which said plates are of  
8 record, shall have the right to register said vehicle  
9 at any later period of said year by paying the full  
10 yearly registration fee without said penalty.

11 Provided, however, that the annual registration fee  
12 for trucks, truck tractors, road tractors, trailers  
13 and semitrailers, except pickups, as provided in  
14 sections 321.120 to 321.123, inclusive, when said  
15 annual registration fee is in excess of seventy  
16 dollars, may be payable in two equal semiannual in-  
17 stallments.

18 Sec. 17. Section three hundred twenty-one point  
19 one hundred thirty-six (321.136), Code 1975, is amended  
20 by striking the section and inserting in lieu thereof  
21 the following:

22 321.136 LIST OF DELINQUENTS. During the first  
23 week of each month, the county treasurer shall make  
24 a list of all motor vehicles owned within his county  
25 upon which the registration fee was not paid before  
26 the first day of the second month following the  
27 commencement of the registration period. The list  
28 shall include the factory number, engine number, make,  
29 and model of such vehicle, the name and post office  
30 address of the owner of such vehicle as shown by the  
31 records of his office, and the amount of registration  
32 fee and penalties due against such vehicle as of the  
33 first of that month. This section shall not apply  
34 to motor vehicles subject to the provisions of section  
35 three hundred twenty-one point seventy (321.70) of  
36 the Code and to motor vehicles for which the plates  
37 have been surrendered in accordance with section three  
38 hundred twenty-one point one hundred thirty-four  
39 (321.134) of the Code.

40 Sec. 18. Section three hundred twenty-one point  
41 one hundred thirty-seven (321.137), Code 1975, is  
42 amended to read as follows:

43 321.137 SHERIFF FURNISHED LIST. The county  
44 treasurer shall on or before ~~March-15-thereafter~~ the  
45 fifteenth day of each month deliver to the sheriff  
46 of his county a certified copy of said list of such  
47 delinquents as shown.  
48

49 Sec. 19. Section three hundred twenty-one point  
50 one hundred sixty-six (321.166), unnumbered paragraph  
one (1), Code 1975, is amended to read as follows:

1 Such number plates shall be of metal, and of a  
2 size not to exceed six inches in width by fifteen  
3 inches in length, on which there shall be the word  
4 "Iowa", and ~~numerals-indicating-the-year-for-which~~  
5 ~~it-is-issued.--They-shall-be-of-a-distinctively~~  
6 ~~different-color-each-year~~ indicate the registration  
7 period for which issued. There shall be at all times  
8 a marked contrast between the colors of the number  
9 plates and of the numerals or letters thereon, said  
10 colors to be designated by the department. The  
11 department shall develop a distinctive validation  
12 sticker, emblem or other device for the purpose of  
13 distinguishing among number plates issued for each  
14 registration period established under section three  
15 (3) of this Act. The department may prescribe and  
16 provide distinctive number plates for each registration  
17 period in lieu of a distinctive sticker, emblem or  
18 other device for distinguishing among registration  
19 periods.

20 Sec. 20. Section three hundred twenty-nine point  
21 one hundred sixty-seven (321.167), Code 1975, is  
22 amended by striking the section and inserting in lieu  
23 thereof the following:

24 321.167 DELIVERY OF PLATES OR EMBLEMS. The  
25 department, upon requisition of the county treasurer,  
26 shall deliver number plates, certificates,  
27 distinguishing devices, and any other materials used  
28 in vehicle registration to be furnished by the  
29 department under this chapter. The number plates  
30 delivered to each county treasurer shall be in  
31 numerical sequence. The department may in lieu of  
32 number plates furnish appropriate distinguishing  
33 stickers or emblems as provided in section three  
34 hundred twenty-one point thirty-four (321.34) of the  
35 Code.

36 Sec. 21. During the time necessary to change from  
37 the present system of annual calendar year registration  
38 of passenger motor vehicles and pickups to the system  
39 established in section three (3) of this Act, each  
40 passenger motor vehicle and pickup subject to  
41 registration on January 1, 1976 shall be registered  
42 for one of twelve registration periods which shall  
43 vary in length from a minimum of six consecutive  
44 calendar months to a maximum of seventeen calendar  
45 months. In the order of receipt of applications for  
46 registration of passenger motor vehicles and pickups  
47 by their owners, the county treasurer shall allocate  
48 to each of the twelve registration periods such number  
49 of such vehicles as will in his judgment distribute  
50 as uniformly as practicable the clerical work of

1 registering such vehicles throughout the twelve-month  
2 period in which such registration shall expire and  
3 become subject to renewal. The registration fee due  
4 for the initial registration period shall be computed  
5 by multiplying one-twelfth of the annual registration  
6 fee specified in this chapter by the number of months  
7 in the initial registration period. The twelve  
8 registration periods necessary to accommodate the  
9 change to the new registration system shall commence  
10 on January 1, 1976 and each of such registration  
11 periods shall expire as follows:

- 12 1. The first period shall expire on June 30, 1976.
- 13 2. The second period shall expire on July 31,  
14 1976.
- 15 3. The third period shall expire on August 31,  
16 1976.
- 17 4. The fourth period shall expire on September  
18 30, 1976.
- 19 5. The fifth period shall expire on October 31,  
20 1976.
- 21 6. The sixth period shall expire on November 30,  
22 1976.
- 23 7. The seventh period shall expire on December  
24 31, 1976.
- 25 8. The eighth period shall expire on January 31,  
26 1977.
- 27 9. The ninth period shall expire on February 29,  
28 1977.
- 29 10. The tenth period shall expire on March 31,  
30 1977.
- 31 11. The eleventh period shall expire on April  
32 30, 1977.
- 33 12. The twelfth period shall expire on May 31,  
34 1977.

35 Passenger motor vehicles and pickups not previously  
36 registered in this state and operated for the first  
37 time on the highways of this state after the  
38 commencement of the initial registration periods on  
39 January 1, 1976 shall be registered for a full twelve-  
40 month period unless the county treasurer believes  
41 registration of such vehicles on a fractional year  
42 basis will fulfill the purpose of the registration  
43 system established under this Act. Upon expiration  
44 of the initial registration period, passenger motor  
45 vehicles and pickups so registered shall thereafter  
46 be registered for the twelve-month periods prescribed  
47 in section three (3) of this Act. This section shall  
48 expire on June 1, 1977.

49  
50 Sec. 22. Section three hundred twenty-one point  
one hundred sixty-eight (321.168), Code 1975, is

1 repealed.  
2       Sec. 23. The provisions of section twelve (12)  
3 of this Act shall become effective December 1, 1975  
4 for registrations made on or after December 1, 1975  
5 for the 1976 registration year."  
6       2. Amend the title, by striking everything after  
7 the word "relating" in line 1 and inserting in lieu  
8 thereof the words "to annual registration of passenger  
9 motor vehicles and pickup trucks and increasing  
10 motorcycle and hearse registration fees, subject to  
11 penalties provided by law."

H-3396 FILED - *Withdrawn 4/7 (967)* BY HINES of Story  
APRIL 2, 1975

House File 450

H-3331

1       Amend the Monroe amendment (H-3325) to House  
2 File 450, as follows:  
3       1. Page 1, line 9, by striking the words "and  
4 hearses," and inserting in lieu thereof the word  
5 "hearses,".  
6       2. Page 1, by striking lines 47 through 50 and  
7 page 2 by striking lines 1 through 6 and inserting  
8 in lieu thereof the following:  
9       "Sec. 11. Section three hundred twenty-one point  
10 one hundred seventeen (321.117), Code 1975, is  
11 repealed."

H-3331 FILED - *Adopted 4/7 (970)* BY MONROE of Des Moines

H-3370

1       Amend House File 450 as follows:  
2       1. Page 10, line 13, by striking the word  
3 "forty" and inserting in lieu thereof the words  
4 "one hundred".  
5       2. Page 10, line 13, by inserting after the  
6 period the words "After a hearse has been reg-  
7 istered three times, the annual registration fee  
8 shall be fifty dollars."  
9       3. Page 11, by inserting after line ~~9~~ the  
10 following new section:  
11       "Sec. \_\_\_\_ . The provisions of section ten (10)  
12 of this Act shall become effective December 1,  
13 1975 for registrations made on or after December  
14 1, 1975 for the 1976 registration year."

