

Referenced 2/11 (604) do pass 2/14 (619)(640)

REC'D MAR 1 1977

Reprinted 3/77

SENATE FILE 167

By COMMITTEE ON TRANSPORTATION
D&P

Passed Senate, Date 3-15-77 (615) Passed House, Date _____

Vote: Ayes 43 Nays 2 Vote: Ayes _____ Nays _____

Approved 6/30/77

Motion to reconsider 2/16
" do 3/21 (717)

A BILL FOR

1 An Act relating to transportation providing for retention
 2 of motor vehicle registration plates upon transfer,
 3 issuance of sample registration plates, defining certain
 4 words, red stars on registration plates issued for Iowa
 5 highway safety patrol vehicles, elimination of the
 6 notation of security interests on the state copy of a
 7 certificate of title, issuance of personalized, special
 8 and dealer registration plates, re-registration of a
 9 motor vehicle in a new county, issuance of substitute
 10 registration plates, the allowance of seven days after
 11 transfer of a motor vehicle to register the motor vehicle
 12 and transfer the certificate of title, transfer under a
 13 restricted certificate of title with the transferee's
 14 signature on an affidavit, collection of semi-annual
 15 fees on certain motor trucks in unequal installments,
 16 working in Iowa with a chauffeur's license from another
 17 state, issuance of a temporary chauffeur's instruction
 18 permit at a cost of six dollars, people at least eighteen
 19 years old to obtain a four year license, the expiration
 20 of a chauffeur's license, prohibiting the possession of
 21 motor vehicle license forms subject to a penalty provided
 22 by law, the stopping on highways to make left turns, the
 23 exemption of vehicles less than four tons from the require-
 24 ment to carry certain signaling devices, covering loads,
 25 an exception for carpools and vanpools from the require-

0.1.101

1 ment of obtaining a certificate of public convenience and
2 necessity, extension of the period within which a fleet
3 owner must file certain reports, and special permits to
4 move certain loads under emergency situations.

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

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

1 Section 1. Section one hundred thirty-five D point twenty-
2 six (135D.26), subsection two (2), Code 1977, is amended to
3 read as follows:

4 2. After complying with the provisions of subsection 1,
5 the owner shall notify the assessor who shall inspect the
6 new premises for compliance. If a security interest is noted
7 on the certificate of title, the assessor shall require an
8 affidavit, as defined in section 622.85, from the mobile home
9 owner, declaring that the owner has complied with subsection
10 1, paragraph "c", and shall send notice of the proposed
11 conversion to the secured party by regular mail not less than
12 ten days before the conversion becomes effective. When the
13 mobile home is properly converted, the assessor shall then
14 collect the mobile home vehicle title, registration card,
15 and license, unless the registration plates are retained
16 to be attached to another mobile home, the registration plates
17 from the owner and. The assessor shall enter the property
18 upon the tax rolls.

19 Sec. 2. Chapter three hundred twenty-one (321), Code 1977,
20 is amended by adding the following new section:

21 NEW SECTION. SAMPLE VEHICLE REGISTRATION PLATES. Vehicle
22 registration plates displaying the general design of regular
23 registration plates, with the word "sample" displayed on the
24 plate, may be furnished to any person upon payment of a fee
25 of three dollars, except that such plates may be furnished
26 to governmental agencies without cost. Sample registration
27 plates shall not be attached to a vehicle moved on the highways
28 of this state.

29 Sec. 3. Section three hundred twenty-one point one (321.1),
30 Code 1977, is amended by adding the following new subsections:

31 NEW SUBSECTION. "Multipurpose vehicle" means a motor
32 vehicle designed to carry not more than ten people, and
33 constructed either on a truck chassis or with special features
34 for occasional off-road operation.

35 NEW SUBSECTION. "Motor vehicle license" means any license

1 or permit issued to a person to operate a motor vehicle on
2 the highways of this state, including but not limited to
3 operator, chauffeur, and motorized bicycle licenses and
4 instruction and temporary permits.

5 Sec. 4. Section three hundred twenty-one point nineteen
6 (321.19), subsection one (1), Code 1977, is amended to read
7 as follows:

8 1. All vehicles owned by the government and used in the
9 transaction of official business by the representatives of
10 foreign powers or by officers, boards, or departments of the
11 government of the United States, and by the state of Iowa,
12 counties, municipalities and other subdivisions of government
13 including vehicles used by an urban transit company operated
14 by a municipality and such self-propelling vehicles as are
15 used neither for the conveyance of persons for hire, pleasure,
16 or business nor for the transportation of freight other than
17 those used by an urban transit company operated by a
18 municipality, and all fire trucks, providing they are not
19 owned and operated for a pecuniary profit, are hereby exempted
20 from the payment of the fees in this chapter prescribed,
21 except as provided for urban transit companies in subsection
22 2, but shall not be exempt from the penalties herein provided.
23 The department shall furnish, on application, free of charge,
24 distinguishing plates for vehicles thus exempted, which plates
25 except plates on Iowa highway safety patrol vehicles shall
26 bear the word "official," and the department shall keep a
27 separate record thereof. Registration plates issued for Iowa
28 highway safety patrol vehicles, except unmarked patrol
29 vehicles, shall bear two red stars on a yellow background,
30 one before and one following the registration number on the
31 plate which registration number shall be the officer's badge
32 number. Provided that the director of general services or
33 the director of transportation may order the issuance of
34 regular registration plates, for any such exempted vehicle,
35 used by peace officers in the enforcement of the law and

1 persons enforcing chapter 204 and other laws relating to
2 controlled substances. For purposes of sale of vehicles
3 exempted as herein indicated, the exempted governmental body,
4 upon the sale of the exempted vehicles, may issue for in-
5 transit purposes a pasteboard card bearing the words "Vehicle
6 in Transit," the name of the official body for which the
7 vehicle was purchased, together with the date of the purchase
8 plainly marked in minimal of one-inch letters, and other
9 information which may be required by the department. The
10 in-transit card shall be valid for use only within forty-eight
11 hours after the purchase date as indicated on the bill of
12 sale which shall be carried by the driver.

13 Sec. 5. Section three hundred twenty-one point twenty-
14 five (321.25), Code 1977, is amended by striking the section
15 and inserting in lieu thereof the following:

16 321.25 APPLICATION FOR REGISTRATION AND TITLE--CARDS
17 ATTACHED. A vehicle may be operated upon the highways of this
18 state without registration plates for a period of twenty days
19 after the date of delivery of the vehicle to the purchaser
20 from a dealer if a card bearing the words "registration applied
21 for" is attached on the rear of the vehicle. The card shall
22 have the registration number of the dealer from whom the
23 vehicle was purchased and the date of delivery plainly stamped
24 or stenciled on the card. A dealer shall not issue a card
25 to a person in possession of registration plates which may
26 be attached to the vehicle. A dealer shall not issue a card
27 unless an application for registration and certificate of
28 title has been made by the purchaser and a receipt issued
29 to the purchaser of the vehicle showing the fee paid by the
30 person making the application. Dealers' records shall indicate
31 the agency to which the fee is sent and the date the fee is
32 sent. The dealer shall forward the application by the
33 purchaser to the county treasurer or state office within seven
34 calendar days from the date of delivery.

35 The department shall, upon request by any dealer, fur-

1 nish "registration applied for" cards free of charge. Only
2 cards furnished by the department shall be used.

3 Sec. 6. Section three hundred twenty-one point thirty-
4 one (321.31), Code 1977, is amended to read as follows:

5 321.31 RECORDS SYSTEM. A state and county records sy-
6 stem 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. Records of motor vehicle registrations
35 and certificates of title for motor vehicles that have not

1 been registered for seven consecutive years may be destroyed
2 by the department.

3 2. COUNTY RECORDS SYSTEM. Each county treasurer's office
4 shall maintain a county records system for vehicle registra-
5 tion and certificate of title documents. The records system
6 shall consist of information from the certificate of title
7 including the notation and cancellation of security interests,
8 information from the registration receipt, and such informa-
9 tion shall be maintained by retention of one copy of the
10 registration receipt in a registration number file and one
11 copy of the title certificate in a title number file. In
12 lieu of retaining one copy of the registration receipt and
13 one copy of the title certificate, the information may be
14 maintained in such other manner as may be approved by the
15 department, provided such information is accessible by title
16 certificate number and registration number.

17 The county treasurer may make photostatic, microfilm, or
18 other photographic copies of certificates of title, reg-
19 istration receipts, or other records, reports or documents
20 which are required to be retained by the county treasurer.
21 When copies of records have been made, the county treasurer
22 may destroy the original records three years after they have
23 been issued, in such manner as prescribed by the department.
24 When copies of records are no longer of use, they may be
25 destroyed in a manner prescribed by the department. Records
26 of motor vehicle registrations and certificates of title for
27 motor vehicles that have not been registered for seven
28 consecutive years may be destroyed by the county treasurer
29 in a manner prescribed by the department. Photostatic,
30 microfilm or other photographic copies of records shall be
31 admissible in evidence when duly certified and authenticated
32 by the officer having custody and control of the copies of
33 records.

34 Sec. 7. Section three hundred twenty-one point thirty-
35 four (321.34), subsections one (1), two (2), four (4), and

1 subsection seven (7) paragraphs a and b, Code 1977, are amended
2 to read as follows:

3 1. PLATES ISSUED. The county treasurer upon receiving
4 application, accompanied by proper fee for registration of
5 a vehicle shall issue to the owner one registration plate
6 for a motorcycle, motorized bicycle, truck tractor, trailer,
7 or semitrailer and two registration plates for every other
8 motor vehicle. The registration plates, including special
9 registration plates, shall be assigned to the owner of a
10 vehicle. Whenever the owner of a registered vehicle trans-
11 fers or assigns ownership of such vehicle to another person
12 the owner shall remove the registration plates from the
13 vehicle. The owner shall either forward the plates to the
14 county treasurer where the vehicle is registered or to the
15 department if the vehicle is owned by a nonresident, or the
16 owner may have the plates assigned to another vehicle within
17 thirty days after removal, upon payment of the fees required
18 by law. The owner shall immediately affix registration plates
19 retained by the owner to another vehicle owned or acquired
20 by such person, providing the owner complies with section
21 three hundred twenty-one point forty-six (321.46) of the Code.

22 2. GROSS WEIGHT EMBLEMS. The county treasurer shall al-
23 so issue to applicants for registration of a truck or a truck
24 tractor, not including in the lowest registration class, two
25 emblems which emblems designate the gross weight for which
26 the vehicle is registered by figures which show the gross
27 weight in tons. Number plates and weight limitation emblems
28 which are issued with registrations or registration increases
29 are hereby declared to be integral parts of the registration
30 of the vehicle for which issued. The weight limitation emblems
31 shall be ~~applied to both sides of the vehicle, either to the~~
32 ~~doors of the cab or to the lower front corner of the box,~~
33 ~~or such other location as designated by the commissioner~~
34 attached to the registration plates issued for the vehicle.

35 4. RADIO OPERATORS PLATES. The owner of an automobile,

1 light delivery truck, panel delivery truck, or pickup who
2 holds an amateur radio license issued by the federal
3 communications commission may, upon written application to
4 the county treasurer accompanied by a fee of ~~five~~ twenty-
5 five dollars, order special registration plates bearing the
6 call letters authorized the radio station covered by ~~his~~ the
7 person's amateur radio license. When received by the county
8 treasurer, such special registration plates shall be issued
9 to the applicant in exchange for the registration plates
10 previously issued to ~~him~~ the person. Not more than one
11 set of special registration plates may be issued to an
12 applicant. Said fee shall be in addition to and not in lieu
13 of the fee for regular registration plates. Special
14 registration plates must be surrendered upon expiration of
15 the owner's amateur radio license ~~or upon transfer of title~~
16 ~~to the automobile for which such plates have been issued;~~
17 and the owner shall thereupon be entitled to his regular
18 registration plates. The county treasurer shall furnish the
19 department an alphabetically arranged list of those to whom
20 special plates have been issued. Special plates may be
21 validated in the same manner as vehicle registration plates,
22 upon payment of five dollars in addition to the regular annual
23 registration fee.

24 a. Upon application and the payment of a fee of twenty-
25 five dollars, the director may issue to the owner of a motor
26 vehicle ~~except a motor truck, which is~~ registered in this
27 state ~~as provided in this chapter,~~ a set of personalized
28 registration plates marked with the initials, letters, or
29 a combination of numerals and letters requested by the owner.
30 Upon receipt of the personalized registration plates, the
31 applicant shall surrender the regular registration plates
32 to the director. ~~Prior to transfer of title to the motor~~
33 ~~vehicle, the personalized registration plates shall be returned~~
34 ~~to the director and the owner shall be entitled to regular~~
35 ~~registration plates without additional fee.~~ The fee for a

1 ~~set-of~~ issuance of the personalized registration plates shall
2 be in addition to the regular annual registration fee ~~provided~~
3 ~~under-section-324-109.~~

4 b. The personalized registration plates shall be validated
5 in the same manner as regular registration plates are validated
6 under this section at an annual fee of five dollars in addition
7 to the regular annual registration fee.

8 Sec. 8. Section three hundred twenty-one point thirty-
9 seven (321.37), unnumbered paragraph one (1), Code 1977, is
10 amended to read as follows:

11 Registration plates issued for a motor vehicle other than
12 a motorcycle, motorized bicycle or a truck tractor shall be
13 attached ~~thereto~~ to the motor vehicle, one in the front and
14 the other in the rear. The registration plate issued for
15 a motorcycle or other vehicle required to be registered
16 hereunder shall be attached to the rear ~~thereof~~ of the vehicle.
17 The registration plate issued for a truck tractor shall be
18 attached to the front ~~thereof~~ of the truck tractor. The
19 registration plate issued to a dealer shall be attached on
20 the rear of the vehicle when operated on the highways of this
21 state.

22 Sec. 9. Section three hundred twenty-one point thirty-
23 nine (321.39), Code 1977, is amended to read as follows:

24 321.39 EXPIRATION OF REGISTRATION. Every vehicle
25 registration under this chapter and every registration card
26 and registration plate issued hereunder except multiyear
27 registration plates issued for trailers or semitrailers
28 registered for a period of three years shall expire at midnight
29 on the thirty-first day of December of each year. The
30 provisions of this section shall not apply to any vehicle
31 which is registered without the payment of fees as provided
32 in section 321.19, but the registration plate or plates issued
33 for such vehicle shall remain valid until suspended or revoked
34 or canceled by the department ~~7-or-until-the-title-or-ownership~~
35 ~~of-such-vehicle-has-been-transferred.~~

1 Sec. 10. Section three hundred twenty-one point forty-
2 one (321.41), Code 1977, is amended by adding the follow-
3 ing new paragraph:

4 NEW PARAGRAPH. A person who has registered a vehicle in
5 a county, other than the county designated on the vehicle
6 registration plate, may apply to the county treasurer where
7 the vehicle is registered for new registration plates upon
8 payment of a fee for five dollars and the return of the former
9 county registration plates.

10 Sec. 11. Section three hundred twenty-one point forty-
11 two (321.42), unnumbered paragraph one (1), Code 1977, is
12 amended to read as follows:

13 In the event any registration card or registration plate
14 is lost, mutilated, or becomes illegible the owner shall im-
15 mediately make application for and may obtain a duplicate,
16 a substitute registration plate or a new registration plate,
17 at the discretion of the department, upon the applicant fur-
18 nishing information satisfactory to the department together
19 with the payment of a fee of two dollars for each such plate
20 or registration card.

21 Sec. 12. Section three hundred twenty-one point forty-
22 six (321.46), unnumbered paragraph one (1), Code 1977, is
23 amended to read as follows:

24 The purchaser or transferee shall ~~immediately~~ within seven
25 calendar days after purchase or transfer apply for and obtain
26 from the county treasurer of ~~his~~ the person's residence a
27 transfer of registration and a new certificate of title for
28 such vehicle except as provided in section 321.48. The pur-
29 chaser or transferee shall present with the application the
30 certificate of title endorsed and assigned by the previous
31 owner and the signed registration card. The purchaser or
32 the transferee shall not be required to list a social securi-
33 ty number as part of the application for a registration trans-
34 fer and a new title.

35 Sec. 13. Section three hundred twenty-one point forty-

1 seven (321.47), Code 1977, is amended by adding the following
2 new paragraph:

3 NEW PARAGRAPH. Whenever ownership of a vehicle is trans-
4 ferred under the provisions of this section the registration
5 plates shall be removed and forwarded to the county treasurer
6 of the county where the vehicle is registered or to the de-
7 partment if the vehicle is owned by a nonresident. Upon
8 transfer the vehicle shall not be operated upon the highways
9 of this state until the person entitled to possession of the
10 vehicle applies for and obtains registration for the vehicle.

11 Sec. 14. Section three hundred twenty-one point forty-
12 eight (321.48), subsection one (1), Code 1977, is amended
13 to read as follows:

14 1. When the transferee or purchaser of a vehicle is a
15 dealer who holds the same vehicle for resale and operates
16 the same vehicle only for purposes incident to a resale and
17 ~~displays thereon the registration plates issued for such~~
18 ~~vehicle, or~~ displays his a dealer ~~plates thereon~~ plate on
19 the vehicle or does not drive such vehicle or permit it to
20 be driven upon the highways, such transferee shall not be
21 required to obtain transfer of registration or a new
22 certificate of title but upon transferring his title or
23 interest to another person shall execute and acknowledge an
24 assignment and warranty of title upon the certificate of title
25 assigned to ~~him~~ the person and deliver the same to the person
26 to whom such transfer is made. The dealer shall also sign
27 the reverse side of the registration card for such vehicle
28 indicating the name and address of the new purchaser.

29 Sec. 15. Section three hundred twenty-one point forty-
30 nine (321.49), subsection one (1), Code 1977, is amended to
31 read as follows:

32 1. If an application for transfer of registration and
33 certificate of title is not submitted to the county treasurer
34 of the residence of purchaser or transferee within ~~five~~ seven
35 days of the date of assignment or transfer of title, a penalty

1 of five dollars shall accrue against said vehicle, and no
2 registration card or certificate of title shall thereafter
3 be issued until penalty is paid.

4 Sec. 16. Section three hundred twenty-one point fifty
5 (321.50), subsections three (3) and four (4), Code 1977, are
6 amended to read as follows:

7 3. Upon receipt of the application, the certificate of
8 title, if any, and the required fee, the county treasurer
9 shall note such security interest, and the date thereof,
10 on the certificate over the signature of such officer or
11 deputy and the seal of office. The county treasurer shall
12 also note such security interest and the date thereof in the
13 county records system ~~and shall also notify the department.~~
14 The county treasurer shall then mail the certificate of ti-
15 tle to the first secured party as shown thereon.

16 4. When a security interest is discharged, the holder
17 thereof shall execute a release within fifteen days after
18 payment is received, such release to contain the certificate
19 of title number, the date of the notation thereof, and the
20 name and address of the person to whom the title shall be
21 delivered when such delivery is requested as hereinafter pro-
22 vided. The holder shall also note a cancellation of same
23 on the face of the certificate of title over ~~his, her or its~~
24 the holder's signature, and deliver the release and certificate
25 of title to the county treasurer where title was issued.
26 The county treasurer shall immediately note the cancellation
27 of said security interest on the face of the certificate of
28 title and in the county records system ~~and shall also notify~~
29 ~~the department.~~ The county treasurer shall on the same day
30 deliver the certificate of title to the then first secured
31 party or, if there is no such person, to the person as directed
32 on the security interest release or, if there is no such
33 person designated, then to the owner. Said cancellation of
34 the security interest shall be noted on the certificate of
35 title by the county treasurer without charge. The holder

1 of a security interest discharged by payment who fails to
2 release such security interest as herein provided within
3 fifteen days after being requested in writing to do so shall
4 forfeit to the person making such payment the sum of twenty-
5 five dollars. Such request shall be on the release form as
6 prescribed by the department and shall contain a statement
7 signed by the owner setting forth the name and address of
8 the person to whom the title shall be delivered.

9 Sec. 17. Section three hundred twenty-one point fifty-
10 one (321.51), subsections two (2), three (3), four (4), five
11 (5), six (6) and seven (7), Code 1977, are amended to read
12 as follows:

13 2. That the vehicle was obtained for the purpose of re-
14 storing, rebuilding or repairing and not for use upon the
15 highway and such facts are evidenced by an affidavit signed
16 by ~~both-the-transferor-and~~ the transferee on a form provided
17 by the department.

18 3. The transferor shall surrender the ~~registration-plates,~~
19 registration card and the certificate of title, or if a foreign
20 vehicle from a nontitle state, such evidence of foreign
21 registration and ownership as may be prescribed by the
22 department, unless the vehicle is sold or transferred pursuant
23 to the provisions of sections 321.89 to 321.91, for the vehicle
24 together with the application of the transferee for a
25 restricted certificate of title, the affidavit as provided
26 in subsection 2 of this section and the fee for transfer to
27 the county treasurer of the residence of the transferor who
28 shall transmit the application of the transferee for a
29 restricted certificate of title, the affidavit as provided
30 in subsection 2 of this section, and the fee for transfer
31 to the county treasurer of the county of residence of the
32 transferee. No refund of fees previously paid for the
33 registration of such motor vehicle shall be allowed.

34 4. The county treasurer of the county of residence of
35 the transferee upon receipt of the application for a new

1 certificate of title, fee therefor, and the affidavit as
2 provided in subsection 2 of this section, and when satisfied
3 as to the genuineness and regularity thereof, shall issue
4 a restricted certificate of title to the applicant but shall
5 not issue registration plates or a registration card. A
6 restricted certificate of title shall be red in color and
7 shall have conspicuously imprinted thereon in bold print,
8 in a manner prescribed by the department, the words "RESTRICTED
9 CERTIFICATE OF TITLE--CANNOT BE REGISTERED AND OPERATED ON
10 THE HIGHWAYS WITHOUT A VALID APPROVED CERTIFICATE OF INSPECTION
11 EXCEPT AS PROVIDED IN SECTION ~~324.96~~ three hundred twenty-
12 one point fifty-one (321.51) of the Code." At such time as
13 the transferee surrenders a valid approved certificate of
14 inspection and the restricted certificate of title to the
15 county treasurer of the county of his residence, the county
16 treasurer, upon payment of the appropriate fees, shall issue
17 a certificate of title that is not restricted for the vehicle
18 and shall also issue a registration card and registration
19 plates ~~for the vehicle~~ to the applicant if the applicant is
20 not in possession of registration plates which may be attached
21 to the vehicle, however, if the registration fee for the
22 vehicle has been paid for the current year, the county
23 treasurer shall issue a registration card and registration
24 plates ~~for the vehicle~~ to the applicant if the applicant
25 is not in possession of registration plates which may be
26 attached to the vehicle upon payment of an additional
27 registration fee of five dollars. A vehicle with a restricted
28 certificate of title shall not have a registration plate
29 attached to the vehicle.

30 5. A motor vehicle which has a restricted certificate
31 of title may be sold or otherwise transferred as provided
32 in this section, except provisions pertaining to the surrender
33 of the current registration-plates-and registration card shall
34 not apply; however, such motor vehicle may be sold or otherwise
35 transferred pursuant to section 321.48 to a dealer licensed

1 under chapter 322 without compliance with the provisions of
2 this section.

3 6. No A vehicle sold or otherwise transferred pursuant
4 to the provisions of this section shall not be driven upon
5 the highway until a valid official certificate of inspection
6 has been affixed thereto and an unrestricted certificate of
7 title, a registration card~~7-and-registration-plates~~ for the
8 vehicle have been issued to the purchaser or transferee,
9 ~~except-as-set-out-in-section-324-98~~ and the transferee or
10 purchaser has properly attached valid registration plates
11 on the vehicle. However, upon receipt of an affidavit signed
12 by the owner of the vehicle stating that the vehicle is
13 reasonably safe for operation, an inspection station may issue
14 a permit authorizing the owner to operate the vehicle to and
15 from a specific inspection station. The affidavit and permit
16 mentioned in this section shall be on forms prescribed and
17 furnished by the department which shall forward these forms
18 to each county treasurer where they shall be made available
19 upon request, such permit shall be valid for forty-eight hours
20 after issuance by inspection station.

21 7. The provisions of this section, except provisions
22 pertaining to the surrender of a current registration ~~plates~~
23 ~~and-registration~~ card, shall also be applicable to the insurer
24 of any vehicle who obtains ownership of the vehicle as a
25 result of settlement resulting from the theft of a motor
26 vehicle which has not been recovered, provided the vehicle
27 has been reported stolen as provided in section 321.85 and
28 written proof of payment to the insured, resulting from such
29 theft, is submitted by the applicant. Proof of payment for
30 loss due to theft shall be submitted on forms prescribed or
31 provided by the department.

32 Sec. 18. Section three hundred twenty-one point fifty-
33 two (321.52), Code 1977, is amended to read as follows:

34 321.52 DISMANTLED OR DESTROYED VEHICLES.

35 1. When a vehicle is permanently dismantled or destroyed

1 so that it can no longer be used on the public highway or
2 is sold by the owner, dealer or otherwise, for junk, the owner
3 shall detach the registration plates and registration card
4 and surrender same both, unless the registration plates are
5 properly attached to another vehicle, along with the
6 certificate of title to the county treasurer who shall cancel
7 same on ~~his~~ the person's records and forward the certificate
8 of title to the department. The certificate of title
9 surrendered by the owner shall have noted thereon the purpose
10 of cancellation and the name of the purchaser if sold for
11 junk and such notation shall be duly signed by the owner.
12 The department shall notify the title issuing county, if other
13 than the county where title was surrendered, authorizing the
14 treasurer to cancel and destroy all records pertaining to
15 the particular vehicle. The department is not authorized
16 to make a refund of license fees on a dismantled, destroyed
17 or junked vehicle unless and until the certificate of title
18 thereto has been surrendered.

19 2. When a vehicle is sold outside the state for purposes
20 other than for junk the owner, dealer or otherwise, ~~thereof,~~
21 shall detach the registration plates and registration card
22 and shall indicate on the reverse side of such registration
23 card the name and address of the foreign purchaser or
24 transferee over ~~his~~ the person's signature. The owner shall
25 surrender the registration plates and registration card to
26 the county treasurer, unless the registration plates are
27 properly attached to another vehicle, who shall cancel ~~his~~
28 the records and shall destroy the registration plates and
29 forward the registration card to the department. The
30 department shall make a notation on the records of the out-
31 of-state sale, and, after a reasonable period, may destroy
32 the files to that particular vehicle ~~except-the-motor-file.~~
33 The department is not authorized to make a refund of license
34 fees on a vehicle sold out of state ~~unless-and-until-it~~
35 ~~receives-the-registration-card-completed-as-herein-provided.~~

1 Sec. 19. Section three hundred twenty-one point fifty-
2 seven (321.57), unnumbered paragraph one (1), Code 1977, is
3 amended to read as follows:

4 A dealer owning any vehicle of a type otherwise required
5 to be registered hereunder may operate or move the same up-
6 on the highways solely for purposes of transporting, test-
7 ing, demonstrating or selling the same without registering
8 each such vehicle upon condition that any such vehicle dis-
9 play thereon in the manner prescribed in sections 321.37 and
10 321.38 a special plate ~~or-plates~~ issued to such owner as
11 provided in sections 321.58 to 321.62. In addition to the
12 foregoing, a new car dealer or a used car dealer may operate
13 or move upon the highways any new or used car or trailer owned
14 by him for either private or business purposes without
15 registering the same providing, (1) such new or used car or
16 trailer is in the dealer's inventory and is continuously
17 offered for sale at retail, and (2) there is displayed thereon
18 a special plate ~~or-plates~~ issued to such dealer as provided
19 in sections 321.58 to 321.62.

20 Sec. 20. Section three hundred twenty-one point fifty-
21 eight (321.58), Code 1977, is amended to read as follows:

22 321.58 APPLICATION. Any dealer in new or used cars may,
23 upon payment of a fee of thirty-five dollars, make applica-
24 tion to the department upon the appropriate form for a
25 certificate containing a general distinguishing number and
26 for one or more ~~pairs-of-special-plates-or-single~~ special
27 plates as appropriate to various types of vehicles subject
28 to registration ~~hereunder~~, and all other dealers or trans-
29 porters may, upon the payment of a fee of twenty-five dol-
30 lars, make an application to the department in a like man-
31 ner for a like certificate and number and plates as appro-
32 priate to various types of vehicles subject to registration
33 ~~hereunder~~. The applicant shall also submit proof of ~~his~~ the
34 applicant's status as a bona fide transporter or dealer as
35 may reasonably be required by the department. Dealers in

1 new vehicles shall furnish satisfactory evidence of a valid
2 franchise with the manufacturer of such vehicles authorizing
3 such dealership.

4 Sec. 21. Section three hundred twenty-one point sixty
5 (321.60), Code 1977, is amended to read as follows:

6 321.60 ISSUANCE OF SPECIAL PLATES. The department shall
7 also issue special plates as applied for, which shall have
8 displayed ~~thereon an identification of the type of vehicle~~
9 ~~and if a car, whether it is a new or used car and~~ the gen-
10 eral distinguishing number assigned to the applicant. Each
11 plate ~~or pair of plates~~ so issued shall also contain a num-
12 ber or symbol identifying the same from every other plate
13 ~~or pair of plates~~ bearing the same general distinguishing
14 number. The fee for each special plate ~~or pair of special~~
15 ~~plates for new car and used car plates~~ shall be ten dollars.
16 ~~For all other special plates the fee for each special plate~~
17 ~~or pair of special plates shall be three dollars.~~

18 Sec. 22. Section three hundred twenty-one point one hundred
19 four (321.104), subsection two (2), Code 1977, is amended
20 to read as follows:

21 2. For a dealer, or a person acting on behalf of a dealer
22 to acquire, purchase, hold or display for sale a ~~motor~~ vehi-
23 cle subject to registration without having obtained a
24 manufacturer's or importer's certificate or a certificate
25 of title, or assignments thereof, unless otherwise provided
26 in this chapter.

27 Sec. 23. Section three hundred twenty-one point one hundred
28 five (321.105), unnumbered paragraph one (1), Code 1977, is
29 amended to read as follows:

30 An annual registration fee shall be paid for each motor
31 vehicle or trailer operated upon the public highways of this
32 state unless ~~said~~ the vehicle is specifically exempted under
33 the provisions of this chapter. If a vehicle, which has been
34 registered for the year, is transferred during the registration
35 year, the transferee shall re-register the vehicle as provided

1 in section three hundred twenty-one point forty-six (321.46)
2 of the Code, without payment of an additional annual registra-
3 tion fee.

4 Sec. 24. Section three hundred twenty-one point one hun-
5 dred twenty-one (321.121), Code 1977, is amended to read as
6 follows:

7 321.121 SPECIAL TRUCKS FOR FARM USE. The registration
8 fee for a special truck shall be one hundred dollars for a
9 gross weight of eight tons, and in addition, fifteen dollars
10 for each ton over eight tons. Any person convicted of using
11 a truck registered as a special truck for any purpose other
12 than permitted by section 321.1, subsection 72, shall, in
13 addition to any other penalty imposed by law, be required
14 to pay regular motor truck registration fees upon such truck.
15 ~~A distinctive decal shall be applied to the special truck~~
16 ~~registration plate for easy identification.~~

17 Sec. 25. Section three hundred twenty-one point one hun-
18 dred twenty-six (321.126), subsection one (1), Code 1977,
19 is amended to read as follows:

20 321.126 REFUNDS OF FEES.

21 1. If the motor vehicle is destroyed by fire or accident,
22 or junked and its identity as a motor vehicle entirely
23 eliminated, ~~or removed and continuously used beyond the~~
24 ~~boundaries of this state,~~ the owner in whose name the motor
25 vehicle was registered at the time of such destruction, or
26 ~~dismantling or removal from the state~~ shall return the plates
27 to the county treasurer or the department, unless the
28 registration plates are retained and properly attached to
29 another motor vehicle, and within thirty days thereafter make
30 affidavit of such destruction, or dismantling, or removal
31 and make claim for for refund. With reference to the
32 destruction or dismantling of a vehicle, the affidavit shall
33 be accompanied by the certificate of title, if titled in Iowa,
34 as provided in section 321.52. ~~With reference to the removal~~
35 ~~of a vehicle from this state as provided herein, the affidavit~~

1 shall contain a statement indicating the foreign registration
2 number of such vehicle, the name and address of the official
3 of the foreign state to whom the Iowa certificate of title,
4 if any, has been surrendered, and the number of the foreign
5 certificate of title issued for such vehicle if registered
6 in a title law state.

7 Sec. 26. Section three hundred twenty-one point one hun-
8 dred twenty-seven (321.127), Code 1977, is amended to read
9 as follows:

10 321.127 AMOUNT OF REFUND. For December and each succeeding
11 month the refund for motor vehicles shall be computed on the
12 basis of one-fourth of the annual registration fee multiplied
13 by the number of remaining quarters of the year from date
14 of ~~the return of the vehicles plates to~~ filing of the claim
15 for refund with the county treasurer, computed to the nearest
16 quarter dollar. The department, unless reasonable grounds
17 exist for delay, shall make refund on or before the fifteenth
18 day of the quarter following the quarter in which the claim
19 is filed with the department. For trailers or semitrailers
20 issued a multiyear registration plate a refund shall be paid
21 equal to the annual fee for twelve months times the remaining
22 number of complete calendar years.

23 Sec. 27. Section three hundred twenty-one point one hun-
24 dred thirty-four (321.134), unnumbered paragraph one (1),
25 Code 1977, is amended to read as follows:

26 On February 4 first of each year, a penalty of five percent
27 of the annual registration fee shall be added to all fees
28 not paid by that date, and five percent of the annual
29 registration fee shall be added to such fees on the first
30 of each month thereafter that the same remains unpaid, until
31 paid, provided that the penalty in no case shall be less than
32 one dollar, and provided that the owner of a vehicle who,
33 before February 4 first of any year, surrenders all
34 registration plates for that vehicle to the county treasurer
35 of the county in which said plates are of record, shall have

1 the right to register the vehicle at any later period of that
2 year by paying the full yearly registration fee without
3 penalty. Provided, however, that the annual registration
4 fee for trucks, truck tractors, road tractors, trailers and
5 semitrailers, as provided in sections 321.120 to 321.123,
6 when said annual registration fee is in excess of seventy
7 dollars, may be payable in two equal semiannual installments
8 except that semiannual installments shall not apply to
9 commercial vehicles subject to proportional registration
10 with a base state other than the state of Iowa as defined
11 in section 326.2, subsection 6.

12 Sec. 28. Section three hundred twenty-one point one hun-
13 dred sixty-six (321.166), Code 1977, is amended by striking
14 the section and inserting in lieu thereof the following:

15 321.166 VEHICLE PLATE SPECIFICATIONS. Vehicle registra-
16 tion plates shall conform to the following specifications:

17 1. Registration plates shall be of metal and of a size
18 not to exceed six inches by twelve inches, except that the
19 size of plates issued for use on motorized bicycles and
20 motorcycles shall be established by the department.

21 2. Every registration plate or pair of plates shall dis-
22 play a registration plate number which shall consist of alpha-
23 betical or numerical characters or a combination thereof and
24 the name of this state, which may be abbreviated. Every
25 registration plate issued by the county treasurer shall dis-
26 play the name of the county except plates issued for motor
27 trucks, motorcycles, motorized bicycles and trailers. The
28 year of expiration or the date of expiration shall be dis-
29 played on vehicle registration plates, except plates issued
30 under the provisions of section three hundred twenty-one point
31 nineteen (321.19) of the Code. Registration plates issued
32 for motor trucks and truck tractors shall be designed in such
33 a manner that the gross weight for which the vehicle is
34 registered may be displayed on the plate. Special registration
35 plates shall display the word "special".

1 3. The registration plate number shall be displayed in
2 characters which shall not exceed a height of four inches
3 nor a stroke width exceeding five-eighths of an inch. Special
4 plates issued to dealers shall display the alphabetical
5 character "D", which shall be of the same size of the
6 characters in the registration plate. The registration plate
7 number issued for motorized bicycles and motorcycles shall
8 be a size prescribed by the department.

9 4. The registration plate number, except on motorized
10 bicycle and motorcycle registration plates, shall be of
11 sufficient size to be readable from a distance of one hun-
12 dred feet during daylight.

13 5. There shall be a marked contrast between the color
14 of the registration plates and the data which is required
15 to be displayed on the registration plates. When a new series
16 of registration plates is issued to replace a current series,
17 the new registration plates shall be of a distinctively
18 different color from the series which is replaced.

19 Sec. 29. Section three hundred twenty-one point one hun-
20 dred seventy-six (321.176), subsection four (4), Code 1977,
21 is amended to read as follows:

22 4. A nonresident who is at least eighteen years of age
23 and who has in his immediate possession a valid chauffeur's
24 license issued to ~~him-in-his~~ the person in the person's home
25 state or country may operate a motor vehicle in this state
26 either as an operator or chauffeur ~~except-any-such-person~~
27 ~~must-be-licensed-as-a-chauffeur-hereunder-before-accepting~~
28 ~~employment-as-a-chauffeur-from-a-resident-of-this-state.~~

29 Sec. 30. Section three hundred twenty-one point one hundred
30 eighty (321.180), Code 1977, is amended by adding the following
31 new subsection:

32 NEW SUBSECTION. A person, upon meeting each of the
33 following requirements, shall be eligible to apply for a
34 chauffeur's instruction permit valid for the operation of
35 a motor vehicle requiring a chauffeur's license when the

1 permittee is accompanied by a person, possessing a valid
2 chauffeur's license, properly licensed to drive the motor
3 vehicle and actually occupying a seat beside the permittee.
4 An applicant must be at least eighteen years of age, otherwise
5 qualified to obtain a valid chauffeur's license and must
6 meet the requirements of section three hundred twenty-one
7 point one hundred eighty-six (321.186) other than a driving
8 demonstration. The chauffeur's instruction permit shall be
9 valid for a period not to exceed two years and shall be
10 returned to the department upon receipt of a valid chauffeur's
11 license. Issuance of a chauffeur's instruction permit shall
12 not require the surrender of a valid operator's license.

13 Sec. 31. Section three hundred twenty-one point one hundred
14 ninety-one (321.191), unnumbered paragraph one (1), Code 1977,
15 is amended to read as follows:

16 The fee for an operator's license shall be five dollars
17 if issued for a period of two years, and ten dollars if issued
18 for a period of four years. The fee for a chauffeur's license
19 shall be ten dollars if issued for a period of two years,
20 and twenty dollars if issued for a period of four years.
21 The fee for an instruction permit shall be three dollars,
22 for a chauffeur's instruction permit, six dollars, for a
23 temporary driver's permit, five dollars and for a motorized
24 bicycle license, five dollars.

