

(p. 806) 3/22/93 Amend/Do Pass
W/H 5576
(p. 1094) 4-7-94 Senate - Amend/Do Pass
W/S 5531

HOUSE FILE 2358
BY COMMITTEE ON TRANSPORTATION

MAR 4 1994
APPROPRIATIONS

(SUCCESSOR TO HF 2090)

Passed House, (P. 1151) Date 4-5-94 Passed Senate, (P. 1114) Date 4-8-94
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 0
Approved _____

A BILL FOR

1 An Act relating to funding for the governor's traffic safety
2 bureau and providing for a repeal.

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

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HOUSE FILE 2358

H-5576

1 Amend House File 2358 as follows:
2 1. Page 1, by inserting after line 23 the
3 following:
4 "5. To county traffic safety councils for the
5 development of comprehensive traffic safety programs."
By COMMITTEE ON APPROPRIATIONS
CORBETT of Linn

H-5576 FILED MARCH 22, 1994

adopted
4-5-94 (P. 1149)

H.F. - 220

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1 Section 1. NEW SECTION. 80.26 GOVERNOR'S TRAFFIC SAFETY
2 BUREAU -- FUNDS.

3 The governor's traffic safety bureau shall allocate any
4 moneys received from the federal highway administration due to
5 the state's failure to enact a mandatory helmet law pursuant
6 to the federal Intermodal Surface Transportation Efficiency
7 Act of 1991 to be used as follows:

8 1. To the department of public health to be allocated to
9 emergency medical services associations for instruction of
10 emergency medical care technicians in accident scene
11 procedures and for up to twenty-five percent of the costs for
12 one-time purchases of vehicles and other emergency medical
13 equipment.

14 2. To the department of education to be allocated to
15 school districts within the state for driver's education
16 classes for additional highway safety and motorcycle training
17 programs.

18 3. To the department of education to be allocated to
19 future farmers of America chapters within the state to promote
20 farm vehicle safety on public roadways.

21 4. To the state department of transportation to be used
22 for the Iowa operation lifesaver program to promote railroad
23 crossing safety activities.

24 The moneys allocated under this section shall be available
25 to all counties within the state regardless of the counties'
26 ranking for purposes of determining eligibility for other
27 highway safety funds distributed by the governor's traffic
28 safety bureau.

29 This section is repealed on October 1, 1996.

30 EXPLANATION

31 This bill requires that any moneys the governor's traffic
32 safety bureau receives due to the failure of the state to
33 enact a mandatory motorcycle helmet law must be used for
34 education for emergency medical care technicians in accident
35 scene procedures and up to 25 percent of one-time vehicle and

1 emergency medical equipment for emergency medical services
2 associations, for additional highway safety and motorcycle
3 training, for farm vehicle safety programs, and for the Iowa
4 operation lifesaver program to promote railroad crossing
5 safety.

6 The Intermodal Surface Transportation Efficiency Act of
7 1991 mandated that if the state did not enact a mandatory
8 motorcycle helmet law by October 1, 1993, 1.5 percent of the
9 state's fiscal year 1995 funding for certain federal highway
10 programs would be transferred to the state's highway safety
11 program. If a state does not have a mandatory seat belt law
12 enacted by October 1, 1994, 3 percent of the fiscal year 1996
13 funding will be transferred to the state's highway safety
14 program.

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HOUSE FILE 2358

H-5618

1 Amend House File 2358 as follows:

2 1. Page 1, by inserting after line 29 the
3 following:

4 "Sec. ____ . NEW SECTION. 321.444A HELMETS.

5 1. A motorcycle or motorized bicycle shall not be
6 operated upon a highway unless the person who is
7 operating or riding the vehicle is wearing protective
8 headgear which complies with standards and
9 specifications established under 49 C.F.R. § 571.218.
10 For purposes of this section, "wearing protective
11 headgear" means having a safety helmet on the person's
12 head that is fastened with the helmet straps and that
13 is of a size that fits the person's head securely
14 without excessive lateral or vertical movement.

15 2. A person shall not possess for the purpose of
16 sale, offer for sale, or sell protective headgear for
17 use by a person operating or riding upon a motorcycle
18 or motorized bicycle, unless the equipment meets the
19 standards and specifications required under this
20 section.

21 Sec. ____ . Section 805.8, subsection 2, paragraph
22 e, Code Supplement 1993, is amended to read as
23 follows:

24 e. For improperly used or nonused or defective or
25 improper equipment under sections 321.383, 321.384,
26 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
27 321.409, 321.419, 321.420, 321.423, 321.430, and
28 321.433, the scheduled fine is twenty dollars. For
29 failing to wear protective headgear as required under
30 section 321.444A, the scheduled fine is fifty dollars
31 for an operator and twenty-five dollars for a
32 passenger.

33 Sec. ____ . PASSENGER RAIL SERVICE REVOLVING FUND
34 ALLOCATIONS. The treasurer of state, prior to making
35 the allocation provided for in section 423.24,
36 subsection 1, paragraph "c", shall credit to the
37 passenger rail service revolving fund from the
38 revenues derived from the operation of section 423.7,
39 for the fiscal year beginning July 1, 1994, and ending
40 June 30, 1995, the sum of four million dollars."

41 2. Title page, line 2, by inserting after the
42 word "bureau" the following: ", motorcycle helmets,
43 and passenger rail service,".

44 3. By renumbering as necessary.

By KOENIGS of Mitchell

H-5618 FILED MARCH 23, 1994

Not Koenigs 4-5-94 (p. 1151)

HOUSE FILE 2358

H-5740

1 Amend the amendment, H-5618, to House File 2358 as
2 follows:

3 1. Page 1, line 5, by striking the words "or
4 motorized bicycle" and inserting the following: ",
5 motorized bicycle, or bicycle".

6 2. Page 1, line 7, by inserting after the word
7 "vehicle" the following: "or bicycle".

8 3. Page 1, line 18, by striking the words "or
9 motorized bicycle" and inserting the following: ",
10 motorized bicycle, or bicycle".

11 4. Page 1, line 42, by inserting after the word
12 "motorcycle" the following: "and bicycle".

By BLODGETT of Cerro Gordo

H-5740 FILED MARCH 28, 1994

*Withdraw
4-5-94
P 1150)*

(P. 1069) 4/6/94 Senate - approx.

HOUSE FILE 2358
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2090)

(As Amended and Passed by the House April 5, 1994)

Passed House, (P. 1365) Date 4-11-94 Passed Senate, (P. 1114) Date 4-8-94
Vote: Ayes 98 Nays 0 Vote: Ayes 48 Nays 0
Approved April 18, 1994

A BILL FOR

1 An Act relating to funding for the governor's traffic safety
2 bureau and providing for a repeal.

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

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House Amendments _____

1 Section 1. NEW SECTION. 80.26 GOVERNOR'S TRAFFIC SAFETY
2 BUREAU -- FUNDS.

3 The governor's traffic safety bureau shall allocate any
4 moneys received from the federal highway administration due to
5 the state's failure to enact a mandatory helmet law pursuant
6 to the federal Intermodal Surface Transportation Efficiency
7 Act of 1991 to be used as follows:

8 1. To the department of public health to be allocated to
9 emergency medical services associations for instruction of
10 emergency medical care technicians in accident scene
11 procedures and for up to twenty-five percent of the costs for
12 one-time purchases of vehicles and other emergency medical
13 equipment.

14 2. To the department of education to be allocated to
15 school districts within the state for driver's education
16 classes for additional highway safety and motorcycle training
17 programs.

18 3. To the department of education to be allocated to
19 future farmers of America chapters within the state to promote
20 farm vehicle safety on public roadways.

21 4. To the state department of transportation to be used
22 for the Iowa operation lifesaver program to promote railroad
23 crossing safety activities.

24 5. To county traffic safety councils for the development
25 of comprehensive traffic safety programs.

26 The moneys allocated under this section shall be available
27 to all counties within the state regardless of the counties'
28 ranking for purposes of determining eligibility for other
29 highway safety funds distributed by the governor's traffic
30 safety bureau.

31 This section is repealed on October 1, 1996.

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HOUSE FILE 2358

S-5546

1 Amend the amendment, S-5531, to House File 2358, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking lines 9 through 11 and
5 inserting the following:

6 "____. Page 1, by striking lines 18 through 20 and
7 inserting the following:

8 "3. To be allocated to educational institutions to
9 be used for programs on farm vehicle safety and
10 extraction from farm machinery.""

11 2. Page 1, by inserting after line 15 the follow-
12 ing:

13 "7. To the state department of transportation to
14 be allocated to the Iowa highway patrol, local police
15 departments and county sheriff's offices for purchase
16 of pen-based mobile computers to enhance the
17 implementation of Iowa's mobile accident reporting
18 system and to facilitate the development of additional
19 computer-based enforcement reporting systems.

20 8. To the state department of transportation to be
21 used to develop software to allow origination of
22 uniform citations from computerized devices and for
23 electronic communication of the record of the citation
24 from the issuing agency to the court and electronic
25 communication of the abstract of conviction from the
26 court to the state department of transportation.""

27 3. By renumbering as necessary.

