

4/10/95 Referred to Transport.

MAR 21 1995

WITHDRAWN

Place On Calendar

HOUSE FILE 509
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 146)

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

A BILL FOR

1 An Act relating to motor vehicle and highway regulation by the
2 state department of transportation concerning retention of
3 records and documents, registration plates and stickers,
4 dissolution decree transfers of motor vehicle titles, junking
5 certificates for abandoned vehicles, reporting accidents,
6 flashing blue lights, flashing warning lamps on a school bus,
7 motorcycle license requirements, leased motor vehicles, proof
8 of financial responsibility, charges for handicapped
9 identification devices, single state registration for motor
10 carriers, commodity base state registration, other technical
11 changes, and providing an effective date.

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

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HF 509

WITHDRAWN

1 Section 1. Section 321.1, subsection 11, paragraph d,
2 subparagraph (1), Code 1995, is amended to read as follows:

3 (1) The combination of vehicles has a gross combination
4 weight rating of twenty-six thousand one or more pounds
5 provided the towed vehicle ~~has a gross vehicle~~ or vehicles
6 have a gross weight rating or gross combination weight rating
7 of ten thousand one or more pounds.

8 Sec. 2. Section 321.13, Code 1995, is amended to read as
9 follows:

10 321.13 AUTHORITY TO GRANT OR REFUSE APPLICATIONS.

11 The department shall examine and determine the genuineness,
12 regularity, and legality of every application ~~lawfully~~ made to
13 the department, and may ~~in all cases make investigation as may~~
14 ~~be deemed necessary~~ investigate or require additional
15 information ~~and shall~~. The department may reject any such
16 application if not satisfied of the genuineness, regularity,
17 or legality ~~thereof~~ of the application or the truth of any
18 statement ~~contained therein~~ made within the application, or
19 for any other reason, when authorized by law. The department
20 may retain possession of any record or document until the
21 investigation of the application is completed if it appears
22 that the record or document is fictitious or unlawfully or
23 erroneously issued and shall not return the record or document
24 if it is determined to be fictitious or unlawfully or
25 erroneously issued.

26 Sec. 3. Section 321.19, subsection 1, unnumbered paragraph
27 2, Code 1995, is amended to read as follows:

28 The department shall furnish, on application, free of
29 charge, distinguishing plates for vehicles thus exempted,
30 which plates except plates on Iowa highway safety patrol
31 vehicles shall bear the word "official" and the department
32 shall keep a separate record. Registration plates issued for
33 Iowa highway safety patrol vehicles, except unmarked patrol
34 vehicles, shall bear two red stars on a yellow background, one
35 before and one following the registration number on the plate,

1 which registration number shall be the officer's badge number.
2 Registration plates issued for a county sheriff's patrol
3 vehicles shall display one seven-pointed gold star on-a-green
4 background followed by the letter "S" and the call number of
5 the vehicle. However, the director of general services or the
6 director of transportation may order the issuance of regular
7 registration plates for any exempted vehicle used by peace
8 officers in the enforcement of the law, persons enforcing
9 chapter 124 and other laws relating to controlled substances,
10 persons in the department of justice who are regularly
11 assigned to conduct investigations which cannot reasonably be
12 conducted with a vehicle displaying "official" state
13 registration plates, and persons in the lottery division of
14 the department of revenue and finance whose regularly assigned
15 duties relating to security or the carrying of lottery tickets
16 cannot reasonably be conducted with a vehicle displaying
17 "official" registration plates. For purposes of sale of
18 exempted vehicles, the exempted governmental body, upon the
19 sale of the exempted vehicle, may issue for in-transit
20 purposes a pasteboard card bearing the words "Vehicle in
21 Transit", the name of the official body from which the vehicle
22 was purchased, together with the date of the purchase plainly
23 marked in at least one-inch letters, and other information
24 required by the department. The in-transit card is valid for
25 use only within forty-eight hours after the purchase date as
26 indicated on the bill of sale which shall be carried by the
27 driver.

28 Sec. 4. NEW SECTION. 321.20A CERTIFICATE OF TITLE --
29 COMMERCIAL MOTOR VEHICLES.

30 1. Notwithstanding other provisions of this chapter, the
31 owner of a commercial motor vehicle with a gross vehicle
32 weight rating of twenty-six thousand one pounds or more,
33 subject to the proportional registration provisions of chapter
34 326, may make application to the department for a certificate
35 of title. The application for certificate of title shall be

1 made within fifteen days of purchase or transfer and
2 accompanied by a ten dollar title fee and appropriate use tax.

3 2. A commercial motor vehicle issued a certificate of
4 title under this section shall not be subject to registration
5 fees until the commercial motor vehicle is driven upon the
6 highways. The registration fee due shall be prorated for the
7 remaining unexpired months of the registration year.

8 Ownership of a commercial motor vehicle issued a certificate
9 of title under this section shall not be transferred until
10 registration fees have been paid to the department.

11 3. The certificate of title provision for commercial motor
12 vehicles with a gross vehicle weight rating of twenty-six
13 thousand one pounds or more shall apply to owners with fleets
14 of more than fifty commercial motor vehicles based in Iowa
15 under the proportional registration provisions of chapter 326.
16 The original certificate of title shall be delivered to the
17 owner if no security interest or encumbrance appear on the
18 certificate, otherwise the certificate of title shall be
19 delivered by the department to the person holding the first
20 security interest or encumbrance as shown on the certificate
21 of title.

22 Sec. 5. Section 321.34, subsection 2, Code 1995, is
23 amended to read as follows:

24 2. VALIDATION STICKERS. In lieu of issuing new
25 registration plates each registration year for a vehicle
26 renewing registration, the department may reassign the
27 registration plates previously issued to the vehicle and may
28 adopt and prescribe an annual validation stickers sticker
29 indicating payment of registration fees. The department shall
30 issue two one validation stickers sticker for each set of
31 registration plates. ~~One~~ The sticker shall specify the month
32 and year of expiration of the registration period plates. ~~The~~
33 ~~second-sticker-shall-specify-the-month-of-expiration-of-the~~
34 ~~registration-period-and-need-not-be-reissued-annually.--The~~
35 ~~month-of-registration-shall-not-be-required-on-registration~~

1 ~~plates-or-validation-stickers-issued-for-vehicles-registered~~
2 ~~under-chapter-326.~~ The ~~stickers~~ sticker shall be displayed
3 only on the rear registration plate, except that the ~~stickers~~
4 sticker shall be displayed on the front registration plate of
5 a truck-tractor.

6 The state department of transportation shall ~~promulgate~~
7 adopt rules to provide for the placement of the motor vehicle
8 registration validation ~~stickers-on-all-registration-plates~~
9 ~~issued-for-the-motor-vehicle-when-such-validation-stickers-are~~
10 ~~issued-in-lieu-of-issuing-new-registration-plates-under-the~~
11 ~~provisions-of-this-section~~ sticker.

12 Sec. 6. Section 321.34, subsection 4, Code 1995, is
13 amended to read as follows:

14 4. MULTIYEAR PLATES. In lieu of issuing annual
15 registration plates for trailers and semitrailers, the
16 department may issue a multiyear registration plates plate for
17 a three-year period or a six-year-period permanent
18 registration plate for trailers and semitrailers licensed
19 under chapter 326 upon payment of the appropriate registration
20 fee. Payment of fees to the department for a permanent
21 registration plate shall be made at five-year intervals. Fees
22 from three-year and ~~six-year~~ five-year payments shall not be
23 reduced or prorated.