H-3370 FILED - *Adopted 4/7 (972)* BY DOYLE of Woodbury  
MARCH 31, 1975

H-3372

- 1 Amend House File 450 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section three hundred twenty-one
- 5 point twenty (321.20), subsection one (1), Code
- 6 1975, is amended by striking the subsection and
- 7 inserting in lieu thereof the following:
- 8 1. The name, social security number if avail-
- 9 able, bona fide residence and mailing address
- 10 of the owner or if the owner is a firm, associa-
- 11 tion or corporation, the application shall con-
- 12 tain the business address and employer identifica-
- 13 tion number of the owner if available."
- 14 2. Amend the title, line 1, by inserting after
- 15 the word "the" the words "registration application
- 16 form and the".
- 17 3. Renumber sections and correct internal
- 18 references in conformance with this amendment.

H-3372 FILED - *Adopted 4/7 (972)* BY MONROE of Des Moines  
MARCH 31, 1975

H-3377

- 1 Amend House File 450 as follows:
- 2 1. Page 10, lines 22, 23, and 24, by striking
- 3 the words "not less than ten days prior to the date
- 4 such motor vehicle is sold or offered for sale in this
- 5 state".
- 6 2. Page 10, line 27, by inserting after the
- 7 word "model" the following: "concurrently with a
- 8 public announcement of such prices or concurrently
- 9 with notification of such prices to dealers licensed
- 10 to sell such motor vehicles under chapter three hund-
- 11 red twenty-two (322) of the Code, whichever comes
- 12 first".

H-3377 FILED - *Adopted 4/7 (970)* BY SCHROEDER of Pottawattamie  
MARCH 31, 1975 MONROE of Des Moines

H-3505

- 1 Amend House File 450 as follows:
- 2 Title page, by inserting after the word "to" in
- 3 line 1 the words "persons engaged in the buying and
- 4 selling of certain motor vehicles and relating to".

H-3505 FILED, ADOPTED BY KRAUSE of Palo Alto  
APRIL 8, 1975

House File 450

H-3468

1 Amend House File 450 as follows:  
2 1. Page 11, by inserting after line 9 the follow-  
3 ing new section:  
4 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
5 four hundred thirty (321.430), subsection three (3),  
6 Code 1975, is amended to read as follows:  
7 3. Every trailer or semitrailer of a gross weight  
8 of three thousand pounds or more, and every trailer  
9 coach or travel trailer of a gross weight of three  
10 thousand pounds or more intended for use for human  
11 habitation, when operated on the highways of this  
12 state, shall be equipped with brakes adequate to  
13 control the movement of and to stop and hold such  
14 vehicle, and so designed as to be applied by the  
15 driver of the towing motor vehicle from its cab, or  
16 with self-actuating brakes, and weight equalizing  
17 hitch with a sway control of a type approved by the  
18 director of public-safety transportation. Every  
19 semitrailer, travel trailer, or trailer coach of a  
20 gross weight of three thousand pounds or more shall  
21 be equipped with a separate, auxiliary means of  
22 applying the brakes on the semitrailer, travel trailer,  
23 or trailer coach from the cab of the towing vehicle.  
24 Trailers or semitrailers with a truck or truck tractor  
25 need only comply with the brake requirements."  
26 2. Amend the title, line 7, by inserting after  
27 the word "December," the words "relating to braking  
28 and hitching requirements for certain travel trailers  
29 and semitrailers operated on the highways,".

H-3468 FILED - *Adopted 4/7 (971)* BY COYLE of Woodbury  
APRIL 7, 1975

House File 450

H-3421

1 Amend the amendment H-3325 to House File 450,  
2 page 1, line 44, by inserting after the period the  
3 following:  
4 "However, the annual registration fee imposed  
5 under this subsection shall not apply to a hearse,  
6 motorcycle or motor bicycle which has been  
7 registered in any state before December 1, 1975.  
8 The annual registration fee for a hearse which  
9 has been registered in any state before December 1,  
10 1975 shall be thirty dollars and the annual  
11 registration fee for a motorcycle or motor bicycle  
12 which has been registered in any state before  
13 December 1, 1975 shall be five dollars."

H-3421 FILED - *Adopted 4/7 (972)* BY MONROE of Des Moines  
APRIL 3, 1975

House File 450

H-3386

- 1 Amend House File 450 as follows:  
2 1. Page 6, line 32, by inserting after the word  
3 "documents" the words "not less than twenty days  
4 from the date the county treasurer placed such  
5 documents for delivery through the United States  
6 postal service".  
7 2. Page 6, line 32, by striking the word "The".  
8 3. Page 6, by striking lines 33 through 35.  
9 4. Page 7, by striking line 1.  
10 5. Page 7, line 2, by striking the words  
11 "such fact."

H-3386 FILED - *Adopted 4/7 (968)*  
APRIL 1, 1975

BY SCHROEDER of Pottawattamie  
WYCKOFF of Benton

House File 450

H-3447

- 1 Amend House File 450, page 11, by inserting  
2 after line 9 the following new section:  
3 "Sec. \_\_\_\_ . Section three hundred twenty-two  
4 point three (322.3), subsection nine (9), Code  
5 1975, is amended to read as follows:  
6 9. No person licensed under this chapter shall,  
7 either directly or through an agent, salesman or  
8 employee, engage in this state, or represent or  
9 advertise that he is engaged or intends to engage  
10 in this state, in the business of buying or selling  
11 at retail new or used motor vehicles, as defined  
12 in section three hundred twenty-one point one  
13 (321.1) of the Code, on the first day of the week,  
14 commonly known and designated as Sunday."

H-3447 FILED - *Adopted 4/7 (971)*  
APRIL 3, 1975

BY SCHROEDER of Pottawattamie  
BYERLY of Polk  
JESSE of Polk  
NIELSEN of Polk  
CLARK of Lee  
KRAUSE of Palo Alto  
RINAS of Linn  
BRANSTAD of Winnebago

Amend House File 450 as follows:

1. Page 10, by inserting after line 6 the following:

"Sec. 10. Section three hundred twenty-one point one hundred nine (321.109), subsection one (1), Code 1975, is amended to read as follows:

1. The annual fee for all motor vehicles including vehicles designated by manufacturers as station wagons, except motor trucks, and hearses, ~~motorcycles, and motor-bicycles,~~ shall be equal to one percent of the value as fixed by the department plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the department. The weight of a motor vehicle, fixed by the department for registration purposes, shall include the weight of a battery, heater, bumpers, spare tire, and wheel. Provided, however, that for any new vehicle purchased in this state by a nonresident for removal to his state of residence the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of five dollars shall be paid. And provided, however, that for any used vehicle held by a registered dealer and not currently registered in this state, or for any vehicle held by an individual and currently registered in this state, when purchased in this state by a nonresident for removal to his state of residence, the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of three dollars shall be paid. The county treasurer shall issue a nontransferable certificate of registration for which no refund shall be allowed; and the transit plates shall be void thirty days after issuance. Such purchaser may apply for a certificate of title by surrendering the manufacturer's or importer's certificate or certificate of title, duly assigned as provided in this chapter. In this event, the treasurer in the county of purchase shall, when satisfied with the genuineness and regularity of the application, and upon payment of a fee of two dollars, issue a certificate of title in the name and address of such nonresident purchaser delivering the same to the person entitled thereto as provided in this chapter."

2. Page 10, by striking lines 7 through 14 and inserting in lieu thereof the following:

"Sec. 11. Section three hundred twenty-one point one hundred seventeen (321.117), Code 1975, is amended to read as follows:

321.117 ~~MOTORCYCLE-AND HEARSE FEES. For-all~~

Page 2

~~motorcycles-the-annual-fee-shall-be-five-dollars. When-said-motorcycle-has-been-registered-five-times, the-annual-registration-fee-shall-be-one-half-the rate-when-new.~~ The annual registration fee for hearses shall be ~~thirty~~ forty dollars. Passenger car plates shall be issued for hearses."

