

JAN 17 1990

HOUSE FILE 2119
BY COMMITTEE ON TRANSPORTATION

Place On Calendar

(SUCCESSOR TO H.F. 419)

Passed House, Date 1/24/90 (p. 158) Passed Senate, Date 3/13/90 (p. 1060)
Vote: Ayes 99 Nays 1 Vote: Ayes 46 Nays 0
Approved March 29, 1990

A BILL FOR

1 An Act relating to violations involving disobedience of the
2 warning lamps, signal lamps, and stop arms of school buses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2119

1 Section 1. Section 321.372A, Code 1989, is amended to read
2 as follows:

3 321.372A PROMPT INVESTIGATION OF REPORTED VIOLATION OF
4 FAILING TO OBEY SCHOOL BUS WARNING DEVICES.

5 The driver of a school bus who observes a violation of
6 section 321.372, subsection 3, may prepare a written report on
7 a form provided by the department of public safety indicating
8 that a violation has occurred. The school bus driver or a
9 school official may deliver the report not more than ~~twenty-~~
10 four seventy-two hours after the violation occurred to a peace
11 officer of the state or a peace officer of the county or
12 municipality in which the violation occurred. The report
13 shall state the time and the location at which the violation
14 occurred and shall include the registration plate number and a
15 description of the vehicle involved in the violation.

16 Not more than ~~forty-eight-hours~~ seven calendar days after
17 receiving a report of a violation of section 321.372,
18 subsection 3, from a school bus driver or a school official,
19 the peace officer shall ~~investigate~~ initiate an investigation
20 of the reported violation and contact the owner of the motor
21 vehicle involved in the reported violation and request that
22 the owner supply information identifying the driver in
23 accordance with section 321.484. If, from the investigation,
24 the peace officer is able to identify the driver and has
25 reasonable cause to believe a violation of section 321.372,
26 subsection 3, has occurred, the peace officer shall prepare a
27 uniform traffic citation for the violation and shall
28 ~~personally~~ serve it upon personally or by certified mail to
29 the driver of the vehicle.

30 EXPLANATION

31 This bill extends the time periods for delivery of reports
32 of violations of section 321.372, subsection 3, from 24 to 72
33 hours after the violation has occurred. The bill similarly
34 extends the time period for a peace officer to investigate the
35 reported violation and contact the owner from 48 hours after

1 receipt of the report of the violation to 7 days after such
2 receipt. The officer under the bill is required to initiate
3 the investigation within 7 days rather than complete the
4 investigation.

5 This bill also allows the peace officer to serve the driver
6 with a uniform traffic citation for the violation by certified
7 mail rather than personal service.

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HOUSE FILE 2119

AN ACT
RELATING TO VIOLATIONS INVOLVING DISOBEDIENCE OF THE WARNING
LAMPS, SIGNAL LAMPS, AND STOP ARMS OF SCHOOL BUSES.

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

Section 1. Section 321.372A, Code 1989, is amended to read
as follows:

321.372A PROMPT INVESTIGATION OF REPORTED VIOLATION OF
FAILING TO OBEY SCHOOL BUS WARNING DEVICES.

The driver of a school bus who observes a violation of
section 321.372, subsection 3, may prepare a written report on
a form provided by the department of public safety indicating
that a violation has occurred. The school bus driver or a
school official may deliver the report not more than ~~twenty-~~
~~four~~ seventy-two hours after the violation occurred to a peace
officer of the state or a peace officer of the county or
municipality in which the violation occurred. The report
shall state the time and the location at which the violation
occurred and shall include the registration plate number and a
description of the vehicle involved in the violation.

Not more than ~~forty-eight hours~~ seven calendar days after
receiving a report of a violation of section 321.372,
subsection 3, from a school bus driver or a school official,
the peace officer shall investigate initiate an investigation
of the reported violation and contact the owner of the motor
vehicle involved in the reported violation and request that
the owner supply information identifying the driver in
accordance with section 321.484. If, from the investigation,
the peace officer is able to identify the driver and has
reasonable cause to believe a violation of section 321.372,
subsection 3, has occurred, the peace officer shall prepare a
uniform traffic citation for the violation and shall

personally serve it upon personally or by certified mail to
the driver of the vehicle.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2119, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 29, 1990

TERRY E. BRANSTAD
Governor