24 Sec. 7. Section 321.34, subsection 7, Code 1995, is
25 amended to read as follows:

26 7. HANDICAPPED PLATES. The owner of a motor vehicle
27 subject to registration pursuant to section 321.109,
28 subsection 1, light delivery truck, panel delivery truck, or
29 pickup, who is a handicapped person, or who is the parent or
30 guardian of a child who resides with the parent or guardian
31 owner and who is a handicapped person, as defined in section
32 321L.1, may, upon written application to the department, order
33 handicapped registration plates designed by the department
34 bearing the international symbol of accessibility. The
35 handicapped registration plates shall only be issued if the

1 application is accompanied with a statement from a physician
2 licensed under chapter 148, 149, 150, or 150A, or a
3 chiropractor licensed under chapter 151, written on the
4 physician's or chiropractor's stationery, stating the nature
5 of the applicant's or the applicant's child's handicap and
6 such additional information as required by rules adopted by
7 the department, including proof of residency of a child who is
8 a handicapped person. If the application is approved by the
9 department the handicapped registration plates shall be issued
10 to the applicant in exchange for the previous registration
11 plates issued to the person. ~~The fee for the handicapped~~
12 ~~plates is five dollars which is in addition to the regular~~
13 ~~annual registration fee.~~ The department shall validate the
14 handicapped plates in the same manner as regular registration
15 plates are validated under this section at the regular annual
16 registration fee. However, the handicapped plates shall not
17 be renewed without the applicant furnishing evidence to the
18 department that the owner of the motor vehicle or the owner's
19 child is still a handicapped person as defined in section
20 321L.1, unless the applicant has previously provided
21 satisfactory evidence to the department that the owner of the
22 vehicle or the owner's child is permanently handicapped in
23 which case the furnishing of additional evidence shall not be
24 required for renewal. However, an owner who has a child who
25 is a handicapped person shall provide satisfactory evidence to
26 the department that the handicapped child continues to reside
27 with the owner. The handicapped registration plates shall be
28 surrendered in exchange for regular registration plates when
29 the owner of the motor vehicle or the owner's child no longer
30 qualifies as a handicapped person as defined in section 321L.1
31 or when the owner's child who is a handicapped person no
32 longer resides with the owner.

33 Sec. 8. Section 321.47, unnumbered paragraph 1, Code 1995,
34 is amended to read as follows:

35 ~~In the event of the transfer of~~ If ownership of a vehicle

1 is transferred by operation of law as upon inheritance, devise
2 or bequest, dissolution decree, order in bankruptcy,
3 insolvency, replevin, foreclosure or execution sale, abandoned
4 vehicle sale, or when the engine of a motor vehicle is
5 replaced by another engine, or a vehicle is sold or
6 transferred to satisfy an artisan's lien as provided in
7 chapter 577, a landlord's lien as provided in chapter 570, a
8 storage lien as provided in chapter 579, a judgment in an
9 action for abandonment of a mobile home as provided in chapter
10 555B, or repossession is had upon default in performance of
11 the terms of a security agreement, the county treasurer in the
12 transferee's county of residence, upon the surrender of the
13 prior certificate of title or the manufacturer's or importer's
14 certificate, or when that is not possible, upon presentation
15 of satisfactory proof to the county treasurer of ownership and
16 right of possession to the vehicle and upon payment of a fee
17 of ten dollars and the presentation of an application for
18 registration and certificate of title, may issue to the
19 applicant a registration card for the vehicle and a
20 certificate of title to ~~it~~ the vehicle. A person entitled to
21 ownership of a vehicle under a decree of dissolution shall
22 surrender a certified copy of the dissolution and upon
23 fulfilling the other requirements of this chapter is entitled
24 to a certificate of title and registration receipt issued in
25 the person's name.

26 PARAGRAPH DIVIDED. The persons entitled under the laws of
27 descent and distribution of an intestate's property to the
28 possession and ownership of a vehicle owned in whole or in
29 part by a decedent, upon filing an affidavit stating the name
30 and date of death of the decedent, the right to possession and
31 ownership of the persons filing the affidavit, and that there
32 has been no administration of the decedent's estate, which
33 instrument shall also contain an agreement to indemnify
34 creditors of the decedent who would be entitled to levy
35 execution upon the motor vehicle to the extent of the value of

1 the motor vehicle, are entitled upon fulfilling the other
2 requirements of this chapter, to the issuance of a
3 registration card for the interest of the decedent in the
4 vehicle and a certificate of title to it. If a decedent dies
5 testate, and either the will is not probated or is admitted to
6 probate without administration, the persons entitled to the
7 possession and ownership of a vehicle owned in whole or in
8 part by the decedent may file an affidavit, and upon
9 fulfilling the other requirements of this chapter, are
10 entitled to the issuance of a registration card for the
11 interest of the decedent in the vehicle and a certificate of
12 title to the vehicle. The affidavit shall contain the same
13 information and indemnity agreement as is required in cases of
14 intestacy pursuant to this section. No requirement of chapter
15 450 or 451 shall be considered satisfied by the filing of the
16 affidavit provided for in this section. If, from the records
17 in the office of the county treasurer, there appear to be any
18 liens on the vehicle, the certificate of title shall contain a
19 statement of the liens unless the application is accompanied
20 by proper evidence of their satisfaction or extinction.
21 Evidence of extinction may consist of, but is not limited to,
22 an affidavit of the applicant stating that a security interest
23 was foreclosed as provided in ~~Uniform-Commercial-Code~~, chapter
24 554, article 9, part 5.

25 Sec. 9. Section 321.52A, Code 1995, is amended to read as
26 follows:

27 321.52A CERTIFICATE OF TITLE SURCHARGE.

28 In addition to the fee required for the issuance of a
29 certificate of title under section 321.20, 321.20A, 321.23,
30 321.42, 321.46, 321.47, 321.48, 321.50, or 321.52, a surcharge
31 of five dollars shall be required. Of each surcharge
32 collected under those sections, the county treasurer shall
33 remit five dollars to the office of treasurer of state for
34 deposit in the general fund of the state.

35 Sec. 10. Section 321.89, subsection 4, unnumbered

1 paragraph 1, Code 1995, is amended to read as follows:

2 If an abandoned vehicle has not been reclaimed as provided
3 for in subsection 3, the police authority shall make a
4 determination as to whether or not the vehicle shall be sold
5 for use upon the highways. If the vehicle is not sold for use
6 upon the highways, it shall be sold for junk, or demolished
7 and sold as scrap. The police authority shall sell the
8 vehicle at public auction. Notwithstanding any other
9 provision of this section, any police authority, which has
10 taken into possession any abandoned vehicle which lacks an
11 engine or two or more wheels or another part which renders the
12 vehicle totally inoperable may dispose of the vehicle to a
13 demolisher for junk after complying with the notification
14 procedures enumerated in subsection 3 and without public
15 auction. The purchaser of the vehicle takes title free and
16 clear of all liens and claims of ownership, shall receive a
17 sales receipt from the police authority, and is entitled to
18 register the vehicle and receive a certificate of title if
19 sold for use upon the highways. ~~However, if~~ If the vehicle is
20 sold or disposed of to a demolisher for junk, the sales
21 ~~receipt-by-itself-is-sufficient-title-only-for-purposes-of~~
22 ~~transferring-the-vehicle-to-the-demolisher-for-demolition,~~
23 ~~wrecking,or-dismantling-and,when-so-transferred,no-further~~
24 ~~titling-of-the-vehicle-is-permitted~~ demolisher shall make
25 application for a junking certificate to the county treasurer
26 within fifteen days of purchase and shall surrender the sales
27 receipt in lieu of the certificate of title.

28 PARAGRAPH DIVIDED. From the proceeds of the sale of an
29 abandoned vehicle the police authority shall reimburse itself
30 for the expenses of the auction, the costs of towing,
31 preserving, and storing which resulted from placing the
32 abandoned vehicle in custody, all notice and publication costs
33 incurred pursuant to subsection 3, the cost of inspection, and
34 any other costs incurred except costs of bookkeeping and other
35 administrative costs. Any remainder from the proceeds of a

1 sale shall be held for the owner of the vehicle or entitled
2 lienholder for ninety days, and shall then be deposited in the
3 road use tax fund. The costs to police authorities of
4 auction, towing, preserving, storage, and all notice and
5 publication costs, and all other costs which result from
6 placing abandoned vehicles in custody, whenever the proceeds
7 from a sale of the abandoned vehicles are insufficient to meet
8 these expenses and costs, shall be paid from the road use tax
9 fund.

10 Sec. 11. Section 321.90, subsection 2, paragraphs d, e,
11 and f, Code 1995, are amended to read as follows:

12 d. If the abandoned motor vehicle is not reclaimed in
13 accordance with section 321.89, subsection 3, or no lienholder
14 objects to the disposal in the case of an owner-applicant, the
15 police authority shall give the applicant a certificate of
16 authority ~~to dispose of~~ allowing the applicant to obtain a
17 junking certificate for the motor vehicle to any demolisher
18 for demolition, wrecking, or dismantling. The demolisher
19 applicant shall make application for a junking certificate to
20 the county treasurer within fifteen days of purchase and
21 surrender the certificate of authority in lieu of the
22 certificate of title. The demolisher shall accept such the
23 junking certificate in lieu of the certificate of title to the
24 motor vehicle.

25 e. Notwithstanding any other provisions of this section
26 and sections 321.89 and 321.91, any person, firm, corporation,
27 or unit of government upon whose property or in whose
28 possession is found any abandoned motor vehicle, or any person
29 being the owner of a motor vehicle whose title certificate is
30 faulty, lost, or destroyed, may dispose of such motor vehicle
31 to a demolisher for junk without a title and without the
32 notification procedures of section 321.89, subsection 3, if
33 the motor vehicle lacks an engine or two or more wheels or
34 other structural part which renders the vehicle totally
35 inoperable. The police authority shall give the applicant a

1 certificate of authority. The owner shall apply to the county
2 treasurer for a junking certificate within fifteen days of
3 purchase and shall surrender the certificate of authority in
4 lieu of the certificate of title.

5 f. The owner of an abandoned motor vehicle and all
6 lienholders shall no longer have any right, title, claim, or
7 interest in or to ~~such~~ the motor vehicle; and no court in any
8 case in law or equity shall recognize any right, title, claim,
9 or interest of any ~~such~~ owner and or lienholders after the
10 disposal of ~~such~~ the motor vehicle to a demolisher.

11 Sec. 12. Section 321.90, subsection 3, Code 1995, is
12 amended to read as follows:

13 3. DUTIES OF DEMOLISHERS.

14 a. Any demolisher who purchases or otherwise acquires an
15 abandoned motor vehicle for junk under the provisions of this
16 section shall junk, scrap, wreck, dismantle, or demolish such
17 motor vehicle. ~~However, if the vehicle is acquired under the~~
18 ~~provisions of subsection 2, paragraph "e", the demolisher~~
19 ~~shall apply to the police authority of the jurisdiction from~~
20 ~~which the vehicle was acquired for a certificate of authority~~
21 ~~to demolish the vehicle. In making the application the~~
22 ~~demolisher shall describe the motor vehicle as required by~~
23 ~~subsection 2, paragraph "b". The police authority shall issue~~
24 ~~the certificate of authority upon complying with subsection 2,~~
25 ~~paragraph "c", but shall be excused from following the~~
26 ~~notification procedures as required therein. No further~~
27 ~~titling of the motor vehicle shall be permitted. After the~~
28 ~~motor vehicle has been demolished, processed, or changed so~~
29 ~~that it physically is no longer a motor vehicle, the~~
30 ~~demolisher shall surrender the auction sales receipt or~~
31 ~~certificate of authority to dispose of or demolish a motor~~
32 ~~vehicle to the department for cancellation. The department~~
33 ~~shall issue such forms and rules governing the surrender of~~
34 ~~auction sales receipts, certificates of title, and~~
35 ~~certificates of authority to dispose of or demolish motor~~

1 ~~vehicles, and the cancellation and surrender of the~~
2 ~~registrations and certificates of title for such motor~~
3 ~~vehicles as are appropriate.~~ A demolisher shall not junk,
4 scrap, wreck, dismantle, or demolish a vehicle until the
5 demolisher has obtained the junking certificate issued for the
6 vehicle.

7 b. A demolisher shall keep an accurate and complete record
8 of all motor vehicles purchased or received by the demolisher
9 in the course of the demolisher's business. These records
10 shall contain the name and address of the person from whom
11 each such motor vehicle was purchased or received and the date
12 when such the purchases or receipts occurred. Such The
13 records shall be open for inspection by any police authority
14 at any time during normal business hours. Any record required
15 by this section shall be kept by the demolisher for at least
16 one year after the transaction to which it applies.

17 Sec. 13. Section 321.105, unnumbered paragraph 4, Code
18 1995, is amended to read as follows:

19 In addition to the payment of an annual registration fee
20 for each trailer and semitrailer to be issued an Iowa annual
21 registration plate, an additional registration fee may be paid
22 for a period of two or ~~five~~ four subsequent registration
23 years.

24 Sec. 14. Section 321.122, subsection 2, Code 1995, is
25 amended to read as follows:

26 2. a. For semitrailers the annual registration fee is ten
27 dollars which shall not be reduced or prorated under chapter
28 326. ~~However, if the registration fee is paid for a six-year~~
29 ~~period, the total fee is fifty dollars which shall not be~~
30 ~~reduced or prorated under chapter 326.~~

31 b. For trailers and semitrailers licensed under chapter
32 326, the annual registration fee for the permanent
33 registration plate shall be ten dollars which shall not be
34 reduced or prorated under chapter 326. The registration fees
35 for a permanent registration plate shall be remitted to the

1 department at five-year intervals.

2 Sec. 15. Section 321.123, subsection 1, unnumbered para-
3 graph 1, Code 1995, is amended to read as follows:

4 Travel trailers and fifth-wheel travel trailers, except
5 those in manufacturer's or dealer's stock, an annual fee of
6 twenty cents per square foot of floor space computed on the
7 exterior overall measurements, but excluding three feet
8 occupied by any trailer hitch as provided by and certified to
9 by the owner, to the nearest whole dollar, which amount shall
10 not be prorated or refunded; except the annual fee for travel
11 trailers of any type, when registered in Iowa for the first
12 time or when removed from a manufacturer's or dealer's stock,
13 shall be prorated on a monthly basis. ~~The registrant of a~~
14 ~~travel trailer of any type shall be issued a "travel trailer"~~
15 ~~plate.~~ It is further provided the annual fee thus computed
16 shall be limited to seventy-five percent of the full fee after
17 the vehicle is more than six model years old.

18 Sec. 16. Section 321.126, subsection 6, unnumbered
19 paragraph 1, Code 1995, is amended to read as follows:

20 If a vehicle is sold or junked, the owner in whose name the
21 vehicle was registered may make claim to the county treasurer
22 or department for a refund of the sold or junked vehicle's
23 registration fee. Also if the owner of a vehicle receives a
24 vehicle registration fee credit under section 321.46,
25 subsection 3, and the credit allowed exceeds the amount of the
26 registration fee for the vehicle acquired, the owner may claim
27 a refund for the balance of the credit. The refund is subject
28 to the following limitations:

29 Sec. 17. Section 321.166, subsection 2, Code 1995, is
30 amended to read as follows:

31 2. Every registration plate or pair of plates shall
32 display a registration plate number which shall consist of
33 alphabetical or numerical characters or a combination thereof
34 and the name of this state, which may be abbreviated. Every
35 registration plate issued by the county treasurer and

1 personalized registration plates issued under section 321.34,
2 subsection 5, shall display the name of the county except
3 plates issued for ~~truck-tractors, motorcycles, motorized~~
4 ~~bicycles, travel-trailers, semitrailers and trailers~~ special
5 trucks. ~~The year of expiration or the date of expiration~~
6 ~~shall be displayed on vehicle registration plates, except~~
7 ~~plates issued under section 321.19.~~ Special truck
8 registration plates shall display the word "special".

9 Sec. 18. Section 321.166, subsection 7, Code 1995, is
10 amended to read as follows:

11 7. The year and month of expiration of registration, which
12 may be abbreviated, shall be displayed on vehicle registration
13 plates issued by the county treasurer. A distinctive emblem
14 or validation sticker may be prescribed by the department to
15 designate the year and month of expiration ~~which shall be~~
16 ~~attached to the embossed area on the plate located at the~~
17 ~~lower corners of the registration plate.~~ The year and month
18 of expiration shall not be required to be displayed on plates
19 issued under section 321.19.

