

Transportation: Schroeder. Chair: Hinkhouse and Menke.

JAN 19 1979

HOUSE FILE 97

TRANSPORTATION *Do Pass 2/20 (p. 675)* BY MENKE

2/1 Do Pass 3/7 (p. 685)

Passed House, Date 2-26-79 (p. 675) Passed Senate, Date 3-21-79 (p. 678)

Vote: Ayes 92 Nays 1 Vote: Ayes 47 Nays 0

Approved April 2, 1979

A BILL FOR

1 An Act relating to the time period for maintaining proof of
2 motor vehicle financial responsibility.

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

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1 Section 1. Section three hundred twenty-one A point twenty-
2 nine (321A.29), subsection one (1), paragraph a, Code 1979,
3 is amended to read as follows:

4 a. At any time after ~~three~~ two years from the date such
5 proof was required when, during the ~~three~~ two-year period
6 preceding the request, the director has not received record
7 of a conviction or a forfeiture of bail which would require
8 or permit the suspension or revocation of the license,
9 registration, or nonresident's operating privilege of the
10 person by or for whom such proof was furnished; or

11 Sec. 2. Section three hundred twenty-one A point twenty-
12 nine (321A.29), subsection three (3), Code 1979, is amended
13 to read as follows:

14 3. Whenever any person whose proof has been canceled or
15 returned under paragraph "c" of subsection 1 of this section
16 applies for a license or registration within a period of ~~three~~
17 two years from the date proof was originally required, any
18 such application shall be refused unless the applicant shall
19 re-establish such proof for the remainder of ~~such-three~~ the
20 two-year period.

21 Sec. 3. This Act is effective on January first following
22 its enactment.

23 EXPLANATION

24 This bill reduces the time required to maintain proof of
25 financial responsibility from three years to two years when
26 a license to operate a motor vehicle has been canceled or
27 suspended.

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HOUSE FILE 97

H-3248

1 Amend House File 97 as follows:

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

4 "Section 1. Chapter three hundred twenty-one
5 (321), Code 1979, is amended by adding the following
6 new section:

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, which is required to be registered
14 in this state, on the highways of this state unless
15 the person has demonstrated proof of financial
16 responsibility as defined in section three hundred
17 twenty-one A point one (321A.1), subsection ten (10)
18 of the Code.

19 2. The department shall not register a motor
20 vehicle in this state unless the applicant has
21 demonstrated proof of financial responsibility in
22 a manner provided in this section or such other manner
23 as prescribed by the department to substantiate that
24 a person has the ability to respond in damages for
25 liability in the amounts specified in section three
26 hundred twenty-one A point one (321A.1), subsection
27 ten (10) of the Code. A certificate of insurance
28 from an insurance company licensed to conduct business
29 in Iowa, an appropriate bond or a certificate from
30 the treasurer of state shall be adequate evidence
31 of proof of financial responsibility.

32 3. An insurance company operating in the state
33 shall notify the state department of transportation
34 in a manner prescribed by the commissioner of insurance
35 after consultation with the state department of
36 transportation of a cancellation of an insurance
37 policy issued to a person to satisfy the requirements
38 for proof of financial responsibility. The department
39 shall revoke the motor vehicle license or permit of
40 a person who is unable to demonstrate proof of
41 financial responsibility.

42 4. The state department of transportation and
43 the insurance department shall adopt rules pursuant
44 to chapter seventeen A (17A) of the Code to implement
45 the provisions of this Act.

46 Sec. 2. Section three hundred twenty-one point
47 two hundred nine (321.209), Code 1979, 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

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1 vehicle on the highways of this state if the person
2 is not able to demonstrate proof of financial
3 responsibility as defined in section three hundred
4 twenty-one A point one (321A.1) of the Code."
5 2. Renumber the sections and correct internal
6 references as necessary.

H-3248 FILED - *Filed not germane 2/26*
FEBRUARY 22, 1979 *(8.674)*

BY MILLER of Buchanan

HOUSE FILE 97

AN ACT
RELATING TO THE TIME PERIOD FOR MAINTAINING PROOF OF MOTOR
VEHICLE FINANCIAL RESPONSIBILITY.

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

Section 1. Section three hundred twenty-one A point twenty-nine (321A.29), subsection one (1), paragraph a, Code 1979, is amended to read as follows:

a. At any time after ~~three~~ two years from the date such proof was required when, during the ~~three-year~~ two-year period preceding the request, the director has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration, or nonresident's operating privilege of the person by or for whom such proof was furnished; or

Sec. 2. Section three hundred twenty-one A point twenty-nine (321A.29), subsection three (3), Code 1979, is amended to read as follows:

3. Whenever any person whose proof has been canceled or returned under paragraph "c" of subsection 1 of this section applies for a license or registration within a period of ~~three~~ two years from the date proof was originally required, any such application shall be refused unless the applicant shall re-establish such proof for the remainder of ~~such-three-year~~ the two-year period.

Sec. 3. This Act is effective on January first following its enactment.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 97, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved April 2, 1979

ROBERT D. RAY
Governor