3. Renumber the sections and correct internal references in conformance with this amendment.

Sen. Transportation 4/14, Pass per 3553 4/17

HOUSE FILE 450

By COMMITTEE ON TRANSPORTATION

(As Amended and Passed by the House)

*as amended  
by Senate*

Passed House, Date 6-20-75 (2723) Passed Senate, Date 6-19-75 (2217)

Vote: Ayes 84 Nays 6 Vote: Ayes 43 Nays 0

Approved 7-17-75

## A BILL FOR

1 An Act relating to persons engaged in the buying and selling  
 2 of certain motor vehicles and relating to vehicle  
 3 registration by revising the registration application  
 4 form and the registration filing system, requiring  
 5 a bond to be posted in situations where vehicle ownership  
 6 is not established, providing for publication of notice  
 7 regarding vehicle registration renewals, increasing  
 8 motorcycle and hearse registration fees, providing for  
 9 receipt of new registration for all vehicles transferred  
 10 in December, relating to braking and hitching requirements  
 11 for certain travel trailers and semitrailers operated on  
 12 the highways, and relating to the base price of a vehicle  
 13 for registration purposes, subject to penalties provided  
 14 by law.

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

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House Amendments \_\_\_\_\_

1 Section 1. Section three hundred twenty-one point  
2 twenty (321.20), subsection one (1), Code 1975, is  
3 amended by striking the subsection and inserting in  
4 lieu thereof the following:

5 1. The name, social security number if available,  
6 bona fide residence and mailing address of the owner  
7 or if the owner is a firm, association or corporation,  
8 the application shall contain the business address and  
9 employer identification number of the owner if available.

10 Sec. 2. Section three hundred twenty-one point twenty-  
11 four (321.24), Code 1975, is amended to read as follows:

12 321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE OF TITLE.  
13 Upon receipt of the application for title and payment of the  
14 required fees for motor vehicle, trailer, or semitrailer,  
15 the county treasurer shall, when satisfied as to the  
16 genuineness and regularity thereof, issue a registration  
17 receipt and certificate of title and shall file the  
18 application, the manufacturer's or importer's certificate,  
19 certificate of title, or other evidence of ownership, as  
20 prescribed by the department. The registration receipt shall  
21 be delivered to the owner and shall contain upon the face  
22 thereof the date issued, the name and address of the owner,  
23 the registration number assigned to the vehicle, the title  
24 number assigned to the owner of the vehicle, the amount of  
25 the fee paid, the amount of tax paid pursuant to section  
26 423.7, type of fuel used and such description of the vehicle  
27 as determined by the department and upon the reverse side  
28 a form for notice of transfer of the vehicle. ~~One copy of~~  
29 ~~the registration receipt shall be retained by the county~~  
30 ~~treasurer in a registration number file and said file~~ The  
31 county treasurer shall maintain in the county record system  
32 information contained on the registration receipt. Such  
33 information shall be accessible by registration number and  
34 shall be open for public inspection during reasonable business  
35 hours. ~~Two copies~~ Such copies as the department may require

1 shall be ~~mailed-to~~ sent to the department in the manner and  
2 at such time as the department ~~on-date-of-issuance~~ may direct.  
3 The certificate of title shall contain upon the face thereof  
4 the identical information required upon the face of the  
5 registration receipt ~~and-such-information-shall-be-so-placed~~  
6 ~~on-the-title-form-as-to-permit-the-county-treasurer-to-prepare~~  
7 ~~the-certificate-of-title-simultaneously-with-the-registration~~  
8 ~~receipt.~~ In addition thereto, the certificate of title shall  
9 contain a statement of the owner's title, the amount of tax

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1 paid pursuant to section 423.7, name and address of previous  
2 owner, and a statement of all ~~liens~~ security interests and  
3 encumbrances as shown in the application, upon the vehicle  
4 therein described including the nature of the ~~lien-or-liens~~  
5 security interest, amount, date of notation and name and  
6 address of ~~lienholder-or-lienholders~~ the secured party. Said  
7 certificate shall bear thereon the seal of the county  
8 treasurer, ~~his~~ the signature of the county treasurer or that  
9 of ~~his~~ the deputy county treasurer, and shall provide space  
10 for the signature of the owner. The owner shall ~~write-his~~  
11 name sign the certificate of title in the space provided with  
12 pen and ink upon receipt of certificate of title. The  
13 certificate of title shall contain upon the reverse side a  
14 form for assignment of title or interest and warranty thereof  
15 by the owner, for reassignments by a licensed dealer and for  
16 application for a new certificate of title by the transferee  
17 as provided in this chapter. All certificates of title shall  
18 ~~be typewritten and-shall-be-issued-in-triplicate~~ or printed  
19 by other mechanical means. The original certificate of title  
20 shall be delivered to the owner in the event no ~~lien~~ security  
21 interest or encumbrance appears thereon. Otherwise the  
22 certificate of title shall be delivered by the county treasurer  
23 to the person holding the first ~~lien~~ security interest or  
24 encumbrance as shown in the certificate. ~~One-copy-of-the~~  
25 ~~certificate-shall-be-retained-by-the-county-treasurer-in-a~~  
26 ~~title-number-file-in-the-manner-prescribed-by-the-department~~  
27 ~~and-shall-remain-in-the-file-of-the-county-issuing-the-title~~  
28 The county treasurer shall maintain in the county records  
29 system information contained on the certificate of title.  
30 Such information shall be accessible by title certificate  
31 number for a period of three years from the date of  
32 notification of cancellation of title or that a new title  
33 has been issued as provided in this chapter ~~after-which-it~~  
34 ~~may-be-destroyed---~~ One-copy Such copies as the department  
35 may require shall be mailed sent to the department ~~on-the~~

1 date-of-issuance in the manner and at such time as the  
2 department shall direct. The department shall designate a  
3 uniform system of title numbers so as to indicate the county  
4 of issuance.

5 Sec. 3. Section three hundred twenty-one point twenty-  
6 four (321.24), Code 1975, is amended by adding the following  
7 new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. If the county treasurer or  
9 department is not satisfied as to the ownership of the vehicle  
10 or that there are no undisclosed security interests in it,  
11 the county treasurer or department may register the vehicle  
12 but shall as a condition of issuing a certificate of title  
13 and registration receipt, require the applicant to file with  
14 the department a bond in the form prescribed by the department  
15 and executed by the applicant, and either accompanied by the  
16 deposit of cash with the department or also executed by a  
17 person authorized to conduct a surety business in this state.  
18 The bond shall be in an amount equal to one and one-half times  
19 the current value of the vehicle as determined by the  
20 department and conditioned to indemnify any prior owner and  
21 secured party and any subsequent purchaser of the vehicle  
22 or person acquiring any security interest in it, and their  
23 respective successors in interest, against any expense, loss  
24 or damage, including reasonable attorney's fees, by reason  
25 of the issuance of the certificate of title of the vehicle  
26 or on account of any defect in or undisclosed security interest  
27 upon the right, title and interest of the applicant in and  
28 to the vehicle. Any such interested person has a right of  
29 action to recover on the bond for any breach of its conditions,  
30 but the aggregate liability of the surety to all persons shall  
31 not exceed the amount of the bond. The bond, and any deposit  
32 accompanying it, shall be returned at the end of three years  
33 or prior thereto if the vehicle is no longer registered in  
34 this state and the currently valid certificate of title is  
35 surrendered to the department, unless the department has been

1 notified of the pendency of an action to recover on the bond.

2 Sec. 4. Section three hundred twenty-one point thirty-  
3 one (321.31), Code 1975, is amended by striking the section  
4 and inserting in lieu thereof the following:

5 321.31 RECORDS SYSTEM. A state and county records system  
6 shall be maintained in the following manner:

7 1. State records system. The department shall install  
8 and maintain a records system which shall contain the name  
9 and address of the vehicle owner, current and previous  
10 registration number, vehicle identification number, make,  
11 model, style, date of purchase, registration certificate  
12 number, maximum gross weight, weight, list price or value  
13 of the vehicle as fixed by the department, fees paid and date  
14 of payment. The records system shall also contain a record  
15 of the certificate of title including the notation of all  
16 security interests recorded and released, and such other  
17 information as the department deems necessary. The information  
18 to be kept in the records system shall be entered within  
19 forty-eight hours after receipt insofar as is practical.

20 The records system shall constitute the permanent record of  
21 ownership of each vehicle titled under the laws of this state.

22 The department may make photostatic, microfilm, or other  
23 photographic copies of certificates of title, registration  
24 receipts, or other records, reports, or documents which are  
25 required to be retained by the department. When copies have  
26 been made, the department may destroy the original records  
27 in such manner as prescribed by the director. The photostatic,  
28 microfilm, or other photographic copies, when no longer of  
29 use, may be destroyed in the manner prescribed by the director,  
30 subject to the approval of the state records commission.

31 Photostatic, microfilm, or other photographic copies of records  
32 shall be admissible in evidence when duly certified and  
33 authenticated by the officer having custody and control of  
34 the copies of records.

35 2. County records system. Each county treasurer's office

1 date-of-issuance in the manner and at such time as the  
2 department shall direct. The department shall designate a  
3 uniform system of title numbers so as to indicate the county  
4 of issuance.

5 Sec. 3. Section three hundred twenty-one point twenty-  
6 four (321.24), Code 1975, is amended by adding the following  
7 new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. If the county treasurer or  
9 department is not satisfied as to the ownership of the vehicle  
10 or that there are no undisclosed security interests in it,  
11 the county treasurer or department may register the vehicle  
12 but shall as a condition of issuing a certificate of title  
13 and registration receipt, require the applicant to file with  
14 the department a bond in the form prescribed by the department  
15 and executed by the applicant, and either accompanied by the  
16 deposit of cash with the department or also executed by a  
17 person authorized to conduct a surety business in this state.  
18 The bond shall be in an amount equal to one and one-half times  
19 the current value of the vehicle as determined by the  
20 department and conditioned to indemnify any prior owner and  
21 secured party and any subsequent purchaser of the vehicle  
22 or person acquiring any security interest in it, and their  
23 respective successors in interest, against any expense, loss  
24 or damage, including reasonable attorney's fees, by reason  
25 of the issuance of the certificate of title of the vehicle  
26 or on account of any defect in or undisclosed security interest  
27 upon the right, title and interest of the applicant in and  
28 to the vehicle. Any such interested person has a right of  
29 action to recover on the bond for any breach of its conditions,  
30 but the aggregate liability of the surety to all persons shall  
31 not exceed the amount of the bond. The bond, and any deposit  
32 accompanying it, shall be returned at the end of three years  
33 or prior thereto if the vehicle is no longer registered in  
34 this state and the currently valid certificate of title is  
35 surrendered to the department, unless the department has been

1 notified of the pendency of an action to recover on the bond.

2 Sec. 4. Section three hundred twenty-one point thirty-  
3 one (321.31), Code 1975, is amended by striking the section  
4 and inserting in lieu thereof the following:

5 321.31 RECORDS SYSTEM. A state and county records system  
6 shall be maintained in the following manner:

7 1. State records system. The department shall install  
8 and maintain a records system which shall contain the name  
9 and address of the vehicle owner, current and previous  
10 registration number, vehicle identification number, make,  
11 model, style, date of purchase, registration certificate  
12 number, maximum gross weight, weight, list price or value  
13 of the vehicle as fixed by the department, fees paid and date  
14 of payment. The records system shall also contain a record  
15 of the certificate of title including the notation of all  
16 security interests recorded and released, and such other  
17 information as the department deems necessary. The information  
18 to be kept in the records system shall be entered within  
19 forty-eight hours after receipt insofar as is practical.  
20 The records system shall constitute the permanent record of  
21 ownership of each vehicle titled under the laws of this state.

22 The department may make photostatic, microfilm, or other  
23 photographic copies of certificates of title, registration  
24 receipts, or other records, reports, or documents which are  
25 required to be retained by the department. When copies have  
26 been made, the department may destroy the original records  
27 in such manner as prescribed by the director. The photostatic,  
28 microfilm, or other photographic copies, when no longer of  
29 use, may be destroyed in the manner prescribed by the director,  
30 subject to the approval of the state records commission.  
31 Photostatic, microfilm, or other photographic copies of records  
32 shall be admissible in evidence when duly certified and  
33 authenticated by the officer having custody and control of  
34 the copies of records.

35 2. County records system. Each county treasurer's office

1 shall maintain a county records system for vehicle registration  
2 and certificate of title documents. The records system shall  
3 consist of information from the certificate of title including  
4 the notation and cancellation of security interests,  
5 information from the registration receipt, and such information  
6 shall be maintained by retention of one copy of the  
7 registration receipt in a registration number file and one  
8 copy of the title certificate in a title number file. In  
9 lieu of retaining one copy of the registration receipt and  
10 one copy of the title certificate, the information may be  
11 maintained in such other manner as may be approved by the  
12 department, provided such information is accessible by title  
13 certificate number and registration number.

14 The county treasurer may make photostatic, microfilm, or  
15 other photographic copies of certificates of title,  
16 registration receipts, or other records, reports, or documents  
17 which are required to be retained by the county treasurer.  
18 When copies of records have been made, the county treasurer  
19 may destroy the original records three years after they have  
20 been issued, in such manner as prescribed by the department.  
21 When copies of records are no longer of use, they may be  
22 destroyed in a manner prescribed by the department.  
23 Photostatic, microfilm, or other photographic copies of records  
24 shall be admissible in evidence when duly certified and  
25 authenticated by the officer having custody and control of  
26 the copies of records.

27 Sec. 5. Section three hundred twenty-one point forty  
28 (321.40), unnumbered paragraph two (2), Code 1975, is amended  
29 to read as follows:

30 Registration receipts issued for renewals shall have the  
31 word "renewal" imprinted thereon and, if the owner making  
32 a renewal application has been issued a certificate of title,  
33 the title number shall appear on the registration receipt.  
34 All registration receipts for renewals shall be typewritten  
35 or printed by other mechanical means ~~and shall be prepared~~

1 in-quadruplicate. ~~The original registration receipt shall~~  
2 ~~be issued to the applicant, one copy retained in the county~~  
3 ~~treasurer's file and two copies shall be forwarded to the~~  
4 ~~department.~~ The applicant shall receive a registration  
5 receipt.

6 Sec. 6. Section three hundred twenty-one point forty  
7 (321.40), Code 1975, is amended by adding the following new  
8 unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Not more than thirty days nor  
10 less than twenty days prior to December first the county  
11 treasurer shall cause to be published in a newspaper of general  
12 circulation in the county, a notice to vehicle owners. The  
13 notice shall contain a list of pertinent information which  
14 is required to register a vehicle. The notice shall also  
15 include a statement that application for renewal of a vehicle  
16 registration shall be made on or after December first of the  
17 year for which it is registered and that such renewal may  
18 be made by mail on or after November first. The county  
19 treasurer may deliver registration plates and other  
20 registration documents on which application for renewal has  
21 been made in November, to the owner thereof, after the last  
22 day of November.

23 Sec. 7. Section three hundred twenty-one point forty-two  
24 (321.42), Code 1975, is amended by adding the following new  
25 unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. If a county treasurer issues  
27 vehicle registration documents for vehicles subject to  
28 registration for delivery to the owner through the United  
29 States postal service, and such documents are lost or damaged  
30 in transit, the owner of the vehicle may file application  
31 for reissuance of these documents, without cost, with the  
32 county treasurer which originally issued the documents not  
33 less than twenty days from the date the county treasurer  
34 placed such documents for delivery through the United States  
35 postal service.

1

2           If the owner of the vehicle subject to registration  
3 receives the original registration documents through the  
4 United States postal service after reissuance of duplicate  
5 documents by the county treasurer, the owner of the vehicle  
6 shall surrender the original documents to the county treasurer  
7 not later than five days from the date of receipt of the  
8 original documents from the United States postal service.

9       Sec. 8. Section three hundred twenty-one point fifty  
10 (321.50), subsections three (3), four (4), and seven (7),  
11 Code 1975, are amended to read as follows:

12       3. Upon receipt of the application, the certificate of  
13 title, if any, and the required fee, the county treasurer  
14 shall note such security interest, and the date thereof, on  
15 the certificate over the signature of such officer or deputy  
16 and the seal of office. He The county treasurer shall also note  
17 such security interest and the date thereof ~~on-the-duplicate~~  
18 ~~of-same-on-file---On-that-day-he-shall-notify-the-department~~  
19 ~~on-forms-provided-by-the-department,-which-shall-note-such~~  
20 ~~security-interests-on-the-duplicate-title-in-its-file~~ in the  
21 county records system and shall also notify the department.  
22 The county treasurer shall then mail the certificate of title  
23 to the first secured party as shown thereon.

