

MAR 20 1989

Place On Calendar

HOUSE FILE 664

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 3)

Passed House, Date 3-29-89 (p-110) Passed Senate, Date 3/13/90 (p. 1654)
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 0
Approved March 29, 1990

A BILL FOR

1 An Act relating to the fine for certain violations regarding
2 motor vehicles of excessive size or weight.

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

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HF 664

1 Section 1. Section 321E.16, Code 1989, is amended to read
2 as follows:

3 321E.16 VIOLATIONS -- PENALTIES.

4 Any person who is convicted of a violation of any provision
5 of this chapter or of rules adopted under section 321E.15,
6 other than length, height, width, or weight allowed by any
7 permit issued under this chapter shall be punished by a fine
8 of ~~not less than~~ one hundred dollars for the first conviction,
9 two hundred fifty dollars for a second conviction within a
10 twelve-month period, and five hundred dollars for a third
11 conviction within a twelve-month period. The fine for
12 violation of the length, height, width, and weight allowed by
13 permit shall be based upon the difference between the actual
14 length, height, width, and weight of the vehicle and load and
15 the maximum allowable by permit and in accordance with section
16 321.482 for violations of length, height, or width limitations
17 and sections 321.482 and 321.463 for violation of weight
18 limitations. If a vehicle with indivisible load traveling
19 under permit is found to be in violation of weight
20 limitations, the vehicle operator shall be allowed a
21 reasonable amount of time to remove any ice, mud, snow, and
22 other weight attributable to climatic conditions accumulated
23 along the route prior to application of the penalties
24 prescribed in sections 321.463 and 321.482. The department
25 shall adopt rules to require peace officer escorts for permit
26 holders convicted for the third time in a twelve-month period
27 of violating a provision of this chapter or a provision of
28 rules adopted pursuant to section 321E.15.

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EXPLANATION

30 This bill alters the fine for a first conviction on certain
31 violations regarding motor vehicles of excessive size or
32 weight from an amount of not less than one hundred dollars to
33 the amount of one hundred dollars.

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HOUSE FILE 664

AN ACT

RELATING TO THE FINE FOR CERTAIN VIOLATIONS REGARDING MOTOR VEHICLES OF EXCESSIVE SIZE OR WEIGHT.

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

Section 1. Section 321E.16, Code 1989, is amended to read as follows:

321E.16 VIOLATIONS -- PENALTIES.

Any person who is convicted of a violation of any provision of this chapter or of rules adopted under section 321E.15, other than length, height, width, or weight allowed by any permit issued under this chapter shall be punished by a fine of not less than one hundred dollars for the first conviction, two hundred fifty dollars for a second conviction within a twelve-month period, and five hundred dollars for a third conviction within a twelve-month period. The fine for violation of the length, height, width, and weight allowed by permit shall be based upon the difference between the actual length, height, width, and weight of the vehicle and load and the maximum allowable by permit and in accordance with section 321.482 for violations of length, height, or width limitations and sections 321.482 and 321.463 for violation of weight limitations. If a vehicle with indivisible load traveling under permit is found to be in violation of weight limitations, the vehicle operator shall be allowed a reasonable amount of time to remove any ice, mud, snow, and other weight attributable to climatic conditions accumulated along the route prior to application of the penalties prescribed in sections 321.463 and 321.482. The department shall adopt rules to require peace officer escorts for permit holders convicted for the third time in a twelve-month period

of violating a provision of this chapter or a provision of rules adopted pursuant to section 321E.15.

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 664, Seventy-third General Assembly.

Approved: *March 29*, 1990
JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor