

3/25/96 Referred to Transport

FEB 27 1996
Place On Calendar

HOUSE FILE **2361**
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 608)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to certain motor vehicle operation violations
2 involving signals and stops and increasing certain scheduled
3 fines.

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

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HOUSE FILE 2361

H-5263

- 1 Amend House File 2361 as follows:
- 2 1. Page 1, by striking lines 1 through 8.
- 3 2. By renumbering as necessary.

By WEIDMAN of Cass

H-5263 FILED MARCH 11, 1996

HF 2361

1 Section 1. Section 321.341, unnumbered paragraph 2, Code
2 1995, is amended to read as follows:

3 The driver of a vehicle shall stop and remain standing and
4 not traverse such a grade crossing when a crossing gate is
5 lowered or when a ~~human-flagman~~ flagperson gives or continues
6 to give a signal of the approach or passage of a train.
7 However, a driver may traverse the grade crossing if the
8 crossing gate is malfunctioning.

9 Sec. 2. Section 805.8, subsection 2, paragraph h, Code
10 Supplement 1995, is amended to read as follows:

11 h. For operating, passing, turning and standing violations
12 under sections 321.236, subsections 3, 4, 9 and 12, 321.275,
13 subsections 1 through 8, 321.295, 321.297, 321.299, 321.303,
14 321.304, subsections 1 and 2, 321.305, 321.306, 321.311,
15 321.312, 321.314, 321.315, 321.316, 321.318, 321.323, 321.340,
16 ~~321.344~~, 321.353, 321.354, 321.363, 321.365, 321.366, 321.368,
17 321.382, and 321.395, the scheduled fine is fifteen dollars.

18 Sec. 3. Section 805.8, subsection 2, paragraph 1, Code
19 Supplement 1995, is amended to read as follows:

20 1. For violations of traffic signs and signals, and for
21 failure to obey an officer under sections 321.229, 321.236,
22 subsections 2 and 6, 321.256, 321.257, subsection 2, 321.294,
23 321.304, subsection 3, 321.322, ~~321.341~~, ~~321.342~~, ~~321.343~~ and
24 321.415, the scheduled fine is twenty dollars.

25 Sec. 4. Section 805.8, subsection 2, Code Supplement 1995,
26 is amended by adding the following new paragraph:

27 NEW PARAGRAPH. z. For violations of sections 321.341,
28 321.342, 321.343, and 321.344, the scheduled fine is fifty
29 dollars.

30 EXPLANATION

31 This bill amends section 321.341 to allow a person to
32 traverse a railroad grade crossing when the gate is down if
33 the gate is malfunctioning.

34 The bill also provides that the scheduled fine for
35 violations of section 321.341, concerning obedience to a train

1 signal, section 321.342, concerning stopping at certain
2 railroad crossings, section 321.343, concerning the
3 requirement for certain vehicles to stop at a railroad
4 crossing, and section 321.344, concerning the operation of
5 heavy equipment at a railroad crossing, is increased to \$50.
6 Under current law, the scheduled fine for violation of section
7 321.344 is \$15, whereas the scheduled fine for violation of
8 sections 321.341 through 321.343 is \$20.

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1 321.342, 321.343, and 321.344, the scheduled fine is fifty
2 dollars.

3 EXPLANATION

4 This bill amends sections 321.256 and 321.257 to provide
5 that a person cannot be charged with disobeying a traffic
6 signal light if it was not operational at the time of the
7 occurrence.

8 The bill also provides that the scheduled fine for
9 violations of section 321.341, concerning obedience to a train
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11 railroad crossings, section 321.343, concerning the
12 requirement for certain vehicles to stop at a railroad
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