24       4. When a security interest is discharged, the holder  
25 thereof shall execute a release within fifteen days after  
26 payment is received, such release to contain the certificate  
27 of title number, the date of the notation thereof, and the  
28 name and address of the person to whom the title shall be  
29 delivered when such delivery is requested as hereinafter  
30 provided. The holder shall also note a cancellation of same  
31 on the face of the certificate of title over his, her or its  
32 signature, and deliver the release and certificate of title  
33 to the county treasurer where title was issued. The county  
34 treasurer shall immediately note the cancellation of said  
35 security interest on the face of the certificate of title

1 and ~~on the duplicate of same on file in his office.~~ On the  
2 same day he shall notify the department, which shall note  
3 ~~such release on the duplicate title in its file~~ in the county  
4 records system and shall also notify the department. The  
5 county treasurer shall on the same day deliver the certificate  
6 of title to the then first secured party or, if there is no  
7 such person, to the person as directed on the ~~lien~~ security  
8 interest release or, if there is no such person designated,  
9 then to the owner. Said cancellation of the security interest  
10 shall be noted on the certificate of title by the county  
11 treasurer without charge. The holder of a ~~lien~~ security  
12 interest discharged by payment who fails to release such ~~lien~~  
13 security interest as herein provided within fifteen days after  
14 being requested in writing to do so shall forfeit to the  
15 person making such payment the sum of twenty-five dollars.  
16 Such request shall be on the release form as prescribed by  
17 the department and shall contain a statement signed by the  
18 owner setting forth the name and address of the person to  
19 whom the title shall be delivered.

20 7. Upon request of any person, the county treasurer shall  
21 issue a certificate showing whether there are, on the date  
22 and hour stated therein, any ~~liens~~ security interests noted  
23 on a particular vehicle's certificate of title, and the name  
24 and address of each secured party whose lien is noted thereon.  
25 The uniform fee for a written certificate shall be two dollars  
26 if the request for the certificate is on a form conforming  
27 to standards prescribed by the secretary of state; otherwise,  
28 three dollars.

29 Sec. 9. Section three hundred twenty-one point one hundred  
30 five (321.105), Code 1975, is amended by adding after  
31 unnumbered paragraph two (2) the following new unnumbered  
32 paragraph:

33 NEW UNNUMBERED PARAGRAPH. Upon application by a financial  
34 institution, as defined in section four hundred twenty-two  
35 point sixty-one (422.61) of the Code, and approval of the

1 application by the county treasurer, the county treasurer  
2 in any county may authorize the financial institution to  
3 receive applications and registration fees for vehicle  
4 registration plates and validation stickers. The registration  
5 fees shall be delivered to the county treasurer at the time  
6 the county treasurer has processed the vehicle registration  
7 application. Registration fees received with vehicle  
8 registration applications shall be designated as public funds  
9 only upon receipt of such funds by the county treasurer from  
10 the financial institution.

11 Sec. 10. Section three hundred twenty-one point one hundred  
12 six (321.106), Code 1975, is amended to read as follows:

13 321.106 REGISTRATION FOR FRACTIONAL PART OF YEAR. Where  
14 there is no delinquency and the registration is made in  
15 February or succeeding months to and including November,  
16 registration fees for vehicles designed to carry nine  
17 passengers or less shall be computed on the basis of one-  
18 twelfth of the annual registration fee as provided in this  
19 chapter multiplied by the number of unexpired months of the  
20 year. No fee shall be required for the month of December  
21 for a ~~new-car-in-good-faith-delivered-during-that-month~~ vehicle  
22 on which there is no delinquency.

23 Where there is a delinquency, registration fees for vehicles  
24 designed to carry property or more than nine passengers which  
25 are registered after January 31 shall be computed on the basis  
26 of the full annual fee, plus penalties, for such vehicle.

27 Where there is no delinquency and the registration is made  
28 in February or succeeding months, registration fees for  
29 vehicles designed to carry property or more than nine  
30 passengers shall be computed on the basis of one-twelfth of  
31 the annual registration fees as provided in this chapter  
32 multiplied by the number of unexpired months of the year.

33 No fee shall be required for the month of December for vehicles  
34 on which there is no delinquency.

35 Whenever any registration fee computed under this section

1 contains a fractional part of a dollar, the fee shall be  
2 computed to the nearest whole dollar, except that any such  
3 fee so computed shall not be less than five dollars, which  
4 amount shall be the fee collected. The fee so computed for  
5 an original registration shall be deemed to be the annual  
6 registration fee for the remainder of the registration year.

7 Sec. 11. Section three hundred twenty-one point one hundred  
8 seventeen (321.117), Code 1975, is amended to read as follows:

9 321.117 MOTORCYCLE AND HEARSE FEES. For all motorcycles  
10 the annual fee shall be ~~five~~ ten dollars. When said motorcycle  
11 has been registered five times, the annual registration fee  
12 shall be ~~one-half-the-rate-when-new~~ five dollars. The annual  
13 registration fee for hearses shall be ~~thirty~~ one hundred dollars.  
14 After a hearse has been registered three times, the  
15 annual registration fee shall be fifty dollars.

16 Passenger car plates shall be issued for hearses.

17 Sec. 12. Section three hundred twenty-one point one hundred  
18 fifty-seven (321.157), Code 1975, is amended to read as  
19 follows:

20 321.157 SCHEDULE OF PRICES AND WEIGHTS. Every manufacturer  
21 or importer of a motor vehicle sold or offered for sale within  
22 this state, either by the manufacturer, importer, distributor,  
23 dealer, or any other person, shall ~~7-on-or-before-the-first~~  
24 day-of-August, annually,

25  
26 file in the office of the department a sworn statement  
27 showing the various models manufactured by ~~him~~ the  
28 manufacturer, importer, distributor, dealer, or other person,  
29 and the retail list price and weight of each model con-  
30 currently with a public announcement of such prices or  
31 concurrently with notification of such prices to dealers  
32 licensed to sell such motor vehicles under chapter three  
33 hundred twenty-two (322) of the Code, whichever comes  
34 first as-of  
35 August-1-of-that-year. He The manufacturer, importer,

1 distributor, dealer, or other person shall also make the same  
2 report on subsequent new models manufactured ~~prior-to-August~~  
3 ~~1-of-the-following-year.~~

4 Sec. 13. Section three hundred twenty-one point one hundred  
5 sixty-one (321.161), Code 1975, is amended to read as follows:

6 321.161 DEPARTMENT TO FIX VALUES AND WEIGHT. The  
7 department shall, ~~on-or-before-the-first-day-of-August,~~

1 annually, and at such other times as new makes or models of  
2 motor vehicles are offered for sale or sold in this state,  
3 fix the value and weight of each of the different makes and  
4 models of motor vehicles which are sold or offered for sale  
5 within the state. The value and weight as fixed by the  
6 department shall, on 1975 and subsequent year model motor  
7 vehicles, be based on the original certification as provided  
8 in section three hundred twenty-one point one hundred fifty-  
9 seven (321.157) of the Code.

10 Sec. 14. Section three hundred twenty-one point four  
11 hundred thirty (321.430), subsection three (3), Code 1975,  
12 is amended to read as follows:

13 3. Every trailer or semitrailer of a gross weight of  
14 three thousand pounds or more, and every trailer coach  
15 or travel trailer of a gross weight of three thousand  
16 pounds or more intended for use for human habitation, when  
17 operated on the highways of this state, shall be equipped  
18 with brakes adequate to control the movement of and to  
19 stop and hold such vehicle, and so designed as to be  
20 applied by the driver of the towing motor vehicle from  
21 its cab, or with self-actuating brakes, and weight  
22 equalizing hitch with a sway control of a type approved  
23 by the director of public-safety transportation. Every  
24 semitrailer, travel trailer, or trailer coach of a gross  
25 weight of three thousand pounds or more shall be equipped  
26 with a separate, auxiliary means of applying the brakes  
27 on the semitrailer, travel trailer, or trailer coach from  
28 the cab of the towing vehicle. Trailers or semitrailers  
29 with a truck or truck tractor need only comply with the  
30 brake requirements.