20 Sec. 19. Section 321.182, subsection 2, Code 1995, is
21 amended to read as follows:

22 2. Surrender all other motor vehicle licenses and
23 nonoperator's identification cards.

24 Sec. 20. Section 321.189, subsection 7, Code 1995, is
25 amended to read as follows:

26 7. CLASS M LICENSE EDUCATION REQUIREMENTS. A person
27 applying for a driver's license valid for the operation of a
28 motorcycle shall be required to successfully complete a
29 motorcycle education course either approved and established by
30 the department of education or from a private or commercial
31 driver education school licensed by the department before the
32 class M license will be issued. A public school district
33 shall charge a student a fee which shall not exceed the actual
34 cost of instruction minus moneys received by the school
35 district under subsection 9.

1 The requirement that an applicant complete a motorcycle
2 education course prior to issuance of a driver's license under
3 this subsection does not apply to the following:

4 a. An operator who has been issued a class M license prior
5 to ~~July 17, 1994~~ May 1, 1995.

6 b. An operator who is renewing the operator's class M
7 license issued prior to ~~July 17, 1994~~ May 1, 1995.

8 c. An operator who has been issued a driver's license
9 which is valid for the operation of a motorcycle in another
10 state.

11 Sec. 21. Section 321.266, subsection 2, Code 1995, is
12 amended to read as follows:

13 2. The driver of a vehicle involved in an accident
14 resulting in injury to or death of any person, or total
15 property damage to an apparent extent of one thousand five
16 hundred dollars or more shall also, within seventy-two hours
17 after the accident, forward a written report of the accident
18 to the department.

19 Sec. 22. Section 321.372, subsection 1, unnumbered
20 paragraph 1, Code 1995, is amended to read as follows:

21 The driver of a school bus used to transport children to
22 and from a public or private school shall, when stopping to
23 receive or discharge pupils, turn on flashing warning lamps at
24 a distance of not less than three hundred feet nor more than
25 five hundred feet from the point where the pupils are to be
26 received or discharged from the bus if the speed limit at that
27 point is forty-five miles per hour or greater and shall turn
28 on flashing warning lamps at a distance of not less than one
29 hundred fifty feet from the point where the pupils are to be
30 received or discharged from the bus if the speed limit at that
31 point is less than forty-five miles per hour. At the point of
32 receiving or discharging pupils the driver of the bus shall
33 bring the bus to a stop, turn off the amber flashing warning
34 lamps, turn on the red flashing warning lamps, and extend the
35 stop arm. After receiving or discharging pupils, the bus

1 driver shall turn off all flashing warning lamps, retract the
2 stop arm and proceed on the route. Except to the extent that
3 reduced visibility is caused by fog, snow or other weather
4 conditions, a school bus shall not stop to receive or
5 discharge pupils unless there is at least three hundred feet
6 of unobstructed vision in each direction. However, the driver
7 of a school bus is not required to use flashing warning lamps
8 and the stop arm when receiving or discharging pupils at a
9 designated loading and unloading zone at a school attendance
10 center or at extracurricular or educational activity locations
11 where students exiting the bus do not have to cross the street
12 or highway.

13 Sec. 23. Section 321.423, subsections 3 and 4, Code 1995,
14 are amended to read as follows:

15 3. BLUE LIGHT. A blue light shall not be used on any
16 vehicle except for the following:

17 a. A vehicle owned or exclusively operated by a fire
18 department ~~or.~~

19 b. A vehicle authorized by the ~~director-when:~~ chief of the
20 fire department if

21 ~~(1)--The~~ the vehicle is owned by a member of a the fire
22 department.

23 ~~(2)--The,~~ the request for authorization is made by the
24 member on forms provided by the department.

25 ~~(3)--Necessity,~~ necessity for authorization is
26 demonstrated in the request.

27 ~~(4)--The-chief-of-the-fire-department-certifies-that-the~~
28 ~~member-is-in-good-standing-with-the-fire-department-and~~
29 ~~recommends-that-the-authorization-be-granted.~~

30 4. EXPIRATION OF AUTHORITY. The authorization shall
31 expire at midnight on the thirty-first day of December five
32 years from the year in which it was issued, or when the
33 vehicle is no longer owned by the member, or when the member
34 has ceased to be an active member of the fire department or of
35 an ambulance, rescue, or first responder service or when the

1 member has used the blue or white light beyond the scope of
2 its authorized use. A person issued an authorization under
3 subsection 3, paragraph "b", shall return the authorization to
4 the fire chief upon expiration.

5 Sec. 24. Section 321.484, unnumbered paragraph 2, Code
6 1995, is amended to read as follows:

7 The owner of a vehicle shall not be held responsible for a
8 violation of a provision regulating the stopping, standing, or
9 parking of a vehicle, whether the provision is contained in
10 this chapter, or chapter 321L, or an ordinance or other
11 regulation or rule, if the owner establishes that at the time
12 of the violation the vehicle was in the custody of an
13 identified person other than the owner pursuant to a lease as
14 defined in chapter 321F. The furnishing to the clerk of the
15 district court where the charge is pending of a copy of the
16 ~~certificate-of-responsibility~~ lease prescribed by section
17 321F.6 that was in effect for the vehicle at the time of the
18 alleged violation shall be prima facie evidence that the
19 vehicle was in the custody of an identified person other than
20 the owner within the meaning of this paragraph, and the charge
21 against the owner shall be dismissed. The clerk of the
22 district court then shall cause a uniform citation and
23 complaint to be issued against the lessee of the vehicle, and
24 the citation shall be served upon the defendant by ordinary
25 mail directed to the defendant at the address shown in the
26 certificate of responsibility.

27 Sec. 25. Section 321E.11, unnumbered paragraph 1, Code
28 1995, is amended to read as follows:

29 Movements by permit in accordance with this chapter shall
30 be permitted only during the hours from sunrise to sunset
31 unless the issuing authority determines that the movement can
32 be better accomplished at another period of time because of
33 traffic volume conditions or the vehicle subject to the permit
34 has an overall length not to exceed one hundred feet, an
35 overall width not to exceed eleven feet, and an overall height

1 not to exceed fourteen feet, four inches, and the permit
2 requires the vehicle to operate only on the those highways
3 designated highway-system by the department. Additional
4 safety lighting and escorts may be required for movement at
5 night.

6 Sec. 26. Section 321F.6, Code 1995, is amended by striking
7 the section and inserting in lieu thereof the following:

8 321F.6 FINANCIAL RESPONSIBILITY -- LEASE.

9 The lessee shall carry in the vehicle being leased,
10 evidence of financial responsibility as required by this
11 chapter and a copy of the lease, setting forth the name and
12 address of the lessee, period of the lease, and other
13 information as the director may require. The lease shall be
14 shown to any peace officer upon request.

15 Sec. 27. Section 321L.2, subsection 3, Code 1995, is
16 amended to read as follows:

17 3. Each handicapped identification device shall be
18 ~~acquired by the department and sold at a cost not to exceed~~
19 ~~five dollars,~~ to handicapped persons upon application on forms
20 prescribed by the department. Before delivering a handicapped
21 identification device to a handicapped person the department
22 shall permanently affix to the device a unique number which
23 may be used by the department to identify the individual to
24 whom the device is issued. A temporary handicapped
25 identification hanging device shall have the expiration date
26 permanently affixed to the device. Expiration dates and
27 identification numbers affixed to handicapped identification
28 hanging devices shall be of sufficient size to be readable
29 from outside the vehicle.

30 A handicapped person who owns a motor vehicle for which the
31 handicapped person has been issued radio operator registration
32 plates under section 321.34, subsection 3, or registration
33 plates as a seriously disabled veteran under section 321.105
34 may apply to the department for a handicapped identification
35 sticker to be affixed to the plates. The handicapped

1 identification stickers shall bear the international symbol of
2 accessibility. The handicapped identification stickers shall
3 be acquired by ~~the department and sold at a cost not to exceed~~
4 ~~five dollars~~, to eligible handicapped persons upon application
5 on forms prescribed by the department.

6 Sec. 28. Section 327B.1, Code 1995, is amended to read as
7 follows:

8 327B.1 AUTHORITY SECURED AND REGISTERED.