25 Sec. 32. Section three hundred twenty-one point one hundred
26 ninety-six (321.196), unnumbered paragraph one (1), Code 1977,
27 is amended to read as follows:

28 Prior to July 1, 1975, the director shall issue, under
29 rules formulated by ~~him~~ the director, operators' licenses
30 valid for two or four years. Each operator's license issued
31 after July 1, ~~1975~~ 1977, shall expire four years from the
32 licensee's birthday anniversary occurring in the year of is-
33 suance if the licensee is between the ~~age-of-twenty-one~~ ages
34 of eighteen and sixty-five years on the date of issuance of
35 the license, otherwise for a period of two years but shall

1 be renewable without written examination or penalty within
2 a period of thirty days after such birthday anniversary and
3 such person shall not be considered to be driving with an
4 invalid license during such period before renewal, however
5 for any license renewed within such thirty-day period, the
6 date of issuance shall be considered to be the previous
7 birthday anniversary on which it expired. Applicants whose
8 licenses are restricted due to vision or other physical
9 deficiencies may be required to renew their licenses every
10 two years. For the purposes of this section the birthday
11 anniversary of a person born on February 29 twenty-ninth shall
12 be deemed to occur on March 4 first. All applications for
13 renewal of operators' licenses shall be made under the direct
14 supervision of a uniformed member of the department and shall
15 be approved by such uniformed member. The director may, ~~in~~
16 ~~his discretion,~~ authorize the renewal of a valid license upon
17 application without an examination provided that, a person
18 holding such license has not more than three convictions of
19 moving traffic violations during the previous two years and,
20 provided that such person satisfactorily passes a vision test
21 as prescribed by the department.

22 Sec. 33. Section three hundred twenty-one point one hun-
23 dred ninety-seven (321.197), Code 1977, is amended to read
24 as follows:

25 321.197 EXPIRATION OF CHAUFFEUR'S LICENSE. Every chauf-
26 feur's license issued hereunder shall expire every two or
27 four years at the option of the applicant ~~thirty-days-after~~
28 on the licensee's birthday anniversary. A chauffeur's license
29 may be renewed within thirty days after the applicant's license
30 expiration date without written examination or penalty. A
31 person shall not be considered to be driving with an invalid
32 license during a period of thirty days following the license
33 expiration date. However, if the licensee is sixty-five years
34 of age or older on the date of issuance of the license, such
35 license shall be issued to be valid for two years. Persons

1 whose birthdays occur on February 29 twenty-ninth shall be
2 deemed to occur on March 4 first, for the purpose of this
3 section. The department in its discretion may waive the
4 examination of any such applicant previously licensed as a
5 chauffeur under this chapter, provided that such person
6 satisfactorily passes a vision test as prescribed by the
7 department. All applications for the renewal of a chauf-
8 feur's license shall be made under the direct supervision
9 of a uniformed member of the department and shall be approved
10 by such uniformed member.

11 Sec. 34. Section three hundred twenty-one point two hundred
12 sixteen (321.216), Code 1977, is amended by adding the fol-
13 lowing new subsection:

14 NEW SUBSECTION. To obtain, possess or have in one's con-
15 trol or on one's premises blank motor vehicle license forms.

16 Sec. 35. Section three hundred twenty-one point three
17 hundred fifty-four (321.354), Code 1977, is amended to read
18 as follows:

19 321.354 STOPPING ON TRAVELED WAY. Upon any highway outside
20 of a business or residence district no person shall stop,
21 park, or leave standing any vehicle, whether attended or
22 unattended, upon the paved or improved or main traveled part
23 of the highway when it is practical to stop, park, or so leave
24 such vehicle off such part of said highway, but in every event
25 a clear and unobstructed width of at least twenty feet of
26 such part of the highway opposite such standing vehicle shall
27 be left for the free passage of other vehicles and a clear
28 view of such stopped vehicle be available from a distance
29 of two hundred feet in each direction upon such highway;
30 provided, however, school buses may stop on highway for
31 receiving and discharging pupils and all other vehicles shall
32 stop for school buses which are stopped to receive or discharge
33 pupils, as provided in section 321.372. This section shall
34 not apply to a vehicle making a turn as provided in section
35 three hundred twenty-one point three hundred eleven (321.311)

1 of the Code.

2 Sec. 36. Section three hundred twenty-one point four
3 hundred forty-seven (321.447), unnumbered paragraph one (1),
4 Code 1977, is amended to read as follows:

5 No A person shall not operate any motor truck or truck
6 tractor, except a motor vehicle with a combined gross weight
7 of less than four tons upon a highway outside of a business
8 or residence district at any time from a half hour after
9 sunset to a half hour before sunrise unless there shall be
10 carried in such vehicle a sufficient number, not less than
11 three, of flares, red reflector electric lanterns, red
12 reflectors, reflective triangles or other signals capable
13 of continuously producing three warning lights each visible
14 from a distance of at least five hundred feet for a period
15 of at least eight hours, except that a motor vehicle
16 transporting flammables shall carry red reflectors, red
17 reflector electric lanterns or reflective triangles in place
18 of the other signals above mentioned, and during daylight
19 hours every truck, except a motor vehicle with a combined
20 gross weight of less than four tons, shall carry a sufficient
21 number of red flags, not less than three, unless equipped
22 with three reflective triangles.

23 Sec. 37. Section three hundred twenty-one point four hun-
24 dred sixty (321.460), Code 1977, is amended to read as follows:

25 321.460 SPILLING LOADS ON HIGHWAYS. No A vehicle shall
26 not be driven or moved on any highway by any person unless
27 such vehicle is so constructed or loaded or the load securely
28 covered as to prevent any of its load from dropping, sifting,
29 leaking, or otherwise escaping therefrom or its load covering
30 from dropping from the vehicle, except that sand may be dropped
31 for the purpose of securing traction, or water or other
32 substance may be sprinkled on a roadway in cleaning or
33 maintaining such roadway.

34 Sec. 38. Chapter three hundred twenty-one E (321E), Code
35 1977, is amended by adding the following new section:

1 NEW SECTION. EXCESS SIZE DIVISIBLE LOAD PERMITS. Vehi-
2 cles or a combination of vehicles with divisible loads may
3 be moved on the highways of this state pursuant to a special
4 permit issued for special or emergency situations by the
5 department or local authorities subject to the discretion
6 and judgment provided for in section three hundred twenty-
7 one E point one (321E.1) of the Code. The combined gross
8 weight or gross weight on any one axle or group of axles may
9 exceed the limits established in section three hundred twenty-
10 one point four hundred sixty-three (321.463) of the Code,
11 subject to the limits and routes established by the issuing
12 authority.

13 Sec. 39. Section three hundred twenty-one E point one
14 (321E.1), Code 1977, is amended to read as follows:

15 321E.1 PERMITS BY DEPARTMENT. The department and local
16 authorities may in their discretion and upon application and
17 with good cause being shown therefor issue permits for the
18 movement of construction machinery being temporarily moved
19 on streets, roads or highways and for vehicles with indivisible
20 loads carried thereon which exceed the maximum dimensions
21 and weights specified in sections 321.452 to 321.466, but
22 not to exceed the limitations imposed in sections 321E.1 to
23 321E.15 except as provided in section thirty-six (36) of this
24 Act. Permits so issued may be single-trip permits or annual
25 permits. All permits shall be in writing and shall be carried
26 in the cab of the vehicle for which the permit has been issued
27 and shall be available for inspection at all times. The vehicle
28 and load for which the permit has been issued shall be open
29 to inspection by any peace officer or to any authorized agent
30 of any permit granting authority. When in the judgment of
31 the issuing local authority in cities and counties the movement
32 of a vehicle with an indivisible load or construction machinery
33 which exceeds the maximum dimensions and weights will be
34 unduly hazardous to public safety or will cause undue damage
35 to streets, avenues, boulevards, thoroughfares, highways,

1 curbs, sidewalks, trees, or other public or private property,
2 the permit shall be denied and the reasons therefor endorsed
3 upon the application. Permits issued by local authorities
4 shall designate the days when and routes upon which loads
5 and construction machinery may be moved within the county
6 on other than primary roads.

7 Sec. 40. Section three hundred twenty-two point two
8 (322.2), subsection four (4), Code 1977, is amended to read
9 as follows:

10 4. "At retail" means to dispose of a motor vehicle to
11 a person who may will devote it to a consumer use.

12 Sec. 41. Section three hundred twenty-five point one
13 (325.1), Code 1977, is amended by adding the following new
14 subsections:

15 NEW SUBSECTION. The term "carpool" means transportation
16 of a group of at least two riders in a vehicle having a seating
17 capacity for not more than eight passengers between a rider's
18 residence or other designated location and a rider's place
19 of employment, when the vehicle is driven by one of the members
20 of the group.

21 NEW SUBSECTION. The term "vanpool" means transportation
22 of a group of riders in a vehicle having a seating capacity
23 for not less than eight passengers and not more than fifteen
24 passengers between a rider's residence or other designated
25 location and a rider's place of employment, when the vehicle
26 is driven by one of the members of the group.

27 Sec. 42. Section three hundred twenty-five point six
28 (325.6), unnumbered paragraph one (1), Code 1977, is amended
29 to read as follows:

30 It is hereby declared unlawful for any motor carrier,
31 except a person operating a motor vehicle in a carpool or
32 vanpool, to transport over a regular route or between fixed
33 termini any person or property, for compensation, from any
34 point or place in the state of Iowa to another point or place
35 in said state irrespective of the route, highway or highways

1 traversed, including the crossing of any state line of the
2 state of Iowa, or the ticket or bill of lading issued and
3 used for such transportation, without first having obtained
4 from the board a certificate declaring that public convenience
5 and necessity require such operation. No carrier of passengers
6 shall operate as a charter carrier in this state unless already
7 possessed of a certificate of convenience and necessity as
8 a common carrier of passengers and operating in this state
9 as such common carrier or possesses a certificate of
10 convenience and necessity to engage in the business of a
11 charter carrier.

12 Sec. 43. Section three hundred twenty-five point twenty-
13 five (325.25), Code 1977, is amended to read as follows:

14 325.25 TRANSFER OF CERTIFICATE. No certificate of con-
15 venience and necessity shall be sold, transferred, leased,
16 or assigned until the motor carrier shall have operated
17 thereunder for at least ninety days continuous service, nor
18 shall any contract or agreement with reference to or affect-
19 ing any such certificate be made except with the written ap-
20 proval of the board. Nor shall any person be permitted to
21 take over any such certificate unless ~~he-or-it-shall-possess~~
22 ~~all-the-qualifications-of-and-meet-all-the-requirements-and~~
23 ~~assume-all-the-obligations-imposed-upon-an-original-appli-~~
24 ~~cant~~ the board determines that such person is willing and
25 able to perform the operations authorized by the certificate
26 and that such transfer is consistent with the public interest.

27 Sec. 44. Section three hundred twenty-six point thirteen
28 (326.13), Code 1977, is amended to read as follows:

29 326.13 INFORMATION UNDER OATH. The department shall re-
30 quire fleet owners to submit under oath any information deemed
31 necessary to carry out the provisions of this chapter. In-
32 formation furnished under this chapter shall be forwarded
33 to the director of the department by each fleet owner no later
34 than ~~November-1-preceding-each~~ January first of the current
35 registration year.

1 Sec. 45. Section three hundred twenty-seven A point two
2 (327A.2), Code 1977, is amended by adding the following new
3 paragraph:

4 NEW PARAGRAPH. The board may allow the provision of
5 temporary service for which there is an immediate and urgent
6 need to point or points requested by the application for a
7 certificate of public convenience and necessity upon
8 consideration by the board and a finding that the point or
9 points do not have liquid bulk carrier service capable of
10 meeting such need or that a carrier is not currently serving
11 those points. Upon meeting the requirements of this chapter
12 and the rules of the board, such temporary authority, unless
13 suspended or revoked for good cause, shall be valid for such
14 time as the board shall specify but not to exceed one hundred
15 twenty days. Granting temporary authority shall not create
16 a presumption that the corresponding application will
17 subsequently be granted.

18 Sec. 46. Section three hundred twenty-one point seventy-
19 five (321.75), Code 1977, is repealed effective July 1, 1977.

20 Sec. 47. Sections three hundred twenty-one point twenty-
21 six (321.26), three hundred twenty-one point twenty-seven
22 (321.27), three hundred twenty-one point thirty-four (321.34),
23 subsection five (5), three hundred twenty-one point thirty-
24 five (321.35), three hundred twenty-one point thirty-six
25 (321.36), three hundred twenty-one point one hundred twenty-
26 six (321.126), subsection two (2), and three hundred twenty-
27 one point one hundred eighty-eight (321.188), Code 1977, are
28 repealed.

29 Sec. 48. Sections one hundred thirty-five D point twenty-
30 six (135D.26), subsection two (2), three hundred twenty-one
31 point twenty-five (321.25), three hundred twenty-one point
32 twenty-six (321.26), three hundred twenty-one point twenty-
33 seven (321.27), three hundred twenty-one point thirty-four
34 (321.34), subsections one (1), two (2), four (4), five (5)
35 and subsection seven (7), paragraphs a and b, three hundred

1 twenty-one point thirty-five (321.35), three hundred twenty-
 2 one point thirty-six (321.36), three hundred twenty-one point
 3 thirty-nine (321.39), three hundred twenty-one point forty-
 4 seven (321.47), three hundred twenty-one point forty-eight
 5 (321.48), subsection one (1), three hundred twenty-one point
 6 fifty-one (321.51), subsections three (3), four (4), five
 7 (5), six (6) and seven (7), three hundred twenty-one point
 8 fifty-two (321.52), three hundred twenty-one point one hundred
 9 five (321.105), unnumbered paragraph one (1), three hundred
 10 twenty-one point one hundred twenty-one (321.121), three
 11 hundred twenty-one point one hundred twenty-six (321.126),
 12 subsections one (1) and two (2), three hundred twenty-one
 13 point one hundred twenty-seven (321.127), three hundred twenty-
 14 one point one hundred sixty-six (321.166), and three hundred
 15 twenty-one point one hundred eighty-eight (321.188) of the
 16 Code as amended or repealed by this Act shall be effective
 17 December 1, 1978 for the calendar year beginning January 1,
 18 1979.

19 EXPLANATION

20 Sections 1, 5, 7, 9, 13, 14, 17, 18, 23, 24, 25, 26 and
 21 28 provide for the retention of motor vehicle registration
 22 plates upon transfer of a motor vehicle. The seller must
 23 either attach the plates to another motor vehicle and proper-
 24 ly register the motor vehicle or the seller must return the
 25 plates to the county treasurer or appropriate state agency
 26 within thirty days.

27 Section 2 provides for issuance of sample registration
 28 plates for a fee of three dollars.

29 Section 3 defines "multipurpose vehicle" as a vehicle for
 30 occasional off the road use, and "motor vehicle license" as
 31 any license or permit issued to a person to operate a motor
 32 vehicle.

33 Section 4 provides for red stars on registration plates
 34 for Iowa highway safety patrol vehicles.

35 Section 6 provides that the department may eliminate state

1 records of security interests on certificates of title and
2 allows destruction of records for vehicles not requested for
3 seven consecutive years.

4 Section 7 provides for special and personalized plates
5 issued for \$25 and annual validation for \$5.

6 Section 8 states that the dealer registration plate shall
7 be attached to the rear of the vehicle.

8 Section 10 allows for re-registration in a new county of
9 residence for a fee of \$5.

10 Section 11 provides for the department of transportation
11 to issue a new or substitute registration plate upon appli-
12 cation.

13 Section 12 states that a purchaser has seven calendar days
14 to apply for a registration of a motor vehicle after acquisi-
15 tion.

16 Section 15 allows seven days to apply for a certificate
17 of title after purchase.

18 Section 16 eliminates notation of security interests on
19 certificates of title maintained by the state department of
20 transportation.

21 Section 17, subsection 2 allows the transferee of a motor
22 vehicle to sign an affidavit stating the vehicle was pur-
23 chased under a restricted title.

24 Sections 19, 20, and 21 strike language referring to a
25 "set of plates" for dealers who will receive a single plate
26 to be used as a dealer plate.

27 Section 22 changes "motor vehicles" to "vehicle subject
28 to registration".

29 Section 27 allows the payment of unequal semiannual fees
30 for registration of truck tractors, trailers and semitrailers
31 and road tractors.

32 Section 29 allows a chauffeur licensed in another state
33 as a chauffeur to accept employment in Iowa without obtain-
34 ing an Iowa chauffeur's license.

35 Sections 30 and 31 provide for the issuance of a temporary

1 chauffeur's instruction permit valid for a period of two years
2 to allow for learning on motor vehicles requiring a chauffeur's
3 license. The cost of the chauffeur's instruction permit is
4 \$6.

5 Section 32 lowers the age from 21 to 18 at which time an
6 individual may obtain a four-year motor vehicle license.

7 Section 33 states a chauffeur's license expires on the
8 birthday anniversary with a thirty-day grace period for re-
9 newal.

10 Section 34 prohibits possession of blank motor vehicle
11 license forms or unique material which may be used to pre-
12 pare such forms.

13 Section 35 exempts turning vehicle from the prohibition
14 against stopping on a highway.

15 Section 36 exempts vehicles with a combined gross weight
16 of less than four tons from the requirement of carrying re-
17 flectors and flares on lanterns.

18 Section 37 requires the covering of loads to prevent
19 spilling on the highways.

20 Section 38 and 39 provide for special permits to move
21 excess size divisible loads under emergency situations.

22 Section 40 changes may to will in the definition of "at
23 retail".

24 Sections 41 and 42 provide for an exception for carpools
25 and vanpools from the requirement of obtaining a certificate
26 of public convenience and necessity.

27 Section 43 allows transfer of a certificate of public con-
28 venience and necessity upon proof of ability to perform the
29 services consistent with public interest.

30 Section 44 extends the period within which fleet owners
31 must file information with the department of transportation
32 from November first to January first.

33 Section 45 allows for temporary emergency liquid bulk
34 carrier service.

35 Sections 46 and 47 repeal certain sections.

- 1 Section 48 is the effective date section.
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

SENATE FILE 167
FISCAL NOTE

Date Prepared: March 4, 1977

Requested by: Senator Drake

Prepared in regard to S.F. 167, An Act relating to transportation providing for retention of motor vehicle registration plates upon transfer, issuance of sample registration plates, defining certain words, red stars on registration plates issued for Iowa highway safety patrol vehicles, elimination of the notation of security interests on the state copy of a certificate of title, issuance of personalized, special and dealer registration plates, re-registration of a motor vehicle in a new county, issuance of substitute registration plates, the allowance of seven days after transfer of a motor vehicle to register the motor vehicle and transfer the certificate of title, transfer under a restricted certificate of title with the transferee's signature on an affidavit, collection of semi-annual fees on certain motor trucks in unequal installments, working in Iowa with a chauffeur's license from another state, issuance of a temporary chauffeur's instruction permit at a cost of six dollars, people at least eighteen years old to obtain a four year license, the expiration of a chauffeur's license, prohibiting the possession of motor vehicle license forms subject to a penalty provided by law, the stopping on highways to make left turns, the exemption of vehicles less than four tons from the requirement to carry certain signaling devices, covering loads, an exception for carpools and vanpools from the requirement of obtaining a certificate of public convenience and necessity, extension of the period within which a fleet owner must file certain reports, and special permits to move certain loads under emergency situations.

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

| SEC. # | EFFECT | ANNUAL | |
|--------|--|--------------------|------------------|
| | | SAVINGS | REVENUE INCREASE |
| 2 | Sell SAMPLE PLATES | \$ | \$ 500 |
| 5 | Reduce # of PAPER PLATES | 250 | |
| 6/16 | No title LIEN records at state level | 100,000 | |
| 7 | Sell more VANITY PLATES | | 6,500 |
| 7 | PLATE WITH OWNER requires fewer plates | 165,000 | |
| 8/14 | ONE DEALER PLATE requires fewer plates | 10,000 | |
| 19/20 | | | |
| 10 | NEW COUNTY PLATE when you move | | 5,000 |
| 11 | "DUPLICATE" PLATES from inventory | 5,000 | |
| 21 | One design for DEALER PLATES @ \$10 each | | 70,000 |
| 25 | No REFUNDS on vehicles removed from Iowa | 200,000 | |
| 28 | No REFLECTIVITY on plates | 465,000 | |
| 31 | \$6 fee for CHAUFFEUR'S LEARNER'S PERMIT | | 1,000 |
| | | <u>\$945,250</u> | <u>\$83,000</u> |
| | GRAND TOTAL - INCREASE TO ROAD USE FUND | <u>\$1,028,250</u> | |

Source: Department of Transportation

FILED
MARCH 7, 1977

Gerry Rankin
Legislative Fiscal Director

FISCAL NOTE
 SENATE FILE 167

Date Prepared May 9, 1977

Requested by Representative Kenneth Miller
 Prepared in regard to S.F. 167, An Act relating to
 transportation, etc. Following is the fiscal effect in
 dollars of the legislative proposal as required by Joint
 Rule 16:

| 1976 Actual Transactions | Retained By Counties | | |
|-----------------------------|--------------------------------------|---|---------------------|
| | Today | S.F. 167 As Amended & Passed By Senate | H-3405 Amendment |
| Registrations 2,670,813 | 75¢-\$2,003,110 | 2.6% - \$2,453,369 | 3% - \$2,830,810 |
| Lien Notations 359,828 | 65%-\$ 467,776 | 100% - \$ 719,656 | 100% - \$ 719,656 |
| | <u>\$2,470,886</u> | <u>\$3,173,025</u> | <u>\$3,550,466</u> |
| | Net Increase To Counties: | \$ 702,139 | \$1,079,580 |
| | Net Decrease To Road Tax Fund: | \$ 702,139 | \$1,079,580 |

Source: Department of Transportation
 FILED GERRY D. RANKIN
 MAY 10, 1977 LEGISLATIVE FISCAL BUREAU

SENATE FILE 167

S-3160

1 Amend the Priebe amendment, S-3152, to Senate
2 File 167 as follows:
3 1. Page 1, by striking lines 9 through 15 and
4 inserting in lieu thereof the following:
5 "general fund, seventy-five-cents two point six
6 per-cent (2.6%) of the total collection for each annual
7 or semiannual vehicle registration and each duplicate
8 registration card or plate issued; sixty-five percent
9 (65%) of all fees collected for certificates of title
10 and certified copies of certificates of title; and one
11 hundred percent (100%) of all fees collected for
12 notation of security interests notations-of-lien-or
13 encumbrance-and-certified-copy-of-a-certificate-of
14 title. The monies retained shall be".

S-3160 FILED & ADOPTED (634) BY RICHARD F. DRAKE
MARCH 15, 1977 DALE L. TIEDEN
C. W. HUTCHINS

SENATE FILE 167

S-3161

1 Amend Senate File 167, page 17, by striking lines
2 19 through 26 and inserting in lieu thereof the
3 following: "four (321.104), Code 1977, is amended by
4 adding the following new subsection:
5 NEW SUBSECTION. For a dealer to sell or transfer
6 a mobile home without delivering to the purchaser or
7 transferee a certificate of title, a manufacturer's
8 or importer's certificate properly assigned to the
9 purchaser, or to transfer a mobile home without
10 disclosing to the purchaser the owner of the mobile
11 home in a manner prescribed by the department pursuant
12 to rules."

S-3161 FILED & ADOPTED (634) BY DALE L. TIEDEN
MARCH 15, 1977 BERL E. PRIEBE
RICHARD F. DRAKE

S-3150

- 1 Amend the Redmond amendment, S-3149, to Senate
2 File 167 as follows:
3 1. Page 2, line 5, by striking the word
4 "occupation,".

S-3150 FILED & WITHDRAWN
MARCH 14, 1977

BY JAMES M. REDMOND

S-3151

SENATE FILE 167

- 1 Amend Senate File 167 as follows:
2 1. Page 2, by striking lines 5 through 35.
3 2. Page 3, by striking lines 1 through 12.
4 3. Renumber sections and correct internal
5 references as may be necessary in accordance with
6 the amendment.

S-3151 FILED - *Lost 3/15 (631)*
MARCH 14, 1977

BY JAMES M. REDMOND
BASS VAN GILST
CLOYD ROBINSON

S-3156

- 1 Amend the Priebe Senate amendment, S-3152, to
2 Senate File 167, page 1, lines 9 and 10 by striking
3 the words "and twenty-five cents".

S-3156 FILED & WITHDRAWN
MARCH 15, 1977

BY RICHARD F. DRAKE
CLOYD ROBINSON

S-3157

- 1 Amend Senate File 167 as follows:
2 1. Page 7, by striking lines 18 through 23 and
3 inserting in lieu thereof the following:
4 "~~registration plates. The county treasurer shall fur-~~
5 ~~nish the department an alphabetically arranged list of~~
6 ~~those to whom special plates have been issued. The~~
7 county treasurer shall validate special plates in
8 the same manner as regular registration plates, upon
9 payment of five dollars in addition to the regular annual
10 registration fee. "
11 2. Page 8, by striking lines 4 and 5 and inserting
12 in lieu thereof the following:
13 "b. The county treasurer shall validate personalized
14 registration plates shall be validated in the same manner
15 as regular registration plates are validated."

S-3157 FILED & ADOPTED (634)
MARCH 15, 1977

BY RICHARD F. DRAKE
CLOYD ROBINSON

SENATE FILE 167

S-3152

1 Amend Senate File 167 as follows:

2 1. Page 20, by inserting after line 11 the
3 following:

4 "Sec. _____. Section three hundred twenty-one point
5 one hundred fifty-two (321.152), Code 1977, is amended
6 to read as follows:

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

22 2. Amend the title by inserting after line 15
23 the words "an increase in the portion of the regis-
24 tration fee retained by the county treasurer,".

25 3. Renumber sections and correct internal refer-
26 ences as necessary in conformance with this amendment.

S-3152 FILED - *Adopted as amended*
MARCH 14, 1977 *by 3/16 3/15 (634)* BY BERL E. PRIEBE

SENATE FILE 167

S-3153

1 Amend the Redmond amendment, S-3149, to Senate
2 File 167 as follows:

3 1. Page 2, line 5, by striking the word
4 "occupation," and inserting in lieu thereof the word
5 "occupation,".

S-3153 FILED & RULED OUT OF ORDER BY JAMES M. REDMOND
MARCH 14, 1977

SENATE FILE 167

S-3154

1 Amend Senate File 167 as follows:

2 1. Page 9, line 32, by striking the words
3 "shall not be required to" and inserting in lieu
4 thereof the words "may ~~shall not be required to~~".

S-3154 FILED - *Withdrawn* *3/15 (632)* BY DALE L. TIEDEN
MARCH 14, 1977

S-3149

1 Amend Senate File 167 as follows:

2 1. Page 1, line 20, by striking the word "section"
3 and inserting in lieu thereof the "sections".

4 2. Page 1, by inserting after line 28 the
5 following:

6 "NEW SECTION. LICENSE RENEWAL BY MAIL. An operator
7 or chauffeur possessing a valid operator's or
8 chauffeur's license displaying a color photograph
9 of the licensee may renew the license by mail for
10 a period not to exceed four years. The department
11 shall mail to each operator or chauffeur at least
12 ninety days prior to the expiration date of the
13 licensee's license a notice of renewal and appropriate
14 renewal forms. An applicant upon returning the forms
15 properly completed accompanied by appropriate fees
16 shall be issued a renewal card to be signed by the
17 licensee and carried with the operator or chauffeur
18 license. The renewal card shall indicate the extended
19 date of termination of the operator's or chauffeur's
20 license and such other information the department
21 may determine necessary. An applicant restricted
22 to corrective lenses shall sign a statement that his
23 or her vision is corrected to at least 20/40 in the
24 better eye. An applicant who falsely states his or
25 her vision is properly corrected, upon conviction,
26 shall be punished as provided in section three hundred
27 twenty-one point four hundred eighty-two (321.482)
28 of the Code."

29 3. Page 21, by inserting after line 18 the
30 following:

31 "Sec. 2. Section three hundred twenty-one point
32 one hundred seventy-four (321.174), Code 1977, is
33 amended to read as follows:

34 321.174 OPERATORS AND CHAUFFEURS LICENSED. No
35 person, except those hereinafter expressly exempted
36 shall drive any motor vehicle upon a highway in this
37 state unless such person has a valid license as an
38 operator or chauffeur issued by the department. No
39 person shall operate a motor vehicle as a chauffeur
40 unless he holds a valid chauffeur's license. A valid
41 operator's or chauffeur's license includes the current
42 renewal card issued to the operator or chauffeur for
43 license renewals obtained by mail."

44 4. Page 22, by inserting after line 12 the
45 following:

46 "Sec. ____ . Section three hundred twenty-one point
47 one hundred eighty-nine (321.189), subsection one
48 (1), Code 1977, is amended to read as follows:

49 1. MOTOR VEHICLE LICENSE. The department shall
50 upon payment of the required fee, issue to every

1 applicant qualifying therefor an operator's, motorized
2 bicycle or chauffeur's license as applied for, which
3 license shall bear thereon a distinguishing number
4 assigned to the licensee, the full name, date of
5 birth, occupation, sex, residence address, a colored
6 photograph and a brief description of the licensee,
7 and the usual signature of the licensee. The
8 department may renew an operator's and chauffeur's
9 license by mail for a period not to exceed four years.

10 If a person desires to obtain an operator's or
11 chauffeur's license in the form authorized by this
12 section prior to the person's renewal date, such
13 license may be issued as a voluntary replacement upon
14 payment of the required fee. The number of places
15 where licenses are available shall not be reduced
16 because of procedures or equipment required in placing
17 colored photographs on licenses or permits. The
18 department shall provide a space on every license
19 where the licensee may affix a decal or sticker
20 indicating that the licensee is a donor under the
21 Uniform Anatomical Gift Act and a space shall be
22 provided where the licensee may affix a symbol
23 indicating the presence of a medical condition. The
24 license may contain such other information as the
25 department may by rule require. No license shall
26 be valid unless it bears the usual signature of the
27 licensee. The distinguishing number assigned to a
28 licensee shall not be the licensee's social security
29 number. The department shall not retain a positive
30 or negative photograph of the licensee. The licensee
31 may affix a decal or sticker on the license in the
32 space provided which indicates that the licensee is
33 a donor under the Uniform Anatomical Gift Act. The
34 decal shall not be larger than one-half inch in
35 diameter. The use of the decal or sticker on the
36 license shall be authorized only if the licensee has
37 complied with the provisions for making a gift under
38 the Uniform Anatomical Gift Act and shall be effective
39 only if the licensee carries on or about the licensee's
40 person a duly signed and executed donor card as
41 authorized by the Uniform Anatomical Gift Act."

42 5. Page 22, line 16, by inserting after the word
43 "license" the words "or renewal".

44 6. Page 22, line 18, by inserting after the word
45 "license" the words "or renewal".

46 7. Page 23, line 2, by inserting after the word
47 "anniversary" the words "or ninety days prior to
48 expiration if renewal is made by mail".

49 8. Page 23, line 5, by striking the words "thirty-
50 day" and inserting in lieu thereof the words "~~thirty-~~

S-3149

- 1 day".
- 2 9. Page 23, line 13, by inserting after the word
- 3 "made" the words "by mail or".
- 4 10. Page 23, line 21, by inserting after the word
- 5 "department" the words "unless such renewal is made
- 6 by mail".
- 7 11. Page 24, line 7, by inserting after the word
- 8 "department" the words "unless renewal is made by
- 9 mail".
- 10 12. Page 24, line 8, by inserting after the word
- 11 "made" the words "by mail or".
- 12 13. Amend the title, line 2, by inserting after
- 13 the word "transfer," the words "renewal of motor
- 14 vehicle licenses by mail,".
- 15 14. Renumber sections and correct internal
- 16 references as necessary in conformance with this
- 17 amendment.

S-3149 FILED & LOST (p. 622)
MARCH 14, 1977

BY JAMES REDMOND

SENATE FILE 167

S-3147

- 1 Amend the Redmond amendment, S-3146, to Senate
- 2 File 167 as follows:
- 3 1. Page 1, line 20, by inserting after the word
- 4 "department" the words "may determine necessary".

S-3147 FILED (See 3146)
MARCH 11, 1977

BY JAMES M. REDMOND

S-3148

SENATE FILE 167

- 1 Amend the Nolting et al amendment S-3140, to
- 2 Senate File 167 as follows:
- 3 1. Page 1, line 2, by striking the word "All"
- 4 and inserting in lieu thereof the words "The entire
- 5 surface area of all".
- 6 2. Page 1, line 3, by striking the word "retro-".

S-3148 FILED - Withdrawn 3/15
MARCH 11, 1977 (632)

BY STEPHEN W. BIENIUS

1 Amend Senate File 167 as follows:

2 1. Page 1, by inserting after the line 18 the
3 following:

4 "Section __. Chapter three hundred twenty-one
5 (321) Code 1977, is amended by adding the following new
6 section.

7 NEW SECTION. LICENSE RENEWAL BY MAIL. An operator
8 or chauffeur possessing a valid operator's or chauffeur's
9 license displaying a color photograph of the licensee
10 may renew the license by mail for a period not to exceed
11 four years. The department shall mail to each operator
12 or chauffeur at least ninety days prior to the expiration
13 date of the licensee's license a notice of renewal and
14 appropriate renewal forms. An applicant upon returning
15 the forms properly completed and accompanied by appropriate
16 fees shall be issued a renewal card to be signed by the
17 licensee and carried with the operator or chauffeur license.
18 The renewal card shall indicate the extended date of
19 termination of the operator's or chauffeur's license and
20 such other information the department. An applicant
21 restricted to corrective lenses shall assign a statement
22 that his or her vision is corrected to at least twenty-
23 forty (20/40). An applicant who falsely states that his
24 or her vision is properly corrected, upon conviction, shall
25 be guilty of a simple misdemeanor and upon conviction
26 punished as provided by law."

27 2. Page 21, by inserting after line 18 the
28 following:

29 "Sec. __. Section three hundred twenty-one point
30 one hundred seventy four (321.174), Code 1977, is amended
31 to read as follows:

32 321.174 OPERATORS AND CHAUFFEURS LICENSED. No person,
33 except those hereinafter expressly exempted shall drive any
34 motor vehicle upon a highway in this state unless such
35 person has a valid license as an operator or chauffeur
36 issued by the department. No person shall operate a motor
37 vehicle as a chauffeur unless he holds a valid chauffeur's
38 license. A valid operator's or chauffeur's license includes
39 the current renewal card issued to the operator or chauffeur
40 for license renewals obtained by mail."

41 3. Page 22, by inserting after line 12 the following:

42 "Sec. __. Section three hundred twenty-one point one
43 hundred eighty-nine (321.189), subsection one (1), Code 1977,
44 is amended to read as follows:

45 1. MOTOR VEHICLE LICENSE. The department shall upon
46 payment of the required fee, issue to every applicant
47 qualifying therefor an operator's, motorized bicycle or chauffeur's
48 license as applied for, which license shall bear thereon a
49 distinguishing number assigned to the licensee, the full name,
50 date of birth, occupation, sex, residence address, a colored

1 photograph and a brief description of the licensee,
2 and the usual signature of the licensee. The department
3 may renew an operator's and chauffeur's license by mail
4 for a period not to exceed four years. If a person
5 desires to obtain an operator's or chauffeur's license
6 in the form authorized by this section prior to the
7 person's renewal date, such license may be issued as a
8 voluntary replacement upon payment of the required fee.
9 The number of places where licenses are available shall
10 not be reduced because of procedures or equipment required
11 in placing colored photographs on licenses or permits.
12 The department shall provide a space on every license
13 where the licensee may affix a decal or sticker indicating
14 that the licensee is a donor under the Uniform Anatomical
15 Gift Act and a space shall be provided where the
16 licensee may affix a symbol indicating the presence of a
17 medical condition. The license may contain such other
18 information as the department may by rule require. No
19 license shall be valid unless it bears the usual signature
20 of the licensee. The distinguishing number assigned to a
21 licensee shall not be the licensee's social security
22 number. The department shall not retain a positive or
23 negative photograph of the licensee. The licensee may
24 affix a decal or sticker on the license in the space
25 provided which indicates that the licensee is a donor
26 under the Uniform Anatomical Gift Act. The decal shall
27 not be larger than one-half inch in diameter. The use
28 of the decal or sticker on the license shall be authorized
29 only if the licensee has complied with the provisions for
30 making a gift under the Uniform Anatomical Gift Act and sh
31 be effective only if the licensee carries on or about the
32 licensee's person a duly signed and executed donor card
33 as authorized by the Uniform Anatomical Gift Act."

34 4. Page 22, line 16, by inserting after the word
35 "license" the words "or renewal".

36 5. Page 22, line 18, by inserting after the word
37 "license" the words "or renewal".

38 6. Page 23, line 2, by inserting after the word
39 "of" the words "ninety days prior to expiration if renewal
40 is made by mail and".

41 7. Page 23, line 13, by inserting after the word
42 "made" the words "by mail or".

43 8. Page 23, line 21, by inserting after the word
44 "department." the words "unless such renewal is made by
45 mail".

46 9. Page 24, line 7, by inserting after the word
47 "department." the words "unless renewal is made by mail".

48 10. Page 24, line 8, by inserting after the word
49 "made" the words "by mail or".

50 11. The title, page 1, line 20, by inserting after

S-3146 - PAGE 3

1 the word "license," the words "providing for notice
2 of expiration and renewal by mail of operators'
3 and chauffeurs' licenses,".

4 12. Renumber the sections and internal references
5 as necessary.

1 Amend Senate File 167 as follows:

2 1. Page 21, by inserting after line 28 the
3 following:

4 "Sec. ____ . Section three hundred twenty-one point
5 one hundred seventy-eight (321.178), subsection two
6 (2), Code 1977, is amended to read as follows:

7 2. YOUTHS NOT ATTENDING SCHOOL--NO DRIVER'S
8 TRAINING REQUIRED. Any person under the age of
9 eighteen who is not attending a public or private
10 school in which an approved driver's education course
11 is offered or available, shall not be required to
12 complete an approved driver's education course prior
13 to being entitled to receive a one-year probationary
14 operator's license from the department. Any person
15 who re-enters any private or public school prior to
16 age eighteen shall be required to attend an approved
17 driver's education course, however, the department
18 shall not suspend or revoke the motor vehicle license
19 issued to the person prior to the person's re-entry
20 into a public or private school, except for violations
21 of this chapter."