31 Sec. 15. Section three hundred twenty-two point three  
32 (322.3), subsection nine (9), Code 1975, is amended to read  
33 as follows:

34 9. No person licensed under this chapter shall, either  
35 directly or through an agent, salesman or employee, engage

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in this state, or represent or advertise that he is engaged or intends to engage in this state, in the business of buying or selling at retail new or used motor vehicles, as defined in section three hundred twenty-one point one (321.1) of the Code, on the first day of the week, commonly known and designated as Sunday.

Sec. 16. The provisions of section eleven (11) of this Act shall become effective December 1, 1975 for registrations made on or after December 1, 1975 for the 1976 registration year.

Senate Amendment to House File 450  
Amend House File 450 as amended, passed and  
reprinted by the House, as follows:

1. Page 9, by striking lines 3 and 4 and in-  
serting in lieu thereof the following:

"receive applications for renewal of vehicle  
registrations and payment of the registration  
fees. The registration".

2. Page 10, line 13, by striking the words  
"one hundred" and inserting in lieu thereof the  
word "fifty".

3. Page 10, by striking lines 14 and 15.

4. Page 12, line 3, by inserting after the  
comma the words "other than mobile homes more  
than eight feet in width or more than thirty-  
two feet in length".

5. Page 12, by inserting after line 6 the  
following new sections:

"Sec. \_\_\_\_ . Section three hundred twenty-one  
point thirty-four (321.34), Code 1975, as amended  
by Senate File 13 of the Sixty-sixth General  
Assembly, is amended by adding the following new  
paragraph:

NEW PARAGRAPH. Upon the transfer of ownership of  
a vehicle with registration plates which do not  
bear the designation of the county of the purchaser's  
or transferee's residence, the purchaser or transferee  
may, upon application to the county treasurer in  
accordance with section three hundred twenty-one  
point forty-six (321.46) of the Code, also apply for  
new registration plates for the vehicle, and upon  
surrender of the plates for such vehicle and payment  
of an additional registration fee of five dollars,  
the county treasurer shall issue new registration  
plates for such vehicle bearing the designation of  
that county.

Sec. \_\_\_\_ . Section three hundred twenty-one point  
four hundred fifty-four (321.454) is amended to read  
as follows:

321.454 WIDTH OF VEHICLES. The total outside  
width of any vehicle or the load thereon, ~~except~~  
~~loose-hay-or-straw,~~ shall not exceed eight feet.  
However, if hay, straw, or stover moved on any  
implement of husbandry and the total width of load  
of the implement of husbandry exceeds eight feet  
in width, the implement of husbandry shall not be  
subject to the permit requirements of chapter  
three hundred twenty-one E (321E) of the Code. If  
hay, straw, or stover is moved on any other vehicle  
subject to registration, such moves shall be subject  
to the permit requirements for transporting loads

Page 2

exceeding eight feet in width as required under  
chapter three hundred twenty-one E (321E) of the  
Code."

6. By renumbering the remaining sections in  
accordance with this amendment.

7. Amend the title, line 12, by inserting after  
the comma the words "relating to the width of  
vehicles carrying hay, straw or stover,".

S-3803

1 Amend House File 450 as amended, passed and re-  
2 printed by the House, page 12, line 3, by inserting  
3 after the comma the words "other than mobile homes  
4 eight feet or more in width or thirty-two feet or  
5 more in length,".

S-3803 FILED - *Withdrawn 6/19* BY BERL E. PRIEBE  
MAY 13, 1975 KARL NOLIN  
H. L. HEYING  
IRVIN BERGMAN  
DALE L. TIEDEN  
WM. P. WINKELMAN  
C. JOSEPH COLEMAN

S-3959

1 Amend House File 450 as amended, passed and re-  
2 printed by the House, page 12, line 3, by inserting  
3 after the comma the words "other than mobile homes  
4 eight feet or more in width or thirty-two feet or  
5 more in length".

S-3959 FILED - *Withdrawn 6/19* BY BERL E. PRIEBE  
MAY 27, 1975 KARL NOLIN  
H. L. HEYING  
IRVIN BERGMAN  
DALE L. TIEDEN  
C. JOSEPH COLEMAN

HOUSE FILE 450

S-3994

1 Amend House File 450 as amended, passed and re-  
2 printed by the House, page 12, line 3, by inserting  
3 after the comma the words "other than mobile homes  
4 more than eight feet in width or more than thirty-  
5 two feet in length".

S-3994 FILED - *adopted 6/19(2216)* BY BERL E. PRIEBE  
JUNE 2, 1975 KARL NOLIN  
H. L. HEYING  
IRVIN BERGMAN  
DALE L. TIEDEN  
C. JOSEPH COLEMAN

S-4169

1 Amend House File 450 as amended, passed and reprinted  
 2 by the House, page 12, by inserting after line 6 the  
 3 following new section:

4 "Sec. \_\_\_\_ . Section three hundred twenty-one point  
 5 thirty-four (321.34), Code 1975, as amended by Senate  
 6 File 13 of the Sixth-sixth General Assembly, is amended  
 7 by adding the following new paragraph:

8 NEW PARAGRAPH. Upon the transfer of ownership of a  
 9 vehicle with registration plates which do not bear the  
 10 designation of the county of the purchaser's or transferee's  
 11 residence, the purchaser or transferee may, upon  
 12 application to the county treasurer in accordance with  
 13 section three hundred twenty-one point forty-six (321.46)  
 14 of the Code, also apply for new registration plates for  
 15 the vehicle, and upon surrender of the plates for such  
 16 vehicle and payment of an additional registration fee  
 17 of five dollars, the county treasurer shall issue new  
 18 registration plates for such vehicle bearing the designation  
 19 of that county."

S-4169 FILED *Adopted 6/19 (2217)* BY KARL NOLIN  
 JUNE 12, 1975 LOWELL L. JUNKINS  
 C. JOSEPH COLEMAN  
 CLIFTON C. LAMBORN

S-4280

1 Amend House File 450 as amended, passed and  
 2 reprinted by the House, as follows:

3 1. Page 5, by inserting after line 26 the  
 4 following new section:

5 "Sec. \_\_\_\_ . Section three hundred twenty-one point thirty-  
 6 nine (321.39) , Code 1975, is amended by adding the  
 7 following new subsection:

8 NEW SUBSECTION. Any registration not accomplished  
 9 by February fifteenth following its expiration on the  
 10 preceding December thirty-first, is delinquent."

11 2. By changing the remaining section numbers and  
 12 correcting internal references in accordance with this  
 13 amendment.

S-4280 FILED & LOST (2217) BY RICHARD J. NORPEL, SR.  
 JUNE 19, 1975

## HOUSE FILE 450

## AN ACT

RELATING TO PERSONS ENGAGED IN THE BUYING AND SELLING OF CERTAIN MOTOR VEHICLES AND RELATING TO VEHICLE REGISTRATION BY REVISING THE REGISTRATION APPLICATION FORM AND THE REGISTRATION FILING SYSTEM, REQUIRING A BOND TO BE POSTED IN SITUATIONS WHERE VEHICLE OWNERSHIP IS NOT ESTABLISHED, PROVIDING FOR PUBLICATION OF NOTICE REGARDING VEHICLE REGISTRATION RENEWALS, INCREASING MOTORCYCLE AND HEARSE REGISTRATION FEES, PROVIDING FOR RECEIPT OF NEW REGISTRATION FOR ALL VEHICLES TRANSFERRED IN DECEMBER, RELATING TO BRAKING AND HITCHING REQUIREMENTS FOR CERTAIN TRAVEL TRAILERS AND SEMI-TRAILERS OPERATED ON THE HIGHWAYS, RELATING TO THE WIDTH OF VEHICLES CARRYING HAY, STRAW OR STOVER, AND RELATING TO THE BASE PRICE OF A VEHICLE FOR REGISTRATION PURPOSES, SUBJECT TO PENALTIES PROVIDED BY LAW.

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

Section 1. Section three hundred twenty-one point twenty (321.20), subsection one (1), Code 1975, is amended by striking the subsection and inserting in lieu thereof the following:

1. The name, social security number if available, bona fide residence and mailing address of the owner or if the owner is a firm, association or corporation, the application shall contain the business address and employer identification number of the owner if available.

Sec. 2. Section three hundred twenty-one point twenty-four (321.24), Code 1975, is amended to read as follows:

321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE OF TITLE. Upon receipt of the application for title and payment of the required fees for motor vehicle, trailer, or semitrailer, the county treasurer shall, when satisfied as to the genuineness and regularity thereof, issue a registration receipt and certificate of title and shall file the

application, the manufacturer's or importer's certificate, certificate of title, or other evidence of ownership, as prescribed by the department. The registration receipt shall be delivered to the owner and shall contain upon the face thereof the date issued, the name and address of the owner, the registration number assigned to the vehicle, the title number assigned to the owner of the vehicle, the amount of the fee paid, the amount of tax paid pursuant to section 423.7, type of fuel used and such description of the vehicle as determined by the department and upon the reverse side a form for notice of transfer of the vehicle. ~~One copy of the registration receipt shall be retained by the county treasurer in a registration number file and said file~~ The county treasurer shall maintain in the county record system information contained on the registration receipt. Such information shall be accessible by registration number and shall be open for public inspection during reasonable business hours. ~~Two copies~~ Such copies as the department may require shall be mailed to sent to the department in the manner and at such time as the department on date of issuance may direct. The certificate of title shall contain upon the face thereof the identical information required upon the face of the registration receipt ~~and such information shall be so placed on the title form as to permit the county treasurer to prepare the certificate of title simultaneously with the registration receipt.~~ In addition thereto, the certificate of title shall contain a statement of the owner's title, the amount of tax paid pursuant to section 423.7, name and address of previous owner, and a statement of all ~~liens~~ security interests and encumbrances as shown in the application, upon the vehicle therein described including the nature of the ~~lien or liens~~ security interest, amount, date of notation and name and address of ~~lienholder or lienholders~~ the secured party. Said certificate shall bear thereon the seal of the county treasurer, ~~his~~ the signature of the county treasurer or that of ~~his~~ the deputy county treasurer, and shall provide space for the signature of the owner. The owner shall ~~write his~~

name sign the certificate of title in the space provided with pen and ink upon receipt of certificate of title. The certificate of title shall contain upon the reverse side a form for assignment of title or interest and warranty thereof by the owner, for reassignments by a licensed dealer and for application for a new certificate of title by the transferee as provided in this chapter. All certificates of title shall be typewritten ~~and shall be issued in triplicate~~ or printed by other mechanical means. The original certificate of title shall be delivered to the owner in the event no lien security interest or encumbrance appears thereon. Otherwise the certificate of title shall be delivered by the county treasurer to the person holding the first lien security interest or encumbrance as shown in the certificate. ~~One copy of the certificate shall be retained by the county treasurer in a title number file in the manner prescribed by the department and shall remain in the file of the county issuing the title~~ The county treasurer shall maintain in the county records system information contained on the certificate of title. Such information shall be accessible by title certificate number for a period of three years from the date of notification of cancellation of title or that a new title has been issued as provided in this chapter ~~after which it may be destroyed~~. ~~One copy~~ Such copies as the department may require shall be ~~mailed sent~~ sent to the department ~~on the date of issuance in the manner and at such time as the department shall direct~~. The department shall designate a uniform system of title numbers so as to indicate the county of issuance.

Sec. 3. Section three hundred twenty-one point twenty-four (321.24), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the county treasurer or department is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the county treasurer or department may register the vehicle but shall as a condition of issuing a certificate of title

and registration receipt, require the applicant to file with the department a bond in the form prescribed by the department and executed by the applicant, and either accompanied by the deposit of cash with the department or also executed by a person authorized to conduct a surety business in this state. The bond shall be in an amount equal to one and one-half times the current value of the vehicle as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three years or prior thereto if the vehicle is no longer registered in this state and the currently valid certificate of title is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

Sec. 4. Section three hundred twenty-one point thirty-one (321.31), Code 1975, is amended by striking the section and inserting in lieu thereof the following:

321.31 RECORDS SYSTEM. A state and county records system shall be maintained in the following manner:

1. State records system. The department shall install and maintain a records system which shall contain the name and address of the vehicle owner, current and previous registration number, vehicle identification number, make, model, style, date of purchase, registration certificate number, maximum gross weight, weight, list price or value of the vehicle as fixed by the department, fees paid and date of payment. The records system shall also contain a record

of the certificate of title including the notation of all security interests recorded and released, and such other information as the department deems necessary. The information to be kept in the records system shall be entered within forty-eight hours after receipt insofar as is practical. The records system shall constitute the permanent record of ownership of each vehicle titled under the laws of this state.

The department may make photostatic, microfilm, or other photographic copies of certificates of title, registration receipts, or other records, reports, or documents which are required to be retained by the department. When copies have been made, the department may destroy the original records in such manner as prescribed by the director. The photostatic, microfilm, or other photographic copies, when no longer of use, may be destroyed in the manner prescribed by the director, subject to the approval of the state records commission. Photostatic, microfilm, or other photographic copies of records shall be admissible in evidence when duly certified and authenticated by the officer having custody and control of the copies of records.

2. County records system. Each county treasurer's office shall maintain a county records system for vehicle registration and certificate of title documents. The records system shall consist of information from the certificate of title including the notation and cancellation of security interests, information from the registration receipt, and such information shall be maintained by retention of one copy of the registration receipt in a registration number file and one copy of the title certificate in a title number file. In lieu of retaining one copy of the registration receipt and one copy of the title certificate, the information may be maintained in such other manner as may be approved by the department, provided such information is accessible by title certificate number and registration number.

The county treasurer may make photostatic, microfilm, or other photographic copies of certificates of title, registration receipts, or other records, reports, or documents

which are required to be retained by the county treasurer. When copies of records have been made, the county treasurer may destroy the original records three years after they have been issued, in such manner as prescribed by the department. When copies of records are no longer of use, they may be destroyed in a manner prescribed by the department. Photostatic, microfilm, or other photographic copies of records shall be admissible in evidence when duly certified and authenticated by the officer having custody and control of the copies of records.

Sec. 5. Section three hundred twenty-one point forty (321.40), unnumbered paragraph two (2), Code 1975, is amended to read as follows:

Registration receipts issued for renewals shall have the word "renewal" imprinted thereon and, if the owner making a renewal application has been issued a certificate of title, the title number shall appear on the registration receipt. All registration receipts for renewals shall be typewritten or printed by other mechanical means ~~and shall be prepared in quadruplicate. The original registration receipt shall be issued to the applicant, one copy retained in the county treasurer's file and two copies shall be forwarded to the department. The applicant shall receive a registration receipt.~~

Sec. 6. Section three hundred twenty-one point forty (321.40), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Not more than thirty days nor less than twenty days prior to December first the county treasurer shall cause to be published in a newspaper of general circulation in the county, a notice to vehicle owners. The notice shall contain a list of pertinent information which is required to register a vehicle. The notice shall also include a statement that application for renewal of a vehicle registration shall be made on or after December first of the year for which it is registered and that such renewal may be made by mail on or after November first. The county

treasurer may deliver registration plates and other registration documents on which application for renewal has been made in November, to the owner thereof, after the last day of November.

Sec. 7. Section three hundred twenty-one point forty-two (321.42), Code 1975, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a county treasurer issues vehicle registration documents for vehicles subject to registration for delivery to the owner through the United States postal service, and such documents are lost or damaged in transit, the owner of the vehicle may file application for reissuance of these documents, without cost, with the county treasurer which originally issued the documents not less than twenty days from the date the county treasurer placed such documents for delivery through the United States postal service. If the owner of the vehicle subject to registration receives the original registration documents through the United States postal service after reissuance of duplicate documents by the county treasurer, the owner of the vehicle shall surrender the original documents to the county treasurer not later than five days from the date of receipt of the original documents from the United States postal service.

Sec. 8. Section three hundred twenty-one point fifty (321.50), subsections three (3), four (4), and seven (7), Code 1975, are amended to read as follows:

3. Upon receipt of the application, the certificate of title, if any, and the required fee, the county treasurer shall note such security interest, and the date thereof, on the certificate over the signature of such officer or deputy and the seal of office. ~~He~~ The county treasurer shall also note such security interest and the date thereof ~~on-the-duplicate of-same-on-file.--On-that-day-he-shall-notify-the-department on-forms-provided-by-the-department,which-shall-note-such security-interests-on-the-duplicate-title-in-its-file~~ in the county records system and shall also notify the department.

The county treasurer shall then mail the certificate of title to the first secured party as shown thereon.

4. When a security interest is discharged, the holder thereof shall execute a release within fifteen days after payment is received, such release to contain the certificate of title number, the date of the notation thereof, and the name and address of the person to whom the title shall be delivered when such delivery is requested as hereinafter provided. The holder shall also note a cancellation of same on the face of the certificate of title over his, her or its signature, and deliver the release and certificate of title to the county treasurer where title was issued. The county treasurer shall immediately note the cancellation of said security interest on the face of the certificate of title ~~and on-the-duplicate-of-same-on-file-in-his-office.--On-the same-day-he-shall-notify-the-department,which-shall-note such-release-on-the-duplicate-title-in-its-file~~ in the county records system and shall also notify the department. The county treasurer shall on the same day deliver the certificate of title to the then first secured party or, if there is no such person, to the person as directed on the ~~lien~~ security interest release or, if there is no such person designated, then to the owner. Said cancellation of the security interest shall be noted on the certificate of title by the county treasurer without charge. The holder of a ~~lien~~ security interest discharged by payment who fails to release such ~~lien~~ security interest as herein provided within fifteen days after being requested in writing to do so shall forfeit to the person making such payment the sum of twenty-five dollars. Such request shall be on the release form as prescribed by the department and shall contain a statement signed by the owner setting forth the name and address of the person to whom the title shall be delivered.

7. Upon request of any person, the county treasurer shall issue a certificate showing whether there are, on the date and hour stated therein, any ~~liens~~ security interests noted on a particular vehicle's certificate of title, and the name

and address of each secured party whose lien is noted thereon. The uniform fee for a written certificate shall be two dollars if the request for the certificate is on a form conforming to standards prescribed by the secretary of state; otherwise, three dollars.

Sec. 9. Section three hundred twenty-one point one hundred five (321.105), Code 1975, is amended by adding after unnumbered paragraph two (2) the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Upon application by a financial institution, as defined in section four hundred twenty-two point sixty-one (422.61) of the Code, and approval of the application by the county treasurer, the county treasurer in any county may authorize the financial institution to receive applications for renewal of vehicle registrations and payment of the registration fees. The registration fees shall be delivered to the county treasurer at the time the county treasurer has processed the vehicle registration application. Registration fees received with vehicle registration applications shall be designated as public funds only upon receipt of such funds by the county treasurer from the financial institution.

Sec. 10. Section three hundred twenty-one point one hundred six (321.106), Code 1975, is amended to read as follows:

321.106 REGISTRATION FOR FRACTIONAL PART OF YEAR. Where there is no delinquency and the registration is made in February or succeeding months to and including November, registration fees for vehicles designed to carry nine passengers or less shall be computed on the basis of one-twelfth of the annual registration fee as provided in this chapter multiplied by the number of unexpired months of the year. No fee shall be required for the month of December for a new-car-in-good-faith-delivered-during-that-month vehicle on which there is no delinquency.

Where there is a delinquency, registration fees for vehicles designed to carry property or more than nine passengers which are registered after January 31 shall be computed on the basis

of the full annual fee, plus penalties, for such vehicle. Where there is no delinquency and the registration is made in February or succeeding months, registration fees for vehicles designed to carry property or more than nine passengers shall be computed on the basis of one-twelfth of the annual registration fees as provided in this chapter multiplied by the number of unexpired months of the year. No fee shall be required for the month of December for vehicles on which there is no delinquency.

Whenever any registration fee computed under this section contains a fractional part of a dollar, the fee shall be computed to the nearest whole dollar, except that any such fee so computed shall not be less than five dollars, which amount shall be the fee collected. The fee so computed for an original registration shall be deemed to be the annual registration fee for the remainder of the registration year.

Sec. 11. Section three hundred twenty-one point one hundred seventeen (321.117), Code 1975, is amended to read as follows:

321.117 MOTORCYCLE AND HEARSE FEES. For all motorcycles the annual fee shall be five ten dollars. When said motorcycle has been registered five times, the annual registration fee shall be one-half-the-rate-when-new five dollars. The annual registration fee for hearses shall be thirty fifty dollars. Passenger car plates shall be issued for hearses.

Sec. 12. Section three hundred twenty-one point one hundred fifty-seven (321.157), Code 1975, is amended to read as follows:

321.157 SCHEDULE OF PRICES AND WEIGHTS. Every manufacturer or importer of a motor vehicle sold or offered for sale within this state, either by the manufacturer, importer, distributor, dealer, or any other person, shall, ~~on or before the first day of August, annually,~~ file in the office of the department a sworn statement showing the various models manufactured by him the manufacturer, importer, distributor, dealer, or other person, and the retail list price and weight of each model concurrently with a public announcement of such prices or concurrently with notification of such prices to dealers

licensed to sell such motor vehicles under chapter three hundred twenty-two (322) of the Code, whichever comes first as of August 1 of that year. He The manufacturer, importer, distributor, dealer, or other person shall also make the same report on subsequent new models manufactured prior to August 1 of the following year.

Sec. 13. Section three hundred twenty-one point one hundred sixty-one (321.161), Code 1975, is amended to read as follows:

321.161 DEPARTMENT TO FIX VALUES AND WEIGHT. The department shall ~~on or before the first day of August,~~ annually, and at such other times as new makes or models of motor vehicles are offered for sale or sold in this state, fix the value and weight of each of the different makes and models of motor vehicles which are sold or offered for sale within the state. The value and weight as fixed by the department shall, on 1975 and subsequent year model motor vehicles, be based on the original certification as provided in section three hundred twenty-one point one hundred fifty-seven (321.157) of the Code.

Sec. 14. Section three hundred twenty-one point four hundred thirty (321.430), subsection three (3), Code 1975, is amended to read as follows:

3. Every trailer or semitrailer of a gross weight of three thousand pounds or more, and every trailer coach or travel trailer of a gross weight of three thousand pounds or more intended for use for human habitation, when operated on the highways of this state, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, and so designed as to be applied by the driver of the towing motor vehicle from its cab, or with self-actuating brakes, and weight equalizing hitch with a sway control of a type approved by the director of ~~public safety~~ transportation. Every semitrailer, travel trailer, or trailer coach of a gross weight of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the brakes on the semitrailer, travel trailer, or trailer coach from the cab of the towing vehicle. Trailers or semitrailers with

a truck or truck tractor need only comply with the brake requirements.

Sec. 15. Section three hundred twenty-two point three (322.3), subsection nine (9), Code 1975, is amended to read as follows:

9. No person licensed under this chapter shall, either directly or through an agent, salesman or employee, engage in this state, or represent or advertise that he is engaged or intends to engage in this state, in the business of buying or selling at retail new or used motor vehicles, other than mobile homes more than eight feet in width or more than thirty-two feet in length as defined in section three hundred twenty-one point one (321.1) of the Code, on the first day of the week, commonly known and designated as Sunday.

Sec. 16. Section three hundred twenty-one point thirty-four (321.34), Code 1975, as amended by Senate File 13 of the Sixty-sixth General Assembly, is amended by adding the following new paragraph:

NEW PARAGRAPH. Upon the transfer of ownership of a vehicle with registration plates which do not bear the designation of the county of the purchaser's or transferee's residence, the purchaser or transferee may, upon application to the county treasurer in accordance with section three hundred twenty-one point forty-six (321.46) of the Code, also apply for new registration plates for the vehicle, and upon surrender of the plates for such vehicle and payment of an additional registration fee of five dollars, the county treasurer shall issue new registration plates for such vehicle bearing the designation of that county.

Sec. 17. Section three hundred twenty-one point four hundred fifty-four (321.454), Code 1975, is amended to read as follows:

321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon, ~~except loose hay or straw,~~ shall not exceed eight feet. However, if hay, straw, or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in

width, the implement of husbandry shall not be subject to the permit requirements of chapter three hundred twenty-one E (321E) of the Code. If hay, straw, or stover is moved on any other vehicle subject to registration, such moves shall be subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter three hundred twenty-one E (321E) of the Code.

Sec. 18. The provisions of section eleven (11) of this Act shall become effective December 1, 1975 for registrations made on or after December 1, 1975 for the 1976 registration year.

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DALE M. COCHRAN  
Speaker of the House

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ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 450, Sixty-sixth General Assembly.

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DAVID L. WRAY  
Chief Clerk of the House

Approved 9/17, 1975

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ROBERT D. RAY  
Governor