9 It is unlawful for a carrier to perform an interstate
10 transportation service for compensation upon the highways of
11 this state without first registering the authority obtained
12 from the interstate commerce commission or evidence that such
13 authority is not required with the state department of
14 transportation.

15 The department shall participate in the single state
16 insurance registration program for regulated motor carriers as
17 provided in 49 U.S.C. § 11506 and interstate commerce
18 commission regulations.

19 Registration for carriers transporting commodities exempt
20 from interstate commerce commission regulation shall be
21 granted without hearing upon application and payment of a
22 twenty-five-dollar filing fee and an annual one-dollar fee per
23 vehicle. Each amendment of supplemental authority shall
24 require a ten-dollar filing fee.

25 ~~The department shall participate in the single state~~
26 ~~insurance registration system for motor carriers as provided~~
27 ~~in 49 U.S.C. § 11506.~~

28 The state department of transportation may execute
29 reciprocity agreements with authorized representatives of any
30 state exempting nonresidents from payment of fees as set forth
31 in this chapter. The state department of transportation shall
32 adopt rules pursuant to chapter 17A for the identification of
33 vehicles operated under reciprocity agreements.

34 Fees may be subject to reduction or proration pursuant to
35 sections 326.5 and 326.32.

1 Sec. 29. Section 327B.6, unnumbered paragraph 1, Code
2 1995, is amended to read as follows:

3 Registration under section 327B.1 shall not be granted
4 until the exempt carrier has filed with the state department
5 of transportation evidence of insurance or surety bond issued
6 by an insurance carrier or bonding company authorized to do
7 business in this state and in the a form prescribed in-49
8 C.F.R. -§-387.15-for-motor-carriers-of-property-and-in-49
9 C.F.R. -§-387.39-for-motor-carriers-of-passengers by the
10 department. The minimum limits of liability for each
11 interstate motor carrier for hire subject to federal minimum
12 limits of liability are those adopted under United States
13 Code, Title 49, and prescribed in 49 C.F.R. § 387.3 and §
14 387.9 for motor carriers of property and in 49 C.F.R. § 387.27
15 and § 387.33 for motor carriers of passengers.

16 Sec. 30. NEW SECTION. 327B.7 RECIPROCITY FOR EXEMPT COM-
17 MODITY BASE STATE REGISTRATION SYSTEM.

18 The department may enter into a reciprocity agreement on
19 behalf of this state with authorized representatives of other
20 states to become a member of an exempt commodity base state
21 registration system for the registration, insurance
22 verification, and fee collection for carriers hauling
23 commodities exempt from interstate commerce commission
24 authority.

25 Sec. 31. Section 805.3, Code 1995, is amended to read as
26 follows:

27 805.3 PROCEDURE.

28 Before the cited person is released, the person shall sign
29 the citation, either in a paper or electronic format, as a
30 written promise to appear in court at the time and place
31 specified. A copy of the citation shall be given to the
32 person.

33 Sec. 32. Section 805.5, Code 1995, is amended to read as
34 follows:

35 805.5 FAILURE TO APPEAR.

1 Any person who willfully fails to appear in court as
2 specified by the citation shall be guilty of a simple
3 misdemeanor. Where a defendant fails to make a required court
4 appearance, the court shall issue an arrest warrant for the
5 offense of failure to appear, and shall forward the warrant
6 and the original or electronically produced citation to the
7 clerk. The clerk shall enter a transfer to the issuing agency
8 on the docket, and shall return the warrant with the original
9 citation attached to the law enforcement agency which issued
10 the original or electronically produced citation for
11 enforcement of the warrant. Upon arrest of the defendant, the
12 warrant and the original or electronically produced citation
13 shall be returned to the court, and the offenses shall be
14 heard and disposed of simultaneously.

15 Sec. 33. Section 805.6, subsection 1, paragraph a,
16 unnumbered paragraph 3, Code 1995, is amended to read as
17 follows:

18 Notwithstanding other contrary requirements of this
19 section, a uniform citation and complaint may be originated
20 from a computerized device. The officer issuing the citation
21 through a computerized device shall obtain electronically the
22 signature of the person cited as provided in section 805.3 and
23 shall give two copies of the citation to the person cited and
24 shall provide a record of the citation to the court where the
25 person cited is to appear and to the law enforcement agency of
26 the officer by an electronic process which accurately
27 reproduces or forms a durable medium for accurately and
28 legibly reproducing an unaltered image or copy of the
29 citation.

30 Sec. 34. Section 321F.7, Code 1995, is repealed.

31 Sec. 35. EFFECTIVE DATE. Section 20 of this Act, amending
32 section 321.189, subsection 7, being deemed of immediate
33 importance, takes effect upon enactment.

34 EXPLANATION

35 Section 321.13 is amended to allow the department to retain

1 a record or document if it appears, or is later determined,
2 that the record or document is fictitious or unlawfully or
3 erroneously issued.

4 The bill creates a new section 321.20A concerning the
5 issuance of certificates of title to owners who own over 50
6 commercial motor vehicles based in Iowa. The section provides
7 that registration fees need not be paid on the vehicles
8 subject to this section until the vehicle is driven upon the
9 highways. The certificate of title surcharge in section
10 321.52A is made applicable to this new section.

11 Section 321.34, subsection 2, and section 321.166, subsec-
12 tion 7, are amended to permit the issuance of one validation
13 sticker containing both the month and year of expiration for
14 use on registration plates instead of current law which pro-
15 vides for issuance of two stickers, one for the month and one
16 for the year.

17 The bill amends section 321.34, subsection 4, and sections
18 321.105 and 321.122 to provide for the issuance of a permanent
19 registration plate for trailers and semitrailers licensed
20 under chapter 326. The bill retains the three-year multiyear
21 plate but replaces the five-year plate with the permanent
22 plate.

23 The bill changes section 321.34, subsection 7, and section
24 321L.2, subsection 3, to eliminate the additional \$5 charge
25 for certain handicapped identification permits.

26 Section 321.47 allows the county treasurer to transfer
27 title to a motor vehicle if it has been ordered in a
28 dissolution decree. A person who has been granted title to a
29 motor vehicle must otherwise comply with other requirements
30 for transferring title.

31 Sections 321.89 and 321.90 require the acquisition of a
32 junking certificate for demolishing vehicles which have been
33 abandoned. Current law allows a demolisher to demolish,
34 wreck, or dismantle an abandoned vehicle purchased at an
35 auction without further titling of the vehicle. This bill

1 provides that the demolisher must apply for a junking
2 certificate within 15 days of purchase and can use the sales
3 receipt in lieu of a certificate of title. In addition, a
4 person who wishes to dispose of an abandoned motor vehicle, or
5 any person or governmental body upon whose property a motor
6 vehicle has been abandoned or a person who is the owner but
7 whose title is faulty, lost, or destroyed, may dispose of the
8 vehicle by obtaining a certificate of authority from the
9 police authority and then using the certificate in lieu of a
10 certificate of title in order to obtain a junking certificate.
11 Current law allows the person or governmental unit to transfer
12 the abandoned motor vehicle to a demolisher without obtaining
13 a junking certificate.

14 Section 321.126, subsection 6, is amended to allow county
15 treasurers to refund registration fees for vehicles sold or
16 junked.

17 Section 321.166, subsection 2, is amended to require per-
18 sonalized registration plates to display the county name.

19 Section 321.182 is amended to require an applicant for a
20 motor vehicle license to surrender all nonoperator's identi-
21 fication cards.

22 Section 321.189, subsection 7, exempts motorcycle operators
23 who obtain a permit prior to May 1, 1995, from the motorcycle
24 education requirement of the subsection. This portion of the
25 Act takes effect upon enactment.

26 The bill amends section 321.266 by providing that a driver
27 must report a motor vehicle accident if it results in damage
28 to property of \$1,500 or more. Currently, the driver must
29 report the accident if the damage is \$500 or more.