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

S-3144 FILED - *Adopted 3/15 (633)* BY ELIZABETH SHAW
MARCH 11, 1977 C. JOSEPH COLEMAN

S-3145

1 Amend Senate File 167 by striking page 18, line
2 21, through page 19, line 6, and inserting in lieu
3 thereof the following:

4 "1. If the motor vehicle is destroyed by fire
5 or accident, or junked and its identity as a motor
6 vehicle entirely eliminated, or removed and
7 continuously used beyond the boundaries of this state,
8 the owner in whose name the motor vehicle was
9 registered at the time of such destruction, dismantling
10 or removal from the state shall return the plates
11 to the county treasurer or the department, unless
12 the registration plates are retained and properly
13 attached to another motor vehicle, and within thirty
14 days thereafter make affidavit of such destruction,
15 dismantling, or removal and make claim for refund.
16 With reference to the destruction or dismantling of
17 a vehicle, the affidavit shall be accompanied by the
18 certificate of title, if titled in Iowa, as provided
19 in section 321.52. With reference to the removal
20 of a vehicle from this state as provided herein, the
21 affidavit shall contain a statement indicating the
22 foreign registration number of such vehicle, the name
23 and address of the official of the foreign state to
24 whom the Iowa certificate of title, if any, has been
25 surrendered, and the number of the foreign certificate
26 of title issued for such vehicle if registered in
27 a title law state."

S-3145 FILED - *Adopted 3/15 (634)* BY BERL E. PRIEBE
MARCH 11, 1977 JAMES CALHOON
E. KEVIN KELLY
TOM SLATER

SENATE FILE 167

S-3141

- 1 Amend the Drake et al amendment, S-3125, to
 2 Senate File 167 as follows:
 3 1. Page 1, by inserting after line 1 the
 4 following:
 5 "___". Page 3, line 17, by striking the word
 6 "vehcle" and inserting in lieu thereof the word
 7 "vehicle".
 8 2. Page 1, by inserting after line 27 the
 9 following:
 10 "___". Page 7, by inserting after line 23 the
 11 figure and words "7. Individualized registration
 12 plates."
 13 3. Page 1, by inserting after line 35 the
 14 following:
 15 "___". Page 9, line 15, by striking the word ","
 16 and inserting in lieu thereof the word "or".
 17 4. Page 2, by inserting after line 10, the
 18 following:
 19 "___". Page 14, line 13, by striking the word
 20 "issue" and inserting in lieu thereof the word "issue".
 21 5. Renumber the amendment as necessary.

S-3141 FILED - *Revised*
 MARCH 11, 1977

BY RICHARD F. DRAKE
 CLOYD ROBINSON
 DALE L. TIEDEN
 C. W. HUTCHINS

SENATE FILE 167

S-3142

- 1 Amend Senate File 167 as follows:
 2 1. Page 7, lines 4 and 5, by striking the words
 3 "five twenty-five" and inserting in lieu thereof the word
 4 "five".

S-3142 FILED - *Adopted 3/15(632)* BY E. KEVIN KELLY
 MARCH 11, 1977

SENATE FILE 167

S-3143

- 1 Amend Senate File 167 as follows:
 2 1. Page 2, line 32 by inserting after the word
 3 "number." the following: "Registration plates issued
 4 for a county sheriff's patrol vehicles shall display
 5 one seven pointed gold star on a green background
 6 followed by the letter "S" and the call number of
 7 the vehicle."
 8 2. The title, page 1, line 5, by inserting after the
 9 word "vehicles," the words "gold stars on a green back-
 10 ground for registration plates of county sneriff's
 11 patrol vehicles,".

S-3143 FILED - *Lost 3/15(632)* BY FORREST V. SCHWENGELS
 MARCH 11, 1977

SENATE FILE 167

S-3140

1 Amend Senate File 167, page 21, by inserting after
2 line 18 the following: "All motor vehicle registration
3 plates shall be treated with a retro-reflective
4 material according to specifications prescribed by
5 the director."

S-3140 FILED - *Let 3/15 (633)*
MARCH 11, 1977

FRED W. NOLTING
RAY TAYLOR
FORREST V. SCHWENGELS
CLIFF BURROUGHS
MILO MERRITT
LOUIS P. CULVER
ALVIN V. MILLER
BASS VAN GILST
STEPHEN W. BISENIUS
MERLIN D. HULSE
DALE L. TIEDEN
JAMES V. GALLAGHER

S-3141
REVISED

SENATE FILE 167

1 Amend the Drake et al amendment, S-3125, to
2 Senate File 167 as follows:
3 1. Page 1, by inserting after line 4 the
4 following:
5 "___". Page 3, line 17, by striking the word
6 "vehcle" and inserting in lieu thereof the word
7 "vehicle".
8 2. Page 1, by inserting after line 27 the
9 following:
10 "___". Page 7, by inserting after line 23 the
11 figure and words "7: Individualized registration
12 plates."
13 3. Page 1, by inserting after line 35 the
14 following:
15 "___". Page 9, line 15, by striking the word "z"
16 and inserting in lieu thereof the word "or".
17 4. Page 2, by inserting after line 10, the
18 following:
19 "___". Page 14, line 13, by striking the word
20 "issue" and inserting in lieu thereof the word "issue".
21 5. Renumber the amendment as necessary.

S-3141 FILED & ADOPTED (602) BY
MARCH 11, 1977

RICHARD F. DRAKE
CLOYD ROBINSON
DALE L. TIEDEN
C. W. HUTCHINS

-3126

1 Amend the Drake et al amendment, S-3125,
 2 to Senate File 167 as follows:
 3 1. Page 2, by inserting after line 36 the following:
 4 " . Page 26, line 23, by striking the words and
 5 figure thirty-six (36)" and inserting in lieu thereof
 6 the words and figure "thirty-eight (38)".
 7 2. Renumber the amendment as necessary.

FILED MARCH 8, 1977 *Adopted 2/11* RICHARD F. DRAKE

S-3127

1 Amend Senate File 167 as follows:
 2 1. Page 8, by striking lines 18 through 21 and
 3 inserting in lieu thereof the following: "attached
 4 to the front ~~thereof~~ of the truck tractor. The
 5 registration plates issued to a dealer shall be
 6 attached on the front and rear of the vehicle when
 7 operated on the highways of this state."
 8 2. Page 10, by striking line 18 and inserting
 9 in lieu thereof the following: "~~vehicle~~er displays
 10 his dealer plates thereon on".
 11 3. Page 16, line 10, by striking the words "~~er~~
 12 ~~plates~~" and inserting in lieu thereof the words "or
 13 plates".
 14 4. Page 16, line 18, by striking the words "~~er~~
 15 ~~plates~~" and inserting in lieu thereof the words "or
 16 plates".
 17 5. Page 17, line 11, by striking the words "~~er~~
 18 ~~pair-of-plates~~" and inserting in lieu thereof the
 19 words "or pair of plates".
 20 6. Page 17, line 13, by striking the words "~~er~~
 21 ~~pair-of-plates~~" and inserting in lieu thereof the
 22 words "or pair of plates".
 23 7. Page 17, lines 14 and 15, by striking the words
 24 "~~er-pair-of-special-plates~~" and inserting in lieu
 25 thereof the words "or pair of special plates".

S-3127 FILED - *Last 2/11 (603)* BY FORREST F. ASHCRAFT
 MARCH 8, 1977

S-3139

SENATE FILE 167

1 Amend Senate File 167 as follows:
 2 1. Page 2, by inserting after line 4 the following:
 3 "Sec. . Section three hundred twenty-one point
 4 one (321.1), subsection sixteen (16), Code 1977, is
 5 amended by adding the following new paragraph:
 6 ' NEW PARAGRAPH. All self-propelled machinery
 7 operated at speeds of less than thirty miles per hour,
 8 specifically designed for, or especially adapted to
 9 be capable of, incidental over-the-road and primary
 10 off-road usage, and used exclusively for the
 11 application of plant food materials or agricultural
 12 chemicals, and not specifically designed or intended
 13 for transportation of such chemicals and materials.
 14 Such machinery shall be operated in compliance with
 15 section three hundred twenty-one point four hundred
 16 sixty-three (321.463) of the Code."
 17 2. Renumber sections and correct internal
 18 references as necessary in conformance with this
 19 amendment.

S-3139 FILED - *Adopted 2/11 (603)* BY RICHARD F. DRAKE
 MARCH 10, 1977 DALE L. TIEDEN
 CLOYD ROBINSON

S-3125

- 1 Amend Senate File 167 as follows:
 2 1. Page 2, line 31, by striking the word "resistra-
 3 tion" and inserting in lieu thereof the word "registra-
 4 tion".
 5 2. Page 3, by striking lines 22 through 24 and
 6 inserting in lieu thereof the following: "have plainly
 7 stamped or stenciled the registration number of the
 8 dealer from whom the vehicle was purchased and the
 9 date of delivery of the vehicle. A dealer shall not
 10 issue a card".
 11 3. Page 3, line 34, by inserting after the word
 12 "delivery" the words "of the vehicle".
 13 4. Strike page 4, line 34, through page 5, line
 14 2, and insert in lieu thereof the following: "the
 15 copies of records. Records of vehicle certificates
 16 of title may be destroyed seven years after the date
 17 of issue."
 18 5. Page 5, by striking lines 26 through 29 and
 19 inserting in lieu thereof the following: "of vehicle
 20 certificates of title for vehicles that are delinquent
 21 for five or more consecutive years may be destroyed
 22 by the county treasurer. Photostatic,".
 23 6. Page 6, line 17, by striking the word "removal"
 24 and inserting in lieu thereof the word "transfer".
 25 7. Page 6, line 25, by striking the word "emblems"
 26 after the word "which" and inserting in lieu thereof
 27 the word "emblems".
 28 8. Page 7, line 32, by striking the word "director"
 29 and inserting in lieu thereof the words "director
 30 county treasurer".
 31 9. Page 8, line 19, by striking the word "registra-
 32 tion". and inserting in lieu thereof the word
 33 "special".
 34 10. Page 9, line 8, by striking the word "for"
 35 and inserting in lieu thereof the word "of".
 36 11. Page 9, line 24, by striking the words
 37 "purchaser or" and inserting in lieu thereof the words
 38 "purchaser-or".
 39 12. Page 9, lines 28 and 29 by striking the words
 40 "purchaser or" and inserting in lieu thereof the words
 41 "purchaser-or".
 42 13. Page 9, lines 31 and 32 by striking the words
 43 "purchaser or the" and inserting in lieu thereof the
 44 words "purchaser-or-the".
 45 14. Page 10, line 14, by striking the words "or
 46 purchaser" and inserting in lieu thereof the words
 47 "or-purchaser".
 48 15. Page 10, line 34, by striking the words
 49 "purchaser or" and inserting in lieu thereof the words
 50 "purchaser-or the".

1 16. Page 11, line 19, by striking the word "there-
2 of" and inserting in lieu thereof the word "thereof".

3 17. Page 13, line 15, by striking the word "his"
4 and inserting in lieu thereof the word "his".

5 18. Page 14, line 6, by striking the word "thereto"
6 and inserting in lieu thereof the word "thereto to
7 the vehicle".

8 19. Page 14, line 8, by striking the words
9 "purchaser or" and inserting in lieu thereof the words
10 purchaser-er".

11 20. Page 14, line 27, by striking the words and
12 figures "section 321.85" and inserting in lieu thereof
13 the words and figures section-324.85 sections three
14 hundred twenty-one point seventy-two (321.72) and
15 three hundred twenty-one point seventy-three (321.73)
16 of the Code".

17 21. Page 15, line 11, by striking the word "duly"
18 and inserting in lieu thereof the word "duly".

19 22. Page 16, line 9, by striking the word "thereon"
20 and inserting in lieu thereof the word "thereon".

21 23. Page 17, by inserting after line 17 the follow-
22 ing:

23 "Special plates may be validated in the same man-
24 ner as regular registration plates under this chapter
25 at an annual fee of ten dollars".

26 24. Page 17, lines 30 and 31, by striking the
27 words "motor vehicle or trailer" and inserting in
28 lieu thereof the words "motor vehicle or-trailer".

29 25. Page 18, line 31, by striking the word "for"
30 after the word "claim".

31 26. Page 20, by striking line 27 and inserting
32 in lieu thereof the following: "trucks, truck trac-
33 tors, motorcycles, motorized bicycles, travel trailers,
34 mobile homes, semitrailers and trailers. The"

35 27. Page 20, line 34, by inserting after the word
36 "Special" the word "truck".

37 28. Page 29, lines 34 and 35 by striking the words
38 and figures "five (5), and subsection seven (7), para-
39 graphs a and b" and inserting in lieu thereof the
40 words and figure "and five (5)".

41 29. Page 30, line 8, by inserting after the figure
42 "(321.52)," the words and figures "three hundred
43 twenty-one point fifty-seven (321.57), three hundred
44 twenty-one point fifty-eight (321.58), three hundred
45 twenty-one point sixty (321.60)".

S-3125 FILED - *Adopted as amended* BY
MARCH 8, 1977 *By 3126 and 3141*
2/11 (p. 602)

RICHARD F. DRAKE
CLOYD ROBINSON
FORREST F. ASHCRAFT
GENE W. GLENN
C. W. HUTCHINS
C. JOSEPH COLEMAN
M. DODERER

Senate File 167 4/
Transportation
Brunow, chair
Lageschulte
Doyle
Davitt
Schroeder

SENATE FILE 167
By COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE MARCH 15, 1977)

Passed Senate, Date 5-18-77 (1683) Passed House, Date 5-12-77 (p. 2156)

Vote: Ayes 46 Nays 0 Vote: Ayes 80 Nays 5

Approved June 30, 1977
Repassed House per Senate amendment 4250
5-18-77 (p. 2386)
83-5

A BILL FOR

1 An Act relating to transportation providing for retention
2 of motor vehicle registration plates upon transfer,
3 issuance of sample registration plates, defining certain
4 words, red stars on registration plates issued for Iowa
5 highway safety patrol vehicles, elimination of the
6 notation of security interests on the state copy of a
7 certificate of title, issuance of personalized, special
8 and dealer registration plates, re-registration of a
9 motor vehicle in a new county, issuance of substitute
10 registration plates, the allowance of seven days after
11 transfer of a motor vehicle to register the motor vehicle
12 and transfer the certificate of title, transfer under a
13 restricted certificate of title with the transferee's
14 signature on an affidavit, collection of semi-annual
15 fees on certain motor trucks in unequal installments,
16 an increase in the portion of the registration fee retained
17 by the county treasurer, working in Iowa with a chauffeur's
18 license from another state, issuance of a temporary chauffeur's
19 instruction permit at a cost of six dollars, people at least
20 eighteen years old to obtain a four year license, the
21 expiration of a chauffeur's license, prohibiting the
22 possession of motor vehicle license forms subject to a
23 penalty provided by law, the stopping on highways to make
24 left turns, the exemption of vehicles less than four tons
25 from the requirement to carry certain signaling devices,

1 Section 1. Section one hundred thirty-five D point twenty-
2 six (135D.26), subsection two (2), Code 1977, is amended to
3 read as follows:

4 2. After complying with the provisions of subsection 1,
5 the owner shall notify the assessor who shall inspect the
6 new premises for compliance. If a security interest is noted
7 on the certificate of title, the assessor shall require an
8 affidavit, as defined in section 622.85, from the mobile home
9 owner, declaring that the owner has complied with subsection
10 1, paragraph "c", and shall send notice of the proposed
11 conversion to the secured party by regular mail not less than
12 ten days before the conversion becomes effective. When the
13 mobile home is properly converted, the assessor shall then
14 collect the mobile home vehicle title, registration card,
15 and license, unless the registration plates are retained to
16 be attached to another mobile home, the registration plates
17 from the owner and. The assessor shall enter the property
18 upon the tax rolls.

19 Sec. 2. Chapter three hundred twenty-one (321), Code 1977,
20 is amended by adding the following new section:

21 NEW SECTION. SAMPLE VEHICLE REGISTRATION PLATES. Vehicle
22 registration plates displaying the general design of regular
23 registration plates, with the word "sample" displayed on the
24 plate, may be furnished to any person upon payment of a fee
25 of three dollars, except that such plates may be furnished
26 to governmental agencies without cost. Sample registration
27 plates shall not be attached to a vehicle moved on the highways
28 of this state.

29 Sec. 3. Section three hundred twenty-one point one (321.1),
30 Code 1977, is amended by adding the following new subsections:

31 NEW SUBSECTION. "Multipurpose vehicle" means a motor
32 vehicle designed to carry not more than ten people, and
33 constructed either on a truck chassis or with special features
34 for occasional off-road operation.

35 NEW SUBSECTION. "Motor vehicle license" means any license

1 or permit issued to a person to operate a motor vehicle on
2 the highways of this state, including but not limited to
3 operator, chauffeur, and motorized bicycle licenses and
4 instruction and temporary permits.

5 Sec. 4. Section three hundred twenty-one point one (321.1),
6 subsection sixteen (16), Code 1977, is amended by adding the
7 following new paragraph:

8 NEW PARAGRAPH. All self-propelled machinery operated at
9 speeds of less than thirty miles per hour, specifically
10 designed for, or especially adapted to be capable of,
11 incidental over-the-road and primary off-road usage, and used
12 exclusively for the application of plant food materials or
13 agricultural chemicals, and not specifically designed or
14 intended for transportation of such chemicals and materials.
15 Such machinery shall be operated in compliance with section
16 three hundred twenty-one point four hundred sixty-three
17 (321.463) of the Code.

18 Sec. 5. Section three hundred twenty-one point nineteen
19 (321.19), subsection one (1), Code 1977, is amended to read
20 as follows:

21 1. All vehicles owned by the government and used in the
22 transaction of official business by the representatives of
23 foreign powers or by officers, boards, or departments of the
24 government of the United States, and by the state of Iowa,
25 counties, municipalities and other subdivisions of government
26 including vehicles used by an urban transit company operated
27 by a municipality and such self-propelling vehicles as are
28 used neither for the conveyance of persons for hire, pleasure,
29 or business nor for the transportation of freight other than
30 those used by an urban transit company operated by a
31 municipality, and all fire trucks, providing they are not
32 owned and operated for a pecuniary profit, are hereby exempted
33 from the payment of the fees in this chapter prescribed,
34 except as provided for urban transit companies in subsection
35 2, but shall not be exempt from the penalties herein provided.

1 The department shall furnish, on application, free of charge,
2 distinguishing plates for vehicles thus exempted, which plates
3 except plates on Iowa highway safety patrol vehicles shall
4 bear the word "official," and the department shall keep a
5 separate record thereof. Registration plates issued for Iowa
6 highway safety patrol vehicles, except unmarked patrol
7 vehicles, shall bear two red stars on a yellow background,
8 one before and one following the registration number on the
9 plate which registration number shall be the officer's badge
10 number. Provided that the director of general services or
11 the director of transportation may order the issuance of
12 regular registration plates, for any such exempted vehicle,
13 used by peace officers in the enforcement of the law and
14 persons enforcing chapter 204 and other laws relating to
15 controlled substances. For purposes of sale of vehicles
16 exempted as herein indicated, the exempted governmental body,
17 upon the sale of the exempted vehicles, may issue for in-
18 transit purposes a pasteboard card bearing the words "Vehicle
19 in Transit," the name of the official body for which the
20 vehicle was purchased, together with the date of the purchase
21 plainly marked in minimal of one-inch letters, and other
22 information which may be required by the department. The
23 in-transit card shall be valid for use only within forty-eight
24 hours after the purchase date as indicated on the bill of
25 sale which shall be carried by the driver.

26 Sec. 6. Section three hundred twenty-one point twenty-
27 five (321.25), Code 1977, is amended by striking the section
28 and inserting in lieu thereof the following:

29 321.25 APPLICATION FOR REGISTRATION AND TITLE--CARDS
30 ATTACHED. A vehicle may be operated upon the highways of
31 this state without registration plates for a period of twenty
32 days after the date of delivery of the vehicle to the purchaser
33 from a dealer if a card bearing the words "registration applied
34 for" is attached on the rear of the vehicle. The card shall
35 have plainly stamped or stenciled the registration number

1 of the dealer from whom the vehicle was purchased and the
2 date of delivery of the vehicle. A dealer shall not issue
3 a card to a person in possession of registration plates which
4 may be attached to the vehicle. A dealer shall not issue
5 a card unless an application for registration and certificate
6 of title has been made by the purchaser and a receipt issued
7 to the purchaser of the vehicle showing the fee paid by the
8 person making the application. Dealers' records shall indicate
9 the agency to which the fee is sent and the date the fee is
10 sent. The dealer shall forward the application by the
11 purchaser to the county treasurer or state office within seven
12 calendar days from the date of delivery of the vehicle.

13 The department shall, upon request by any dealer, fur-
14 nish "registration applied for" cards free of charge. Only
15 cards furnished by the department shall be used.

16 Sec. 7. Section three hundred twenty-one point thirty-
17 one (321.31), Code 1977, is amended to read as follows:

18 321.31 RECORDS SYSTEM. A state and county records sy-
19 stem shall be maintained in the following manner:

20 1. STATE RECORDS SYSTEM. The department shall install
21 and maintain a records system which shall contain the name
22 and address of the vehicle owner, current and previous
23 registration number, vehicle identification number, make,
24 model, style, date of purchase, registration certificate
25 number, maximum gross weight, weight, list price or value
26 of the vehicle as fixed by the department, fees paid and date
27 of payment. The records system shall also contain a record
28 of the certificate of title including ~~the notation of all~~
29 ~~security interests recorded and released, and~~ such other
30 information as the department deems necessary. The information
31 to be kept in the records system shall be entered within
32 forty-eight hours after receipt insofar as is practical.
33 The records system shall constitute the permanent record of
34 ownership of each vehicle titled under the laws of this state.

35 The department may make photostatic, microfilm, or other

1 photographic copies of certificates of title, registration
2 receipts, or other records, reports or documents which are
3 required to be retained by the department. When copies have
4 been made, the department may destroy the original records
5 in such manner as prescribed by the director. The photostatic,
6 microfilm, or other photographic copies, when no longer of
7 use, may be destroyed in the manner prescribed by the director,
8 subject to the approval of the state records commission.
9 Photostatic, microfilm, or other photographic copies of records
10 shall be admissible in evidence when duly certified and
11 authenticated by the officer having custody and control of
12 the copies of records. Records of vehicle certificates of
13 title may be destroyed seven years after the date of issue.

14 2. COUNTY RECORDS SYSTEM. Each county treasurer's office
15 shall maintain a county records system for vehicle registra-
16 tion and certificate of title documents. The records system
17 shall consist of information from the certificate of title
18 including the notation and cancellation of security interests,
19 information from the registration receipt, and such informa-
20 tion shall be maintained by retention of one copy of the
21 registration receipt in a registration number file and one
22 copy of the title certificate in a title number file. In
23 lieu of retaining one copy of the registration receipt and
24 one copy of the title certificate, the information may be
25 maintained in such other manner as may be approved by the
26 department, provided such information is accessible by title
27 certificate number and registration number.

28 The county treasurer may make photostatic, microfilm, or
29 other photographic copies of certificates of title, reg-
30 istration receipts, or other records, reports or documents
31 which are required to be retained by the county treasurer.
32 When copies of records have been made, the county treasurer
33 may destroy the original records three years after they have
34 been issued, in such manner as prescribed by the department.
35 When copies of records are no longer of use, they may be

1 destroyed in a manner prescribed by the department. Records
2 of vehicle certificates of title for vehicles that are
3 delinquent for five or more consecutive years may be destroyed
4 by the county treasurer. Photostatic, microfilm or other
5 photographic copies of records shall be admissible in evidence
6 when duly certified and authenticated by the officer having
7 custody and control of the copies of records.

8 Sec. 8. Section three hundred twenty-one point thirty-
9 four (321.34), subsections one (1), two (2), four (4), and
10 subsection seven (7) paragraphs a and b, Code 1977, are amended
11 to read as follows:

12 1. PLATES ISSUED. The county treasurer upon receiving
13 application, accompanied by proper fee for registration of
14 a vehicle shall issue to the owner one registration plate
15 for a motorcycle, motorized bicycle, truck tractor, trailer,
16 or semitrailer and two registration plates for every other
17 motor vehicle. The registration plates, including special
18 registration plates, shall be assigned to the owner of a
19 vehicle. Whenever the owner of a registered vehicle trans-
20 fers or assigns ownership of such vehicle to another person
21 the owner shall remove the registration plates from the
22 vehicle. The owner shall either forward the plates to the
23 county treasurer where the vehicle is registered or to the
24 department if the vehicle is owned by a nonresident, or the
25 owner may have the plates assigned to another vehicle within
26 thirty days after transfer, upon payment of the fees required
27 by law. The owner shall immediately affix registration plates
28 retained by the owner to another vehicle owned or acquired
29 by such person, providing the owner complies with section
30 three hundred twenty-one point forty-six (321.46) of the Code.

31 2. GROSS WEIGHT EMBLEMS. The county treasurer shall al-
32 so issue to applicants for registration of a truck or a truck
33 tractor, not including in the lowest registration class, two
34 emblems which emblems designate the gross weight for which
35 the vehicle is registered by figures which show the gross

1 weight in tons. Number plates and weight limitation emblems
2 which are issued with registrations or registration increases
3 are hereby declared to be integral parts of the registration
4 of the vehicle for which issued. The weight limitation emblems
5 shall be ~~applied to both sides of the vehicle, either to the~~
6 ~~doors of the cab or to the lower front corner of the box,~~
7 ~~or such other location as designated by the commissioner~~
8 attached to the registration plates issued for the vehicle.

9 4. RADIO OPERATORS PLATES. The owner of an automobile,
10 light delivery truck, panel delivery truck, or pickup who
11 holds an amateur radio license issued by the federal
12 communications commission may, upon written application to
13 the county treasurer accompanied by a fee of five dollars,
14 order special registration plates bearing the call letters
15 authorized the radio station covered by ~~his~~ the person's
16 amateur radio license. When received by the county treasurer,
17 such special registration plates shall be issued to the
18 applicant in exchange for the registration plates previously
19 issued to ~~him~~ the person. Not more than one set of special
20 registration plates may be issued to an applicant. Said fee
21 shall be in addition to and not in lieu of the fee for regular
22 registration plates. Special registration plates must be
23 surrendered upon expiration of the owner's amateur radio
24 license ~~or upon transfer of title to the automobile for which~~
25 ~~such plates have been issued,~~ and the owner shall thereupon
26 be entitled to his regular registration plates. The county
27 treasurer shall furnish the department an alphabetically
28 arranged list of those to whom special plates have been issued.
29 The county treasurer shall validate special plates in the
30 same manner as regular registration plates, upon payment of
31 five dollars in addition to the regular annual registration
32 fee.

33 7. Individualized registration plates.

34 a. Upon application and the payment of a fee of twenty-
35 five dollars, the director may issue to the owner of a motor

1 vehicle, ~~except a motor truck, when is~~ registered in this
2 state ~~as provided in this chapter, a set of~~ personalized
3 registration plates marked with the initials, letters, or
4 a combination of numerals and letters requested by the owner.
5 Upon receipt of the personalized registration plates, the
6 applicant shall surrender the regular registration plates
7 to the director county treasurer. ~~Prior to transfer of title~~
8 ~~to the motor vehicle, the personalized registration plates~~
9 ~~shall be returned to the director and the owner shall be~~
10 ~~entitled to regular registration plates without additional~~
11 ~~fee.~~ The fee for a set of issuance of the personalized
12 registration plates shall be in addition to the regular annual
13 registration fee ~~provided under section 324.409.~~

14 b. The county treasurer shall validate personalized
15 registration plates shall be validated in the same manner
16 as regular registration plates are validated under this section
17 at an annual fee of five dollars in addition to the regular
18 annual registration fee.

19 Sec. 9. Section three hundred twenty-one point thirty-
20 seven (321.37), unnumbered paragraph one (1), Code 1977, is
21 amended to read as follows:

22 Registration plates issued for a motor vehicle other than
23 a motorcycle, motorized bicycle or a truck tractor shall be
24 attached ~~thereto~~ to the motor vehicle, one in the front and
25 the other in the rear. The registration plate issued for
26 a motorcycle or other vehicle required to be registered
27 hereunder shall be attached to the rear ~~thereof~~ of the vehicle.
28 The registration plate issued for a truck tractor shall be
29 attached to the front ~~thereof~~ of the truck tractor. The
30 special plate issued to a dealer shall be attached on the
31 rear of the vehicle when operated on the highways of this
32 state.

33 Sec. 10. Section three hundred twenty-one point thirty-
34 nine (321.39), Code 1977, is amended to read as follows:

35 321.39 EXPIRATION OF REGISTRATION. Every vehicle

1 registration under this chapter and every registration card
2 and registration plate issued hereunder except multiyear
3 registration plates issued for trailers or semitrailers
4 registered for a period of three years shall expire at midnight
5 on the thirty-first day of December of each year. The
6 provisions of this section shall not apply to any vehicle
7 which is registered without the payment of fees as provided
8 in section 321.19, but the registration plate or plates issued
9 for such vehicle shall remain valid until suspended or revoked
10 or canceled by the department, ~~or until the title or ownership~~
11 ~~of such vehicle has been transferred.~~

12 Sec. 11. Section three hundred twenty-one point forty-
13 one (321.41), Code 1977, is amended by adding the follow-
14 ing new paragraph:

15 NEW PARAGRAPH. A person who has registered a vehicle in
16 a county, other than the county designated on the vehicle
17 registration plate, may apply to the county treasurer where
18 the vehicle is registered for new registration plates upon
19 payment of a fee of five dollars and the return of the former
20 county registration plates.

21 Sec. 12. Section three hundred twenty-one point forty-
22 two (321.42), unnumbered paragraph one (1), Code 1977, is
23 amended to read as follows:

24 In the event any registration card or registration plate
25 is lost, mutilated, or becomes illegible the owner shall im-
26 mediately make application for and may obtain a duplicate
27 or a substitute registration plate or a new registration
28 plate, at the discretion of the department, upon the applicant
29 furnishing information satisfactory to the department together
30 with the payment of a fee of two dollars for each such plate
31 or registration card.

32 Sec. 13. Section three hundred twenty-one point forty-
33 six (321.46), unnumbered paragraph one (1), Code 1977, is
34 amended to read as follows:

35 The purchaser or transferee shall immediately within seven

1 calendar days after purchase or transfer apply for and obtain
2 from the county treasurer of ~~his~~ the person's residence a
3 transfer of registration and a new certificate of title for
4 such vehicle except as provided in section 321.48. The
5 ~~purchaser-or~~ transferee shall present with the application
6 the certificate of title endorsed and assigned by the previous
7 owner and the signed registration card. The ~~purchaser-or~~
8 ~~the~~ transferee shall not be required to list a social securi-
9 ty number as part of the application for a registration trans-
10 fer and a new title.

11 Sec. 14. Section three hundred twenty-one point forty-
12 seven (321.47), Code 1977, is amended by adding the following
13 new paragraph:

14 NEW PARAGRAPH. Whenever ownership of a vehicle is trans-
15 ferred under the provisions of this section the registration
16 plates shall be removed and forwarded to the county treasurer
17 of the county where the vehicle is registered or to the de-
18 partment if the vehicle is owned by a nonresident. Upon
19 transfer the vehicle shall not be operated upon the highways
20 of this state until the person entitled to possession of the
21 vehicle applies for and obtains registration for the vehicle.

22 Sec. 15. Section three hundred twenty-one point forty-
23 eight (321.48), subsection one (1), Code 1977, is amended
24 to read as follows:

25 1. When the transferee ~~or-purchaser~~ of a vehicle is a
26 dealer who holds the ~~same~~ vehicle for resale and operates
27 the ~~same~~ vehicle only for purposes incident to a resale and
28 ~~displays thereon the registration plates issued for such~~
29 ~~vehicle, or~~ displays his a dealer ~~plates thereon~~ plate on
30 the vehicle or does not drive such vehicle or permit it to
31 be driven upon the highways, such transferee shall not be
32 required to obtain transfer of registration or a new
33 certificate of title but upon transferring ~~his~~ title or
34 interest to another person shall execute and acknowledge an
35 assignment and warranty of title upon the certificate of title

1 assigned to ~~him~~ the person and deliver the same to the person
2 to whom such transfer is made. The dealer shall also sign
3 the reverse side of the registration card for such vehicle
4 indicating the name and address of the new purchaser.

5 Sec. 16. Section three hundred twenty-one point forty-
6 nine (321.49), subsection one (1), Code 1977, is amended to
7 read as follows:

8 1. If an application for transfer of registration and
9 certificate of title is not submitted to the county treasurer
10 of the residence of ~~purchaser-or~~ the transferee within ~~five~~
11 seven days of the date of assignment or transfer of title,
12 a penalty of five dollars shall accrue against said vehicle,
13 and no registration card or certificate of title shall
14 thereafter be issued until penalty is paid.

15 Sec. 17. Section three hundred twenty-one point fifty
16 (321.50), subsections three (3) and four (4), Code 1977, are
17 amended to read as follows:

18 3. Upon receipt of the application, the certificate of
19 title, if any, and the required fee, the county treasurer
20 shall note such security interest, and the date thereof, on
21 the certificate over the signature of such officer or deputy
22 and the seal of office. The county treasurer shall also note
23 such security interest and the date thereof in the county
24 records system ~~and shall also notify the department.~~ The
25 county treasurer shall then mail the certificate of title
26 to the first secured party as shown thereon.

27 4. When a security interest is discharged, the holder
28 thereof shall execute a release within fifteen days after
29 payment is received, such release to contain the certificate
30 of title number, the date of the notation thereof, and the
31 name and address of the person to whom the title shall be
32 delivered when such delivery is requested as hereinafter pro-
33 vided. The holder shall also note a cancellation of same
34 on the face of the certificate of title over ~~his,-her-or-its~~
35 the holder's signature, and deliver the release and certificate

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

20 Sec. 18. Section three hundred twenty-one point fifty-
 21 one (321.51), subsections two (2), three (3), four (4), five
 22 (5), six (6) and seven (7), Code 1977, are amended to read
 23 as follows:

24 2. That the vehicle was obtained for the purpose of re-
 25 storing, rebuilding or repairing and not for use upon the
 26 highway and such facts are evidenced by an affidavit signed
 27 by ~~both the transferor and~~ the transferee on a form provided
 28 by the department.

29 3. The transferor shall surrender the ~~registration plates,~~
 30 registration card and the certificate of title, or if a foreign
 31 vehicle from a nontitle state, such evidence of foreign
 32 registration and ownership as may be prescribed by the
 33 department, unless the vehicle is sold or transferred pursuant
 34 to the provisions of sections 321.89 to 321.91, for the vehicle
 35 together with the application of the transferee for a

1 restricted certificate of title, the affidavit as provided
2 in subsection 2 of this section and the fee for transfer to
3 the county treasurer of the residence of the transferor who
4 shall transmit the application of the transferee for a
5 restricted certificate of title, the affidavit as provided
6 in subsection 2 of this section, and the fee for transfer
7 to the county treasurer of the county of residence of the
8 transferee. No refund of fees previously paid for the
9 registration of such motor vehicle shall be allowed.

10 4. The county treasurer of the county of residence of
11 the transferee upon receipt of the application for a new
12 certificate of title, fee therefor, and the affidavit as
13 provided in subsection 2 of this section, and when satisfied
14 as to the genuineness and regularity thereof, shall issue
15 a restricted certificate of title to the applicant but shall
16 not issue registration plates or a registration card. A
17 restricted certificate of title shall be red in color and
18 shall have conspicuously imprinted thereon in bold print,
19 in a manner prescribed by the department, the words "RESTRICTED
20 CERTIFICATE OF TITLE--CANNOT BE REGISTERED AND OPERATED ON
21 THE HIGHWAYS WITHOUT A VALID APPROVED CERTIFICATE OF INSPECTION
22 EXCEPT AS PROVIDED IN SECTION ~~324.98~~ three hundred twenty-
23 one point fifty-one (321.51) of the Code." At such time as
24 the transferee surrenders a valid approved certificate of
25 inspection and the restricted certificate of title to the
26 county treasurer of the county of his residence, the county
27 treasurer, upon payment of the appropriate fees, shall issue
28 a certificate of title that is not restricted for the vehicle
29 and shall also issue a registration card and registration
30 plates ~~for the vehicle~~ to the applicant if the applicant is
31 not in possession of registration plates which may be attached
32 to the vehicle, however, if the registration fee for the
33 vehicle has been paid for the current year, the county
34 treasurer shall issue a registration card and registration
35 plates ~~for the vehicle~~ to the applicant if the applicant is

1 not in possession of registration plates which may be attached
2 to the vehicle upon payment of an additional registration
3 fee of five dollars. A vehicle with a restricted certificate
4 of title shall not have a registration plate attached to the
5 vehicle.

6 5. A motor vehicle which has a restricted certificate
7 of title may be sold or otherwise transferred as provided
8 in this section, except provisions pertaining to the surrender
9 of the current registration-plates-and registration card shall
10 not apply; however, such motor vehicle may be sold or otherwise
11 transferred pursuant to section 321.48 to a dealer licensed
12 under chapter 322 without compliance with the provisions of
13 this section.

14 6. ~~No~~ A vehicle sold or otherwise transferred pursuant
15 to the provisions of this section shall not be driven upon
16 the highway until a valid official certificate of inspection
17 has been affixed thereto to the vehicle and an unrestricted
18 certificate of title, a registration card, ~~and registration~~
19 ~~plates~~ for the vehicle have been issued to the purchaser-or
20 ~~transferee-except-as-set-out-in-section-321-98~~ and the
21 transferee or purchaser has properly attached valid
22 registration plates on the vehicle. However, upon receipt
23 of an affidavit signed by the owner of the vehicle stating
24 that the vehicle is reasonably safe for operation, an
25 inspection station may issue a permit authorizing the owner
26 to operate the vehicle to and from a specific inspection
27 station. The affidavit and permit mentioned in this section
28 shall be on forms prescribed and furnished by the department
29 which shall forward these forms to each county treasurer where
30 they shall be made available upon request, such permit shall
31 be valid for forty-eight hours after issuance by inspection
32 station.