By JOE WELSH

RICHARD F. DRAKE

S-5546 FILED APRIL 8, 1994

ADOPTED 4-8-94

HOUSE FILE 2358

S-5531

1 Amend House File 2358, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 1, line 3, by striking the words "shall
4 allocate any" and inserting the following: "is
5 encouraged to explore funding opportunities for".

6 2. Page 1, line 7, by striking the words "as
7 follows" and inserting the following: "by the
8 following entities for the following purposes".

9 3. Page 1, by striking lines 18 and 19 and
10 inserting the following:

11 "3. To be allocated within the state to promote".

12 4. Page 1, by inserting after line 25 the
13 following:

14 "6. To the department of public health to be used
15 for adolescent substance abuse prevention."

16 5. Page 1, by striking lines 26 through 30.

By COMMITTEE ON APPROPRIATIONS

LARRY MURPHY, Chairperson

Adopted 4-8-94
Motion to R/C 4-8-94 (P. 1103)
S-5531 FILED APRIL 7, 1994

Motion to R/C prevailed 4-8-94 (P. 1114)

Adopted as amended

4-8-94 (P. 1114)

SENATE AMENDMENT TO HOUSE FILE 2358

H-6068

- 1 Amend House File 2358, as amended, passed, and re-
2 printed by the House, as follows:
- 3 1. Page 1, line 3, by striking the words "shall
4 allocate any" and inserting the following: "is
5 encouraged to explore funding opportunities for".
- 6 2. Page 1, line 7, by striking the words "as
7 follows" and inserting the following: "by the
8 following entities for the following purposes".
- 9 3. Page 1, by striking lines 18 through 20 and
10 inserting the following:
11 "3. To be allocated to educational institutions to
12 be used for programs on farm vehicle safety and
13 extraction from farm machinery."
- 14 4. Page 1, by inserting after line 25 the
15 following:
16 "6. To the department of public health to be used
17 for adolescent substance abuse prevention.
18 7. To the state department of transportation to be
19 allocated to the Iowa highway patrol, local police
20 departments and county sheriff's offices for purchase
21 of pen-based mobile computers to enhance the
22 implementation of Iowa's mobile accident reporting
23 system and to facilitate the development of additional
24 computer-based enforcement reporting systems.
25 8. To the state department of transportation to be
26 used to develop software to allow origination of
27 uniform citations from computerized devices and for
28 electronic communication of the record of the citation
29 from the issuing agency to the court and electronic
30 communication of the abstract of conviction from the
31 court to the state department of transportation."
- 32 5. Page 1, by striking lines 26 through 30.

RECEIVED FROM THE SENATE

H-6068 FILED APRIL 8, 1994

House Concurred
4-11-94
(p.1365)

HOUSE FILE 2358

AN ACT

RELATING TO FUNDING FOR THE GOVERNOR'S TRAFFIC SAFETY BUREAU
AND PROVIDING FOR A REPEAL.

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

Section 1. NEW SECTION. 80.26 GOVERNOR'S TRAFFIC SAFETY
BUREAU -- FUNDS.

The governor's traffic safety bureau is encouraged to explore funding opportunities for moneys received from the federal highway administration due to the state's failure to enact a mandatory helmet law pursuant to the federal Intermodal Surface Transportation Efficiency Act of 1991 to be used by the following entities for the following purposes:

1. To the department of public health to be allocated to emergency medical services associations for instruction of emergency medical care technicians in accident scene procedures and for up to twenty-five percent of the costs for one-tire purchases of vehicles and other emergency medical equipment.
2. To the department of education to be allocated to school districts within the state for driver's education classes for additional highway safety and motorcycle training programs.
3. To be allocated to educational institutions to be used for programs on farm vehicle safety and extraction from farm machinery.
4. To the state department of transportation to be used for the Iowa operation lifesaver program to promote railroad crossing safety activities.
5. To county traffic safety councils for the development of comprehensive traffic safety programs.
6. To the department of public health to be used for adolescent substance abuse prevention.

7. To the state department of transportation to be allocated to the Iowa highway patrol, local police departments and county sheriff's offices for purchase of pen-based mobile computers to enhance the implementation of Iowa's mobile accident reporting system and to facilitate the development of additional computer-based enforcement reporting systems.

8. To the state department of transportation to be used to develop software to allow origination of uniform citations from computerized devices and for electronic communication of the record of the citation from the issuing agency to the court and electronic communication of the abstract of conviction from the court to the state department of transportation.

This section is repealed on October 1, 1996.

HAROLD VAN HAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2358, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved *April 2*, 1994

TERRY E. BRANSTAD
Governor