30 The amendment to section 321.372 requires that a driver of
31 a school bus used to transport children to and from school
32 must turn on flashing warning lamps at a distance of not less
33 than 150 feet from the point of receiving or discharging
34 pupils if that point is located in an area with a speed limit
35 of less than 45 miles per hour. Currently, the law provides

1 that a driver must turn on flashing warning lamps not less
2 than 300 feet nor more than 500 feet from the point where
3 pupils are to be received or discharged from the bus. The
4 bill provides that in areas with speed limits of 45 miles per
5 hour or greater, the current law applies.

6 Section 321.423 allows the chief of a fire department to
7 issue an authorization for a member of the fire department to
8 use a flashing blue light on the person's own vehicle rather
9 than requiring the director of transportation to do so. The
10 person must relinquish the authorization to the fire chief
11 when it expires or when circumstances change so that the
12 member no longer needs the authorization.

13 Amendments to sections 321.484 and 321F.6 and the repeal of
14 section 321F.7 eliminate the requirements for a lessor of a
15 motor vehicle to file a copy of a certificate evidencing
16 financial responsibility and a copy of the lease with the
17 department. Evidence of financial responsibility and the
18 lease must still be carried in the leased vehicle at all
19 times.

20 Amendments to section 327B.1 eliminate the filing fee for
21 motor carriers with interstate commerce commission authority
22 while retaining the filing fee for motor carriers exempt from
23 interstate commerce commission authority and authorize
24 collection of an annual \$1 fee per vehicle to issue the
25 registration.

26 Amendments to section 327B.6 allow the department to accept
27 insurance filings for regulated motor carriers from insurance
28 carriers authorized to do business in any state and accepted
29 by the interstate commerce commission, eliminate citing
30 obsolete references for filing forms, and make applicable only
31 to exempt carriers the revocation of registration when
32 insurance lapses. If interstate commerce commission-regulated
33 motor carriers' insurance lapses, the registration receipt is
34 no longer valid.

35 New section 327B.7 provides for reciprocity with other

1 states for an exempt commodity base state registration system.

2 The amendments to chapter 805 provide that a citation
3 produced electronically shall provide a means for obtaining
4 the cited person's signature.

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H-3477

1 Amend House File 509 as follows:

2 1. By striking page 13, line 24 through page 14,
3 line 10 and inserting the following:

4 "Sec. _____. Section 321.189, subsection 7,
5 paragraphs a and b, Code 1995, are amended to read as
6 follows:

7 a. An operator who has been issued a class M
8 license prior to ~~July 1, 1994~~ May 1, 1997.

9 b. An operator who is renewing the operator's
10 class M license issued prior to ~~July 1, 1994~~ May 1,
11 1997."

12 2. Page 20, by inserting after line 29 the
13 following:

14 "Sec. _____. 1994 Iowa Acts, chapter 1102, section
15 4, as amended by 1994 Iowa Acts, chapter 1199, section
16 52, is amended to read as follows:

17 SEC. 4. EFFECTIVE DATE. The provisions of this
18 Act which amend section 321.189, take effect May 1,
19 ~~1995~~ 1997."

20 3. Page 20, by striking lines 31 through 33 and
21 inserting the following:

22 "Sec. _____. EFFECTIVE DATE AND APPLICABILITY. The
23 sections of this Act which amend section 321.189,
24 subsection 7, and 1994 Iowa Acts, chapter 1102,
25 subsection 4, and chapter 1199, section 52, being
26 deemed of immediate importance, take effect upon
27 enactment and apply retroactively to May 1, 1995, in
28 order to delay the effective date of the amendments to
29 section 321.189, subsection 7, Code 1993, to May 1,
30 1997."

By MYERS of Johnson

H-3477 FILED MARCH 27, 1995

HOUSE FILE 509

H-3432

1 Amend House File 509 as follows:

2 1. Page 5, by inserting after line 32 the
3 following:

4 "Sec. _____. Section 321.40, Code 1995, is amended
5 by adding the following new unnumbered paragraph:
6 NEW UNNUMBERED PARAGRAPH. The county treasurer
7 shall refuse to register a motor vehicle or renew the
8 registration of a motor vehicle of a person when
9 notified that the person has abandoned a motor vehicle
10 and that the proceeds of the sale of the abandoned
11 vehicle were insufficient to pay the costs of
12 disposal. A county treasurer may register a motor
13 vehicle or renew the registration of a motor vehicle
14 when notified by the police authority, in accordance
15 with section 321.89, that all of the expenses related
16 to the abandonment of the motor vehicle have been
17 paid."

18 2. Page 9, by inserting after line 9 the
19 following:

20 "Sec. _____. Section 321.89, subsection 4, Code
21 1995, is amended by adding the following new
22 unnumbered paragraph:

23 NEW UNNUMBERED PARAGRAPH. A police authority shall
24 notify the county treasurer of the county of residence
25 of the owner or owners of the abandoned vehicle of the
26 amount of the unpaid disposal expenses. Notification
27 shall be made by the end of the month following the
28 month of disposal of the abandoned motor vehicle. All
29 costs incurred by the police authority and costs which
30 are paid from the road use tax fund under this
31 subsection are an obligation of the last registered
32 owner or owners, jointly and severally. The police
33 authority shall immediately notify the county
34 treasurer if the owner or owners pay the disposal
35 expenses."

36 3. By renumbering as necessary.

By WARNSTADT of Woodbury

H-3432 FILED MARCH 23, 1995

HOUSE FILE 509

H-3476

1 Amend the amendment, H-3432, to House File 509 as
2 follows:

3 1. Page 1, line 7, by striking the words
4 "register a motor vehicle or".

5 2. Page 1, lines 12 and 13, by striking the words
6 "register a motor vehicle or".

By MYERS of Johnson

H-3476 FILED MARCH 27, 1995

WELTER. Chair
ARNOLD
COHOON

HSB 146

TRANSPORTATION

SENATE/HOUSE FILE

BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

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

A BILL FOR

1 An Act relating to motor vehicle and highway regulation by the
2 state department of transportation concerning retention of
3 records and documents, registration plates and stickers,
4 dissolution decree transfers of motor vehicle titles, junking
5 certificates for abandoned vehicles, flashing blue lights,
6 motorcycle license requirements, leased motor vehicles, proof
7 of financial responsibility, charges for handicapped
8 identification devices, single state registration for motor
9 carriers, commodity base state registration, other technical
10 changes, and providing an effective date.

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

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1 Section 1. Section 321.1, subsection 11, paragraph d,
2 subparagraph (1), Code 1995, is amended to read as follows:

3 (1) The combination of vehicles has a gross combination
4 weight rating of twenty-six thousand one or more pounds
5 provided the towed vehicle ~~has a gross vehicle~~ or vehicles
6 have a gross weight rating or gross combination weight rating
7 of ten thousand one or more pounds.

8 Sec. 2. Section 321.13, Code 1995, is amended to read as
9 follows:

10 321.13 AUTHORITY TO GRANT OR REFUSE APPLICATIONS.

11 The department shall examine and determine the genuineness,
12 regularity, and legality of every application ~~lawfully~~ made to
13 the department, and may ~~in all cases make investigation as may~~
14 ~~be deemed necessary~~ investigate or require additional
15 ~~information, and shall.~~ The department may reject any such
16 application if not satisfied of the genuineness, regularity,
17 or legality thereof of the application or the truth of any
18 ~~statement contained therein~~ made within the application, or
19 for any other reason, when authorized by law. The department
20 may retain possession of any record or document until the
21 investigation of the application is completed if it appears
22 that the record or document is fictitious or unlawfully or
23 erroneously issued and shall not return the record or document
24 if it is determined to be fictitious or unlawfully or
25 erroneously issued.

26 Sec. 3. Section 321.19, subsection 1, unnumbered paragraph
27 2, Code 1995, is amended to read as follows:

28 The department shall furnish, on application, free of
29 charge, distinguishing plates for vehicles thus exempted,
30 which plates except plates on Iowa highway safety patrol
31 vehicles shall bear the word "official" and the department
32 shall keep a separate record. Registration plates issued for
33 Iowa highway safety patrol vehicles, except unmarked patrol
34 vehicles, shall bear two red stars on a yellow background, one
35 before and one following the registration number on the plate,

1 which registration number shall be the officer's badge number.
2 Registration plates issued for a county sheriff's patrol
3 vehicles shall display one seven-pointed gold star on-a-green
4 background followed by the letter "S" and the call number of
5 the vehicle. However, the director of general services or the
6 director of transportation may order the issuance of regular
7 registration plates for any exempted vehicle used by peace
8 officers in the enforcement of the law, persons enforcing
9 chapter 124 and other laws relating to controlled substances,
10 persons in the department of justice who are regularly
11 assigned to conduct investigations which cannot reasonably be
12 conducted with a vehicle displaying "official" state
13 registration plates, and persons in the lottery division of
14 the department of revenue and finance whose regularly assigned
15 duties relating to security or the carrying of lottery tickets
16 cannot reasonably be conducted with a vehicle displaying
17 "official" registration plates. For purposes of sale of
18 exempted vehicles, the exempted governmental body, upon the
19 sale of the exempted vehicle, may issue for in-transit
20 purposes a pasteboard card bearing the words "Vehicle in
21 Transit", the name of the official body from which the vehicle
22 was purchased, together with the date of the purchase plainly
23 marked in at least one-inch letters, and other information
24 required by the department. The in-transit card is valid for
25 use only within forty-eight hours after the purchase date as
26 indicated on the bill of sale which shall be carried by the
27 driver.

28 Sec. 4. Section 321.34, subsection 2, Code 1995, is
29 amended to read as follows:

30 2. VALIDATION STICKERS. In lieu of issuing new
31 registration plates each registration year for a vehicle
32 renewing registration, the department may reassign the
33 registration plates previously issued to the vehicle and may
34 adopt and prescribe an annual validation stickers sticker
35 indicating payment of registration fees. The department shall

1 issue ~~two~~ one validation stickers sticker for each set of
2 registration plates. ~~One~~ The sticker shall specify the month
3 and year of expiration of the registration period plates. ~~The~~
4 ~~second-sticker-shall-specify-the-month-of-expiration-of-the~~
5 ~~registration-period-and-need-not-be-reissued-annually.--The~~
6 ~~month-of-registration-shall-not-be-required-on-registration~~
7 ~~plates-or-validation-stickers-issued-for-vehicles-registered~~
8 ~~under-chapter-326.~~ The stickers sticker shall be displayed
9 only on the rear registration plate, except that the stickers
10 sticker shall be displayed on the front registration plate of
11 a truck-tractor.

12 The state department of transportation shall promulgate
13 adopt rules to provide for the placement of the motor vehicle
14 registration validation stickers ~~on-all-registration-plates~~
15 ~~issued-for-the-motor-vehicle-when-such-validation-stickers-are~~
16 ~~issued-in-lieu-of-issuing-new-registration-plates-under-the~~
17 ~~provisions-of-this-section~~ sticker.

18 Sec. 5. Section 321.34, subsection 7, Code 1995, is
19 amended to read as follows:

20 7. HANDICAPPED PLATES. The owner of a motor vehicle
21 subject to registration pursuant to section 321.109,
22 subsection 1, light delivery truck, panel delivery truck, or
23 pickup, who is a handicapped person, or who is the parent or
24 guardian of a child who resides with the parent or guardian
25 owner and who is a handicapped person, as defined in section
26 321L.1, may, upon written application to the department, order
27 handicapped registration plates designed by the department
28 bearing the international symbol of accessibility. The
29 handicapped registration plates shall only be issued if the
30 application is accompanied with a statement from a physician
31 licensed under chapter 148, 149, 150, or 150A, or a
32 chiropractor licensed under chapter 151, written on the
33 physician's or chiropractor's stationery, stating the nature
34 of the applicant's or the applicant's child's handicap and
35 such additional information as required by rules adopted by

1 the department, including proof of residency of a child who is
2 a handicapped person. If the application is approved by the
3 department the handicapped registration plates shall be issued
4 to the applicant in exchange for the previous registration
5 plates issued to the person. ~~The fee for the handicapped~~
6 ~~plates is five dollars which is in addition to the regular~~
7 ~~annual registration fee.~~ The department shall validate the
8 handicapped plates in the same manner as regular registration
9 plates are validated under this section at the regular annual
10 registration fee. However, the handicapped plates shall not
11 be renewed without the applicant furnishing evidence to the
12 department that the owner of the motor vehicle or the owner's
13 child is still a handicapped person as defined in section
14 321L.1, unless the applicant has previously provided
15 satisfactory evidence to the department that the owner of the
16 vehicle or the owner's child is permanently handicapped in
17 which case the furnishing of additional evidence shall not be
18 required for renewal. However, an owner who has a child who
19 is a handicapped person shall provide satisfactory evidence to
20 the department that the handicapped child continues to reside
21 with the owner. The handicapped registration plates shall be
22 surrendered in exchange for regular registration plates when
23 the owner of the motor vehicle or the owner's child no longer
24 qualifies as a handicapped person as defined in section 321L.1
25 or when the owner's child who is a handicapped person no
26 longer resides with the owner.

27 Sec. 6. Section 321.47, unnumbered paragraph 1, Code 1995,
28 is amended to read as follows:

29 ~~In the event of the transfer of~~ If ownership of a vehicle
30 is transferred by operation of law ~~as~~ upon inheritance, devise
31 or bequest, dissolution decree, order in bankruptcy,
32 insolvency, replevin, foreclosure or execution sale, abandoned
33 vehicle sale, or when the engine of a motor vehicle is
34 replaced by another engine, or a vehicle is sold or
35 transferred to satisfy an artisan's lien as provided in

1 chapter 577, a landlord's lien as provided in chapter 570, a
2 storage lien as provided in chapter 579, a judgment in an
3 action for abandonment of a mobile home as provided in chapter
4 555B, or repossession is had upon default in performance of
5 the terms of a security agreement, the county treasurer in the
6 transferee's county of residence, upon the surrender of the
7 prior certificate of title or the manufacturer's or importer's
8 certificate, or when that is not possible, upon presentation
9 of satisfactory proof to the county treasurer of ownership and
10 right of possession to the vehicle and upon payment of a fee
11 of ten dollars and the presentation of an application for
12 registration and certificate of title, may issue to the
13 applicant a registration card for the vehicle and a
14 certificate of title to ~~it~~ the vehicle. A person entitled to
15 ownership of a vehicle under a decree of dissolution shall
16 surrender a certified copy of the dissolution and upon
17 fulfilling the other requirements of this chapter is entitled
18 to a certificate of title and registration receipt issued in
19 the person's name.

20 PARAGRAPH DIVIDED. The persons entitled under the laws of
21 descent and distribution of an intestate's property to the
22 possession and ownership of a vehicle owned in whole or in
23 part by a decedent, upon filing an affidavit stating the name
24 and date of death of the decedent, the right to possession and
25 ownership of the persons filing the affidavit, and that there
26 has been no administration of the decedent's estate, which
27 instrument shall also contain an agreement to indemnify
28 creditors of the decedent who would be entitled to levy
29 execution upon the motor vehicle to the extent of the value of
30 the motor vehicle, are entitled upon fulfilling the other
31 requirements of this chapter, to the issuance of a
32 registration card for the interest of the decedent in the
33 vehicle and a certificate of title to it. If a decedent dies
34 testate, and either the will is not probated or is admitted to
35 probate without administration, the persons entitled to the

1 possession and ownership of a vehicle owned in whole or in
2 part by the decedent may file an affidavit, and upon
3 fulfilling the other requirements of this chapter, are
4 entitled to the issuance of a registration card for the
5 interest of the decedent in the vehicle and a certificate of
6 title to the vehicle. The affidavit shall contain the same
7 information and indemnity agreement as is required in cases of
8 intestacy pursuant to this section. No requirement of chapter
9 450 or 451 shall be considered satisfied by the filing of the
10 affidavit provided for in this section. If, from the records
11 in the office of the county treasurer, there appear to be any
12 liens on the vehicle, the certificate of title shall contain a
13 statement of the liens unless the application is accompanied
14 by proper evidence of their satisfaction or extinction.
15 Evidence of extinction may consist of, but is not limited to,
16 an affidavit of the applicant stating that a security interest
17 was foreclosed as provided in ~~Uniform-Commercial-Code~~, chapter
18 554, article 9, part 5.