33 7. The provisions of this section, except provisions
34 pertaining to the surrender of a current registration plates
35 ~~and registration~~ card, shall also be applicable to the insurer

1 of any vehicle who obtains ownership of the vehicle as a
2 result of settlement resulting from the theft of a motor
3 vehicle which has not been recovered, provided the vehicle
4 has been reported stolen as provided in ~~section-321-85~~ sections
5 three hundred twenty-one point seventy-two (321.72) and three
6 hundred twenty-one point seventy-three (321.73) of the Code
7 and written proof of payment to the insured, resulting from
8 such theft, is submitted by the applicant. Proof of payment
9 for loss due to theft shall be submitted on forms prescribed
10 or provided by the department.

11 Sec. 19. Section three hundred twenty-one point fifty-
12 two (321.52), Code 1977, is amended to read as follows:

13 321.52 DISMANTLED OR DESTROYED VEHICLES.

14 1. When a vehicle is permanently dismantled or destroyed
15 so that it can no longer be used on the public highway or
16 is sold by the owner, dealer or otherwise, for junk, the owner
17 shall detach the registration plates and registration card
18 and surrender ~~same~~ both, unless the registration plates are
19 properly attached to another vehicle, along with the
20 certificate of title to the county treasurer who shall cancel
21 same on ~~his~~ the person's records and forward the certificate
22 of title to the department. The certificate of title
23 surrendered by the owner shall have noted thereon the purpose
24 of cancellation and the name of the purchaser if sold for
25 junk and such notation shall be duly signed by the owner.
26 The department shall notify the title issuing county, if other
27 than the county where title was surrendered, authorizing the
28 treasurer to cancel and destroy all records pertaining to
29 the particular vehicle. The department is not authorized
30 to make a refund of license fees on a dismantled, destroyed
31 or junked vehicle unless and until the certificate of title
32 ~~thereto~~ has been surrendered.

33 2. When a vehicle is sold outside the state for purposes
34 other than for junk the owner, dealer or otherwise, ~~thereof,~~
35 shall detach the registration plates and registration card

1 and shall indicate on the reverse side of such registration
2 card the name and address of the foreign purchaser or
3 transferee over ~~his~~ the person's signature. The owner shall
4 surrender the registration plates and registration card to
5 the county treasurer, unless the registration plates are
6 properly attached to another vehicle, who shall cancel ~~his~~
7 the records and shall destroy the registration plates and
8 forward the registration card to the department. The
9 department shall make a notation on the records of the out-
10 of-state sale, and, after a reasonable period, may destroy
11 the files to that particular vehicle ~~except-the-motor-file~~.
12 The department is not authorized to make a refund of license
13 fees on a vehicle sold out of state ~~unless-and-until-it~~
14 ~~receives-the-registration-card-completed-as-herein-provided~~.

15 Sec. 20. Section three hundred twenty-one point fifty-
16 seven (321.57), unnumbered paragraph one (1), Code 1977, is
17 amended to read as follows:

18 A dealer owning any vehicle of a type otherwise required
19 to be registered hereunder may operate or move the same up-
20 on the highways solely for purposes of transporting, test-
21 ing, demonstrating or selling the same without registering
22 each such vehicle upon condition that any such vehicle dis-
23 play thereon in the manner prescribed in sections 321.37 and
24 321.38 a special plate ~~or-plates~~ issued to such owner as
25 provided in sections 321.58 to 321.62. In addition to the
26 foregoing, a new car dealer or a used car dealer may operate
27 or move upon the highways any new or used car or trailer owned
28 by him for either private or business purposes without
29 registering the same providing, (1) such new or used car or
30 trailer is in the dealer's inventory and is continuously
31 offered for sale at retail, and (2) there is displayed thereon
32 a special plate ~~or-plates~~ issued to such dealer as provided
33 in sections 321.58 to 321.62.

34 Sec. 21. Section three hundred twenty-one point fifty-
35 eight (321.58), Code 1977, is amended to read as follows:

1 321.58 APPLICATION. Any dealer in new or used cars may,
2 upon payment of a fee of thirty-five dollars, make applica-
3 tion to the department upon the appropriate form for a
4 certificate containing a general distinguishing number and
5 for one or more ~~pairs-of-special-plates-or-single~~ special
6 plates as appropriate to various types of vehicles subject
7 to registration ~~hereunder~~, and all other dealers or trans-
8 porters may, upon the payment of a fee of twenty-five dol-
9 lars, make an application to the department in a like man-
10 ner for a like certificate and number and plates as appro-
11 priate to various types of vehicles subject to registration
12 ~~hereunder~~. The applicant shall also submit proof of ~~his the~~
13 applicant's status as a bona fide transporter or dealer as
14 may reasonably be required by the department. Dealers in
15 new vehicles shall furnish satisfactory evidence of a valid
16 franchise with the manufacturer of such vehicles authorizing
17 such dealership.

18 Sec. 22. Section three hundred twenty-one point sixty
19 (321.60), Code 1977, is amended to read as follows:

20 321.60 ISSUANCE OF SPECIAL PLATES. The department shall
21 also issue special plates as applied for, which shall have
22 displayed ~~thereon-an-identification-of-the-type-of-vehicle~~
23 ~~and-if-a-car,-whether-it-is-a-new-or-used-car-and~~ the gen-
24 eral distinguishing number assigned to the applicant. Each
25 plate ~~or-pair-of-plates~~ so issued shall also contain a num-
26 ber or symbol identifying the same from every other plate
27 ~~or-pair-of-plates~~ bearing the same general distinguishing
28 number. The fee for each special plate ~~or-pair-of-special~~
29 ~~plates-for-new-car-and-used-car-plates~~ shall be ten dollars.
30 ~~For-all-other-special-plates-the-fee-for-each-special-plate~~
31 ~~or-pair-of-special-plates-shall-be-three-dollars.~~

32 Special plates may be validated in the same manner as
33 regular registration plates under this chapter at an annual
34 fee of ten dollars.

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

1 four (321.104), Code 1977, is amended by adding the following
2 new subsection:

3 NEW SUBSECTION. For a dealer to sell or transfer a mobile
4 home without delivering to the purchaser or transferee a
5 certificate of title, a manufacturer's or importer's
6 certificate properly assigned to the purchaser, or to transfer
7 a mobile home without disclosing to the purchaser the owner
8 of the mobile home in a manner prescribed by the department
9 pursuant to rules.

10 Sec. 24. Section three hundred twenty-one point one hundred
11 five (321.105), unnumbered paragraph one (1), Code 1977, is
12 amended to read as follows:

13 An annual registration fee shall be paid for each meter
14 vehicle or-trailer operated upon the public highways of this
15 state unless said the vehicle is specifically exempted under
16 the provisions of this chapter. If a vehicle, which has been
17 registered for the year, is transferred during the registration
18 year, the transferee shall re-register the vehicle as provided
19 in section three hundred twenty-one point forty-six (321.46)
20 of the Code, without payment of an additional annual registra-
21 tion fee.

22 Sec. 25. Section three hundred twenty-one point one hun-
23 dred twenty-one (321.121), Code 1977, is amended to read as
24 follows:

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

35 Sec. 26. Section three hundred twenty-one point one hun-

1 dred twenty-six (321.126), subsection one (1), Code 1977,
2 is amended to read as follows:

3 321.126 REFUNDS OF FEES.

4 1. If the motor vehicle is destroyed by fire or accident,
5 or junked and its identity as a motor vehicle entirely
6 eliminated, or removed and continuously used beyond the
7 boundaries of this state, the owner in whose name the motor
8 vehicle was registered at the time of such destruction,
9 dismantling or removal from the state shall return the plates
10 to the county treasurer or the department, unless the
11 registration plates are retained and properly attached to
12 another motor vehicle, and within thirty days thereafter make
13 affidavit of such destruction, dismantling, or removal and
14 make claim for refund. With reference to the destruction
15 or dismantling of a vehicle, the affidavit shall be accompanied
16 by the certificate of title, if titled in Iowa, as provided
17 in section 321.52. With reference to the removal of a vehicle
18 from this state as provided herein, the affidavit shall contain
19 a statement indicating the foreign registration number of
20 such vehicle, the name and address of the official of the
21 foreign state to whom the Iowa certificate of title, if any,
22 has been surrendered, and the number of the foreign certificate
23 of title issued for such vehicle if registered in a title
24 law state.

25 Sec. 27. Section three hundred twenty-one point one hun-
26 dred twenty-seven (321.127), Code 1977, is amended to read
27 as follows:

28 321.127 AMOUNT OF REFUND. For December and each succeeding
29 month the refund for motor vehicles shall be computed on the
30 basis of one-fourth of the annual registration fee multiplied
31 by the number of remaining quarters of the year from date
32 of the return of the vehicles plates to filing of the claim
33 for refund with the county treasurer, computed to the nearest
34 quarter dollar. The department, unless reasonable grounds
35 exist for delay, shall make refund on or before the fifteenth

1 day of the quarter following the quarter in which the claim
2 is filed with the department. For trailers or semitrailers
3 issued a multiyear registration plate a refund shall be paid
4 equal to the annual fee for twelve months times the remaining
5 number of complete calendar years.

6 Sec. 28. Section three hundred twenty-one point one hun-
7 dred thirty-four (321.134), unnumbered paragraph one (1),
8 Code 1977, is amended to read as follows:

9 On February 4 first of each year, a penalty of five percent
10 of the annual registration fee shall be added to all fees
11 not paid by that date, and five percent of the annual
12 registration fee shall be added to such fees on the first
13 of each month thereafter that the same remains unpaid, until
14 paid, provided that the penalty in no case shall be less than
15 one dollar, and provided that the owner of a vehicle who,
16 before February 4 first of any year, surrenders all
17 registration plates for that vehicle to the county treasurer
18 of the county in which said plates are of record, shall have
19 the right to register the vehicle at any later period of that
20 year by paying the full yearly registration fee without
21 penalty. Provided, however, that the annual registration
22 fee for trucks, truck tractors, road tractors, trailers and
23 semitrailers, as provided in sections 321.120 to 321.123,
24 when said annual registration fee is in excess of seventy
25 dollars, may be payable in two ~~equal~~ semiannual installments
26 except that semiannual installments shall not apply to
27 commercial vehicles subject to proportional registration with
28 a base state other than the state of Iowa as defined in section
29 326.2, subsection 6.

30 Sec. 29. Section three hundred twenty-one point one hundred
31 fifty-two (321.152), Code 1977, is amended to read as follows:

32 321.152 FEE FOR COUNTY. Each county treasurer shall be
33 allowed to retain for deposit in the county general fund,
34 seventy-five-cents two point six percent (2.6%) of the total
35 collection for each annual or semiannual vehicle registration

1 and each duplicate registration card or plate issued; sixty-
2 five percent (65%) of all fees collected for certificates
3 of title and certified copies of certificates of title; and
4 one hundred percent (100%) of all fees collected for notation
5 of security interests ~~notations-of-lien-or-encumbrance-and~~
6 ~~certified-copy-of-a-certificate-of-title~~. The monies retained
7 shall be deducted, and reported to the department, when the
8 county treasurer transfers the money collected under the
9 provisions of this chapter; provided, however, that no such
10 deduction shall be lawful unless the county treasurer has
11 complied with the provisions of sections 321.24 and 321.153.

12 Sec. 30. Section three hundred twenty-one point one hun-
13 dred sixty-six (321.166), Code 1977, is amended by striking
14 the section and inserting in lieu thereof the following:

15 321.166 VEHICLE PLATE SPECIFICATIONS. Vehicle registra-
16 tion plates shall conform to the following specifications:

17 1. Registration plates shall be of metal and of a size
18 not to exceed six inches by twelve inches, except that the
19 size of plates issued for use on motorized bicycles and
20 motorcycles shall be established by the department.

21 2. Every registration plate or pair of plates shall dis-
22 play a registration plate number which shall consist of alpha-
23 betical or numerical characters or a combination thereof and
24 the name of this state, which may be abbreviated. Every
25 registration plate issued by the county treasurer shall dis-
26 play the name of the county except plates issued for motor
27 trucks, truck tractors, motorcycles, motorized bicycles,
28 travel trailers, mobile homes, semitrailers and trailers.

29 The year of expiration or the date of expiration shall be
30 displayed on vehicle registration plates, except plates issued
31 under the provisions of section three hundred twenty-one point
32 nineteen (321.19) of the Code. Registration plates issued
33 for motor trucks and truck tractors shall be designed in such
34 a manner that the gross weight for which the vehicle is
35 registered may be displayed on the plate. Special truck

1 registration plates shall display the word "special".

2 3. The registration plate number shall be displayed in
3 characters which shall not exceed a height of four inches
4 nor a stroke width exceeding five-eighths of an inch. Special
5 plates issued to dealers shall display the alphabetical
6 character "D", which shall be of the same size of the
7 characters in the registration plate. The registration plate
8 number issued for motorized bicycles and motorcycles shall
9 be a size prescribed by the department.

10 4. The registration plate number, except on motorized
11 bicycle and motorcycle registration plates, shall be of
12 sufficient size to be readable from a distance of one hun-
13 dred feet during daylight.

14 5. There shall be a marked contrast between the color
15 of the registration plates and the data which is required
16 to be displayed on the registration plates. When a new series
17 of registration plates is issued to replace a current series,
18 the new registration plates shall be of a distinctively
19 different color from the series which is replaced.

20 Sec. 31. Section three hundred twenty-one point one hun-
21 dred seventy-six (321.176), subsection four (4), Code 1977,
22 is amended to read as follows:

23 4. A nonresident who is at least eighteen years of age
24 and who has in his immediate possession a valid chauffeur's
25 license issued to ~~him-in-his~~ the person in the person's home
26 state or country may operate a motor vehicle in this state
27 either as an operator or chauffeur ~~except-any-such-person~~
28 ~~must-be-licensed-as-a-chauffeur-hereunder-before-accepting~~
29 ~~employment-as-a-chauffeur-from-a-resident-of-this-state.~~

30 Sec. 32. Section three hundred twenty-one point one hundred
31 seventy-eight (321.178), subsection two (2), Code 1977, is
32 amended to read as follows:

33 2. YOUTHS NOT ATTENDING SCHOOL--NO DRIVER'S TRAINING
34 REQUIRED. Any person under the age of eighteen who is not
35 attending a public or private school in which an approved

1 driver's education course is offered or available, shall not
2 be required to complete an approved driver's education course
3 prior to being entitled to receive a one-year probationary
4 operator's license from the department. Any person who re-
5 enters any private or public school prior to age eighteen
6 shall be required to attend an approved driver's education
7 course, nowever, the department shall not suspend or revoke
8 the motor vehicle license issued to the person prior to the
9 person's re-entry into a public or private school, except
10 for violations of this chapter.

11 Sec. 33. Section three hundred twenty-one point one hundred
12 eighty (321.180), Code 1977, is amended by adding the following
13 new subsection:

14 NEW SUBSECTION. A person, upon meeting each of the
15 following requirements, shall be eligible to apply for a
16 chauffeur's instruction permit valid for the operation of
17 a motor vehicle requiring a chauffeur's license when the
18 permittee is accompanied by a person, possessing a valid
19 chauffeur's license, properly licensed to drive the motor
20 vehicle and actually occupying a seat beside the permittee.
21 An applicant must be at least eighteen years of age, otherwise
22 qualified to obtain a valid chauffeur's license and must
23 meet the requirements of section three hundred twenty-one
24 point one hundred eighty-six (321.186) other than a driving
25 demonstration. The chauffeur's instruction permit shall be
26 valid for a period not to exceed two years and shall be
27 returned to the department upon receipt of a valid chauffeur's
28 license. Issuance of a chauffeur's instruction permit shall
29 not require the surrender of a valid operator's license.

30 Sec. 34. Section three hundred twenty-one point one hundred
31 ninety-one (321.191), unnumbered paragraph one (1), Code 1977,
32 is amended to read as follows:

33 The fee for an operator's license shall be five dollars
34 if issued for a period of two years, and ten dollars if issued
35 for a period of four years. The fee for a chauffeur's license

1 shall be ten dollars if issued for a period of two years,
2 and twenty dollars if issued for a period of four years.
3 The fee for an instruction permit shall be three dollars,
4 for a chauffeur's instruction permit, six dollars, for a
5 temporary driver's permit, five dollars and for a motorized
6 bicycle license, five dollars.

7 Sec. 35. Section three hundred twenty-one point one hundred
8 ninety-six (321.196), unnumbered paragraph one.(1), Code 1977,
9 is amended to read as follows:

10 Prior to July 1, 1975, the director shall issue, under
11 rules formulated by ~~him~~ the director, operators' licenses
12 valid for two or four years. Each operator's license issued
13 after July 1, ~~1975~~ 1977, shall expire four years from the
14 licensee's birthday anniversary occurring in the year of is-
15 suance if the licensee is between the ~~age-of-twenty-one~~ ages
16 of eighteen and sixty-five years on the date of issuance of
17 the license, otherwise for a period of two years but shall
18 be renewable without written examination or penalty within
19 a period of thirty days after such birthday anniversary and
20 such person shall not be considered to be driving with an
21 invalid license during such period before renewal, however
22 for any license renewed within such thirty-day period, the
23 date of issuance shall be considered to be the previous
24 birthday anniversary on which it expired. Applicants whose
25 licenses are restricted due to vision or other physical
26 deficiencies may be required to renew their licenses every
27 two years. For the purposes of this section the birthday
28 anniversary of a person born on February ~~29~~ twenty-ninth shall
29 be deemed to occur on March ~~4~~ first. All applications for
30 renewal of operators' licenses shall be made under the direct
31 supervision of a uniformed member of the department and shall
32 be approved by such uniformed member. The director may ~~7~~ in
33 ~~his discretion~~, authorize the renewal of a valid license upon
34 application without an examination provided that, a person
35 holding such license has not more than three convictions of

1 moving traffic violations during the previous two years and,
2 provided that such person satisfactorily passes a vision test
3 as prescribed by the department.

4 Sec. 36. Section three hundred twenty-one point one hun-
5 dred ninety-seven (321.197), Code 1977, is amended to read
6 as follows:

7 321.197 EXPIRATION OF CHAUFFEUR'S LICENSE. Every chauf-
8 feur's license issued hereunder shall expire every two or
9 four years at the option of the applicant ~~thirty-days-after~~
10 on the licensee's birthday anniversary. A chauffeur's license
11 may be renewed within thirty days after the applicant's license
12 expiration date without written examination or penalty. A
13 person shall not be considered to be driving with an invalid
14 license during a period of thirty days following the license
15 expiration date. However, if the licensee is sixty-five years
16 of age or older on the date of issuance of the license, such
17 license shall be issued to be valid for two years. Persons
18 whose birthdays occur on Februrary ~~29~~ twenty-ninth shall be
19 deemed to occur on March ~~4~~ first, for the purpose of this
20 section. The department in its discretion may waive the
21 examination of any such applicant previously licensed as a
22 chauffeur under this chapter, provided that such person
23 satisfactorily passes a vision test as prescribed by the
24 department. All applications for the renewal of a chauf-
25 feur's license shall be made under the direct supervision
26 of a uniformed member of the department and shall be approved
27 by such uniformed member.

28 Sec. 37. Section three hundred twenty-one point two hundred
29 sixteen (321.216), Code 1977, is amended by adding the fol-
30 lowing new subsection:

31 NEW SUBSECTION. To obtain, possess or have in one's con-
32 trol or on one's premises blank motor vehicle license forms.

33 Sec. 38. Section three hundred twenty-one point three
34 hundred fifty-four (321.354), Code 1977, is amended to read
35 as follows:

1 321.354 STOPPING ON TRAVELED WAY. Upon any highway outside
2 of a business or residence district no person shall stop,
3 park, or leave standing any vehicle, whether attended or
4 unattended, upon the paved or improved or main traveled part
5 of the highway when it is practical to stop, park, or so leave
6 such vehicle off such part of said highway, but in every event
7 a clear and unobstructed width of at least twenty feet of
8 such part of the highway opposite such standing vehicle shall
9 be left for the free passage of other vehicles and a clear
10 view of such stopped vehicle be available from a distance
11 of two hundred feet in each direction upon such highway;
12 provided, however, school buses may stop on highway for
13 receiving and discharging pupils and all other vehicles shall
14 stop for school buses which are stopped to receive or discharge
15 pupils, as provided in section 321.372. This section shall
16 not apply to a vehicle making a turn as provided in section
17 three hundred twenty-one point three hundred eleven (321.311)
18 of the Code.

19 Sec. 39. Section three hundred twenty-one point four
20 hundred forty-seven (321.447), unnumbered paragraph one (1),
21 Code 1977, is amended to read as follows:

22 No A person shall not operate any motor truck or truck
23 tractor, except a motor vehicle with a combined gross weight
24 of less than four tons upon a highway outside of a business
25 or residence district at any time from a half hour after
26 sunset to a half hour before sunrise unless there shall be
27 carried in such vehicle a sufficient number, not less than
28 three, of flares, red reflector electric lanterns, red
29 reflectors, reflective triangles or other signals capable
30 of continuously producing three warning lights each visible
31 from a distance of at least five hundred feet for a period
32 of at least eight hours, except that a motor vehicle
33 transporting flammables shall carry red reflectors, red
34 reflector electric lanterns or reflective triangles in place
35 of the other signals above mentioned, and during daylight

1 hours every truck, except a motor vehicle with a combined
2 gross weight of less than four tons, shall carry a sufficient
3 number of red flags, not less than three, unless equipped
4 with three reflective triangles.

5 Sec. 40. Section three hundred twenty-one point four hun-
6 dred sixty (321.460), Code 1977, is amended to read as follows:

7 321.460 SPILLING LOADS ON HIGHWAYS. ~~No~~ A vehicle shall
8 not be driven or moved on any highway by any person unless
9 such vehicle is so constructed or loaded or the load securely
10 covered as to prevent any of its load from dropping, sifting,
11 leaking, or otherwise escaping ~~therefrom~~ or its load covering
12 from dropping from the vehicle, except that sand may be dropped
13 for the purpose of securing traction, or water or other
14 substance may be sprinkled on a roadway in cleaning or
15 maintaining such roadway.

16 Sec. 41. Chapter three hundred twenty-one E (321E), Code
17 1977, is amended by adding the following new section:

18 NEW SECTION. EXCESS SIZE DIVISIBLE LOAD PERMITS. Vehi-
19 cles or a combination of vehicles with divisible loads may
20 be moved on the highways of this state pursuant to a special
21 permit issued for special or emergency situations by the
22 department or local authorities subject to the discretion
23 and judgment provided for in section three hundred twenty-
24 one E point one (321E.1) of the Code. The combined gross
25 weight or gross weight on any one axle or group of axles may
26 exceed the limits established in section three hundred twenty-
27 one point four hundred sixty-three (321.463) of the Code,
28 subject to the limits and routes established by the issuing
29 authority.

30 Sec. 42. Section three hundred twenty-one E point one
31 (321E.1), Code 1977, is amended to read as follows:

32 321E.1 PERMITS BY DEPARTMENT. The department and local
33 authorities may in their discretion and upon application and
34 with good cause being shown therefor issue permits for the
35 movement of construction machinery being temporarily moved

1 on streets, roads or highways and for vehicles with indivisible
2 loads carried thereon which exceed the maximum dimensions
3 and weights specified in sections 321.452 to 321.466, but
4 not to exceed the limitations imposed in sections 321E.1 to
5 321E.15 except as provided in section thirty-nine (39) of
6 this Act. Permits so issued may be single-trip permits or
7 annual permits. All permits shall be in writing and shall
8 be carried in the cab of the vehicle for which the permit
9 has been issued and shall be available for inspection at all
10 times. The vehicle and load for which the permit has been
11 issued shall be open to inspection by any peace officer or
12 to any authorized agent of any permit granting authority.
13 When in the judgment of the issuing local authority in cities
14 and counties the movement of a vehicle with an indivisible
15 load or construction machinery which exceeds the maximum
16 dimensions and weights will be unduly hazardous to public
17 safety or will cause undue damage to streets, avenues,
18 boulevards, thoroughfares, highways, curbs, sidewalks, trees,
19 or other public or private property, the permit shall be
20 denied and the reasons therefor endorsed upon the application.
21 Permits issued by local authorities shall designate the days
22 when and routes upon which loads and construction machinery
23 may be moved within the county on other than primary roads.

24 Sec. 43. Section three hundred twenty-two point two
25 (322.2), subsection four (4), Code 1977, is amended to read
26 as follows:

27 4. "At retail" means to dispose of a motor vehicle to
28 a person who may will devote it to a consumer use.

29 Sec. 44. Section three hundred twenty-five point one
30 (325.1), Code 1977, is amended by adding the following new
31 subsections:

32 NEW SUBSECTION. The term "carpool" means transportation
33 of a group of at least two riders in a vehicle having a seating
34 capacity for not more than eight passengers between a rider's
35 residence or other designated location and a rider's place

1 of employment, when the vehicle is driven by one of the members
2 of the group.

3 NEW SUBSECTION. The term "vanpool" means transportation
4 of a group of riders in a vehicle having a seating capacity
5 for not less than eight passengers and not more than fifteen
6 passengers between a rider's residence or other designated
7 location and a rider's place of employment, when the vehicle
8 is driven by one of the members of the group.

9 Sec. 45. Section three hundred twenty-five point six
10 (325.6), unnumbered paragraph one (1), Code 1977, is amended
11 to read as follows:

12 It is hereby declared unlawful for any motor carrier,
13 except a person operating a motor vehicle in a carpool or
14 vanpool, to transport over a regular route or between fixed
15 termini any person or property, for compensation, from any
16 point or place in the state of Iowa to another point or place
17 in said state irrespective of the route, highway or highways
18 traversed, including the crossing of any state line of the
19 state of Iowa, or the ticket or bill of lading issued and
20 used for such transportation, without first having obtained
21 from the board a certificate declaring that public convenience
22 and necessity require such operation. No carrier of passengers
23 shall operate as a charter carrier in this state unless already
24 possessed of a certificate of convenience and necessity as
25 a common carrier of passengers and operating in this state
26 as such common carrier or possesses a certificate of
27 convenience and necessity to engage in the business of a
28 charter carrier.

29 Sec. 46. Section three hundred twenty-five point twenty-
30 five (325.25), Code 1977, is amended to read as follows:

31 325.25 TRANSFER OF CERTIFICATE. No certificate of con-
32 venience and necessity shall be sold, transferred, leased,
33 or assigned until the motor carrier shall have operated
34 thereunder for at least ninety days continuous service, nor
35 shall any contract or agreement with reference to or affect-

1 ing any such certificate be made except with the written ap-
2 proval of the board. Nor shall any person be permitted to
3 take over any such certificate unless ~~he or it shall possess~~
4 ~~all the qualifications of and meet all the requirements and~~
5 ~~assume all the obligations imposed upon an original appli-~~
6 ~~cant~~ the board determines that such person is willing and
7 able to perform the operations authorized by the certificate
8 and that such transfer is consistent with the public interest.

9 Sec. 47. Section three hundred twenty-six point thirteen
10 (326.13), Code 1977, is amended to read as follows:

11 326.13 INFORMATION UNDER OATH. The department shall re-
12 quire fleet owners to submit under oath any information deemed
13 necessary to carry out the provisions of this chapter. In-
14 formation furnished under this chapter shall be forwarded
15 to the director of the department by each fleet owner no later
16 than ~~November 4 preceding each~~ January first of the current
17 registration year.

18 Sec. 48. Section three hundred twenty-seven A point two
19 (327A.2), Code 1977, is amended by adding the following new
20 paragraph:

21 NEW PARAGRAPH. The board may allow the provision of
22 temporary service for which there is an immediate and urgent
23 need to point or points requested by the application for a
24 certificate of public convenience and necessity upon
25 consideration by the board and a finding that the point or
26 points do not have liquid bulk carrier service capable of
27 meeting such need or that a carrier is not currently serving
28 those points. Upon meeting the requirements of this chapter
29 and the rules of the board, such temporary authority, unless
30 suspended or revoked for good cause, shall be valid for such
31 time as the board shall specify but not to exceed one hundred
32 twenty days. Granting temporary authority shall not create
33 a presumption that the corresponding application will
34 subsequently be granted.

35 Sec. 49. Section three hundred twenty-one point seventy-

1 five (321.75), Code 1977, is repealed effective July 1, 1977.
2 Sec. 50. Sections three hundred twenty-one point twenty-
3 six (321.26), three hundred twenty-one point twenty-seven
4 (321.27), three hundred twenty-one point thirty-four (321.34),
5 subsection five (5), three hundred twenty-one point thirty-
6 five (321.35), three hundred twenty-one point thirty-six
7 (321.36), three hundred twenty-one point one hundred twenty-
8 six (321.126), subsection two (2), and three hundred twenty-
9 one point one hundred eighty-eight (321.188), Code 1977, are
10 repealed.

11 Sec. 51. Sections one hundred thirty-five D point twenty-
12 six (135D.26), subsection two (2), three hundred twenty-one
13 point twenty-five (321.25), three hundred twenty-one point
14 twenty-six (321.26), three hundred twenty-one point twenty-
15 seven (321.27), three hundred twenty-one point thirty-four
16 (321.34), subsections one (1), two (2), four (4), and five
17 (5), three hundred twenty-one point thirty-five (321.35),
18 three hundred twenty-one point thirty-six (321.36), three
19 hundred twenty-one point thirty-nine (321.39), three hundred
20 twenty-one point forty-seven (321.47), three hundred twenty-
21 one point forty-eight (321.48), subsection one (1), three
22 hundred twenty-one point fifty-one (321.51), subsections three
23 (3), four (4), five (5), six (6) and seven (7), three hundred
24 twenty-one point fifty-two (321.52), three hundred twenty-
25 one point fifty-seven (321.57), three hundred twenty-one point
26 fifty-eight (321.58), three hundred twenty-one point sixty
27 (321.60), three hundred twenty-one point one hundred five
28 (321.105), unnumbered paragraph one (1), three hundred twenty-
29 one point one hundred twenty-one (321.121), three hundred
30 twenty-one point one hundred twenty-six (321.126), subsections
31 one (1) and two (2), three hundred twenty-one point one hundred
32 twenty-seven (321.127), three hundred twenty-one point one
33 hundred sixty-six (321.166), and three hundred twenty-one
34 point one hundred eighty-eight (321.188) of the Code as amended
35 or repealed by this Act shall be effective December 1, 1978

1 for the calendar year beginning January 1, 1979.

2 EXPLANATION

3 Sections 1, 5, 7, 9, 13, 14, 17, 18, 23, 24, 25, 26 and
4 28 provide for the retention of motor vehicle registration
5 plates upon transfer of a motor vehicle. The seller must
6 either attach the plates to another motor vehicle and proper-
7 ly register the motor vehicle or the seller must return the
8 plates to the county treasurer or appropriate state agency
9 within thirty days.

10 Section 2 provides for issuance of sample registration
11 plates for a fee of three dollars.

12 Section 3 defines "multipurpose vehicle" as a vehicle for
13 occasional off the road use, and "motor vehicle license" as
14 any license or permit issued to a person to operate a motor
15 vehicle.

16 Section 4 provides for red stars on registration plates
17 for Iowa highway safety patrol vehicles.

18 Section 6 provides that the department may eliminate state
19 records of security interests on certificates of title and
20 allows destruction of records for vehicles not requested for
21 seven consecutive years.

22 Section 7 provides for special and personalized plates
23 issued for \$25 and annual validation for \$5.

24 Section 8 states that the dealer registration plate shall
25 be attached to the rear of the vehicle.

26 Section 10 allows for re-registration in a new county of
27 residence for a fee of \$5.

28 Section 11 provides for the department of transportation
29 to issue a new or substitute registration plate upon appli-
30 cation.

31 Section 12 states that a purchaser has seven calendar days
32 to apply for a registration of a motor vehicle after acquisi-
33 tion.

34 Section 15 allows seven days to apply for a certificate
35 of title after purchase.

1 Section 16 eliminates notation of security interests on
2 certificates of title maintained by the state department of
3 transportation.

4 Section 17, subsection 2 allows the transferee of a motor
5 vehicle to sign an affidavit stating the vehicle was pur-
6 chased under a restricted title.

7 Sections 19, 20, and 21 strike language referring to a
8 "set of plates" for dealers who will receive a single plate
9 to be used as a dealer plate.

10 Section 22 changes "motor vehicles" to "vehicle subject
11 to registration".

12 Section 27 allows the payment of unequal semiannual fees
13 for registration of truck tractors, trailers and semitrailers
14 and road tractors.

15 Section 29 allows a chauffeur licensed in another state
16 as a chauffeur to accept employment in Iowa without obtain-
17 ing an Iowa chauffeur's license.

18 Sections 30 and 31 provide for the issuance of a temporary
19 chauffeur's instruction permit valid for a period of two years
20 to allow for learning on motor vehicles requiring a chauffeur's
21 license. The cost of the chauffeur's instruction permit is
22 \$6.

23 Section 32 lowers the age from 21 to 18 at which time an
24 individual may obtain a four-year motor vehicle license.

25 Section 33 states a chauffeur's license expires on the
26 birthday anniversary with a thirty-day grace period for re-
27 newal.

28 Section 34 prohibits possession of blank motor vehicle
29 license forms or unique material which may be used to pre-
30 pare such forms.

31 Section 35 exempts turning vehicle from the prohibition
32 against stopping on a highway.

33 Section 36 exempts vehicles with a combined gross weight
34 of less than four tons from the requirement of carrying re-
35 flectors and flares on lanterns.

1 Section 37 requires the covering of loads to prevent
2 spilling on the highways.

3 Section 38 and 39 provide for special permits to move
4 excess size divisible loads under emergency situations.

5 Section 40 changes may to will in the definition of "at
6 retail".

7 Sections 41 and 42 provide for an exception for carpools
8 and vanpools from the requirement of obtaining a certificate
9 of public convenience and necessity.

10 Section 43 allows transfer of a certificate of public con-
11 venience and necessity upon proof of ability to perform the
12 services consistent with public interest.

13 Section 44 extends the period within which fleet owners
14 must file information with the department of transportation
15 from November first to January first.

16 Section 45 allows for temporary emergency liquid bulk
17 carrier service.

18 Sections 46 and 47 repeal certain sections.

19 Section 48 is the effective date section.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SF 167
slc/26C

SENATE FILE 167

S-3633

1 Amend the House amendment, S-3611 to Senate File
2 167 as follows:

3 1. Page 1, by striking lines 31 through 34 and
4 inserting in lieu thereof the words "installation of
5 permanent protection. A railroad crossing shall not
6 be found to be particularly hazardous for any purpose
7 unless the department has determined it to be
8 particularly hazardous."

9 2. Page 4, by inserting after line 28 the
10 following: "~~the age of sixteen years; provided that,~~
11 ~~effective August 1, 1966, the department shall not~~
12 ~~issue a license to any person, as an operator, who is~~
13 ~~under the age of seventeen years and effective August~~
14 ~~1, 1967, the department shall not issue a license to~~
15 ~~any person, as an operator, who is under~~".

16 3. Page 8, line 38, by striking the figure "1983"
17 and inserting in lieu thereof the figure "1982".

S-3633 FILED - *H/D 5/18 (p. 1676)* BY RICHARD F. DRAKE

SENATE FILE 167

S-3644

1 Amend the House amendment, S-3611 to Senate File
2 167 as follows:

3 1. Page 1, by striking lines 31 through 34 and
4 inserting in lieu thereof the words "installation of
5 permanent protection. A railroad crossing shall not
6 be found to be particularly hazardous for any purpose
7 unless the department has determined it to be
8 particularly hazardous."

9 2. Page 4, by inserting after line 28 the
10 following: "~~the age of sixteen years; provided that,~~
11 ~~effective August 1, 1966, the department shall not~~
12 ~~issue a license to any person, as an operator, who is~~
13 ~~under the age of seventeen years and effective August~~
14 ~~1, 1967, the department shall not issue a license to~~
15 ~~any person, as an operator, who is under~~".

16 3. Page 8, line 39, by striking the figure "1982"
17 and inserting in lieu thereof the figure "1983".

S-3644 FILED *adopted 5/18 (p. 1676)* BY RICHARD F. DRAKE
MAY 17, 1977 CLOYD E. ROBINSON

SENATE FILE 167

H-3405

1 Amend Senate File 167, as amended, passed and
2 reprinted by the Senate, page 20, line 34, by striking
3 the words "two point six percent (2.6%)" and inserting
4 in lieu thereof the words "three percent".

H-3405 FILED - *Let 5/12* BY MILLER of Buchanan
MARCH 24, 1977 (*p. 2141*)

SENATE FILE 167

H-3455

1 Amend Senate File 167, as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 22, by inserting after line 19 the
4 following: "All motor vehicle registration
5 plates shall be treated with a retro-reflective
6 material according to specifications prescribed
7 by the director."

H-3455 FILED *Withdrawn* BY DIELEMAN of Marion
MARCH 31, 1977 (*5/12 (2141)*)

SENATE FILE 167

S-3662

1 Amend the House amendment, S-3611, to Senate File
2 167, as amended, passed and reprinted by the Senate,
3 as follows:
4 1. Page 5, by striking lines 17 through 28 and
5 inserting in lieu thereof the following: "and eighteen
6 years of age who is not attending in attendance at
7 school or in a public or private school in which where
8 an approved driver's education course is offered or
9 available, shall not be required to complete may be
10 issued a one-year probationary operator's license
11 without having completed an approved driver's education
12 course prior to being entitled to receive a one-year
13 probationary operator's license from the department.
14 Any person who re-enters any private or public school
15 prior to age eighteen shall be required to attend
16 an approved driver's education course. Such person
17 shall not have a probationary operator's license
18 revoked or suspended upon reentering school prior
19 to age eighteen provided the student enrolls in and
20 completes the classroom portion of an approved driver's
21 education course as soon as a course is available."

S-3662 FILED & ADOPTED (*p. 1682*) BY ELIZABETH SHAW
MAY 18, 1977

S-3611
Page 11

1 Political subdivisions shall notify the board
2 within sixty days of the effective date of this Act,
3 of each existing resolution or ordinance which does
4 not conform with the provisions of this section.
5 Political subdivisions not notifying the board of
6 an existing resolution or ordinance during the calendar
7 year beginning January 1, 1976 shall have an additional
8 sixty days after the effective date of this Act to
9 notify the board. Failure to do so shall render the
10 resolution or ordinance void.

11 Such ordinances or resolutions may remain in effect
12 until the board has acted upon each ordinance or
13 resolution under the procedures specified in this
14 section."

