

Sen Trans 3/25, No Pass 3/25

FEB 25 1992

Place On Calendar

HOUSE FILE 2327

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 599)

Passed House, Date 3/26/92 (p. 727) Passed Senate, Date 3/30/92 (p. 1079)
Vote: Ayes 83 Nays 11 Vote: Ayes 46 Nays 0
Approved April 13, 1992 (p. 1331)

A BILL FOR

1 An Act relating to waiving the right to vehicular traffic
2 enforcement in mobile home parks.

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

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HF 2327

1 Section 1. Section 321.251, Code Supplement 1991, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 3. The titleholder of real property under
4 subsection 2 may elect to waive the right to have the
5 vehicular traffic provisions of this chapter, or the
6 ordinances, rules, or regulations of the local authority where
7 the real property is located, apply to the real property and
8 any persons located on the real property, by filing a waiver
9 with the county recorder of each county in which the property
10 is located. The waiver shall include the legal description of
11 the real property and shall bind the titleholder of the real
12 property and any successors in interest. The waiver may only
13 be rescinded if each law enforcement jurisdiction, in which
14 the titleholder of real property wishes to obtain the benefit
15 of this section, consents to the rescission of the waiver
16 through adoption of a resolution.

17 EXPLANATION

18 Current law provides the owner of a mobile home park with
19 the right to file a notice of election which requires the
20 local enforcement authorities to enforce pertinent vehicular
21 traffic rules and regulations on the property. This bill
22 allows the owner to waive the owner's right to have local
23 authorities enforce vehicular traffic rules and regulations on
24 the property. The owner must file the waiver, which includes
25 a legal description of the property, with the county recorder
26 of each county in which the property is located. The waiver
27 serves to bind any future property owners. If the present
28 owner or a future owner would like to utilize the provisions
29 allowing vehicular traffic enforcement by local authorities, a
30 resolution must be passed which contains the consent of each
31 law enforcement jurisdiction from which the owner wishes to
32 obtain law enforcement.

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HOUSE FILE 2327

B-5355

1 Amend House File 2327 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 321.251, subsection 2,
5 paragraph a, Code Supplement 1991, is amended by
6 striking the paragraph and inserting in lieu thereof
7 the following:

8 a. A local authority may enforce the vehicular
9 traffic provisions of this chapter, or the ordinances,
10 rules, or regulations of the local authority, as well
11 as any regulations or conditions imposed on real
12 property pursuant to subsection 1, on the real
13 property or on any persons located on the real
14 property upon which a mobile home park is located, if
15 the owner of the real property elects to have the
16 local authority do so in accordance with this
17 subsection. An election made pursuant to this
18 subsection shall not create a higher priority for the
19 enforcement of traffic laws on real property upon
20 which a mobile home is located than exists for the
21 enforcement of traffic laws on public property."

22 2. Title page, line 1, by striking the words
23 "waiving the right to".

By HAVERLAND of Polk
CARPENTER of Polk

B-5355 FILED MARCH 18, 1992

w/d 3/20 (p. 724)

NSB 599

TRANSPORTATION

Now

HOUSE FILE 2327

BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON KOENIGS)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

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2 enforcement in mobile home parks.
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SUB COMMITTEE ASSIGNMENTS

Cochran

COMMITTEE *Transportation*

2/2/92

599.

S.F. _____ H.F. _____

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 16 through adoption of a resolution.

EXPLANATION

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 18 Current law provides the owner of a mobile home park with
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 30 resolution must be passed which contains the consent of each
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 32 obtain law enforcement.

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HOUSE FILE 2327

AN ACT
RELATING TO WAIVING THE RIGHT TO VEHICULAR TRAFFIC ENFORCEMENT
IN MOBILE HOME PARKS.

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

Section 1. Section 321.251, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The titleholder of real property under subsection 2 may elect to waive the right to have the vehicular traffic provisions of this chapter, or the ordinances, rules, or regulations of the local authority where the real property is located, apply to the real property and any persons located on the real property, by filing a waiver with the county recorder of each county in which the property is located. The waiver shall include the legal description of the real property and shall bind the titleholder of the real property and any successors in interest. The waiver may only be rescinded if each law enforcement jurisdiction, in which the titleholder of real property wishes to obtain the benefit

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2327, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *April 13*, 1992

TERRY E. BRANSTAD
Governor