15 32. Page 31, lines 5 and 6, are amended by strik-
16 ing the words and figure "three hundred twenty-one
17 point thirty-five (321.35)",

18 34. Amend the title, line 24, by inserting after
19 the word "turns," the words "relating to the width
20 and length of buses which may be operated on the
21 highways of this state,".

22 35. Amend the title page 1, line 5, by inserting
23 after the word "vehicles," the words "gold stars on
24 county sheriff's patrol vehicles, the elimination
25 of the requirement for completion of a driver education
26 course to obtain a motorized bicycle license, changing
27 the requirements of perfection of certain security
28 interests, use of a social security number on motor
29 vehicle license applications, special permits for
30 rubbish collection vehicles,".

31 36. Amend the title page 1, line 24, by striking
32 the words "less than four tons" and inserting in lieu
33 thereof the words "four tons or less".

34 37. Renumber sections and correct internal
35 references in conformance with this amendment.

S-3611 FILED
MAY 16, 1977

RECEIVED FROM THE HOUSE

*Senate amended (3662) 3648, 3644) and Concurred
5/18/77 (p. 1682)*

S-3611
Page 10

1 or person on the track.

2 3. When the train is disabled.

3 ~~4. When the train is in motion except while engaged~~

4 ~~in switching operations.~~

5 ~~5. When there is no vehicular traffic waiting~~

6 ~~to use the crossing.~~

7 6. 4. When necessary to comply with governmental
8 safety regulations including, but not limited to,
9 speed ordinances and speed regulations.

10 Any officer or employee of a railroad corporation
11 violating any provision of this section shall, upon
12 conviction be subject to the penalty provided in
13 section 327G.14. An employee shall not be guilty
14 of such violation if his action was necessary to
15 comply with the direct order or instructions of a
16 railroad corporation or its supervisors. Such guilt
17 shall then be with the railroad corporation.

18 The provisions of this section notwithstanding,
19 a political subdivision may pass a resolution or
20 ordinance regulating the length of time a specific
21 crossing may be blocked if the political subdivision
22 demonstrates such a resolution or ordinance is
23 necessary for public safety or convenience. If such
24 a resolution or ordinance is passed the political
25 subdivision shall immediately within thirty days of
26 the effective date of the resolution or ordinance
27 notify the board and the railroad corporation using
28 the crossing affected by the resolution or ordinance.
29 The resolution or ordinance shall not become effective
30 unless the board and the railroad corporation are
31 notified within thirty days. The resolution or
32 ordinance shall become effective thirty days after
33 such notification unless a person files an objection
34 to the resolution or ordinance with the board. If
35 an objection is filed the board shall hold a hearing
36 according to the rules established by the board.
37 The board may disapprove the resolution or ordinance
38 if public safety or convenience does not require such
39 a resolution or ordinance. The resolution approved
40 by the political subdivision shall be prima facie
41 evidence that the resolution is adopted to preserve
42 public safety or convenience.

43 The board when considering rebuttal evidence shall
44 weigh the benefits accruing to the political
45 subdivision as it bears to the general public use
46 compared to the burden placed on the railroad oper-
47 ation. Public safety or convenience may include,
48 but shall not be limited to, high traffic density
49 at a specific crossing of a main artery or interfer-
50 ence with the flow of authorized emergency vehicles.

S-3611
Page 9

1 rubbish vehicles and vehicles which transport compacted
2 rubbish from a rubbish collection point to a landfill
3 area operated pursuant to an annual special permit
4 shall be operated only over routes designated by the
5 local authority. Annual special permits for a
6 particular vehicle shall not be issued by the
7 department unless approved by the local authority
8 responsible for the roads over which the vehicle will
9 be operated. Annual special permits approved by the
10 issuing authority shall be issued upon payment of
11 an annual fee, in addition to other registration fees
12 imposed, of one hundred dollars to be paid to the
13 department for all nongovernmental vehicles."

14 23. Page 27, by inserting after line 29 the
15 following:

16 "NEW SECTION. A copy of the permits issued by
17 the state or county to move mobile homes shall be
18 sent to the county treasurer of the county of final
19 destination by the permit issuing officer. A one
20 dollar fee shall be added to the permit charge to
21 cover the costs of this service."

22 24. Page 28, line 34, by inserting after the word
23 "rider's" the words "or the owner-operator's".

24 25. Page 28, line 35, by inserting after the word
25 "rider's" the words "or the owner-operator's".

26 26. Page 29, line 1, by inserting after the word
27 "employment" the words "or other common destination
28 of the group".

29 27. Page 29, line 6, by inserting after the word
30 "rider's" the words "or the owner-operator's".

31 28. Page 29, line 7, by inserting after the word
32 "rider's" the words "or the owner-operator's".

33 29. Page 29, line 7, by inserting after the word
34 "employment" the words "or other common destination
35 of the group".

36 30. Page 30, line 6, by inserting after the word
37 "is" the word "fit,".

38 31. Page 30, by inserting after line 34 the follow-
39 ing section:

40 "Sec. ____ . Section three hundred twenty-seven
41 G point thirty-two (327G.32), Code 1977, is amended
42 to read as follows:

43 327G.32 BLOCKING HIGHWAY CROSSING. A railroad
44 corporation or its employees shall not operate any
45 train in such a manner as to prevent vehicular use
46 of any highway, street or alley for a period of time
47 in excess of ten minutes except:

48 1. When necessary to comply with signals affect-
49 ing the safety of the movement of trains.

50 2. When necessary to avoid striking any object

S-3611
Page 8

1 is moved on any other vehicle subject to registration,
2 such moves shall be subject to the permit requirements
3 for transporting loads exceeding eight feet in width
4 as required under chapter 321E.

5 Sec. _____. Section three hundred twenty-one point
6 four hundred fifty-seven (321.457), subsections one
7 (1) and two (2), Code 1977, are amended to read as
8 follows:

9 1. No single truck, unladen or with load, shall
10 have an overall length, inclusive of front and rear
11 bumpers, in excess of ~~thirty-five~~ forty feet.

12 2. No single bus, unladen or with load, shall
13 have an overall length, inclusive of front and rear
14 bumpers, in excess of forty feet, ~~provided that a~~
15 ~~bus in excess of thirty-five feet in overall length~~
16 ~~shall not have less than three axles."~~

17 21. Page 27, line 15, by inserting after the word
18 "roadway." the words "The provisions of this section
19 shall not apply to vehicles loaded with hay or stover.
20 or the products listed in section three hundred twenty-
21 one point four hundred sixty-six (321.466), unnumbered
22 paragraphs six (6) and seven (7) of the Code."

23 22. Page 27, by inserting after line 15 the
24 following:

25 "Sec. _____. Section three hundred twenty-one point
26 four hundred seventy-three (321.473), Code 1977, is
27 amended by adding the following new unnumbered
28 paragraph:

29 NEW UNNUMBERED PARAGRAPH. The department may issue
30 annual special permits for the operation of compacted
31 rubbish vehicles and vehicles which transport compacted
32 rubbish from a rubbish collection point to a landfill
33 area exceeding the weight limitation of section three
34 hundred twenty-one point four hundred sixty-three
35 (321.463) of the Code, but not exceeding a rear axle
36 gross weight for two axle vehicles of twenty-two
37 thousand pounds for the period commencing July 1,
38 1978 and ending June 30, 1983 and twenty thousand
39 pounds commencing July 1, 1982 and thereafter, and
40 for tandem axle vehicles or transferable auxiliary
41 axle vehicles not exceeding a gross weight on the
42 rear axles of thirty-six thousand pounds. Annual
43 special permits for the operation on secondary roads
44 shall be approved by the county engineer. Annual
45 special permits for a particular vehicle shall not
46 be issued by the department unless prior approval
47 is given by the county engineer of the county in which
48 the vehicle will be operated. Annual special permits
49 for operation on primary roads shall be approved by
50 the state department of transportation. Compacted

S-3611
Page 7

1 ~~chauffeur's license valid for operation of motorcycles.~~
2 A valid motorized bicycle license shall be returned
3 to the department prior to issuance of an operator's
4 or chauffeur's license ~~valid for operation of~~
5 ~~motorcycles."~~

6 17. Page 25, by inserting after line 32 the follow-
7 ing new section:

8 "Sec. _____. Section three hundred twenty-one point
9 three hundred forty-two (321.342), Code 1977, is
10 amended by adding the following new unnumbered
11 paragraph:

12 NEW UNNUMBERED PARAGRAPH. The department, city,
13 or county shall be required to post the standard sign
14 as prescribed by the manual on uniform traffic control
15 devices adopted by the department pursuant to section
16 three hundred twenty-one point two hundred fifty-two
17 (321.252) of the Code in advance of each railroad
18 grade crossing to warn the motorist that he or she
19 is approaching a railroad grade crossing. Upon
20 properly posting all railroad grade crossings within
21 its jurisdiction and upon implementing the standards
22 established in accordance with section three hundred
23 seven point twenty-six (307.26) of the Code, the
24 department, city, or county shall not have any other
25 affirmative duty to warn a motor vehicle operator
26 approaching or at the railroad grade crossing."

27 18. Page 26, line 24, by striking the words "less
28 than four tons" and inserting in lieu thereof the
29 words "four tons or less".

30 19. Page 27, line 2, by striking the words "less
31 than four tons" and inserting in lieu thereof the
32 words "four tons or less".

33 20. Page 27, by inserting after line 4 the follow-
34 ing new sections:

35 "Sec. _____. Section three hundred twenty-one point
36 four hundred fifty-four (321.454), Code 1977, is
37 amended to read as follows:

38 321.454 WIDTH OF VEHICLES. The total outside
39 width of any vehicle or the load thereon shall not
40 exceed eight feet except that a bus having a total
41 outside width not exceeding eight feet six inches,
42 exclusive of safety equipment, shall be exempt from
43 the permit requirements of chapter three hundred
44 twenty-one E (321E) of the Code and may be operated
45 on the public highways of the state. However, if
46 hay, straw or stover moved on any implement of
47 husbandry and the total width of load of the implement
48 of husbandry exceeds eight feet in width, the implement
49 of husbandry shall not be subject to the permit
50 requirements of chapter 321E. If hay, straw or stover

S-3611

Page 6

1 photograph; and a brief description of the licensee;
2 and the usual signature of the licensee. If prior
3 to the renewal date, a person desires to obtain an
4 operator's or chauffeur's license in the form
5 authorized by this section ~~prior to the person's~~
6 ~~renewal date~~, such license may be issued as a voluntary
7 replacement upon payment of the required fee. The
8 number of places where licenses are available shall
9 not be reduced because of procedures or equipment
10 required in placing colored photographs on licenses
11 or permits. The department shall provide a space
12 on every license where the licensee may affix a decal
13 or sticker indicating that the licensee is a donor
14 under the Uniform Anatomical Gift Act and shall provide
15 a space ~~shall be provided~~ where the licensee may affix
16 a symbol indicating the presence of a medical
17 condition. The license may contain such other
18 information as the department may by rule require.
19 No license shall be valid unless it bears the usual
20 signature of the licensee. ~~The distinguishing number~~
21 ~~assigned to a licensee shall not be the licensee's~~
22 ~~social security number.~~ The department shall not
23 retain a positive or negative photograph of the
24 licensee. The licensee may affix a decal or sticker
25 on the license in the space provided which indicates
26 that the licensee is a donor under the Uniform
27 Anatomical Gift Act. The decal shall not be larger
28 than one-half inch in diameter. The use of the decal
29 or sticker on the license shall be authorized only
30 if the licensee has complied with the provisions for
31 making a gift under the Uniform Anatomical Gift Act
32 and shall be effective only if the licensee carries
33 on or about the licensee's person a duly signed and
34 executed donor card as authorized by the Uniform
35 Anatomical Gift Act.

36 Sec. _____. Section three hundred twenty-one point
37 one hundred eighty-nine (321.189), subsection two
38 (2), paragraphs a and e, Code 1977, are amended to
39 read as follows:

40 a. The department may issue a motorized bicycle
41 license to any person fourteen years of age or older
42 who has passed ~~the approved driver education course~~
43 ~~required for applicants for such license~~ a vision
44 test and a written examination on the rules of the
45 road. A motorized bicycle license shall entitle the
46 licensee to operate a motorized bicycle while having
47 the license in immediate possession on the highways
48 of the state for a period of two years.

49 e. A motorized bicycle license shall terminate
50 upon issuance to the licensee of an operator's or

S-3611
Page 5

1 twenty-one years who resides in the public school
2 district and who satisfies the preliminary licensing
3 requirements of the department ~~or any person between~~
4 ~~fourteen and twenty-one years of age who resides in~~
5 ~~the public school district, who satisfies the~~
6 ~~preliminary licensing requirements of the department~~
7 ~~for operation of a motorized bicycle and who is~~
8 ~~enrolled in an approved driver education course for~~
9 ~~the purpose of qualifying for a motorized bicycle~~
10 ~~license as provided for in section 321.189, subsection~~
11 ~~2."~~

12 14. Striking page 22, line 33 through page 23,
13 line 10, and inserting in lieu thereof the following:

14 "2. YOUTHS NOT ATTENDING SCHOOL--NO DRIVER'S
15 ~~TRAINING DRIVER EDUCATION REQUIRED.~~

16 a. Any person under the age of between sixteen
17 and eighteen years of age who is not attending a
18 public or private school in which an approved driver's
19 education course is offered or available, shall not
20 be required to complete an approved driver's education
21 course prior to being entitled to receive a one-year
22 probationary operator's license from the department.
23 ~~Any person who re-enters any private or public school~~
24 ~~prior to age eighteen shall be required to attend~~
25 ~~an approved driver's education course. A person shall~~
26 not have a probationary operator's license revoked
27 or suspended upon reentering school prior to age
28 eighteen.

29 b. The department shall cancel a probationary
30 operator's license upon proof of a conviction for
31 a moving traffic violation."

32 15. Page 23, by inserting after line 10 the
33 following:

34 "Sec. _____. Section three hundred twenty-one point
35 one hundred seventy-eight (321.178), Code 1977, is
36 amended by striking subsection three (3)."

37 16. Page 23, by inserting after line 29 the follow-
38 ing:

39 "Sec. _____. Section three hundred twenty-one point
40 one hundred eighty-nine (321.189), subsection one
41 (1), Code 1977, is amended to read as follows:

42 1. MOTOR VEHICLE LICENSE. The Upon the payment
43 of the required fee, the department shall upon payment
44 ~~of the required fee, issue to every qualifying~~
45 applicant qualifying therefor and operator's license,
46 motorized bicycle license, or chauffeur's license,
47 as applied for, which. Appearing on this license
48 shall bear thereon be a distinguishing number assigned
49 to the licensee; the licensee's full name, date of
50 birth, occupation, sex, residence address; a colored

S-3611

Page 4

1 interest, or an application for notation of security
2 interest signed by the owner, or by one owner of a
3 vehicle, owned jointly by more than one person or
4 a certificate of title from another jurisdiction which
5 shows such security interest, and a fee of two dollars
6 for each security interest shown. If the owner or
7 secured party is in possession of the certificate
8 of title, it must also be delivered at this time in
9 order to perfect the security interest. If a vehicle
10 is subject to a security interest when brought into
11 this state, the validity of the security interest
12 and the date of perfection is determined by the Uniform
13 Commercial Code, section 554.9103. Delivery as
14 provided in this subsection shall be deemed to be
15 indication of a security interest on a certificate
16 of title for purposes of chapter 554."

17 12. Page 16, lines 13 and 14, by striking the
18 words "~~unless and until it receives the registration~~
19 ~~card completed as herein provided~~" and inserting in
20 lieu thereof the words "unless and ~~until~~ it receives
21 the registration card completed as ~~herein~~ provided
22 in this section".

23 13. Page 22, by inserting after line 29 the
24 following:

25 "Sec. _____. Section three hundred twenty-one point
26 one hundred seventy-seven (321.177), subsection one
27 (1), Code 1977, is amended to read as follows:

28 1. To any person, as an operator, who is under
29 the age of eighteen years, without his or her first
30 having successfully completed an approved driver
31 education course, in which case, the minimum age shall
32 be sixteen years. However, the department may issue
33 a restricted license as provided in section 321.194,
34 or an instruction permit as provided in section
35 321.180, to any person who is at least fourteen years
36 of age. The department may issue a license restricted
37 only for use for motorized bicycles as provided in
38 section 321.189, subsection 2, to any person fourteen
39 years of age or older who has successfully completed
40 ~~an approved driver's education course established~~
41 ~~by the department of public instruction to acquaint~~
42 ~~the motorized bicycle operator with a written~~
43 examination on the rules of the road and a vision
44 test.

45 Sec. _____. Section three hundred twenty-one point
46 one hundred seventy-eight (321.178), subsection one
47 (1), unnumbered paragraph three (3), Code 1977, is
48 amended to read as follows:

49 "Student," for purposes of this section, means
50 any person between the ages of fifteen years and

S-3611
Page 3

1 interest or encumbrance appears thereon. Otherwise
2 the certificate of title shall be delivered by the
3 county treasurer to the person holding the first
4 security interest or encumbrance as shown in the
5 certificate. The county treasurer shall maintain
6 in the county records system information contained
7 on the certificate of title. Such information shall
8 be accessible by title certificate number for a period
9 of three years from the date of notification of
10 cancellation of title or that a new title has been
11 issued as provided in this chapter. Such copies as
12 the department may require shall be sent to the
13 department in the manner and at such time as the
14 department shall direct. The department shall
15 designate a uniform system of title numbers so as
16 to indicate the county of issuance."

17 6. Page 4, line 3, by inserting after the word
18 "person" the words "known to the dealer to be".

19 7. Page 7, line 33, by striking the words
20 "Individualized registration plates" and inserting
21 in lieu thereof the words "~~INDIVIDUALIZED~~ PERSONALIZED
22 REGISTRATION PLATES".

23 8. Page 8, by inserting after line 18 the
24 following:

25 "Sec. _____. Section three hundred twenty-one point
26 thirty-five (321.35), unnumbered paragraphs one (1)
27 and (2), Code 1977, are amended by striking the
28 paragraphs."

29 9. Page 10, line 8, by striking the word "not"
30 and inserting in lieu thereof the word "not".

31 10. Page 10, lines 8 and 9, by striking the words
32 "social security" and inserting in lieu thereof the
33 words "~~social security~~ motor vehicle license".

34 11. Page 12, by inserting after line 19 the
35 following:

36 "Sec. _____. Section three hundred twenty-one point
37 fifty (321.50), subsection one (1), Code 1977, is
38 amended to read as follows:

39 1. A security interest in a vehicle subject to
40 registration under the laws of this state, except
41 trailers whose empty weight is two thousand pounds
42 or less, ~~and wagon box trailers subject to a~~
43 ~~registration fee of five dollars or less,~~ and new
44 or used vehicles held by a dealer or manufacturer
45 as inventory for sale, is perfected by the delivery
46 to the county treasurer of the county where the
47 certificate of title was issued or, in the case of
48 a new certificate, to the county treasurer where the
49 certificate will be issued of an application for
50 certificate of title which lists such security

S-3611

Page 2

1 payment of the required fees for motor vehicle,
2 trailer, or semitrailer, the county treasurer shall,
3 when satisfied as to the genuineness and regularity
4 thereof, issue a registration receipt and certificate
5 of title and shall file the application, the
6 manufacturer's or importer's certificate, certificate
7 of title, or other evidence of ownership, as prescribed
8 by the department. The registration receipt shall
9 be delivered to the owner and shall contain upon the
10 face thereof the date issued, the name and address
11 of the owner, the registration number assigned to
12 the vehicle, the title number assigned to the owner
13 of the vehicle, the amount of the fee paid, the amount
14 of tax paid pursuant to section 423.7, type of fuel
15 used and such description of the vehicle as determined
16 by the department and upon the reverse side a form
17 for notice of transfer of the vehicle. The county
18 treasurer shall maintain in the county record system
19 information contained on the registration receipt.
20 Such information shall be accessible by registration
21 number and shall be open for public inspection during
22 reasonable business hours. Such copies as the
23 department may require shall be sent to the department
24 in the manner and at such time as the department may
25 direct. The certificate of title shall contain upon
26 the face thereof the identical information required
27 upon the face of the registration receipt. In addition
28 thereto, the certificate of title shall contain a
29 statement of the owner's title, the amount of tax
30 paid pursuant to section 423.7, name and address of
31 previous owner, and a statement of all security
32 interests and encumbrances as shown in the application,
33 upon the vehicle therein described including the
34 nature of the security interest, amount, date of
35 notation and name and address of the secured party.
36 Said certificate shall bear thereon the seal of the
37 county treasurer, the signature of the county treasurer
38 or that of the deputy county treasurer, and shall
39 provide space for the signature of the owner. The
40 owner shall sign the certificate of title in the space
41 provided with pen and ink upon receipt of certificate
42 of title. The certificate of title shall contain
43 upon the reverse side a form for assignment of title
44 or interest and warranty thereof by the owner, for
45 reassignments by a licensed dealer and for application
46 for a new certificate of title by the transferee as
47 provided in this chapter. All certificates of title
48 shall be typewritten or printed by other mechanical
49 means. The original certificate of title shall be
50 delivered to the owner in the event no security

House Amendment to Senate File 167

S-3611.

1 Amend Senate File 167 as follows:

2 1. Page 1, by inserting after line 18 the
3 following:

4 "Sec. _____. Section three hundred seven point
5 twenty-six (307.26), subsection five (5), Code 1977,
6 is amended to read as follows:

7 5. Advise and assist the director in the conduct
8 of research on railroad-highway grade crossings and
9 encourage and develop a safety program in order to
10 reduce injuries or fatalities including, but not
11 limited to, the following:

12 a. The implementation of a program of construct-
13 ing rumble strips at grade crossings on selected hard
14 surface roads.

15 b. The establishment of standards for warning
16 devices for particularly hazardous crossings or for
17 classes of crossings on highways, which standards
18 are designed to reduce injuries, fatalities and
19 property damage. Such standards shall regulate the
20 use of warning devices and signs which shall be in
21 addition to the requirements of section three hundred
22 twenty-seven G point two (327G.2) of the Code.
23 Implementation of such standards shall be the
24 responsibility of the government agency or department
25 or political subdivision having jurisdiction and
26 control of the highway and such implementation shall
27 be deemed adequate for the purposes of railroad grade
28 crossing protection. The department, or the political
29 subdivision having jurisdiction, may direct the
30 installation of temporary protection while awaiting
31 installation of permanent protection. Unless the
32 department finds that a railroad grade crossing is
33 particularly hazardous, it shall be presumed to be
34 not particularly hazardous."

35 2. Page 2, line 12, by inserting after the word
36 "materials" the following: ", agricultural limestone".

37 3. Page 2, line 14, by inserting after the word
38 "of" the following: "agricultural limestone and".

39 4. Page 3, line 10, by inserting after the word
40 "number." the following: "Registration plates issued
41 for a county sheriff's patrol vehicles shall display
42 one seven pointed gold star on a green background
43 followed by the letter "S" and the call number of
44 the vehicle."

45 5. Page 3, by inserting after line 25 the
46 following:

47 "Sec. _____. Section three hundred twenty-one point
48 twenty-four (321.24), unnumbered paragraph one (1),
49 Code 1977, is amended to read as follows:

50 Upon receipt of the application for title and

SENATE FILE 167

S-3648

1 Amend House amendment, S-3611, to Senate File 167
2 as follows:

3 1. Page 3, by inserting after line 33 the
4 following: "The motor vehicle license number shall
5 not be the social security number of the transferee
6 unless requested by the transferee."

7 2. Page 6, by striking line 22 and inserting in
8 lieu thereof the following: "~~social-security-number.~~
9 The department shall advise an applicant that he or
10 she may request a number other than a social security
11 number as the motor vehicle license number. The
12 department shall not".

S-3648 FILED & *Adopted 5/18 (p. 1676)* BY
MAY 17, 1977

PHILIP B. HILL
RICHARD F. DRAKE
FRED W. NOLTING

SENATE FILE 167

H-4158

1 Amend Senate File 167, as passed by the Senate
2 and reprinted, as follows:

3 1. Page 22, by inserting after line 29 the
4 following section:

5 "Sec. ____ . Section three hundred twenty-one point
6 one hundred seventy-seven (321.177), subsection one
7 (1), Code 1977, is amended to read as follows:

8 1. To any person, as an operator, who is under
9 the age of sixteen years; provided that ~~effective~~
10 ~~August 1, 1966, the department shall not issue a~~
11 ~~license to any person, as an operator, who is under~~
12 ~~the age of seventeen years and effective August 1,~~
13 ~~1967, the department shall not issue a license to~~
14 ~~any person, as an operator, who is under the age of~~
15 ~~eighteen years, without his first having successfully~~
16 ~~completed an approved driver education course, in~~
17 ~~which case, the minimum age shall be sixteen years.~~
18 However, the department may issue a restricted license
19 as provided in section 321.194, or an instruction
20 permit as provided in section 321.180, to any person
21 who is at least fourteen years of age. The department
22 may issue a license restricted only for use for
23 motorized bicycles as provided in section 321.189,
24 subsection 2, to any person fourteen years of age
25 or older ~~who has successfully completed an approved~~
26 ~~driver's education course established by the department~~
27 ~~of public instruction to acquaint the motorized bicycle~~
28 ~~operator with the rules of the road.~~

29
30 Sec. ____ . Section three hundred twenty-one point
31 one hundred seventy-eight (321.178), subsection one
32 (1), Code 1977, is amended to read as follows:

33 1. APPROVED COURSE. An approved driver education
34 course as programmed by the department of public
35 instruction shall consist of at least thirty clock
36 hours of classroom instruction, and six or more clock
37 hours of laboratory instruction of which at least
38 three clock hours shall consist of street or highway
39 driving.

40 ~~Every public school district in Iowa shall offer~~
41 ~~or make available to all students residing in the~~
42 ~~school districts of Iowa students attending a public~~
43 ~~school in the district an approved course in driver~~
44 ~~education. -- Said Driver education courses when offered~~
45 may be offered at sites other than at the public
46 school, including nonpublic school facilities within
47 the public school districts. An approved course
48 offered during the summer months, on Saturdays, after
49 regular school hours during the regular terms or
50 partly in one term or summer vacation period and

H-4158

1 partly in the succeeding term or summer vacation
2 period, as the case may be, shall satisfy the
3 requirements of this section to the same extent as
4 an approved course offered during the regular school
5 hours of the school term. A student who successfully
6 completes and obtains certification in an approved
7 course in driver education may, upon proof of such
8 fact, be excused from any field test which he would
9 otherwise be required to take in demonstrating his
10 ability to operate a motor vehicle.

11 "Student," for purposes of this section, means
12 any person between the ages of fifteen years and
13 twenty-one years who resides in the public school
14 district and who satisfies the preliminary licensing
15 requirements of the department or any person between
16 fourteen and twenty-one years of age who resides in
17 the public school district, who satisfies the
18 preliminary licensing requirements of the department
19 for operation of a motorized bicycle and who is
20 ~~enrolled in an approved driver education course for~~
21 ~~the purpose of qualifying for a motorized bicycle~~
22 ~~license as provided for in section 321.178, subsection~~
23 ~~2.~~

24 ~~Any person who successfully completes an approved~~
25 ~~driver education course at a private or commercial~~
26 ~~driver education school licensed by the department~~
27 ~~shall likewise be eligible for an operator's license~~
28 ~~at the age of sixteen years, providing the instructor~~
29 ~~in charge of the student's training has satisfied~~
30 ~~the educational requirements for a teaching certificate~~
31 ~~at the secondary level and holds a valid certificate~~
32 ~~to teach driver education in the public schools of~~
33 ~~Iowa.~~

34
35 Sec. ____ . Section three hundred twenty-one point
36 one hundred seventy-eight (321.178), subsections two
37 (2) and three (3), Code 1977, are amended by striking
38 the subsections."

H-4158 FILED - *Last 5/12* BY PATCHETT of Johnson
MAY 12, 1977 (*p. 2154*)

H-4157

1 Amend Senate File 167, as passed by the
2 Senate and reprinted, as follows:

3 1. Page 22, line 31, by inserting after the
4 word "subsection" the following: "one (1), un-
5 numbered paragraphs one (1) and four (4), and sub-
6 section".

7 2. Page 22, line 31, by striking the word
8 "is" and inserting in lieu thereof the word "are".

9 3. Page 22, by inserting after line 32 the
10 following:

11 "An approved driver education course as pro-
12 grammed by the department ~~of public instruction~~
13 shall consist of at least thirty clock hours of
14 classroom instruction, and six or more clock hours
15 of laboratory instruction of which at least three
16 clock hours shall consist of street or highway
17 driving.

18 Any person who successfully completes an
19 approved driver education course at a private or
20 commercial driver education school licensed by the
21 department, shall likewise be eligible for an
22 operator's license at the age of sixteen years,
23 providing the instructor in charge of the student's
24 training has satisfied the ~~educational requirements~~
25 ~~for a teaching certificate at the secondary level and~~
26 ~~holds a valid certificate to teach driver education~~
27 ~~in the public schools of Iowa~~ department's require-
28 ments for instructors of driver education."

H-4157 FILED - *Lost 5/12* BY SMALL of Johnson
MAY 12, 1977 (*p. 2156*)

SENATE FILE 167

H-3920

1 Amend amendment H-3804 to Senate File 167 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 2, by striking lines 39 through 42 and
4 inserting in lieu thereof:

5 "Sec. _____. Section three hundred twenty-one
6 point thirty-five (321.35) is amended by striking the
7 section and inserting in lieu thereof the following:

8 NEW SECTION. The department may reflectorize
9 registration plates according to specifications pre-
10 scribed by the director.

11 2. Page 7, by striking lines 28 through 30.

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

H-3920 FILED - *Lost 5/9* BY KRAUSE of Kossuth
MAY 2, 1977 (*p. 2002*)

1 Amend Senate File 167, as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 18 the
4 following:

5 "Sec. _____. Section three hundred seven point
6 twenty-six (307.26), subsection five (5), Code 1977,
7 is amended to read as follows:

8 5. Advise and assist the director in the conduct
9 of research on railroad-highway grade crossings and
10 encourage and develop a safety program in order to
11 reduce injuries or fatalities including, but not
12 limited to, the following:

13 a. The implementation of a program of construc-
14 ing rumble strips at grade crossings on selected hard
15 surface roads.

16 b. The establishment of standards for warning
17 devices for particularly hazardous crossings or for classes
18 of crossings on highways, which standards are designed to
19 reduce injuries, fatalities and property damage. Such
20 standards shall regulate the use of warning devices
21 and signs which shall be in addition to the requirements
22 of section three hundred twenty-seven G point two (327G.2)
23 of the Code. Implementation of such standards shall
24 be the responsibility of the government agency or
25 department or political subdivision having jurisdiction
26 and control of the highway and such implementation
27 shall be deemed adequate for the purposes of railroad
28 grade crossing protection. The department, or the
29 political subdivision having jurisdiction, may direct
30 the installation of temporary protection while awaiting
31 installation of permanent protection. Unless the depart-
32 ment finds that a railroad grade crossing is particularly
33 hazardous, it shall be presumed to be not particularly
34 hazardous.

35 2. Page 25, by inserting after line 32 the follow-
36 ing new section:

37 "Sec. _____. Section three hundred twenty-one point
38 three hundred forty-two (321.342), Code 1977, is
39 amended by adding the following new unnumbered
40 paragraph:

41 NEW UNNUMBERED PARAGRAPH. The department, city,
42 or county shall be required to post the standard sign
43 as prescribed by the manual on uniform traffic control
44 devices adopted by the department pursuant to section
45 three hundred twenty-one point two hundred fifty-two
46 (321.252) of the Code in advance of each railroad
47 grade crossing to warn the motorist that he or she
48 is approaching a railroad grade crossing. Upon
49 properly posting all railroad grade crossings within
50 its jurisdiction and upon implementing the standards

1 established in accordance with section three hundred
2 seven point twenty-six (307.26) of the Code, the
3 department, city, or county shall not have any other
4 affirmative duty to warn a motor vehicle operator
5 approaching or at the railroad grade crossing."

6 3. Page 30, by inserting after line 34 the follow-
7 ing section:

8 "Sec. _____. Section three hundred twenty-seven
9 G point thirty-two (327G.32), Code 1977, is amended
10 to read as follows:

11 327G.32 BLOCKING HIGHWAY CROSSING. A railroad
12 corporation or its employees shall not operate any
13 train in such a manner as to prevent vehicular use
14 of any highway, street or alley for a period of time
15 in excess of ten minutes except:

16 1. When necessary to comply with signals affect-
17 ing the safety of the movement of trains.

18 2. When necessary to avoid striking any object
19 or person on the track.

20 3. When the train is disabled.

21 ~~4. When the train is in motion except while engaged~~
22 ~~in switching operations.~~

23 ~~5. When there is no vehicular traffic waiting~~
24 ~~to use the crossing.~~

25 ~~6. 4.~~ When necessary to comply with governmental
26 safety regulations including, but not limited to,
27 speed ordinances and speed regulations.

28 Any officer or employee of a railroad corporation
29 violating any provision of this section shall, upon
30 conviction be subject to the penalty provided in
31 section 327G.14. An employee shall not be guilty
32 of such violation if his action was necessary to
33 comply with the direct order or instructions of a
34 railroad corporation or its supervisors. Such guilt
35 shall then be with the railroad corporation.

36 The provisions of this section notwithstanding,
37 a political subdivision may pass a resolution or
38 ordinance regulating the length of time a specific
39 crossing may be blocked if the political subdivision
40 demonstrates such a resolution or ordinance is
41 necessary for public safety or convenience. If such
42 a resolution or ordinance is passed the political
43 subdivision shall immediately within thirty days of
44 the effective date of the resolution or ordinance
45 notify the board and the railroad corporation using
46 the crossing affected by the resolution or ordinance.
47 The resolution or ordinance shall not become effective
48 unless the board and the railroad corporation are
49 notified within thirty days. The resolution or
50 ordinance shall become effective thirty days after

H-4145
Page 3

1 such notification unless a person files an objection
2 to the resolution or ordinance with the board. If
3 an objection is filed the board shall hold a hearing
4 according to the rules established by the board.
5 The board may disapprove the resolution or ordinance
6 if public safety or convenience does not require such
7 a resolution or ordinance. The resolution approved
8 by the political subdivision shall be prima facie
9 evidence that the resolution is adopted to preserve
10 public safety or convenience.

11 The board when considering rebuttal evidence shall
12 weigh the benefits accruing to the political
13 subdivision as it bears to the general public use
14 compared to the burden placed on the railroad oper-
15 ation. Public safety or convenience may include,
16 but shall not be limited to, high traffic density
17 at a specific crossing of a main artery or interfer-
18 ence with the flow of authorized emergency vehicles.

19 Political subdivisions shall notify the board
20 within sixty days of the effective date of this Act,
21 of each existing resolution or ordinance which does
22 not conform with the provisions of this section.
23 Political subdivisions not notifying the board of
24 an existing resolution or ordinance during the calendar
25 year beginning January 1, 1976 shall have an additional
26 sixty days after the effective date of this Act to
27 notify the board. Failure to do so shall render the
28 resolution or ordinance void.

29 Such ordinances or resolutions may remain in effect
30 until the board has acted upon each ordinance or
31 resolution under the procedures specified in this
32 section."

33 4. By numbering and renumbering sections as
34 necessary.
35
36

H-4145 FILED, ADOPTED BY KRAUSE of Kossuth
MAY 12, 1977 (page 2139) SCHROEDER of Pottawattamie
BRUNOW of Appanoose

SENATE FILE 167

H-4125

- 1 Amend the Miller of Buchanan et al amendment, H-
- 2 3463, to Senate File 167, as amended, passed and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 1, line 17, by striking the words "The
- 5 department" and inserting in lieu thereof the words
- 6 "A county treasurer".
- 7 2. Page 1, lines 17 and 18, by striking the words
- 8 "a license or a permit to operate" and inserting in
- 9 lieu thereof the words "vehicle registration plates
- 10 to the owner of".
- 11 3. Page 1, lines 38, 39, and 40, by striking the
- 12 words "revoke the motor vehicle license or permit
- 13 of a person who is unable to demonstrate proof of
- 14 financial responsibility" and inserting in lieu thereof
- 15 the words "notify the treasurer of the county who
- 16 issued the vehicle registration plates to the owner
- 17 who has cancelled the insurance coverage or failed
- 18 to maintain proof of financial responsibility in a
- 19 manner required in section three hundred twenty-one
- 20 A point eighteen (321A.18) of the Code. The county
- 21 treasurer shall notify the owner of the revocation
- 22 of the vehicle registration plates effective thirty
- 23 days from the date the notice is mailed and that the
- 24 owner of the vehicle shall surrender the vehicle
- 25 registration plates to the county treasurer. If the
- 26 owner provides proof of financial responsibility as
- 27 required by law, the vehicle registration plates shall
- 28 not be revoked or surrendered".

H-4125 FILED - *Out of order* BY MILLER of Buchanan
MAY 11 1977 *upon failure*
of motion to reconsider 3463 5/12(2151)

H-4109

1 Amend amendment H-3804, filed by the Committee
2 on Transportation, to Senate File 167, as amended,
3 passed, and reprinted by the Senate, as follows:

4 1. Page 6, line 45, by inserting after the
5 word "pounds" the words "for the period commencing
6 July 1, 1978 and ending June 30, 1983 and twenty
7 thousand pounds commencing July 1, 1983 and
8 thereafter,"

9 2. Page 6, line 50, by inserting after the word
10 "engineer." the words "Annual special permits for
11 a particular vehicle shall not be issued by the depart-
12 ment unless prior approval is given by the county
13 engineer of the county in which the vehicle will be
14 operated."

15 3. Page 7, line 6, by inserting after the word
16 "authority." the words "Annual special permits for
17 a particular vehicle shall not be issued by the
18 department unless approved by the local authority
19 responsible for the roads over which the vehicle will
20 be operated."

21 4. Page 7, line 10, by striking the word
22 "fifty" and inserting in lieu thereof the words
23 "one hundred".

H-4109 FILED - *Adopted 5/12*
MAY 10, 1977 (*page 2136*)

BY SCHROEDER of Pottawattamie
KRAUSE of Kossuth
BRUNOW of Appanoose

SENATE FILE 167

H-4103

1 Amend Senate File 167, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 25, by inserting after line 32 the follow-
4 ing new section:

5 "Sec. ____ . Section three hundred twenty-one point
6 three hundred forty-two (321.342), Code 1977, is
7 amended by adding the following new unnumbered
8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. The department, city,
10 or county shall be required to post the standard sign
11 as prescribed by the manual on uniform traffic control
12 devices adopted by the department pursuant to section
13 three hundred twenty-one point two hundred fifty-two
14 (321.252) of the Code in advance of each railroad
15 grade crossing to warn the motorist that he or she
16 is approaching a railroad grade crossing. Upon
17 properly posting all railroad grade crossings within
18 its jurisdiction, the department, city, or county
19 shall not have any other affirmative duty to warn
20 a motor vehicle operator approaching or at the railroad
21 grade crossing."

22 2. Amend the title, line 24, by inserting after
23 the word "turns," the words "posting of railroad grade
24 crossings by cities and counties,".

H-4103 FILED - *Withdrawn 5/12*
MAY 10, 1977 (*p. 2144*)

BY SCHROEDER of Pottawattamie
BRUNOW of Appanoose

SENATE FILE 167

H-4108

1 Amend Senate File 167, as passed by the
2 Senate and reprinted, as follows:

3 1. Page 25, by inserting after line 32 the
4 following sections:

5 "Sec. _____. Section three hundred twenty-one
6 point two hundred eighty-five (321.285), sub-
7 section eight (8), Code 1977, is amended to read
8 as follows:

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

31 Sec. _____. Section three hundred twenty-one
32 point two hundred eighty-six (321.286), subsection
33 one (1), Code 1977, is amended to read as follows:

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

H-4108 FILED - *Ruled not* BY HORN of Linn
MAY 10, 1977 *German 5/12*
(p. 2150)

SENATE FILE 167

H-4070

1 Amend amendment H-3804, to Senate File 167, as
2 amended, passed and reprinted by the Senate as follows:

3 1. Strike page 3, line 37 through page 4, line
4 49, and insert in lieu thereof the following:

5 "_____. Strike page 22, line 30 through page 23,
6 line 10 and insert in lieu thereof the following:

7 "Sec. _____. Section three hundred twenty-one point
8 one hundred seventy-seven (321.177), subsection one
9 (1), Code 1977, is amended to read as follows:

10 1. To any person, as an operator, who is under
11 the age of sixteen years; provided that, ~~effective~~
12 ~~August 1, 1966, the department shall not issue a~~
13 ~~license to any person, as an operator, who is under~~
14 ~~the age of seventeen years and effective August 1,~~
15 ~~1967, the department shall not issue a license to~~
16 ~~any person, as an operator, who is under the age of~~
17 ~~eighteen years, without his first having successfully~~
18 ~~completed an approved driver education course, in~~
19 ~~which case, the minimum age shall be sixteen years.~~
20 However, the department may issue a restricted license
21 as provided in section 321.194, or an instruction
22 permit as provided in section 321.180, to any person
23 who is at least fourteen years of age. The department
24 may issue a license restricted only for use for
25 motorized bicycles as provided in section 321.189,
26 subsection 2, to any person fourteen years of age
27 or older ~~who has successfully completed an approved~~
28 ~~driver's education course established by the department~~
29 ~~of public instruction to acquaint the motorized bicycle~~
30 ~~operator with the rules of the road.~~

31 Sec. _____. Section three hundred twenty-one point
32 one hundred seventy-eight (321.178), subsection one
33 (1), Code 1977, is amended to read as follows:

34 1. APPROVED COURSE. An approved driver education
35 course as programmed by the department of public
36 instruction shall consist of at least thirty clock
37 hours of classroom instruction, and six or more clock
38 hours of laboratory instruction of which at least
39 three clock hours shall consist of street or highway
40 driving.

41 ~~Every public school district in Iowa shall offer~~
42 ~~or make available to all students residing in the~~
43 ~~school district or Iowa students attending a nonpublic~~
44 ~~school in the district an approved course in driver~~
45 ~~education. Said Driver education courses when offered~~
46 may be offered at sites other than at the public
47 school, including nonpublic school facilities within
48 the public school districts. An approved course
49 offered during the summer months, on Saturdays, after
50 regular school hours during the regular terms or

1 partly in one term or summer vacation period and
 2 partly in the succeeding term or summer vacation
 3 period, as the case may be, shall satisfy the
 4 requirements of this section to the same extent as
 5 an approved course offered during the regular school
 6 hours of the school term. A student who successfully
 7 completes and obtains certification in an approved
 8 course in driver education may, upon proof of such
 9 fact, be excused from any field test which he would
 10 otherwise be required to take in demonstrating his
 11 ability to operate a motor vehicle.

12 "Student," for purposes of this section, means
 13 any person between the ages of fifteen years and
 14 twenty-one years who resides in the public school
 15 district and who satisfies the preliminary licensing
 16 requirements of the department or any person between
 17 fourteen and twenty-one years of age who resides in
 18 the public school district, who satisfies the
 19 preliminary licensing requirements of the department
 20 for operation of a motorized bicycle and ~~who is~~
 21 ~~enrolled in an approved driver education course for~~
 22 ~~the purpose of qualifying for a motorized bicycle~~
 23 ~~license as provided for in section 321.189, subsection~~
 24 ~~2.~~

25 ~~Any person who successfully completes an approved~~
 26 ~~driver education course at a private or commercial~~
 27 ~~driver education school licensed by the department,~~
 28 ~~shall likewise be eligible for an operator's license~~
 29 ~~at the age of sixteen years, providing the instructor~~
 30 ~~in charge of the student's training has satisfied~~
 31 ~~the educational requirements for a teaching certificate~~
 32 ~~at the secondary level and holds a valid certificate~~
 33 ~~to teach driver education in the public schools of~~
 34 ~~Iowa.~~

35 Sec. ____ . Section three hundred twenty-one point
 36 one hundred seventy-eight (321.178), subsections two
 37 (2) and three (3), Code 1977, are amended by striking
 38 the subsections."

H-4070 FILED - *Out of order* BY PATCHETT of Johnson
 MAY 9, 1977 *with adoption*
of 4046 5/12 (p. 2149)

SENATE FILE 167

H-4080

1 Amend amendment H-4049 to page 27 of Senate
 2 File 167, as passed by the Senate and reprinted,
 3 as follows:

4 "1. Page 1, by striking lines 26 and 27 and
 5 inserting in lieu thereof the following: "four
 6 hundred fifty-seven (321.457), subsections one (1)
 7 and two (2), Code 1977, are amended to read as
 8 follows:

9 1. No single truck, unladen or with load,
 10 shall have an overall length, inclusive of front
 11 and rear bumpers, in excess of ~~thirty-five~~ forty
 12 feet."

H-4080 FILED - *Adopted 5/12* BY HARVEY of Scott
 MAY 10, 1977 *(p. 2146)*

SENATE FILE 167

H-4069

1 Amend amendment H-4057 to Senate File 167, as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, by striking lines 3 through 24 and
4 inserting in lieu thereof the following:

5 "_____. Page 1, by inserting after line 18 the
6 following:

7 "Sec. _____. Section three hundred seven point
8 twenty-six (307.26), subsection five (5), Code 1977,
9 is amended to read as follows:

10 5. Advise and assist the director in the conduct
11 of research on railroad-highway grade crossings and
12 encourage and develop a safety program in order to
13 reduce injuries or fatalities including, but not
14 limited to, the following:

15 a. The implementation of a program of construction
16 rumble strips at grade crossings on hard surface
17 roads.

18 b. The establishment of minimum standards for
19 warning and safety devices for specific crossings
20 and for classes of crossings on highways which reflect
21 the feasibility of construction, technological
22 innovations, traffic volume and other factors designed
23 to reduce injuries, fatalities and property damage.
24 Such standards shall regulate the use of warning
25 devices and signs which shall be in addition to the
26 requirements of section three hundred twenty-seven
27 G point two (327G.2) of the Code. Implementation
28 of such standards shall be the responsibility of the
29 jurisdiction having control of the highway. The
30 implementation of such standards shall constitute
31 completion of the affirmative duty to warn a motor
32 vehicle operator approaching or at a railroad crossing.
33 The department may direct the installation of temporary
34 protection in the interim of or awaiting installation
35 of permanent protection.

36 c. Development of such data as necessary to eval-
37 uate grade crossings and grade crossing safety."

38 _____. Page 25, by inserting after line 32 the
39 following:

40 "Sec. _____. Section three hundred twenty-one point
41 three hundred forty-two (321.342), Code 1977, is
42 amended to read as follows:

43 321.342 STOP AT CERTAIN RAILROAD CROSSINGS. The
44 ~~department-with-reference-to-primary-highways-and~~
45 ~~local-authorities-with-reference-to-other-highways~~
46 ~~under-their-jurisdiction-are-each-hereby-authorized~~
47 ~~to-designate-particularly-dangerous-highway-grade~~
48 ~~crossings-of-railroads, and-to-install-rumble-strips,~~
49 ~~or-to-erect-stop-signs-thereat.~~ When such stop signs
50 are erected at a railroad-highway grade crossing,

MAY 10, 1977

PAGE 14

H-4069

- 1 the driver of any vehicle shall stop within fifty
- 2 feet but not less than ten feet from the nearest track
- 3 of such grade crossing and shall proceed only upon
- 4 exercising due care."
- 5 _____. Amend the title, page 1, line 21, by inserting
- 6 after the word "license," the words "the establishment
- 7 of certain railroad safety requirements,".
- 8 _____. Renumber the sections as necessary."

H-4069 FILED *Withdrawn* BY KRASUE of Kossuth
MAY 9, 1977 *5/12 (p. 2135)*

SENATE FILE 167

H-4072

- 1 Amend amendment H-3804, to Senate File 167 as
- 2 passed by the Senate and reprinted, as follows:
- 3 1. Page 7, line 11, by inserting after the
- 4 period the following: The department shall not
- 5 issue an annual special permit for a particular
- 6 vehicle unless prior approval has been given by
- 7 the county engineer of the county in which the
- 8 vehicle will be operated."

H-4072 FILED *Withdrawn 5/12* BY SMALL of Johnson
MAY 9, 1977 *(2135)* KRAUSE of Kossuth

H-4052

- 1 Amend Senate File 167, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 25, by inserting after line 32 the follow-
- 4 ing new section:
- 5 "Sec. _____. Section three hundred twenty-one point
- 6 three hundred forty-two (321.342), Code 1977, is
- 7 amended by adding the following new unnumbered
- 8 paragraph:
- 9 NEW UNNUMBERED PARAGRAPH. A city or county shall
- 10 be required to post suitable standard signs at each
- 11 railroad crossing to warn the motorist that the
- 12 motorist is approaching a railroad crossing. Upon
- 13 properly posting all railroad crossings within the
- 14 corporate limits of the city or county, the city or
- 15 county shall not have any other affirmative duty to
- 16 warn a motor vehicle operator approaching or at the
- 17 railroad crossing."
- 18 2. Amend the title, line 24, by inserting after
- 19 the word "turns," the words "posting of railroad
- 20 crossings by cities and counties,".

H-4052 FILED *Withdrawn 5/12* BY SCHROEDER of Pottawattamie
MAY 9, 1977 *(p. 2135)*

SENATE FILE 167

H-4064

- 1 Amend amendment H-4046 to amendment H-3804 to
- 2 page 4 of Senate File 167 as follows:
- 3 1. Page 1, line 23, by striking the word
- 4 "revoke" and inserting in lieu thereof the word
- 5 "cancel".

H-4064 FILED, ADOPTED *(p. 2005)* BY SPEAR of Lee
BY UNANIMOUS CONSENT
MAY 9, 1977

1 Amend amendment H-3804 to Senate File 167 as
2 follows:
3 1. Page 7, by inserting after line 27 the
4 following:
5 "Page 30, by inserting after line 34 the following:
6 Sec. _____. Section three hundred twenty-seven G
7 point thirty-two (327G.32), Code 1977, is amended
8 to read as follows:
9 327G.32 BLOCKING HIGHWAY CROSSING. A railroad
10 corporation or its employees shall not operate any
11 train in such a manner as to prevent vehicular use
12 of any highway, street or alley for a period of time
13 in excess of ten minutes except:
14 1. When necessary to comply with signals affect-
15 ~~ing the safety of~~ governing the movement of trains.
16 2. When necessary to avoid striking any object
17 or person on the track.
18 3. When the train is disabled.
19 4. When the train is in forward motion except
20 ~~while engaged in switching operations.~~ This excep-
21 tion shall not apply to switching operations.
22 ~~5. When there is no vehicular traffic waiting~~
23 ~~to use the crossing.~~
24 ~~6. 5. When necessary to comply with governmental~~
25 ~~safety regulations including, but not limited to,~~
26 ~~speed ordinances and speed regulations.~~
27 Any officer or employee of a railroad corporation
28 violating any provision of this section shall, upon
29 conviction be subject to the penalty provided in
30 section 327G.14. An employee shall not be guilty
31 of such violation if his action was necessary to
32 comply with the direct order or instructions of a
33 railroad corporation or its supervisors. Such guilt
34 shall then be with the railroad corporation.
35 The provisions of this section notwithstanding,
36 a political subdivision may pass a resolution or
37 ordinance regulating the length of time a specific
38 crossing may be blocked if the political subdivision
39 demonstrates such a resolution or ordinance is
40 necessary for public safety or convenience. If such
41 a resolution or ordinance is passed the political
42 subdivision shall immediately within thirty days of
43 the effective date of the resolution or ordinance
44 notify the board and the railroad corporation using
45 the crossing affected by the resolution or ordinance.
46 The resolution or ordinance shall not become effective
47 unless the board and the railroad corporation are
48 notified within thirty days. The resolution or
49
50

H-4067
Page 2

1 ordinance shall become effective thirty days after
2 such notification unless a person files an objection
3 to the resolution or ordinance with the board. If
4 an objection is filed the board shall hold a hearing
5 according to the rules established by the board.
6 The board may disapprove the resolution or ordinance
7 if public safety or convenience does not require such
8 a resolution or ordinance. The resolution approved
9 by the political subdivision shall be prima facie
10 evidence that the resolution is adopted to preserve
11 public safety or convenience, which may be rebutted
12 by a showing that the resolution or ordinance would
13 significantly impair the railroad operations. Public
14 safety or convenience may include, but shall not be
15 limited to, high traffic density at a specific crossing
16 of a main artery or interference with the flow of
17 authorized emergency vehicles.

18 Political subdivisions shall notify the board
19 within sixty days of the effective date of this Act,
20 of each existing resolution or ordinance which does
21 not conform with the provisions of this section.
22 Failure to notify the board by January 1, 1978 shall
23 render the resolution or ordinance void.

24 Such ordinances or resolutions may remain in effect
25 until the board has acted upon each ordinance or
26 resolution under the procedures specified in this
27 section."
28

H-4067 FILED - *Withdrawn 5/12* BY KRAUSE of Kossuth
MAY 9, 1977 (*p. 2135*)

SENATE FILE 167

H-4065

1 Amend amendment H-4049 to Senate File 167 by
2 striking lines 5 through 24 and inserting in lieu
3 thereof the following:

4 Sec. _____. Section three hundred twenty-one point
5 four hundred fifty-four (321.454), Code 1977, is
6 amended by adding the following new unnumbered para-
7 graph:

8 NEW UNNUMBERED PARAGRAPH. A bus having a total
9 outside width not exceeding eight feet six inches,
10 exclusive of safety equipment, shall be exempt from
11 the permit requirements of chapter three hundred twenty-
12 one E (321E) of the Code and may be operated as follows:
13 1. For providing urban transit services, subject
14 to the limitations provided in subsection two (2) of
15 this section.

16 2. On public highways where the roadway is not
17 less than twenty feet in width to provide intercity
18 transportation services in or through the state.

H-4065 FILED - *Withdrawn 5/12* BY KRAUSE of Kossuth
MAY 10, 1977 (*p. 2135*)

1 Amend the Committee on Transportation amendment,
2 H-3804, to Senate File 167 as follows:

3 1. Page 7, by inserting after line 11 the
4 following:

5 "_____. Page 27, by inserting after line 15 the
6 following:

7 "Sec. _____. Section three hundred twenty-one point
8 four hundred seventy-three (321.473), Code 1977, is
9 amended by adding the following new unnumbered
10 paragraphs:

11 NEW UNNUMBERED PARAGRAPH. A railroad corporation
12 or its employees shall not operate any train in such
13 a manner as to prevent vehicular use of any highway,
14 street or alley for a period of time in excess of
15 five minutes except:

16 1. When necessary to comply with signals affecting
17 the safety of the movement of trains.

18 2. When necessary to avoid striking any object
19 or person on the track.

20 3. When the train is disabled.

21 4. When necessary to comply with governmental
22 safety regulations.

23 NEW UNNUMBERED PARAGRAPH. Any officer or employee
24 of a railroad corporation violating any provision
25 of this section shall, upon conviction be subject
26 to the penalty provided in section 327G.14. An
27 employee shall not be guilty of such violation if
28 his action was necessary to comply with the direct
29 order or instructions of a railroad corporation or
30 its supervisors.

31 NEW UNNUMBERED PARAGRAPH. The provisions of this
32 section notwithstanding, a political subdivision may
33 pass a resolution or ordinance regulating the
34 obstruction of a road or alley at a railroad grade
35 crossing if the political subdivision demonstrates
36 such a resolution or ordinance is necessary for public
37 safety or convenience. If such a resolution or
38 ordinance is passed the political subdivision shall
39 immediately notify the board and the railroad
40 corporation using the crossing affected by the
41 resolution or ordinance. The resolution or ordinance
42 shall become effective thirty days after such
43 notification unless a person files an objection to
44 the resolution or ordinance with the board. If an
45 objection is filed the board shall hold a hearing
46 according to the rules established by the board.
47 The board may disapprove the resolution or ordinance
48 if public safety or convenience does not require such
49 a resolution or ordinance. The resolution or ordinance
50 approved by the political subdivision shall be prima

H-4059

1 facie evidence that the resolution or ordinance is
 2 adopted to preserve public safety, health and
 3 convenience. Public safety or convenience may include,
 4 but shall not be limited to, high traffic density
 5 at a specific crossing of a main artery or interference
 6 with the flow of authorized emergency vehicles.

7 NEW UNNUMBERED PARAGRAPH. Political subdivisions
 8 shall notify the board within sixty days of the
 9 effective date of this Act, of each existing resolution
 10 or ordinance which does not conform with the provisions
 11 of this section. Such ordinances or resolutions may
 12 remain in effect until the board has acted upon each
 13 ordinance or resolution under the procedures specified
 14 in this section."

15 2. Page 7, by inserting after line 30 the
 16 following:

17 "____. Page 31, line 8, by striking the word "and".

18 _____. Page 31, line 9, by inserting after the
 19 figure "(321.188)," the words and figure "and three
 20 hundred twenty-seven G point thirty-two (327G.32),".

21 3. Page 7, by inserting after line 42 the
 22 following:

23 "____. Amend the title, page 1, line 24, by
 24 inserting after the word "turns," the words
 25 "obstructing roads and alleys at railroad grade
 26 crossings,".

H-4059 FILED *Not germane* BY SCHROEDER of Pottawattamie
 MAY 9, 1977 *5/4 (p. 2010)*

SENATE FILE 167

H-4057

1 Amend Senate File 167, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 25, by inserting after line 32 the follow-
 4 ing new section:

5 "Sec. _____. Section three hundred twenty-one point
 6 three hundred forty-two (321.342), Code 1977, is
 7 amended by adding the following new unnumbered
 8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. The department, city,
 10 or county shall be required to post the standard sign
 11 as prescribed by the manual on uniform traffic control
 12 devices adopted by the department pursuant to section
 13 three hundred twenty-one point two hundred fifty-two
 14 (321.252) of the Code in advance of each railroad
 15 grade crossing to warn the motorist that he or she
 16 is approaching a railroad grade crossing. Upon
 17 properly posting all railroad grade crossings within
 18 the corporate limits of the city or county, the
 19 department, city, or county shall not have any other
 20 affirmative duty to warn a motor vehicle operator
 21 approaching or at the railroad grade crossing."

22 2. Amend the title, line 24, by inserting after
 23 the word "turns," the words "posting of railroad grade
 24 crossings by cities and counties,".

H-4057 FILED - *Withdrawn* BY SCHROEDER of Pottawattamie
 MAY 9, 1977 *5/12 (2135)* BRUNOW of Appanoose

1 Amend amendment H-4052, to Senate File 167, as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, by striking lines 3 through 20 and
4 inserting in lieu thereof the following:

5 "_____. Page 1, by inserting after line 18 the
6 following:

7 "Sec. _____. Section three hundred seven point
8 twenty-six (307.26), subsection five (5), Code 1977,
9 is amended to read as follows:

10 5. Advise and assist the director in the conduct
11 of research on railroad-highway grade crossings and
12 encourage and develop a safety program in order to
13 reduce injuries or fatalities including, but not
14 limited to, the following:

15 a. The implementation of a program of construction
16 rumble strips at grade crossings on hard surface
17 roads.

18 b. The establishment of minimum standards for
19 warning and safety devices for specific crossings
20 and for classes of crossings on highways which reflect
21 the feasibility of construction, technological
22 innovations, traffic volume and other factors designed
23 to reduce injuries, fatalities and property damage.
24 Such standards shall regulate the use of warning
25 devices and signs which shall be in addition to the
26 requirements of section three hundred twenty-seven
27 G point two (327G.2) of the Code. Implementation
28 of such standards shall be the responsibility of the
29 jurisdiction having control of the highway. The
30 implementation of such standards shall constitute
31 completion of the affirmative duty to warn a motor
32 vehicle operator approaching or at a railroad crossing.

33 c. Development of such data as necessary to eval-
34 uate grade crossings and grade crossing safety."

35 _____. Page 25, by inserting after line 32 the
36 following:

37 "Sec. _____. Section three hundred twenty-one point
38 three hundred forty-two (321.342), Code 1977, is
39 amended to read as follows:

40 321.342 STOP AT CERTAIN RAILROAD CROSSINGS. ~~The~~
41 ~~department-with-reference-to-primary-highways-and~~
42 ~~local-authorities-with-reference-to-other-highways~~
43 ~~under-their-jurisdiction-are-each-hereby-authorized~~
44 ~~to-designate-particularly-dangerous-highway-grade~~
45 ~~crossings-of-railroads, and-to-install-rumble-strips,~~
46 ~~or-to-erect-stop-signs-thereat.~~ When such stop signs
47 are erected at a railroad-highway grade crossing,
48 the driver of any vehicle shall stop within fifty
49 feet but not less than ten feet from the nearest track
50 of such grade crossing and shall proceed only upon

MAY 10, 1977

PAGE 7

H-4056

Page 2

- 1 exercising due care."
- 2 _____. Amend the title, page 1, line 21, by inserting
- 3 after the word "license," the words "the establishment
- 4 of certain railroad safety requirements,".
- 5 _____. Renumber the sections as necessary."

H-4056 FILED - *Withdrawn 5/12* BY KRAUSE of Kossuth
MAY 9, 1977 (*p. 2135*)

SENATE FILE 167

H-4054

- 1 Amend Senate File 167, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 27, by inserting after line 15 the
- 4 following:
- 5 "Sec. _____. Section three hundred twenty-one point
- 6 four hundred ninety-four (321.494), Code 1977, is
- 7 amended by adding the following new paragraph:
- 8 NEW PARAGRAPH. However, the owner or operator
- 9 of a carpool or vanpool as defined in this Act shall
- 10 not be liable unless damage is caused as a result
- 11 of the driver of the carpool or vanpool being under
- 12 the influence of an alcoholic beverage, a narcotic,
- 13 hypnotic or other drug, or any combination of such
- 14 substances, or because of the reckless operation of
- 15 the carpool or vanpool vehicle by the operator."
- 16 2. Page 32, by inserting after line 1 the follow-
- 17 ing:
- 18 "Sec. _____. The legislature finds that to pre-
- 19 serve increasingly scarce natural resources of
- 20 petroleum products, and to encourage a cooperative
- 21 effort from the public to share the costs incurred
- 22 to transport individuals in transportation facili-
- 23 ties to and from work, it is in the interest of the
- 24 health, safety, and welfare of the state to adopt
- 25 the provisions of the new paragraph added by this
- 26 amendment."

H-4054 FILED - *Withdrawn 5/12* BY DAVITT of Warren
MAY 9, 1977 (*2147*)

SENATE FILE 167

H-4060

- 1 Amend amendment H-4049 to Senate File 167 as
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 15, by inserting after the
- 4 word "state" the following: "provided the roadway
- 5 is not less than twenty feet wide".

H-4060 FILED - *Lost 5/12* (2145) BY LIPSKY of Linn
MAY 9, 1977

1 Amend amendment H-4050 to Senate File 167 as
2 follows:
3 1. Page 1, by striking lines 2 through 50.
4 2. Page 2, by striking lines 1 through 20 and
5 inserting in lieu thereof the following:
6 "Page 30, by inserting after line 34 the following:
7 Sec. _____. Section three hundred twenty-seven G
8 point thirty-two (327G.32), Code 1977, is amended
9 to read as follows:
10 327G.32 BLOCKING HIGHWAY CROSSING. A railroad
11 corporation or its employees shall not operate any
12 train in such a manner as to prevent vehicular use
13 of any highway, street or alley for a period of time
14 in excess of ten minutes except:
15 1. When necessary to comply with signals affect-
16 ~~ing the safety of~~ governing the movement of trains.
17 2. When necessary to avoid striking any object
18 or person on the track.
19 3. When the train is disabled.
20 4. When the train is in forward motion except
21 while engaged in switching operations. This excep-
22 tion shall not apply to switching operations.
23 ~~5. When there is no vehicular traffic waiting~~
24 ~~to use the crossing.~~
25 ~~6. 5.~~ 5. When necessary to comply with governmental
26 safety regulations including, but not limited to,
27 speed ordinances and speed regulations.
28 Any officer or employee of a railroad corporation
29 violating any provision of this section shall, upon
30 conviction be subject to the penalty provided in
31 section 327G.14. An employee shall not be guilty
32 of such violation if his action was necessary to
33 comply with the direct order or instructions of a
34 railroad corporation or its supervisors. Such guilt
35 shall then be with the railroad corporation.
36 The provisions of this section notwithstanding,
37 a political subdivision may pass a resolution or
38 ordinance regulating the length of time a specific
39 crossing may be blocked if the political subdivision
40 demonstrates such a resolution or ordinance is
41 necessary for public safety or convenience. If such
42 a resolution or ordinance is passed the political
43 subdivision shall immediately within thirty days of
44 the effective date of the resolution or ordinance
45 notify the board and the railroad corporation using
46 the crossing affected by the resolution or ordinance.
47 The resolution or ordinance shall not become effective
48 unless the board and the railroad corporation are
49 notified within thirty days. The resolution or
50

H-4055
Page 2

1 ordinance shall become effective thirty days after
2 such notification unless a person files an objection
3 to the resolution or ordinance with the board. If
4 an objection is filed the board shall hold a hearing
5 according to the rules established by the board.
6 The board may disapprove the resolution or ordinance
7 if public safety or convenience does not require such
8 a resolution or ordinance. The resolution approved
9 by the political subdivision shall be prima facie
10 evidence that the resolution is adopted to preserve
11 public safety or convenience, which may be rebutted
12 by a showing that the resolution or ordinance would
13 significantly impair the railroad operations. Public
14 safety or convenience may include, but shall not be
15 limited to, high traffic density at a specific crossing
16 of a main artery or interference with the flow of
17 authorized emergency vehicles.

18 Political subdivisions shall notify the board
19 within sixty days of the effective date of this Act,
20 of each existing resolution or ordinance which does
21 not conform with the provisions of this section.
22 Failure to notify the board by January 1, 1978 shall
23 render the resolution or ordinance void.

24 Such ordinances or resolutions may remain in effect
25 until the board has acted upon each ordinance or
26 resolution under the procedures specified in this
27 section."

H-4055 FILED - *Withdrawn* BY KRAUSE of Kossuth
MAY 9, 1977 (p. 2135)

SENATE FILE 167

H-4061

1 Amend Senate File 167 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 22, by striking lines 33 through 35.
4 2. Page 23, by striking lines 1 through 10
5 and inserting in lieu thereof the following:
6 "2. ~~YOUTHS-NOT-ATTENDING-SCHOOL--NO-DRIVER'S~~
7 ~~TRAINING-REQUIRED--Any-person-under-the-age-of~~
8 ~~eighteen-who-is-not-attending-a-public-or-private~~
9 ~~school-in-which-an-approved-driver's-education~~
10 ~~course-is-offered-or-available, shall-not-be~~
11 ~~required-to-complete-an-approved-driver's-education~~
12 ~~course-prior-to-being-entitled-to-receive-a-one~~
13 ~~year-probationary-operator's-license-from-the~~
14 ~~department. Any person who re-enters any private~~
15 ~~or public school prior to age eighteen shall be~~
16 ~~required to attend an approved driver's education~~
17 ~~course; however, the department shall not suspend~~
18 ~~or revoke the motor vehicle license issued to the~~
19 ~~person prior to the person's re-entry into a~~
20 ~~public or private school, except for violations~~
21 ~~of this chapter."~~

H-4061 FILED - *Out of order* BY PATCHETT of Johnson
MAY 9, 1977 *with adoption* DYRLAND of Clayton
of 4046 5/12 KREWSON of Polk

H-4050

1 Amend Senate File 167 as follows:

2 1. Page 27, by inserting after line 15 the
3 following:

4 "Sec. ____ . Section three hundred twenty-one point
5 four hundred seventy-three (321.473), Code 1977, is
6 amended by adding the following new unnumbered
7 paragraphs:

8 NEW UNNUMBERED PARAGRAPH. A railroad corporation
9 or its employees shall not operate any train in such
10 a manner as to prevent vehicular use of any highway,
11 street or alley for a period of time in excess of
12 five minutes except:

13 1. When necessary to comply with signals affecting
14 the safety of the movement of trains.

15 2. When necessary to avoid striking any object
16 or person on the track.

17 3. When the train is disabled.

18 4. When necessary to comply with governmental
19 safety regulations.

20 NEW UNNUMBERED PARAGRAPH. Any officer or employee
21 of a railroad corporation violating any provision
22 of this section shall, upon conviction be subject
23 to the penalty provided in section 327G.14. An
24 employee shall not be guilty of such violation if
25 his action was necessary to comply with the direct
26 order or instructions of a railroad corporation or
27 its supervisors.

28 NEW UNNUMBERED PARAGRAPH. The provisions of this
29 section notwithstanding, a political subdivision may
30 pass a resolution or ordinance regulating the
31 obstruction of a road or alley at a railroad grade
32 crossing if the political subdivision demonstrates
33 such a resolution or ordinance is necessary for public
34 safety or convenience. If such a resolution or
35 ordinance is passed the political subdivision shall
36 immediately notify the board and the railroad
37 corporation using the crossing affected by the
38 resolution or ordinance. The resolution or ordinance
39 shall become effective thirty days after such
40 notification unless a person files an objection to
41 the resolution or ordinance with the board. If an
42 objection is filed the board shall hold a hearing
43 according to the rules established by the board.
44 The board may disapprove the resolution or ordinance
45 if public safety or convenience does not require such
46 a resolution or ordinance. The resolution or ordinance
47 approved by the political subdivision shall be prima
48 facie evidence that the resolution or ordinance is
49 adopted to preserve public safety, health and
50 convenience. Public safety or convenience may include,

MAY 10, 1977

PAGE 3

H-4050

Page 2

1 but shall not be limited to, high traffic density
2 at a specific crossing of a main artery or interference
3 with the flow of authorized emergency vehicles.

4 NEW UNNUMBERED PARAGRAPH. Political subdivisions
5 shall notify the board within sixty days of the
6 effective date of this Act, of each existing resolution
7 or ordinance which does not conform with the provisions
8 of this section. Such ordinances or resolutions may
9 remain in effect until the board has acted upon each
10 ordinance or resolution under the procedures specified
11 in this section."

12 2. Page 31, line 8, by striking the word "and".

13 3. Page 31, line 9, by inserting after the figure
14 "(321.188)," the words and figure "and three hundred
15 twenty-seven G point thirty-two (327G.32),".

16 4. Renumber section and correct internal references
17 as necessary.

18 5. Amend the title, page 1, line 24, by inserting
19 after the word "turns," the words "obstructing roads
20 and alleys at railroad grade crossings,".

H-4050 FILED - *Withdrawn 5/12* BY SCHROEDER of Pottawattamie
MAY 9, 1977 (*p. 2135*)

SENATE FILE 167

H-4051

1 Amend Senate File 167, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 20, by striking lines 30 through 35

4 2. Page 21, by striking lines 1 through 11.

5 3. Amend the title page, by striking from
6 lines 16 and 17 the following:

7 "an increase in the portion of the registra-
8 tion fee retained by the county treasurer,".

H-4051 FILED - *Withdrawn* BY WELDEN of Hardin
MAY 9, 1977 (*5/12 p. 2136*) MILLEN of Van Buren

SENATE FILE 167

H-4058

1 Amend amendment H-3804 to Senate File 167
2 as follows:

3 1. Page 6, line 47 by striking the word "thirty-
4 six" and inserting in lieu thereof the word
5 "thirty-four".

6 2. Page 7, by inserting after the period in
7 line 11 the following:

8 " Annual special permits issued pursuant to
9 this section for two axle vehicles shall be for
10 vehicles registered to operate in Iowa prior to
11 July 1, 1978. The provision of this section shall
12 not apply to two axle vehicles after July 1, 1983."

H-4058 FILED - *Lost 5/9 (p. 2008)* BY HINES of Story
MAY 9, 1977

HOUSE CLIP SHEET

Tuesday, May 10, 1977

SENATE FILE 167

H-4048

- 1 Amend Amendment H-3804, to Senate File 167, as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 4, line 45, by striking the figure "11" and
- 4 inserting in lieu thereof the figure "10".

H-4048 FILED - *adopted 5/9*
(p. 2006) BY KRAUSE of Kossuth
MAY 9, 1977

SENATE FILE 167

H-4049

- 1 Amend Senate File 167, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 27, by inserting after line 4 the follow-
- 4 ing new sections:
- 5 "Sec. _____. Section three hundred twenty-one point
- 6 four hundred fifty-four (321.454), Code 1977, is
- 7 amended to read as follows:
- 8 321.454 WIDTH OF VEHICLES. The total outside
- 9 width of any vehicle or the load thereon shall not
- 10 exceed eight feet except that a bus having a total
- 11 outside width not exceeding eight feet six inches,
- 12 exclusive of safety equipment, shall be exempt from
- 13 the permit requirements of chapter three hundred
- 14 twenty-one E (321E) of the Code and may be operated
- 15 on the public highways of the state. However, if
- 16 hay, straw or stover moved on any implement of
- 17 husbandry and the total width of load of the implement
- 18 of husbandry exceeds eight feet in width, the implement
- 19 of husbandry shall not be subject to the permit
- 20 requirements of chapter 321E. If hay, straw or stover
- 21 is moved on any other vehicle subject to registration,
- 22 such moves shall be subject to the permit requirements
- 23 for transporting loads exceeding eight feet in width
- 24 as required under chapter 321E.
- 25 Sec. _____. Section three hundred twenty-one point
- 26 four hundred fifty-seven (321.457), subsection two
- 27 (2), Code 1977, is amended to read as follows:
- 28 2. No single bus, unladen or with load, shall
- 29 have an overall length, inclusive of front and rear
- 30 bumpers, in excess of forty feet, ~~provided that a~~
- 31 ~~bus in excess of thirty-five feet in overall length~~
- 32 ~~shall not have less than three axles."~~
- 33 2. Amend the title, line 24, by inserting after
- 34 the word "turns," the words "relating to the width
- 35 and length of buses which may be operated on the
- 36 highways of this state,".

H-4049 FILED - *adopted as*
amended by 4088 BY SCHROEDER of Pottawattamie
MAY 9, 1977 *5/12 (p. 2146)*

H-4046

SENATE FILE 167

1 Amend amendment H-3804 to Senate File 167, as
 2 amended, passed and reprinted by the Senate as follows:
 3 1. Page 4, by striking lines 31 through 44 and
 4 inserting in lieu thereof the following:
 5 " . By striking page 22, line 33 through page
 6 23, line 10, and inserting in lieu thereof the
 7 following:
 8 "2. YOUTHS NOT ATTENDING SCHOOL--NO DRIVER'S
 9 TRAINING DRIVER EDUCATION REQUIRED.
 10 a. Any person ~~under the age of~~ between sixteen
 11 and eighteen years of age who is not attending a
 12 public or private school in which an approved driver's
 13 education course is offered or available, shall not
 14 be required to complete an approved driver's education
 15 course prior to being entitled to receive a one-year
 16 probationary operator's license from the department.
 17 ~~Any person who re-enters any private or public school~~
 18 ~~prior to age eighteen shall be required to attend~~
 19 ~~an approved driver's education course.~~ A person shall
 20 not have a probationary operator's license revoked
 21 or suspended upon reentering school prior to age
 22 eighteen.
 23 b. The department shall revoke a probationary
 24 operator's license upon proof of a conviction for
 25 a moving traffic violation."
 26 2. Renumber and correct internal references as
 27 necessary.

H-4046 FILED - *Adopted* BY SPEAR of Lee
 MAY 6, 1977 *amended by 4064 Reconsidered Adopted 5/12 (2148)*
5/9 (p. 2005)
Motion to reconsider p. 2012) SENATE FILE 167
 H-3979

1 Amend amendment H-3804 to Senate File 167, as
 2 amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 3, by striking lines 42 through 48 and
 5 inserting in lieu thereof the following:
 6 "1. To any person, as an operator, who is under
 7 the age of".

H-3979 FILED - *Adopted 5/9* BY SPEAR of Lee
 MAY 4, 1977 *(2002)*

SENATE FILE 167

H-3978

1 Amend Senate File 167, as passed by the Senate
 2 and reprinted, as follows:
 3 1. Page 27, by inserting after line 29 the
 4 following:
 5 "NEW SECTION. A copy of the permits issued by
 6 the state or county to move mobile homes shall be sent
 7 to the county treasurer of the county of final des-
 8 tination by the permit issuing officer. A one dollar
 9 fee shall be added to the permit charge to cover the
 10 costs of this service.
 11 NEW SECTION. The county treasurer shall have
 12 the power to deputize a collector to enforce tax
 13 collections."

H-3978 FILED A- *Adopted* BY MILLER of Buchanan
 MAY 4, 1977 B- *Loch* DOYLE of Woodbury
5/12 (p. 2147) KRAUSE of Kossuth
 WOODS of Polk

1 Amend Senate File 167, as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 3, line 10, by inserting after the word
4 "number." the following: "Registration plates issued
5 for a county sheriff's patrol vehicles shall display
6 one seven pointed gold star on a green background
7 followed by the letter "S" and the call number of
8 the vehicle."

9 2. Page 3, by inserting after line 25 the
10 following:

11 "Sec. _____. Section three hundred twenty-one point
12 twenty-four (321.24), unnumbered paragraph one (1),
13 Code 1977, is amended to read as follows:

14 Upon receipt of the application for title and
15 payment of the required fees for motor vehicle,
16 trailer, or semitrailer, the county treasurer shall,
17 when satisfied as to the genuineness and regularity
18 thereof, issue a registration receipt and certificate
19 of title and shall file the application, the
20 manufacturer's or importer's certificate, certificate
21 of title, or other evidence of ownership, as prescribed
22 by the department. The registration receipt shall
23 be delivered to the owner and shall contain upon the
24 face thereof the date issued, the name and address
25 of the owner, the registration number assigned to
26 the vehicle, the title number assigned to the owner
27 of the vehicle, the amount of the fee paid, the amount
28 of tax paid pursuant to section 423.7, type of fuel
29 used and such description of the vehicle as determined
30 by the department and upon the reverse side a form
31 for notice of transfer of the vehicle. The county
32 treasurer shall maintain in the county record system
33 information contained on the registration receipt.
34 Such information shall be accessible by registration
35 number and shall be open for public inspection during
36 reasonable business hours. Such copies as the
37 department may require shall be sent to the department
38 in the manner and at such time as the department may
39 direct. The certificate of title shall contain upon
40 the face thereof the identical information required
41 upon the face of the registration receipt. In addition
42 thereto, the certificate of title shall contain a
43 statement of the owner's title, the amount of tax
44 paid pursuant to section 423.7, name and address of
45 previous owner, and a statement of all security
46 interests and encumbrances as shown in the application,
47 upon the vehicle therein described including the
48 nature of the security interest, ~~amount,~~ date of
49 notation and name and address of the secured party.
50 Said certificate shall bear thereon the seal of the

1 county treasurer, the signature of the county treasurer
2 or that of the deputy county treasurer, and shall
3 provide space for the signature of the owner. The
4 owner shall sign the certificate of title in the space
5 provided with pen and ink upon receipt of certificate
6 of title. The certificate of title shall contain
7 upon the reverse side a form for assignment of title
8 or interest and warranty thereof by the owner, for
9 reassignments by a licensed dealer and for application
10 for a new certificate of title by the transferee as
11 provided in this chapter. All certificates of title
12 shall be typewritten or printed by other mechanical
13 means. The original certificate of title shall be
14 delivered to the owner in the event no security
15 interest or encumbrance appears thereon. Otherwise
16 the certificate of title shall be delivered by the
17 county treasurer to the person holding the first
18 security interest or encumbrance as shown in the
19 certificate. The county treasurer shall maintain
20 in the county records system information contained
21 on the certificate of title. Such information shall
22 be accessible by title certificate number for a period
23 of three years from the date of notification of
24 cancellation of title or that a new title has been
25 issued as provided in this chapter. Such copies as
26 the department may require shall be sent to the
27 department in the manner and at such time as the
28 department shall direct. The department shall
29 designate a uniform system of title numbers so as
30 to indicate the county of issuance."

31 3. Page 4, line 3, by inserting after the word
32 "person" the words "known to the dealer to be".

33 4. Page 7, line 33, by striking the words
34 "Individualized registration plates" and inserting
35 in lieu thereof the words "~~INDIVIDUALIZED~~ PERSONALIZED
36 REGISTRATION PLATES".

37 5. Page 8, by inserting after line 18 the
38 following:

39 "Sec. _____. Section three hundred twenty-one point
40 thirty-five (321.35), unnumbered paragraphs one (1)
41 and (2), Code 1977, are amended by striking the
42 paragraphs."

43 6. Page 10, line 8, by striking the word "not"
44 and inserting in lieu thereof the word "not".

45 7. Page 10, lines 8 and 9, by striking the words
46 "social security" and inserting in lieu thereof the
47 words "~~social security~~ motor vehicle license".

48 8. Page 12, by inserting after line 19 the
49 following:

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

1 fifty (321.50), subsection one (1), Code 1977, is
2 amended to read as follows:

3 1. A security interest in a vehicle subject to
4 registration under the laws of this state, except
5 trailers whose empty weight is two thousand pounds
6 or less, ~~and wagon-box-trailers-subject-to-a~~
7 ~~registration-fee-of-five-dollars-or-less,~~ and new
8 or used vehicles held by a dealer or manufacturer
9 as inventory for sale, is perfected by the delivery
10 to the county treasurer of the county where the
11 certificate of title was issued or, in the case of
12 a new certificate, to the county treasurer where the
13 certificate will be issued of an application for
14 certificate of title which lists such security
15 interest, or an application for notation of security
16 interest signed by the owner, or by one owner of a
17 vehicle, owned jointly by more than one person or
18 a certificate of title from another jurisdiction which
19 shows such security interest, and a fee of two dollars
20 for each security interest shown. If the owner or
21 secured party is in possession of the certificate
22 of title, it must also be delivered at this time in
23 order to perfect the security interest. If a vehicle
24 is subject to a security interest when brought into
25 this state, the validity of the security interest
26 and the date of perfection is determined by the Uniform
27 Commercial Code, section 554.9103. Delivery as
28 provided in this subsection shall be deemed to be
29 indication of a security interest on a certificate
30 of title for purposes of chapter 554."

31 9. Page 16, lines 13 and 14, by striking the words
32 "~~unless-and-until-it-receives-the-registration-card~~
33 ~~completed-as-herein-provided~~" and inserting in lieu
34 thereof the words "unless ~~and-until~~ it receives the
35 registration card completed as ~~herein~~ provided in
36 this section".

37 10. Page 22, by inserting after line 29 the
38 following:

39 "Sec. ____ . Section three hundred twenty-one point
40 one hundred seventy-seven (321.177), subsection one
41 (1), Code 1977, is amended to read as follows:

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

1 course, in which case, the minimum age shall be sixteen
2 years. However, the department may issue a restricted
3 license as provided in section 321.194, or an
4 instruction permit as provided in section 321.180,
5 to any person who is at least fourteen years of age.
6 The department may issue a license restricted only
7 for use for motorized bicycles as provided in section
8 321.189, subsection 2, to any person fourteen years
9 of age or older who has successfully completed an
10 ~~approved-driver's-education-course-established-by~~
11 ~~the-department-of-public-instruction-to-acquaint-the~~
12 ~~motorized-bicycle-operator-with~~ a written examination
13 on the rules of the road and a vision test.

14 Sec. _____. Section three hundred twenty-one point
15 one hundred seventy-eight (321.178), subsection one
16 (1), unnumbered paragraph three (3), Code 1977, is
17 amended to read as follows:

18 "Student," for purposes of this section, means
19 any person between the ages of fifteen years and
20 twenty-one years who resides in the public school
21 district and who satisfies the preliminary licensing
22 requirements of the department ~~or-any-person-between~~
23 ~~fourteen-and-twenty-one-years-of-age-who-resides-in~~
24 ~~the-public-school-district,-who-satisfies-the~~
25 ~~preliminary-licensing-requirements-of-the-department~~
26 ~~for-operation-of-a-motorized-bicycle-and-who-is~~
27 ~~enrolled-in-an-approved-driver-education-course-for~~
28 ~~the-purpose-of-qualifying-for-a-motorized-bicycle~~
29 ~~license-as-provided-for-in-section-321.189,-subsection~~
30 ~~2."~~

31 11. Page 22, line 33, by striking the words
32 "DRIVER'S TRAINING" and inserting in lieu thereof
33 the words "~~DRIVER'S TRAINING~~ DRIVER EDUCATION".

34 12. Page 23, line 1, by striking the word
35 "driver's" and inserting in lieu thereof the words
36 "~~driver's~~ driver".

37 13. Page 23, line 6, by striking the word "attend"
38 and inserting in lieu thereof the words "~~attend~~
39 successfully complete".

40 14. Page 23, line 10, by inserting after the word
41 "chapter." the words "The failure of a person to
42 successfully complete a driver education course under
43 this subsection shall not be a violation of this
44 chapter."

45 15. Page 23, by inserting after line 11 the
46 following:

47 "Sec. _____. Section three hundred twenty-one point
48 one hundred seventy-eight (321.178), Code 1977, is
49 amended by striking subsection three (3)."

50 16. Page 23, by inserting after line 29 the follow-

1 ing:
2 "Sec. _____. Section three hundred twenty-one point
3 one hundred eighty-nine (321.189), subsection one
4 (1), Code 1977, is amended to read as follows:
5 1. MOTOR VEHICLE LICENSE. The Upon the payment
6 of the required fee, the department shall upon-payment
7 of-the-required-fee, issue to every qualifying
8 applicant qualifying-therefor and operator's license,
9 motorized bicycle license, or chauffeur's license,
10 as applied for,-when. Appearing on this license
11 shall bear-thereon be a distinguishing number assigned
12 to the licensee; the licensee's full name, date of
13 birth, occupation, sex, residence address; a colored
14 photograph; and a brief description of the licensee;
15 and the usual signature of the licensee. If prior
16 to the renewal date, a person desires to obtain an
17 operator's or chauffeur's license in the form
18 authorized by this section prior-to-the-person's
19 renewal-date, such license may be issued as a voluntary
20 replacement upon payment of the required fee. The
21 number of places where licenses are available shall
22 not be reduced because of procedures or equipment
23 required in placing colored photographs on licenses
24 or permits. The department shall provide a space
25 on every license where the licensee may affix a decal
26 or sticker indicating that the licensee is a donor
27 under the Uniform Anatomical Gift Act and shall provide
28 a space shall-be-provided where the licensee may affix
29 a symbol indicating the presence of a medical
30 condition. The license may contain such other
31 information as the department may by rule require.
32 No license shall be valid unless it bears the usual
33 signature of the licensee. The-distinguishing-number
34 assigned-to-a-licensee-shall-not-be-the-licensee's
35 social-security-number. The department shall not
36 retain a positive or negative photograph of the
37 licensee. The licensee may affix a decal or sticker
38 on the license in the space provided which indicates
39 that the licensee is a donor under the Uniform
40 Anatomical Gift Act. The decal shall not be larger
41 than one-half inch in diameter. The use of the decal
42 or sticker on the license shall be authorized only
43 if the licensee has complied with the provisions for
44 making a gift under the Uniform Anatomical Gift Act
45 and shall be effective only if the licensee carries
46 on or about the licensee's person a duly signed and
47 executed donor card as authorized by the Uniform
48 Anatomical Gift Act.
49 Sec. _____. Section three hundred twenty-one point
50 one hundred eighty-nine (321.189), subsection two

1 (2), paragraphs a and e, Code 1977, are amended to
2 read as follows:

3 a. The department may issue a motorized bicycle
4 license to any person fourteen years of age or older
5 who has passed the ~~approved-driver-education-course~~
6 ~~required-for-applicants-for-such-license~~ a vision
7 test and a written examination on the rules of the
8 road. A motorized bicycle license shall entitle the
9 licensee to operate a motorized bicycle while having
10 the license in immediate possession on the highways
11 of the state for a period of two years.

12 e. A motorized bicycle license shall terminate
13 upon issuance to the licensee of an operator's or
14 chauffeur's license ~~valid-for-operation-of-motoreycles.~~
15 A valid motorized bicycle license shall be returned
16 to the department prior to issuance of an operator's
17 or chauffeur's license ~~valid-for-operation-of~~
18 ~~motoreycles."~~

19 17. Page 26, line 24, by striking the words "less
20 than four tons" and inserting in lieu thereof the
21 words "four tons or less".

22 18. Page 27, line 2, by striking the words "less
23 than four tons" and inserting in lieu thereof the
24 words "four tons or less".

25 19. Page 27, line 15, by inserting after the word
26 "roadway." the words "The provisions of this section
27 shall not apply to vehicles loaded with hay or stover
28 or the products listed in section three hundred twenty-
29 one point four hundred sixty-six (321.466), unnumbered
30 paragraphs six (6) and seven (7) of the Code."

31 20. Page 27, by inserting after line 15 the
32 following:

33 "Sec. _____. Section three hundred twenty-one point
34 four hundred seventy-three (321.473), Code 1977, is
35 amended by adding the following new unnumbered
36 paragraph:

37 NEW UNNUMBERED PARAGRAPH. The department may issue
38 annual special permits for the operation of compacted
39 rubbish vehicles and vehicles which transport compacted
40 rubbish from a rubbish collection point to a landfill
41 area exceeding the weight limitation of section three
42 hundred twenty-one point four hundred sixty-three
43 (321.463) of the Code, but not exceeding a rear axle
44 gross weight for two axle vehicles of twenty-two
45 thousand pounds and for tandem axle vehicles or
46 transferable auxiliary axle vehicles not exceeding
47 a gross weight on the rear axles of thirty-six thousand
48 pounds. Annual special permits for the operation
49 on secondary roads shall be approved by the county
50 engineer. Annual special permits for operation on

1 primary roads shall be approved by the state department
2 of transportation. Compacted rubbish vehicles and
3 vehicles which transport compacted rubbish from a
4 rubbish collection point to a landfill area operated
5 pursuant to an annual special permit shall be operated
6 only over routes designated by the local authority.
7 Annual special permits approved by the issuing
8 authority shall be issued upon payment of an annual
9 fee, in addition to other registration fees imposed,
10 of fifty dollars to be paid to the department for
11 all nongovernmental vehicles."

12 21. Page 28, line 34, by inserting after the word
13 "rider's" the words "or the owner-operator's".

14 22. Page 28, line 35, by inserting after the word
15 "rider's" the words "or the owner-operator's".

16 23. Page 29, line 1, by inserting after the word
17 "employment" the words "or other common destination
18 of the group".

19 24. Page 29, line 6, by inserting after the word
20 "rider's" the words "or the owner-operator's".

21 25. Page 29, line 7, by inserting after the word
22 "rider's" the words "or the owner-operator's".

23 26. Page 29, line 7, by inserting after the word
24 "employment" the words "or other common destination
25 of the group".

26 27. Page 30, line 6, by inserting after the word
27 "is" the word "fit,".

28 28. Page 31, lines 5 and 6, are amended by strik-
29 ing the words and figure "three hundred twenty-one
30 point thirty-five (321.35),".

31 29. Amend the title page 1, line 5, by inserting
32 after the word "vehicles," the words "gold stars on
33 county sheriff's patrol vehicles, the elimination
34 of the requirement for completion of a driver education
35 course to obtain a motorized bicycle license, changing
36 the requirements of perfection of certain security
37 interests, use of a social security number on motor
38 vehicle license applications, special permits for
39 rubbish collection vehicles,".

40 30. Amend the title page 1, line 24, by striking
41 the words "less than four tons" and inserting in lieu
42 thereof the words "four tons or less".

43 31. Renumber sections and correct internal
44 references in conformance with ~~this amendment~~.

H-3804 FILED - *Adopted* BY COMMITTEE ON TRANSPORTATION
APRIL 27, 1977 *as amended* KRAUSE of Kossuth, Chair

by 3979, 4046, 4048, 4109, 4125
5/12 (p. 2150)

SENATE FILE 167

H-3773

- 1 Amend Senate File 167 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 25, by inserting after line 32 the following:
- 4 "Sec. _____. Section three hundred twenty-one point
- 5 two hundred thirty-six (321.236), Code 1977, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. Establishing comprehensive anti-
- 8 noise ordinances providing maximum noise levels for
- 9 motor vehicles upon streets and highways. Nothing in
- 10 this subsection shall be construed as limiting or pre-
- 11 cluding the enforcement of equipment requirements or
- 12 any other provisions of law relating to motor vehicle
- 13 noise in this chapter."
- 14 2. Amend the title, line 24, by inserting after the
- 15 word "turns," the words "allowing local authorities to
- 16 establish comprehensive anti-noise ordinances,".

H-3773 FILED - *Amended not given* BY LIPSKY of Linn
APRIL 26, 1977 *Amended suspended*
Lost 5/12 (2143)

SENATE FILE 167

H-3588

- 1 Amend Senate File 167, as passed by the
- 2 Senate, as follows:
- 3 1. Page 2, line 12, by inserting after the
- 4 word "materials" the following: ", agricultural
- 5 limestone".
- 6 2. Page 2, line 14, by inserting after the
- 7 word "of" the following: "agricultural lime-
- 8 stone and".

H-3588 FILED - *Adopted 5/12* BY MILLEN of Van Buren
APRIL 14, 1977 *(p. 2136)*

SENATE FILE 167

H-3533

- 1 Amend Senate File 167, as passed by the
- 2 Senate and reprinted, as follows:
- 3 1. Page 29, line 5, by striking the word
- 4 "fifteen" and inserting in lieu thereof the
- 5 word "twelve".

H-3533 FILED - *Lost 5/12 (2147)* BY HUSAK of Tama
APRIL 6, 1977

1 Amend Senate File 167 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 20, by striking the word "section"
4 and inserting in lieu thereof the word "sections".

5 2. Page 1, by inserting after line 28, the
6 following:

7 "NEW SECTION. PROOF OF FINANCIAL RESPONSIBILITY.

8 1. Notwithstanding the provisions of chapter three
9 hundred twenty-one A (321A) of the Code, as it pertains
10 to who is required to maintain proof of financial
11 responsibility to operate a motor vehicle on the
12 highways of this state, a person shall not operate
13 a motor vehicle on the highways of this state unless
14 the person has demonstrated proof of financial
15 responsibility as defined in section three hundred
16 twenty-one A point one (321A.1) of the Code.

17 2. The department shall not issue a license or
18 a permit to operate a motor vehicle in this state
19 unless the applicant has demonstrated proof of
20 financial responsibility in a manner provided in this
21 section or such other manner as prescribed by the
22 department to substantiate that a person has the
23 ability to respond in damages for liability in the
24 amounts specified in section three hundred twenty-
25 one A point one (321A.1), subsection ten (10), of
26 the Code. A certificate of insurance from an insurance
27 company licensed to conduct business in Iowa, an
28 appropriate bond or a certificate from the state
29 treasurer shall be adequate evidence of proof of
30 financial responsibility.

31 3. An insurance company operating in the state
32 shall notify the state department of transportation
33 in a manner prescribed by the department pursuant
34 to rules of a cancellation of an insurance policy
35 issued to a person to satisfy the requirements for
36 proof of financial responsibility in a manner
37 prescribed by the commissioner of insurance. The
38 department shall revoke the motor vehicle license
39 or permit of a person who is unable to demonstrate
40 proof of financial responsibility.

41 4. The state department of transportation and
42 the insurance department shall promulgate rules to
43 implement the provisions of this Act."

44 3. Page 25, by inserting after line 27, the
45 following:

46 "Sec. _____. Section three hundred twenty-one point
47 two hundred nine (321.209), Code 1977, is amended
48 by adding the following new paragraph:

49 NEW PARAGRAPH. The department shall revoke the
50 license or permit of an individual to operate a motor

H-3463

Page 2

1 vehicle on the highways of this state if the person
 2 is not able to demonstrate proof of financial responsi-
 3 bility as defined in section three hundred twenty-
 4 one A point one (321A.1) of the Code."

5 4. Amend the title, line 1, by inserting after
 6 the word "for" the words "mandatory proof of financial
 7 responsibility of all persons licensed to operate
 8 a motor vehicle on the highways of this state,".

9 5. Renumber the sections and correct internal
 10 references as necessary.

H-3463 FILED

BY MILLER of Buchanan

BRANDT of Black Hawk

APRIL 1, 1977

GARRISON of Black Hawk

OXLEY of Linn

Not germane 5/10

DUNTON of Keokuk

LONERGAN of Boone

p. 2057

DAVITT of Warren

GENTLEMAN of Polk

WYCKOFF of Benton

GILLOON of Dubuque

HARBOR of Mills

SCHNEKLOTH of Scott

WELLS of Linn

GILSON of Guthrie

PONCY of Wapello

HORN of Linn

CUSACK of Scott

BINA of Scott

KOOGLER of Mahaska

BRUNOW of Appanoose

DAGGETT of Adams

PELLETT of Cass

STEPHENS of Plymouth

HANSEN of O'Brien

HUSAK of Tama

MILLER of Calhoun

AVENSON of Fayette

ANDERSON of Jasper

MENKE of O'Brien

BENNETT of Ida

TOFTE of Winneshiek

PERKS of Greene

WULFF of Black Hawk

MILLEN of Van Buren

CRABB of Crawford

BYERLY of Polk

PAVICH of Pottawattamie

BAKER of Buena Vista

WOODS of Polk

LAGESCHULTE of Bremer

RINAS of Linn

DYRLAND of Clayton

EVANS of Grundy

SCHEELHAASE of Woodbury

HINKHOUSE of Cedar

SPEAR of Lee

CLARK of Cerro Gordo

BINNEBOESE of Plymouth

JUNKER of Woodbury

PATCHETT of Johnson

HINES of Story

HOWELL of Floyd

HIGGINS of Scott

CHIODO of Polk

WALTER of Pottawattamie

STROMER of Hancock

H-3893

1 Amend Senate File 167 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 27, by inserting after line 15 the
4 following:

5 "Sec. _____. Section three hundred twenty-one point
6 four hundred eighty-seven (321.487), Code 1977, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. Where a defendant fails to make
9 a required court appearance, pursuant to a citation
10 issued and signed by the defendant, the court shall
11 enter the defendant's plea of "guilty" as authorized
12 by the defendant's signature on the citation for the
13 original charge or charges that required the defendant
14 to appear. Authorization by the defendant to the
15 court to enter a plea of guilty on defendant's behalf
16 shall be clearly stated on the face of the citation
17 in the following form:

18 "I hereby agree that if I fail to appear further
19 on the above named charge on the specified date, I
20 hereby enter my written appearance and authorize the
21 court to enter a finding of guilty as charged."

22 Upon entering a judgment of guilty, the court shall
23 determine the penalty and shall assess court costs
24 to be paid by the defendant. The defendant shall
25 be notified by the court, using ordinary mail, of
26 the penalty and the amount of court costs. If the
27 defendant fails to remit the amount of fine and costs
28 or fails to appear to begin a sentence within sixty
29 days of the mailing of notice, the court may issue
30 an arrest warrant for the offense of contempt of
31 court."

32 2. Renumber the sections and correct internal
33 references in conformance with this section.

H-3893 FILED - *Withdrawn* BY BRANSTAD of Winnebago
APRIL 29, 1977 *5/12 (2135)*

SENATE FILE 167

H-3874

1 Amend amendment H-3804 to Senate File 167
2 as follows:

3 1. Page 6, by striking lines 31 through 50.

4 2. Page 7, by striking lines 1 through 11.

5 3. Renumber sections and correct internal
6 reference in conformance with this amendment.

H-3874 FILED - *Lost* *5/9* BY KRAUSE of Kossuth
APRIL 28, 1977 *(p. 2007)*

SENATE FILE 167

H-3830

1 Amend amendment H-3773 to Senate File 167 as
2 passed by the Senate and reprinted as follows:

3 1. Page 1, line 9, by inserting after the
4 word "vehicles" the words "subject to registration".

H-3830 FILED - *Adopted* BY MIDDLESWART of Warren
APRIL 28, 1977 *5/12 (2143)*

H-4250

1 Amend the House amendment, S-3611, to Senate File
2 167, as amended, passed and reprinted by the Senate
3 as follows:

4 1. Page 1, by striking lines 31 through 34 and
5 inserting in lieu thereof the words "installation
6 of permanent protection. A railroad crossing shall
7 not be found to be particularly hazardous for any
8 purpose unless the department has determined it to
9 be particularly hazardous.".

10 2. Page 3, by inserting after line 33 the
11 following: "The motor vehicle license number shall
12 not be the social security number of the transferee-
13 unless requested by the transferee."

14 3. Page 4, by inserting after line 28 the
15 following: "~~the age of sixteen years, provided that~~
16 ~~effective August 4, 1966, the department shall not~~
17 ~~issue a license to any person, as an operator, who~~
18 ~~is under the age of seventeen years and effective~~
19 ~~August 4, 1967, the department shall not issue a~~
20 ~~license to any person, as an operator, who is under~~".

21 4. Page 5, by striking lines 17 through 28 and
22 inserting in lieu thereof the following: "and eighteen
23 years of age who is not attending in attendance at
24 school or in a public or private school in which where
25 an approved driver's education course is offered or
26 available, shall not be required to complete may be
27 issued a one-year probationary operator's license
28 without having completed an approved driver's education
29 course prior to being entitled to receive a one-year
30 probationary operator's license from the department.
31 Any person who re-enters any private or public school
32 prior to age eighteen shall be required to attend
33 an approved driver's education course. Such person
34 shall not have a probationary operator's license
35 revoked or suspended upon reentering school prior
36 to age eighteen provided the student enrolls in and
37 completes the classroom portion of an approved driver's
38 education course as soon as a course is available."

39 5. Page 6, by striking line 22 and inserting in
40 lieu thereof the following: "~~social security number~~
41 The department shall advise an applicant that he or
42 she may request a number other than a social security
43 number as the motor vehicle license number. The
44 department shall not".

45 6. Page 8, line 39, by striking the figure "1982"
46 and inserting in lieu thereof the figure "1983".

H-4250 FILED
RECEIVED FROM SENATE
MAY 18, 1977

Same as amended 5/18/77 p. 2386

SENATE FILE 167

AN ACT

RELATING TO TRANSPORTATION PROVIDING FOR RETENTION OF MOTOR VEHICLE REGISTRATION PLATES UPON TRANSFER, ISSUANCE OF SAMPLE REGISTRATION PLATES, DEFINING CERTAIN WORDS, RED STARS ON REGISTRATION PLATES ISSUED FOR IOWA HIGHWAY SAFETY PATROL VEHICLES, GOLD STARS ON COUNTY SHERIFF'S PATROL VEHICLES, THE ELIMINATION OF THE REQUIREMENT FOR COMPLETION OF A DRIVER EDUCATION COURSE TO OBTAIN A MOTORIZED BICYCLE LICENSE, CHANGING THE REQUIREMENTS OF PERFECTION OF CERTAIN SECURITY INTERESTS, USE OF A SOCIAL SECURITY NUMBER ON MOTOR VEHICLE LICENSE APPLICATIONS, SPECIAL PERMITS FOR RUBBISH COLLECTION VEHICLES, ELIMINATION OF THE NOTATION OF SECURITY INTERESTS ON THE STATE COPY OF A CERTIFICATE OF TITLE, ISSUANCE OF PERSONALIZED, SPECIAL AND DEALER REGISTRATION PLATES, REGISTRATION OF A MOTOR VEHICLE IN A NEW COUNTY, ISSUANCE OF SUBSTITUTE REGISTRATION PLATES, THE ALLOWANCE OF SEVEN DAYS AFTER TRANSFER OF A MOTOR VEHICLE TO REGISTER THE MOTOR VEHICLE AND TRANSFER THE CERTIFICATE OF TITLE, TRANSFER UNDER A RESTRICTED CERTIFICATE OF TITLE WITH THE TRANSFEREE'S SIGNATURE ON AN AFFIDAVIT, COLLECTION OF SEMI-ANNUAL FEES ON CERTAIN MOTOR TRUCKS IN UNEQUAL INSTALLMENTS, AN INCREASE IN THE PORTION OF THE REGISTRATION FEE RETAINED BY THE COUNTY TREASURER, WORKING IN IOWA WITH A CHAUFFEUR'S LICENSE FROM ANOTHER STATE, ISSUANCE OF A TEMPORARY CHAUFFEUR'S INSTRUCTION PERMIT AT A COST OF SIX DOLLARS, PEOPLE AT LEAST EIGHTEEN YEARS OLD TO OBTAIN A FOUR YEAR LICENSE, THE EXPIRATION OF A CHAUFFEUR'S LICENSE, PROHIBITING THE POSSESSION OF MOTOR VEHICLE LICENSE FORMS SUBJECT TO A PENALTY PROVIDED BY LAW, THE STOPPING ON HIGHWAYS TO MAKE LEFT TURNS, RELATING TO THE WIDTH AND LENGTH OF BUSES WHICH MAY BE OPERATED ON THE HIGHWAYS OF THIS STATE, THE EXEMPTION OF VEHICLES FOUR TONS OR LESS FROM THE REQUIRE-

MENT TO CARRY CERTAIN SIGNALING DEVICES, COVERING LOADS, AN EXCEPTION FOR CARPOOLS AND VANPOOLS FROM THE REQUIREMENT OF OBTAINING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, EXTENSION OF THE PERIOD WITHIN WHICH A FLEET OWNER MUST FILE CERTAIN REPORTS, AND SPECIAL PERMITS TO MOVE CERTAIN LOADS UNDER EMERGENCY SITUATIONS.

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

Section 1. Section one hundred thirty-five D point twenty-six (135D.26), subsection two (2), Code 1977, is amended to read as follows:

2. After complying with the provisions of subsection 1, the owner shall notify the assessor who shall inspect the new premises for compliance. If a security interest is noted on the certificate of title, the assessor shall require an affidavit, as defined in section 622.85, from the mobile home owner, declaring that the owner has complied with subsection 1, paragraph "c", and shall send notice of the proposed conversion to the secured party by regular mail not less than ten days before the conversion becomes effective. When the mobile home is properly converted, the assessor shall then collect the mobile home vehicle title, registration card, and ~~license~~, unless the registration plates are retained to be attached to another mobile home, the registration plates from the owner and. The assessor shall enter the property upon the tax rolls.

Sec. 2. Section three hundred seven point twenty-six (307.26), subsection five (5), Code 1977, is amended to read as follows:

5. Advise and assist the director in the conduct of research on railroad-highway grade crossings and encourage and develop a safety program in order to reduce injuries or fatalities including, but not limited to, the following:

a. The implementation of a program of constructing rumble strips at grade crossings on selected hard surface roads.

b. The establishment of standards for warning devices for particularly hazardous crossings or for classes of crossings on highways, which standards are designed to reduce injuries, fatalities and property damage. Such standards shall regulate the use of warning devices and signs which shall be in addition to the requirements of section three hundred twenty-seven G point two (327G.2) of the Code. Implementation of such standards shall be the responsibility of the government agency or department or political subdivision having jurisdiction and control of the highway and such implementation shall be deemed adequate for the purposes of railroad grade crossing protection. The department, or the political subdivision having jurisdiction, may direct the installation of temporary protection while awaiting installation of permanent protection. A railroad crossing shall not be found to be particularly hazardous for any purpose unless the department has determined it to be particularly hazardous.

Sec. 3. Chapter three hundred twenty-one (321), Code 1977, is amended by adding the following new section:

NEW SECTION. SAMPLE VEHICLE REGISTRATION PLATES. Vehicle registration plates displaying the general design of regular registration plates, with the word "sample" displayed on the plate, may be furnished to any person upon payment of a fee of three dollars, except that such plates may be furnished to governmental agencies without cost. Sample registration plates shall not be attached to a vehicle moved on the highways of this state.

Sec. 4. Section three hundred twenty-one point one (321.1), Code 1977, is amended by adding the following new subsections:

NEW SUBSECTION. "Multipurpose vehicle" means a motor vehicle designed to carry not more than ten people, and constructed either on a truck chassis or with special features for occasional off-road operation.

NEW SUBSECTION. "Motor vehicle license" means any license or permit issued to a person to operate a motor vehicle on the highways of this state, including but not limited to

operator, chauffeur, and motorized bicycle licenses and instruction and temporary permits.

Sec. 5. Section three hundred twenty-one point one (321.1), subsection sixteen (16), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. All self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary off-road usage, and used exclusively for the application of plant food materials, agricultural limestone or agricultural chemicals, and not specifically designed or intended for transportation of agricultural limestone and such chemicals and materials. Such machinery shall be operated in compliance with section three hundred twenty-one point four hundred sixty-three (321.463) of the Code.

Sec. 6. Section three hundred twenty-one point nineteen (321.19), subsection one (1), Code 1977, is amended to read as follows:

1. All vehicles owned by the government and used in the transaction of official business by the representatives of foreign powers or by officers, boards, or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other subdivisions of government including vehicles used by an urban transit company operated by a municipality and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure, or business nor for the transportation of freight other than those used by an urban transit company operated by a municipality, and all fire trucks, providing they are not owned and operated for a pecuniary profit, are hereby exempted from the payment of the fees in this chapter prescribed, except as provided for urban transit companies in subsection 2, but shall not be exempt from the penalties herein provided. The department shall furnish, on application, free of charge, distinguishing plates for vehicles thus exempted, which plates except plates on Iowa highway safety patrol vehicles shall

bear the word "official," and the department shall keep a separate record thereof. Registration plates issued for Iowa highway safety patrol vehicles, except unmarked patrol vehicles, shall bear two red stars on a yellow background, one before and one following the registration number on the plate which registration number shall be the officer's badge number. Registration plates issued for a county sheriff's patrol vehicles shall display one seven pointed gold star on a green background followed by the letter "S" and the call number of the vehicle. Provided that the director of general services or the director of transportation may order the issuance of regular registration plates, for any such exempted vehicle, used by peace officers in the enforcement of the law and persons enforcing chapter 204 and other laws relating to controlled substances. For purposes of sale of vehicles exempted as herein indicated, the exempted governmental body, upon the sale of the exempted vehicles, may issue for in-transit purposes a pasteboard card bearing the words "Vehicle in Transit," the name of the official body for which the vehicle was purchased, together with the date of the purchase plainly marked in minimal of one-inch letters, and other information which may be required by the department. The in-transit card shall be valid for use only within forty-eight hours after the purchase date as indicated on the bill of sale which shall be carried by the driver.

Sec. 7. Section three hundred twenty-one point twenty-four (321.24), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

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. 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. Such copies as the department may require shall be sent to the department in the manner and at such time as the department may direct. The certificate of title shall contain upon the face thereof the identical information required upon the face of 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 security interests and encumbrances as shown in the application, upon the vehicle therein described including the nature of the security interest, ~~amount,~~ date of notation and name and address of the secured party. Said certificate shall bear thereon the seal of the county treasurer, the signature of the county treasurer or that of the deputy county treasurer, and shall provide space for the signature of the owner. The owner shall 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 or printed by other mechanical means. The original certificate of title shall be delivered to the owner in the event no security interest or encumbrance appears thereon. Otherwise the certificate

of title shall be delivered by the county treasurer to the person holding the first security interest or encumbrance as shown in the certificate. 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. Such copies as the department may require shall be sent to the department 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. 8. Section three hundred twenty-one point twenty-five (321.25), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

321.25 APPLICATION FOR REGISTRATION AND TITLE--CARDS ATTACHED. A vehicle may be operated upon the highways of this state without registration plates for a period of twenty days after the date of delivery of the vehicle to the purchaser from a dealer if a card bearing the words "registration applied for" is attached on the rear of the vehicle. The card shall have plainly stamped or stenciled the registration number of the dealer from whom the vehicle was purchased and the date of delivery of the vehicle. A dealer shall not issue a card to a person known to the dealer to be in possession of registration plates which may be attached to the vehicle. A dealer shall not issue a card unless an application for registration and certificate of title has been made by the purchaser and a receipt issued to the purchaser of the vehicle showing the fee paid by the person making the application. Dealers' records shall indicate the agency to which the fee is sent and the date the fee is sent. The dealer shall forward the application by the purchaser to the county treasurer or state office within seven calendar days from the date of delivery of the vehicle.

The department shall, upon request by any dealer, fur-

nish "registration applied for" cards free of charge. Only cards furnished by the department shall be used.

Sec. 9. Section three hundred twenty-one point thirty-one (321.31), Code 1977, is amended to read as follows:

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. Records of vehicle certificates of title may be destroyed seven years after the date of issue.

2. COUNTY RECORDS SYSTEM. Each county treasurer's office shall maintain a county records system for vehicle registra-

tion 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. Records of vehicle certificates of title for vehicles that are delinquent for five or more consecutive years may be destroyed by the county treasurer. 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. 10. Section three hundred twenty-one point thirty-four (321.34), subsections one (1), two (2), four (4), and subsection seven (7) paragraphs a and b, Code 1977, are amended to read as follows:

1. PLATES ISSUED. The county treasurer upon receiving application, accompanied by proper fee for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, motorized bicycle, truck tractor, trailer, or semitrailer and two registration plates for every other motor vehicle. The registration plates, including special

registration plates, shall be assigned to the owner of a vehicle. Whenever the owner of a registered vehicle transfers or assigns ownership of such vehicle to another person the owner shall remove the registration plates from the vehicle. The owner shall either forward the plates to the county treasurer where the vehicle is registered or to the department if the vehicle is owned by a nonresident, or the owner may have the plates assigned to another vehicle within thirty days after transfer, upon payment of the fees required by law. The owner shall immediately affix registration plates retained by the owner to another vehicle owned or acquired by such person, providing the owner complies with section three hundred twenty-one point forty-six (321.46) of the Code.

2. GROSS WEIGHT EMBLEMS. The county treasurer shall also issue to applicants for registration of a truck or a truck tractor, not including in the lowest registration class, two emblems which emblems designate the gross weight for which the vehicle is registered by figures which show the gross weight in tons. Number plates and weight limitation emblems which are issued with registrations or registration increases are hereby declared to be integral parts of the registration of the vehicle for which issued. The weight limitation emblems shall be ~~applied to both sides of the vehicle, either to the doors of the cab or to the lower front corner of the box, or such other location as designated by the commissioner~~ attached to the registration plates issued for the vehicle.

4. RADIO OPERATORS PLATES. The owner of an automobile, light delivery truck, panel delivery truck, or pickup who holds an amateur radio license issued by the federal communications commission may, upon written application to the county treasurer accompanied by a fee of five dollars, order special registration plates bearing the call letters authorized the radio station covered by his the person's amateur radio license. When received by the county treasurer, such special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to him the person. Not more than one set of special

registration plates may be issued to an applicant. Said fee shall be in addition to and not in lieu of the fee for regular registration plates. Special registration plates must be surrendered upon expiration of the owner's amateur radio license ~~or upon transfer of title to the automobile for which such plates have been issued~~, and the owner shall thereupon be entitled to his regular registration plates. ~~The county treasurer shall furnish the department an alphabetically arranged list of those to whom special plates have been issued. The county treasurer shall validate special plates in the same manner as regular registration plates, upon payment of five dollars in addition to the regular annual registration fee.~~

7. ~~INDIVIDUALIZED~~ PERSONALIZED REGISTRATION PLATES.

a. Upon application and the payment of a fee of twenty-five dollars, the director may issue to the owner of a motor vehicle, ~~except a motor truck, which is~~ registered in this state ~~as provided in this chapter, a set of~~ personalized registration plates marked with the initials, letters, or a combination of numerals and letters requested by the owner. Upon receipt of the personalized registration plates, the applicant shall surrender the regular registration plates to the ~~director~~ county treasurer. ~~Prior to transfer of title to the motor vehicle, the personalized registration plates shall be returned to the director and the owner shall be entitled to regular registration plates without additional fee.~~ The fee for ~~a set of~~ issuance of the personalized registration plates shall be in addition to the regular annual registration fee ~~provided under section 324.409~~.

b. The county treasurer shall validate personalized registration plates ~~shall be validated~~ in the same manner as regular registration plates are validated under this section at an annual fee of five dollars in addition to the regular annual registration fee.

Sec. 11. Section three hundred twenty-one point thirty-five (321.35), unnumbered paragraphs one (1) and (2), Code 1977, are amended by striking the paragraphs.

Sec. 12. Section three hundred twenty-one point thirty-seven (321.37), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached ~~thereto~~ to the motor vehicle, one in the front and the other in the rear. The registration plate issued for a motorcycle or other vehicle required to be registered hereunder shall be attached to the rear ~~thereof~~ of the vehicle. The registration plate issued for a truck tractor shall be attached to the front ~~thereof~~ of the truck tractor. The special plate issued to a dealer shall be attached on the rear of the vehicle when operated on the highways of this state.

Sec. 13. Section three hundred twenty-one point thirty-nine (321.39), Code 1977, is amended to read as follows:

321.39 EXPIRATION OF REGISTRATION. Every vehicle registration under this chapter and every registration card and registration plate issued hereunder except multiyear registration plates issued for trailers or semitrailers registered for a period of three years shall expire at midnight on the thirty-first day of December of each year. The provisions of this section shall not apply to any vehicle which is registered without the payment of fees as provided in section 321.19, but the registration plate or plates issued for such vehicle shall remain valid until suspended or revoked or canceled by the department, ~~or until the title or ownership of such vehicle has been transferred.~~

Sec. 14. Section three hundred twenty-one point forty-one (321.41), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. A person who has registered a vehicle in a county, other than the county designated on the vehicle registration plate, may apply to the county treasurer where the vehicle is registered for new registration plates upon payment of a fee of five dollars and the return of the former county registration plates.

Sec. 15. Section three hundred twenty-one point forty-two (321.42), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

In the event any registration card or registration plate is lost, mutilated, or becomes illegible the owner shall immediately make application for and may obtain a duplicate or a substitute registration plate or a new registration plate, at the discretion of the department, upon the applicant furnishing information satisfactory to the department together with the payment of a fee of two dollars for each such plate or registration card.

Sec. 16. Section three hundred twenty-one point forty-six (321.46), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The ~~purchaser-or~~ transferee shall immediately within seven calendar days after purchase or transfer apply for and obtain from the county treasurer of ~~his~~ the person's residence a transfer of registration and a new certificate of title for such vehicle except as provided in section 321.48. The ~~purchaser-or~~ transferee shall present with the application the certificate of title endorsed and assigned by the previous owner and the signed registration card. The ~~purchaser-or~~ the transferee shall not be required to list a ~~social-security motor vehicle license~~ number as part of the application for a registration transfer and a new title. The motor vehicle license number shall not be the social security number of the transferee unless requested by the transferee.

Sec. 17. Section three hundred twenty-one point forty-seven (321.47), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. Whenever ownership of a vehicle is transferred under the provisions of this section the registration plates shall be removed and forwarded to the county treasurer of the county where the vehicle is registered or to the department if the vehicle is owned by a nonresident. Upon transfer the vehicle shall not be operated upon the highways of this state until the person entitled to possession of the

vehicle applies for and obtains registration for the vehicle.

Sec. 18. Section three hundred twenty-one point forty-eight (321.48), subsection one (1), Code 1977, is amended to read as follows:

1. When the transferee ~~or-purchaser~~ of a vehicle is a dealer who holds the same vehicle for resale and operates the same vehicle only for purposes incident to a resale and ~~displays-thereon-the-registration-plates-issued-for-such vehicle,-or~~ displays his a dealer plates-thereon plate on the vehicle or does not drive such vehicle or permit it to be driven upon the highways, such transferee shall not be required to obtain transfer of registration or a new certificate of title but upon transferring his title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title assigned to him the person and deliver the same to the person to whom such transfer is made. The dealer shall also sign the reverse side of the registration card for such vehicle indicating the name and address of the new purchaser.

Sec. 19. Section three hundred twenty-one point forty-nine (321.49), subsection one (1), Code 1977, is amended to read as follows:

1. If an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of ~~purchaser-or~~ the transferee within five seven days of the date of assignment or transfer of title, a penalty of five dollars shall accrue against said vehicle, and no registration card or certificate of title shall thereafter be issued until penalty is paid.

Sec. 20. Section three hundred twenty-one point fifty (321.50), subsections three (3) and four (4), Code 1977, 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. The county treasurer shall also note

such security interest and the date thereof 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~~ the holder's 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 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 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 security interest discharged by payment who fails to release such 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.

Sec. 21. Section three hundred twenty-one point fifty (321.50), subsection one (1), Code 1977, is amended to read as follows:

1. A security interest in a vehicle subject to registration under the laws of this state, except trailers whose empty

weight is two thousand pounds or less, ~~and wagon-box trailers subject to a registration fee of five dollars or less~~, and new or used vehicles held by a dealer or manufacturer as inventory for sale, is perfected by the delivery to the county treasurer of the county where the certificate of title was issued or, in the case of a new certificate, to the county treasurer where the certificate will be issued of an application for certificate of title which lists such security interest, or an application for notation of security interest signed by the owner, or by one owner of a vehicle, owned jointly by more than one person or a certificate of title from another jurisdiction which shows such security interest, and a fee of two dollars for each security interest shown. If the owner or secured party is in possession of the certificate of title, it must also be delivered at this time in order to perfect the security interest. If a vehicle is subject to a security interest when brought into this state, the validity of the security interest and the date of perfection is determined by the Uniform Commercial Code, section 554.9103. Delivery as provided in this subsection shall be deemed to be indication of a security interest on a certificate of title for purposes of chapter 554.

Sec. 22. Section three hundred twenty-one point fifty-one (321.51), subsections two (2), three (3), four (4), five (5), six (6) and seven (7), Code 1977, are amended to read as follows:

2. That the vehicle was obtained for the purpose of restoring, rebuilding or repairing and not for use upon the highway and such facts are evidenced by an affidavit signed by ~~both the transferor and~~ the transferee on a form provided by the department.

3. The transferor shall surrender the ~~registration plates~~, registration card and the certificate of title, or if a foreign vehicle from a nontitle state, such evidence of foreign registration and ownership as may be prescribed by the department, unless the vehicle is sold or transferred pursuant to the provisions of sections 321.89 to 321.91, for the vehicle

together with the application of the transferee for a restricted certificate of title, the affidavit as provided in subsection 2 of this section and the fee for transfer to the county treasurer of the residence of the transferor who shall transmit the application of the transferee for a restricted certificate of title, the affidavit as provided in subsection 2 of this section, and the fee for transfer to the county treasurer of the county of residence of the transferee. No refund of fees previously paid for the registration of such motor vehicle shall be allowed.

4. The county treasurer of the county of residence of the transferee upon receipt of the application for a new certificate of title, fee therefor, and the affidavit as provided in subsection 2 of this section, and when satisfied as to the genuineness and regularity thereof, shall issue a restricted certificate of title to the applicant but shall not issue registration plates or a registration card. A restricted certificate of title shall be red in color and shall have conspicuously imprinted thereon in bold print, in a manner prescribed by the department, the words "RESTRICTED CERTIFICATE OF TITLE--CANNOT BE REGISTERED AND OPERATED ON THE HIGHWAYS WITHOUT A VALID APPROVED CERTIFICATE OF INSPECTION EXCEPT AS PROVIDED IN SECTION ~~324.98~~ three hundred twenty-one point fifty-one (321.51) of the Code." At such time as the transferee surrenders a valid approved certificate of inspection and the restricted certificate of title to the county treasurer of the county of his residence, the county treasurer, upon payment of the appropriate fees, shall issue a certificate of title that is not restricted for the vehicle and shall also issue a registration card and registration plates ~~for the vehicle~~ to the applicant if the applicant is not in possession of registration plates which may be attached to the vehicle, however, if the registration fee for the vehicle has been paid for the current year, the county treasurer shall issue a registration card and registration plates ~~for the vehicle~~ to the applicant if the applicant is not in possession of registration plates which may be attached

to the vehicle upon payment of an additional registration fee of five dollars. A vehicle with a restricted certificate of title shall not have a registration plate attached to the vehicle.

5. A motor vehicle which has a restricted certificate of title may be sold or otherwise transferred as provided in this section, except provisions pertaining to the surrender of the current registration-plates-and registration card shall not apply; however, such motor vehicle may be sold or otherwise transferred pursuant to section 321.48 to a dealer licensed under chapter 322 without compliance with the provisions of this section.

6. ~~No~~ A vehicle sold or otherwise transferred pursuant to the provisions of this section shall not be driven upon the highway until a valid official certificate of inspection has been affixed ~~thereto~~ to the vehicle and an unrestricted certificate of title, a registration card, ~~and registration plates~~ for the vehicle have been issued to the ~~purchaser or transferee~~ except as set out in section 324.98 and the transferee or purchaser has properly attached valid registration plates on the vehicle. However, upon receipt of an affidavit signed by the owner of the vehicle stating that the vehicle is reasonably safe for operation, an inspection station may issue a permit authorizing the owner to operate the vehicle to and from a specific inspection station. The affidavit and permit mentioned in this section shall be on forms prescribed and furnished by the department which shall forward these forms to each county treasurer where they shall be made available upon request, such permit shall be valid for forty-eight hours after issuance by inspection station.

7. The provisions of this section, except provisions pertaining to the surrender of a current registration plates and registration card, shall also be applicable to the insurer of any vehicle who obtains ownership of the vehicle as a result of settlement resulting from the theft of a motor vehicle which has not been recovered, provided the vehicle

has been reported stolen as provided in ~~section-324.05~~ sections three hundred twenty-one point seventy-two (321.72) and three hundred twenty-one point seventy-three (321.73) of the Code and written proof of payment to the insured, resulting from such theft, is submitted by the applicant. Proof of payment for loss due to theft shall be submitted on forms prescribed or provided by the department.

Sec. 23. Section three hundred twenty-one point fifty-two (321.52), Code 1977, is amended to read as follows:

321.52 DISMANTLED OR DESTROYED VEHICLES.

1. When a vehicle is permanently dismantled or destroyed so that it can no longer be used on the public highway or is sold by the owner, dealer or otherwise, for junk, the owner shall detach the registration plates and registration card and surrender ~~same both, unless the registration plates are properly attached to another vehicle,~~ along with the certificate of title to the county treasurer who shall cancel same on ~~his~~ the person's records and forward the certificate of title to the department. The certificate of title surrendered by the owner shall have noted thereon the purpose of cancellation and the name of the purchaser if sold for junk and such notation shall be ~~duy~~ signed by the owner. The department shall notify the title issuing county, if other than the county where title was surrendered, authorizing the treasurer to cancel and destroy all records pertaining to the particular vehicle. The department is not authorized to make a refund of license fees on a dismantled, destroyed or junked vehicle unless and until the certificate of title ~~thereto~~ has been surrendered.

2. When a vehicle is sold outside the state for purposes other than for junk the owner, dealer or otherwise, ~~thereof,~~ shall detach the registration plates and registration card and shall indicate on the reverse side of such registration card the name and address of the foreign purchaser or transferee over ~~his~~ the person's signature. The owner shall surrender the registration plates and registration card to the county treasurer, unless the registration plates are

properly attached to another vehicle, who shall cancel ~~his~~ the records and shall destroy the registration plates and forward the registration card to the department. The department shall make a notation on the records of the out-of-state sale, and, after a reasonable period, may destroy the files to that particular vehicle ~~except-the-meter-file.~~ The department is not authorized to make a refund of license fees on a vehicle sold out of state unless ~~and-until~~ it receives the registration card completed as ~~herein~~ provided in this section.

Sec. 24. Section three hundred twenty-one point fifty-seven (321.57), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

A dealer owning any vehicle of a type otherwise required to be registered hereunder may operate or move the same upon the highways solely for purposes of transporting, testing, demonstrating or selling the same without registering each such vehicle upon condition that any such vehicle display ~~thereon~~ in the manner prescribed in sections 321.37 and 321.38 a special plate ~~or-plates~~ issued to such owner as provided in sections 321.58 to 321.62. In addition to the foregoing, a new car dealer or a used car dealer may operate or move upon the highways any new or used car or trailer owned by him for either private or business purposes without registering the same providing, (1) such new or used car or trailer is in the dealer's inventory and is continuously offered for sale at retail, and (2) there is displayed thereon a special plate ~~or-plates~~ issued to such dealer as provided in sections 321.58 to 321.62.

Sec. 25. Section three hundred twenty-one point fifty-eight (321.58), Code 1977, is amended to read as follows:

321.58 APPLICATION. Any dealer in new or used cars may, upon payment of a fee of thirty-five dollars, make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more ~~pairs-of-special-plates-or-single~~ special plates as appropriate to various types of vehicles subject

to registration hereunder, and all other dealers or transporters may, upon the payment of a fee of twenty-five dollars, make an application to the department in a like manner for a like certificate and number and plates as appropriate to various types of vehicles subject to registration hereunder. The applicant shall also submit proof of his the applicant's status as a bona fide transporter or dealer as may reasonably be required by the department. Dealers in new vehicles shall furnish satisfactory evidence of a valid franchise with the manufacturer of such vehicles authorizing such dealership.

Sec. 26. Section three hundred twenty-one point sixty (321.60), Code 1977, is amended to read as follows:

321.60 ISSUANCE OF SPECIAL PLATES. The department shall also issue special plates as applied for, which shall have displayed ~~thereon an identification of the type of vehicle and if a car, whether it is a new or used car and~~ the general distinguishing number assigned to the applicant. Each plate ~~or pair of plates~~ so issued shall also contain a number or symbol identifying the same from every other plate ~~or pair of plates~~ bearing the same general distinguishing number. The fee for each special plate ~~or pair of special plates for new car and used car plates~~ shall be ten dollars. ~~For all other special plates the fee for each special plate or pair of special plates shall be three dollars.~~

Special plates may be validated in the same manner as regular registration plates under this chapter at an annual fee of ten dollars.

Sec. 27. Section three hundred twenty-one point one hundred four (321.104), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. For a dealer to sell or transfer a mobile home without delivering to the purchaser or transferee a certificate of title, a manufacturer's or importer's certificate properly assigned to the purchaser, or to transfer a mobile home without disclosing to the purchaser the owner of the mobile home in a manner prescribed by the department

pursuant to rules.

Sec. 28. Section three hundred twenty-one point one hundred five (321.105), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

An annual registration fee shall be paid for each ~~motor~~ vehicle ~~or trailer~~ operated upon the public highways of this state unless ~~said the~~ vehicle is specifically exempted under the provisions of this chapter. If a vehicle, which has been registered for the year, is transferred during the registration year, the transferee shall re-register the vehicle as provided in section three hundred twenty-one point forty-six (321.46) of the Code, without payment of an additional annual registration fee.

Sec. 29. Section three hundred twenty-one point one hundred twenty-one (321.121), Code 1977, is amended to read as follows:

321.121 SPECIAL TRUCKS FOR FARM USE. The registration fee for a special truck shall be one hundred dollars for a gross weight of eight tons, and in addition, fifteen dollars for each ton over eight tons. Any person convicted of using a truck registered as a special truck for any purpose other than permitted by section 321.1, subsection 72, shall, in addition to any other penalty imposed by law, be required to pay regular motor truck registration fees upon such truck. ~~A distinctive decal shall be applied to the special truck registration plate for easy identification.~~

Sec. 30. Section three hundred twenty-one point one hundred twenty-six (321.126), subsection one (1), Code 1977, is amended to read as follows:

321.126 REFUNDS OF FEES.

1. If the motor vehicle is destroyed by fire or accident, or junked and its identity as a motor vehicle entirely eliminated, or removed and continuously used beyond the boundaries of this state, the owner in whose name the motor vehicle was registered at the time of such destruction, dismantling or removal from the state shall return the plates to the county treasurer or the department, unless the

registration plates are retained and properly attached to another motor vehicle, and within thirty days thereafter make affidavit of such destruction, dismantling, or removal and make claim for refund. With reference to the destruction or dismantling of a vehicle, the affidavit shall be accompanied by the certificate of title, if titled in Iowa, as provided in section 321.52. With reference to the removal of a vehicle from this state as provided herein, the affidavit shall contain a statement indicating the foreign registration number of such vehicle, the name and address of the official of the foreign state to whom the Iowa certificate of title, if any, has been surrendered, and the number of the foreign certificate of title issued for such vehicle if registered in a title law state.

Sec. 31. Section three hundred twenty-one point one hundred twenty-seven (321.127), Code 1977, is amended to read as follows:

321.127 AMOUNT OF REFUND. For December and each succeeding month the refund for motor vehicles shall be computed on the basis of one-fourth of the annual registration fee multiplied by the number of remaining quarters of the year from date of the return of the vehicles plates to filing of the claim for refund with the county treasurer, computed to the nearest quarter dollar. The department, unless reasonable grounds exist for delay, shall make refund on or before the fifteenth day of the quarter following the quarter in which the claim is filed with the department. For trailers or semitrailers issued a multiyear registration plate a refund shall be paid equal to the annual fee for twelve months times the remaining number of complete calendar years.

Sec. 32. Section three hundred twenty-one point one hundred thirty-four (321.134), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

On February 4 first of each year, a penalty of five percent of the annual registration fee shall be added to all fees not paid by that date, and five percent of the annual registration fee shall be added to such fees on the first

of each month thereafter that the same remains unpaid, until paid, provided that the penalty in no case shall be less than one dollar, and provided that the owner of a vehicle who, before February 4 first of any year, surrenders all registration plates for that vehicle to the county treasurer of the county in which said plates are of record, shall have the right to register the vehicle at any later period of that year by paying the full yearly registration fee without penalty. Provided, however, that the annual registration fee for trucks, truck tractors, road tractors, trailers and semitrailers, as provided in sections 321.120 to 321.123, when said annual registration fee is in excess of seventy dollars, may be payable in two equal semiannual installments except that semiannual installments shall not apply to commercial vehicles subject to proportional registration with a base state other than the state of Iowa as defined in section 326.2, subsection 6.

Sec. 33. Section three hundred twenty-one point one hundred fifty-two (321.152), Code 1977, is amended to read as follows:

321.152 FEE FOR COUNTY. Each county treasurer shall be allowed to retain for deposit in the county general fund, seventy-five cents two point six percent (2.6%) of the total collection for each annual or semiannual vehicle registration and each duplicate registration card or plate issued; sixty-five percent (65%) of all fees collected for certificates of title and certified copies of certificates of title; and one hundred percent (100%) of all fees collected for notation of security interests notations of lien or encumbrance and certified copy of a certificate of title. The monies retained shall be deducted, and reported to the department, when the county treasurer transfers the money collected under the provisions of this chapter; provided, however, that no such deduction shall be lawful unless the county treasurer has complied with the provisions of sections 321.24 and 321.153.

Sec. 34. Section three hundred twenty-one point one hundred sixty-six (321.166), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

321.166 VEHICLE PLATE SPECIFICATIONS. Vehicle registration plates shall conform to the following specifications:

1. Registration plates shall be of metal and of a size not to exceed six inches by twelve inches, except that the size of plates issued for use on motorized bicycles and motorcycles shall be established by the department.

2. Every registration plate or pair of plates shall display a registration plate number which shall consist of alphabetical or numerical characters or a combination thereof and the name of this state, which may be abbreviated. Every registration plate issued by the county treasurer shall display the name of the county except plates issued for motor trucks, truck tractors, motorcycles, motorized bicycles, travel trailers, mobile homes, semitrailers and trailers. The year of expiration or the date of expiration shall be displayed on vehicle registration plates, except plates issued under the provisions of section three hundred twenty-one point nineteen (321.19) of the Code. Registration plates issued for motor trucks and truck tractors shall be designed in such a manner that the gross weight for which the vehicle is registered may be displayed on the plate. Special truck registration plates shall display the word "special".

3. The registration plate number shall be displayed in characters which shall not exceed a height of four inches nor a stroke width exceeding five-eighths of an inch. Special plates issued to dealers shall display the alphabetical character "D", which shall be of the same size of the characters in the registration plate. The registration plate number issued for motorized bicycles and motorcycles shall be a size prescribed by the department.

4. The registration plate number, except on motorized bicycle and motorcycle registration plates, shall be of sufficient size to be readable from a distance of one hundred feet during daylight.

5. There shall be a marked contrast between the color of the registration plates and the data which is required to be displayed on the registration plates. When a new series

of registration plates is issued to replace a current series, the new registration plates shall be of a distinctively different color from the series which is replaced.

Sec. 35. Section three hundred twenty-one point one hundred seventy-six (321.176), subsection four (4), Code 1977, is amended to read as follows:

4. A nonresident who is at least eighteen years of age and who has in his immediate possession a valid chauffeur's license issued to ~~him-in-his~~ the person in the person's home state or country may operate a motor vehicle in this state either as an operator or chauffeur ~~except-any-such-person must-be-licensed-as-a-chauffeur-hereunder-before-accepting employment-as-a-chauffeur-from-a-resident-of-this-state.~~

Sec. 36. Section three hundred twenty-one point one hundred seventy-seven (321.177), subsection one (1), Code 1977, is amended to read as follows:

1. To any person, as an operator, who is under ~~the-age-of-sixteen-years,~~ provided-that, ~~effective-August-1,-1966,~~ the-department-shall-not-issue-a-license-to-any-person, ~~as-an-operator,~~ who-is-under-the-age-of-seventeen-years-and ~~effective-August-1,-1967,~~ the-department-shall-not-issue-a ~~license-to-any-person,~~ as-an-operator, ~~who-is-under~~ the age of eighteen years, without his or her first having successfully completed an approved driver education course, in which case, the minimum age shall be sixteen years. However, the department may issue a restricted license as provided in section 321.194, or an instruction permit as provided in section 321.180, to any person who is at least fourteen years of age. The department may issue a license restricted only for use for motorized bicycles as provided in section 321.189, subsection 2, to any person fourteen years of age or older who has successfully completed ~~an-approved-driver's-education course-established-by-the-department-of-public-instruction to-acquaint-the-motorized-bicycle-operator-with~~ a written examination on the rules of the road and a vision test.

Sec. 37. Section three hundred twenty-one point one hundred seventy-eight (321.178), subsection one (1), unnumbered

n or other physical
w their licenses every
section the birthday
uary 29 twenty-ninth shall

All applications for
be made under the direct
the department and shall
. The director may ~~in~~
l of a valid license upon
rovided that, a person
an three convictions of
e previous two years and,
rily passes a vision test

twenty-one point one hun-
077, is amended to read

S LICENSE. Every chauf-
l expire every two or
licant thirty-days-after
ary. A chauffeur's license
After the applicant's license
expiration or penalty. A
the driving with an invalid
days following the license
licensee is sixty-five years
ance of the license, such
for two years. Persons
to twenty-ninth shall be
or the purpose of this
cretion may waive the
eviously licensed as a
ed that such person
as prescribed by the
e renewal of a chauf-
the direct supervision
ment and shall be approved

by such uniformed member.

Sec. 46. Section three hundred twenty-one point two hundred sixteen (321.216), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. To obtain, possess or have in one's control or on one's premises blank motor vehicle license forms.

Sec. 47. Section three hundred twenty-one point three hundred forty-two (321.342), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department, city, or county shall be required to post the standard sign as prescribed by the manual on uniform traffic control devices adopted by the department pursuant to section three hundred twenty-one point two hundred fifty-two (321.252) of the Code in advance of each railroad grade crossing to warn the motorist that he or she is approaching a railroad grade crossing. Upon properly posting all railroad grade crossings within its jurisdiction and upon implementing the standards established in accordance with section three hundred seven point twenty-six (307.26) of the Code, the department, city, or county shall not have any other affirmative duty to warn a motor vehicle operator approaching or at the railroad grade crossing.

Sec. 48. Section three hundred twenty-one point three hundred fifty-four (321.354), Code 1977, is amended to read as follows:

321.354 STOPPING ON TRAVELED WAY. Upon any highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least twenty feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of two hundred feet in each direction upon such highway; provided, however, school buses may stop on highway for

twenty-one point one hundred
ded by adding the following

meeting each of the
gible to apply for a
for the operation of
r's license when the
a, possessing a valid
ed to drive the motor
at beside the permittee.
een years of age, otherwise
r's license and must meet
undred twenty-one point
the Code other than a
r's instruction permit
xceed two years and shall
receipt of a valid
chauffeur's instruction
der of a valid operator's

twenty-one point one hundred
ne (1), Code 1977, is

Upon the payment of the
upon-payment-of-the-required
licant qualifying-therefor
cycle license, or
which. Appearing on
a distinguishing number
nsee's full name, date
e address; a colored
of the licensee; and
. If prior to the renewal
operator's or chauffeur's
his section prior-to-the
may be issued as a

receiving and discharging pupils and all other vehicles shall stop for school buses which are stopped to receive or discharge pupils, as provided in section 321.372. This section shall not apply to a vehicle making a turn as provided in section three hundred twenty-one point three hundred eleven (321.311) of the Code.

Sec. 49. Section three hundred twenty-one point four hundred forty-seven (321.447), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

No A person shall not operate any motor truck or truck tractor, except a motor vehicle with a combined gross weight of four tons or less upon a highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise unless there shall be carried in such vehicle a sufficient number, not less than three, of flares, red reflector electric lanterns, red reflectors, reflective triangles or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred feet for a period of at least eight hours, except that a motor vehicle transporting flammables shall carry red reflectors, red reflector electric lanterns or reflective triangles in place of the other signals above mentioned, and during daylight hours every truck, except a motor vehicle with a combined gross weight of four tons or less, shall carry a sufficient number of red flags, not less than three, unless equipped with three reflective triangles.

Sec. 50. Section three hundred twenty-one point four hundred fifty-four (321.454), Code 1977, is amended to read as follows:

321.454 WIDTH OF VEHICLES. The total outside width of any vehicle or the load thereon shall not exceed eight feet except that a bus having a total outside width not exceeding eight feet six inches, exclusive of safety equipment, shall be exempt from the permit requirements of chapter three hundred twenty-one E (321E) of the Code and may be operated on the public highways of the state. 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 321E. 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 321E.

Sec. 51. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsections one (1) and two (2), Code 1977, are amended to read as follows:

1. No single truck, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of ~~thirty-five~~ forty feet.

2. No single bus, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of forty feet, ~~provided that a bus in excess of thirty-five feet in overall length shall not have less than three axes.~~

Sec. 52. Section three hundred twenty-one point four hundred sixty (321.460), Code 1977, is amended to read as follows:

321.460 SPILLING LOADS ON HIGHWAYS. No A vehicle shall not be driven or moved on any highway by any person unless such vehicle is so constructed or loaded or the load securely covered as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom or its load covering from dropping from the vehicle, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway. The provisions of this section shall not apply to vehicles loaded with hay or stover or the products listed in section three hundred twenty-one point four hundred sixty-six (321.466), unnumbered paragraphs six (6) and seven (7) of the Code.

Sec. 53. Section three hundred twenty-one point four hundred seventy-three (321.473), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department may issue annual

special permits for the operation of compacted rubbish vehicles and vehicles which transport compacted rubbish from a rubbish collection point to a landfill area exceeding the weight limitation of section three hundred twenty-one point four hundred sixty-three (321.463) of the Code, but not exceeding a rear axle gross weight for two axle vehicles of twenty-two thousand pounds for the period commencing July 1, 1978 and ending June 30, 1983 and twenty thousand pounds commencing July 1, 1983 and thereafter, and for tandem axle vehicles or transferable auxiliary axle vehicles not exceeding a gross weight on the rear axles of thirty-six thousand pounds. Annual special permits for the operation on secondary roads shall be approved by the county engineer. Annual special permits for a particular vehicle shall not be issued by the department unless prior approval is given by the county engineer of the county in which the vehicle will be operated. Annual special permits for operation on primary roads shall be approved by the state department of transportation. Compacted rubbish vehicles and vehicles which transport compacted rubbish from a rubbish collection point to a landfill area operated pursuant to an annual special permit shall be operated only over routes designated by the local authority. Annual special permits for a particular vehicle shall not be issued by the department unless approved by the local authority responsible for the roads over which the vehicle will be operated. Annual special permits approved by the issuing authority shall be issued upon payment of an annual fee, in addition to other registration fees imposed, of one hundred dollars to be paid to the department for all nongovernmental vehicles.

Sec. 54. Chapter three hundred twenty-one E (321E), Code 1977, is amended by adding the following new sections:

NEW SECTION. EXCESS SIZE DIVISIBLE LOAD PERMITS. Vehicles or a combination of vehicles with divisible loads may be moved on the highways of this state pursuant to a special permit issued for special or emergency situations by the department or local authorities subject to the discretion

and judgment provided for in section three hundred twenty-one E point one (321E.1) of the Code. The combined gross weight or gross weight on any one axle or group of axles may exceed the limits established in section three hundred twenty-one point four hundred sixty-three (321.463) of the Code, subject to the limits and routes established by the issuing authority.

NEW SECTION. A copy of the permits issued by the state or county to move mobile homes shall be sent to the county treasurer of the county of final destination by the permit issuing officer. A one dollar fee shall be added to the permit charge to cover the costs of this service.

Sec. 55. Section three hundred twenty-one E point one (321E.1), Code 1977, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT. The department and local authorities may in their discretion and upon application and with good cause being shown therefor issue permits for the movement of construction machinery being temporarily moved on streets, roads or highways and for vehicles with indivisible loads carried thereon which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in section fifty-four (54) of this Act. Permits so issued may be single-trip permits or annual permits. All permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by any peace officer or to any authorized agent of any permit granting authority. When in the judgment of the issuing local authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons therefor

endorsed upon the application. Permits issued by local authorities shall designate the days when and routes upon which loads and construction machinery may be moved within the county on other than primary roads.

Sec. 56. Section three hundred twenty-two point two (322.2), subsection four (4), Code 1977, is amended to read as follows:

4. "At retail" means to dispose of a motor vehicle to a person who may will devote it to a consumer use.

Sec. 57. Section three hundred twenty-five point one (325.1), Code 1977, is amended by adding the following new subsections:

NEW SUBSECTION. The term "carpool" means transportation of a group of at least two riders in a vehicle having a seating capacity for not more than eight passengers between a rider's or the owner-operator's residence or other designated location and a rider's or the owner-operator's place of employment or other common destination of the group, when the vehicle is driven by one of the members of the group.

NEW SUBSECTION. The term "vanpool" means transportation of a group of riders in a vehicle having a seating capacity for not less than eight passengers and not more than fifteen passengers between a rider's or the owner-operator's residence or other designated location and a rider's or the owner-operator's place of employment or other common destination of the group, when the vehicle is driven by one of the members of the group.

Sec. 58. Section three hundred twenty-five point six (325.6), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

It is hereby declared unlawful for any motor carrier, except a person operating a motor vehicle in a carpool or vanpool, to transport over a regular route or between fixed termini any person or property, for compensation, from any point or place in the state of Iowa to another point or place in said state irrespective of the route, highway or highways traversed, including the crossing of any state line of the

state of Iowa, or the ticket or bill of lading issued and used for such transportation, without first having obtained from the board a certificate declaring that public convenience and necessity require such operation. No carrier of passengers shall operate as a charter carrier in this state unless already possessed of a certificate of convenience and necessity as a common carrier of passengers and operating in this state as such common carrier or possesses a certificate of convenience and necessity to engage in the business of a charter carrier.

Sec. 59. Section three hundred twenty-five point twenty-five (325.25), Code 1977, is amended to read as follows:

325.25 TRANSFER OF CERTIFICATE. No certificate of convenience and necessity shall be sold, transferred, leased, or assigned until the motor carrier shall have operated thereunder for at least ninety days continuous service, nor shall any contract or agreement with reference to or affecting any such certificate be made except with the written approval of the board. Nor shall any person be permitted to take over any such certificate unless ~~he or it shall possess all the qualifications of and meet all the requirements and assume all the obligations imposed upon an original applicant~~ the board determines that such person is fit, willing and able to perform the operations authorized by the certificate and that such transfer is consistent with the public interest.

Sec. 60. Section three hundred twenty-six point thirteen (326.13), Code 1977, is amended to read as follows:

326.13 INFORMATION UNDER OATH. The department shall require fleet owners to submit under oath any information deemed necessary to carry out the provisions of this chapter. Information furnished under this chapter shall be forwarded to the director of the department by each fleet owner no later than ~~November 1 preceding each~~ January first of the current registration year.

Sec. 61. Section three hundred twenty-seven A point two (327A.2), Code 1977, is amended by adding the following new

paragraph:

NEW PARAGRAPH. The board may allow the provision of temporary service for which there is an immediate and urgent need to point or points requested by the application for a certificate of public convenience and necessity upon consideration by the board and a finding that the point or points do not have liquid bulk carrier service capable of meeting such need or that a carrier is not currently serving those points. Upon meeting the requirements of this chapter and the rules of the board, such temporary authority, unless suspended or revoked for good cause, shall be valid for such time as the board shall specify but not to exceed one hundred twenty days. Granting temporary authority shall not create a presumption that the corresponding application will subsequently be granted.

Sec. 62. Section three hundred twenty-seven G point thirty-two (327G.32), Code 1977, is amended to read as follows:

327G.32 BLOCKING HIGHWAY CROSSING. A railroad corporation or its employees shall not operate any train in such a manner as to prevent vehicular use of any highway, street or alley for a period of time in excess of ten minutes except:

1. When necessary to comply with signals affecting the safety of the movement of trains.
2. When necessary to avoid striking any object or person on the track.
3. When the train is disabled.
- ~~4. When the train is in motion except while engaged in switching operations.~~
- ~~5. When there is no vehicular traffic waiting to use the crossing.~~
6. 4. When necessary to comply with governmental safety regulations including, but not limited to, speed ordinances and speed regulations.

Any officer or employee of a railroad corporation violating any provision of this section shall, upon conviction be subject to the penalty provided in section 327G.14. An employee shall not be guilty of such violation if his action was necessary

to comply with the direct order or instructions of a railroad corporation or its supervisors. Such guilt shall then be with the railroad corporation.

The provisions of this section notwithstanding, a political subdivision may pass a resolution or ordinance regulating the length of time a specific crossing may be blocked if the political subdivision demonstrates such a resolution or ordinance is necessary for public safety or convenience. If such a resolution or ordinance is passed the political subdivision shall immediately within thirty days of the effective date of the resolution or ordinance notify the board and the railroad corporation using the crossing affected by the resolution or ordinance. The resolution or ordinance shall not become effective unless the board and the railroad corporation are notified within thirty days. The resolution or ordinance shall become effective thirty days after such notification unless a person files an objection to the resolution or ordinance with the board. If an objection is filed the board shall hold a hearing according to the rules established by the board. The board may disapprove the resolution or ordinance if public safety or convenience does not require such a resolution or ordinance. The resolution approved by the political subdivision shall be prima facie evidence that the resolution is adopted to preserve public safety or convenience.

The board when considering rebuttal evidence shall weigh the benefits accruing to the political subdivision as it bears to the general public use compared to the burden placed on the railroad operation. Public safety or convenience may include, but shall not be limited to, high traffic density at a specific crossing of a main artery or interference with the flow of authorized emergency vehicles.

Political subdivisions shall notify the board within sixty days of the effective date of this Act, of each existing resolution or ordinance which does not conform with the provisions of this section. Political subdivisions not notifying the board of an existing resolution or ordinance

during the calendar year beginning January 1, 1976 shall have an additional sixty days after the effective date of this Act to notify the board. Failure to do so shall render the resolution or ordinance void.

Such ordinances or resolutions may remain in effect until the board has acted upon each ordinance or resolution under the procedures specified in this section.

Sec. 63. Section three hundred twenty-one point seventy-five (321.75), Code 1977, is repealed effective July 1, 1977.

Sec. 64. Sections three hundred twenty-one point twenty-six (321.26), three hundred twenty-one point twenty-seven (321.27), three hundred twenty-one point thirty-four (321.34), subsection five (5), three hundred twenty-one point thirty-six (321.36), three hundred twenty-one point one hundred twenty-six (321.126), subsection two (2), and three hundred twenty-one point one hundred eighty-eight (321.188), Code 1977, are repealed.

Sec. 65. Sections one hundred thirty-five D point twenty-six (135D.26), subsection two (2), three hundred twenty-one point twenty-five (321.25), three hundred twenty-one point twenty-six (321.26), three hundred twenty-one point twenty-seven (321.27), three hundred twenty-one point thirty-four (321.34), subsections one (1), two (2), four (4), and five (5), three hundred twenty-one point thirty-five (321.35), three hundred twenty-one point thirty-six (321.36), three hundred twenty-one point thirty-nine (321.39), three hundred twenty-one point forty-seven (321.47), three hundred twenty-one point forty-eight (321.48), subsection one (1), three hundred twenty-one point fifty-one (321.51), subsections three (3), four (4), five (5), six (6) and seven (7), three hundred twenty-one point fifty-two (321.52), three hundred twenty-one point fifty-seven (321.57), three hundred twenty-one point fifty-eight (321.58), three hundred twenty-one point sixty (321.60), three hundred twenty-one point one hundred five (321.105), unnumbered paragraph one (1), three hundred twenty-one point one hundred twenty-one (321.121), three hundred twenty-one point one hundred twenty-six (321.126), subsections

one (1) and two (2), three hundred twenty-one point one hundred twenty-seven (321.127), three hundred twenty-one point one hundred sixty-six (321.166), and three hundred twenty-one point one hundred eighty-eight (321.188) of the Code as amended or repealed by this Act shall be effective December 1, 1978 for the calendar year beginning January 1, 1979.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 167, Sixty-seventh General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved  1977

ROBERT D. RAY
Governor