19 Sec. 7. Section 321.89, subsection 4, unnumbered paragraph
20 1, Code 1995, is amended to read as follows:

21 If an abandoned vehicle has not been reclaimed as provided
22 for in subsection 3, the police authority shall make a
23 determination as to whether or not the vehicle shall be sold
24 for use upon the highways. If the vehicle is not sold for use
25 upon the highways, it shall be sold for junk, or demolished
26 and sold as scrap. The police authority shall sell the
27 vehicle at public auction. Notwithstanding any other
28 provision of this section, any police authority, which has
29 taken into possession any abandoned vehicle which lacks an
30 engine or two or more wheels or another part which renders the
31 vehicle totally inoperable may dispose of the vehicle to a
32 demolisher for junk after complying with the notification
33 procedures enumerated in subsection 3 and without public
34 auction. The purchaser of the vehicle takes title free and
35 clear of all liens and claims of ownership, shall receive a

1 sales receipt from the police authority, and is entitled to
2 register the vehicle and receive a certificate of title if
3 sold for use upon the highways. However, ~~if~~ If the vehicle is
4 sold or disposed of to a demolisher for junk, the sales
5 ~~receipt-by-itself-is-sufficient-title-only-for-purposes-of~~
6 ~~transferring-the-vehicle-to-the-demolisher-for-demolition,~~
7 ~~wrecking,-or-dismantling-and,-when-so-transferred,-no-further~~
8 ~~titling-of-the-vehicle-is-permitted~~ demolisher shall make
9 application for a junking certificate to the county treasurer
10 within fifteen days of purchase and shall surrender the sales
11 receipt in lieu of the certificate of title.

12 PARAGRAPH DIVIDED. From the proceeds of the sale of an
13 abandoned vehicle the police authority shall reimburse itself
14 for the expenses of the auction, the costs of towing,
15 preserving, and storing which resulted from placing the
16 abandoned vehicle in custody, all notice and publication costs
17 incurred pursuant to subsection 3, the cost of inspection, and
18 any other costs incurred except costs of bookkeeping and other
19 administrative costs. Any remainder from the proceeds of a
20 sale shall be held for the owner of the vehicle or entitled
21 lienholder for ninety days, and shall then be deposited in the
22 road use tax fund. The costs to police authorities of
23 auction, towing, preserving, storage, and all notice and
24 publication costs, and all other costs which result from
25 placing abandoned vehicles in custody, whenever the proceeds
26 from a sale of the abandoned vehicles are insufficient to meet
27 these expenses and costs, shall be paid from the road use tax
28 fund.

29 Sec. 8. Section 321.90, subsection 2, paragraphs d, e, and
30 f, Code 1995, are amended to read as follows:

31 d. If the abandoned motor vehicle is not reclaimed in
32 accordance with section 321.89, subsection 3, or no lienholder
33 objects to the disposal in the case of an owner-applicant, the
34 police authority shall give the applicant a certificate of
35 authority ~~to-dispose-of~~ allowing the applicant to obtain a

1 junking certificate for the motor vehicle to-any-demolisher
2 for-demolition,-wrecking,-or-dismantling. The demolisher
3 applicant shall make application for a junking certificate to
4 the county treasurer within fifteen days of purchase and
5 surrender the certificate of authority in lieu of the
6 certificate of title. The demolisher shall accept such the
7 junking certificate in lieu of the certificate of title to the
8 motor vehicle.

9 e. Notwithstanding any other provisions of this section
10 and sections 321.89 and 321.91, any person, firm, corporation,
11 or unit of government upon whose property or in whose
12 possession is found any abandoned motor vehicle, or any person
13 being the owner of a motor vehicle whose title certificate is
14 faulty, lost, or destroyed, may dispose of such motor vehicle
15 to a demolisher for junk without a title and without the
16 notification procedures of section 321.89, subsection 3, if
17 the motor vehicle lacks an engine or two or more wheels or
18 other structural part which renders the vehicle totally
19 inoperable. The police authority shall give the applicant a
20 certificate of authority. The owner shall apply to the county
21 treasurer for a junking certificate within fifteen days of
22 purchase and shall surrender the certificate of authority in
23 lieu of the certificate of title.

24 f. The owner of an abandoned motor vehicle and all
25 lienholders shall no longer have any right, title, claim, or
26 interest in or to such the motor vehicle; and no court in any
27 case in law or equity shall recognize any right, title, claim,
28 or interest of any such owner and or lienholders after the
29 disposal of such the motor vehicle to a demolisher.

30 Sec. 9. Section 321.90, subsection 3, Code 1995, is
31 amended to read as follows:

32 3. DUTIES OF DEMOLISHERS.

33 a. Any demolisher who purchases or otherwise acquires an
34 abandoned motor vehicle for junk under the provisions of this
35 section shall junk, scrap, wreck, dismantle, or demolish such

1 motor vehicle. However, if the vehicle is acquired under the
2 provisions of subsection 27 paragraph "e", the demolisher
3 shall apply to the police authority of the jurisdiction from
4 which the vehicle was acquired for a certificate of authority
5 to demolish the vehicle. In making the application the
6 demolisher shall describe the motor vehicle as required by
7 subsection 27 paragraph "b". The police authority shall issue
8 the certificate of authority upon complying with subsection 27
9 paragraph "e", but shall be excused from following the
10 notification procedures as required therein. No further
11 titling of the motor vehicle shall be permitted. After the
12 motor vehicle has been demolished, processed, or changed so
13 that it physically is no longer a motor vehicle, the
14 demolisher shall surrender the auction sales receipt or
15 certificate of authority to dispose of or demolish a motor
16 vehicle to the department for cancellation. The department
17 shall issue such forms and rules governing the surrender of
18 auction sales receipts, certificates of title, and
19 certificates of authority to dispose of or demolish motor
20 vehicles, and the cancellation and surrender of the
21 registrations and certificates of title for such motor
22 vehicles as are appropriate. A demolisher shall not junk,
23 scrap, wreck, dismantle, or demolish a vehicle until the
24 demolisher has obtained the junking certificate issued for the
25 vehicle.

26 b. A demolisher shall keep an accurate and complete record
27 of all motor vehicles purchased or received by the demolisher
28 in the course of the demolisher's business. These records
29 shall contain the name and address of the person from whom
30 each such motor vehicle was purchased or received and the date
31 when such the purchases or receipts occurred. Such The
32 records shall be open for inspection by any police authority
33 at any time during normal business hours. Any record required
34 by this section shall be kept by the demolisher for at least
35 one year after the transaction to which it applies.

1 Sec. 10. Section 321.123, subsection 1, unnumbered para-
2 graph 1, Code 1995, is amended to read as follows:

3 Travel trailers and fifth-wheel travel trailers, except
4 those in manufacturer's or dealer's stock, an annual fee of
5 twenty cents per square foot of floor space computed on the
6 exterior overall measurements, but excluding three feet
7 occupied by any trailer hitch as provided by and certified to
8 by the owner, to the nearest whole dollar, which amount shall
9 not be prorated or refunded; except the annual fee for travel
10 trailers of any type, when registered in Iowa for the first
11 time or when removed from a manufacturer's or dealer's stock,
12 shall be prorated on a monthly basis. ~~The registrant of a~~
13 ~~travel trailer of any type shall be issued a "travel trailer"~~
14 ~~plate.~~ It is further provided the annual fee thus computed
15 shall be limited to seventy-five percent of the full fee after
16 the vehicle is more than six model years old.

17 Sec. 11. Section 321.126, subsection 6, unnumbered
18 paragraph 1, Code 1995, is amended to read as follows:

19 If a vehicle is sold or junked, the owner in whose name the
20 vehicle was registered may make claim to the county treasurer
21 or department for a refund of the sold or junked vehicle's
22 registration fee. Also if the owner of a vehicle receives a
23 vehicle registration fee credit under section 321.46,
24 subsection 3, and the credit allowed exceeds the amount of the
25 registration fee for the vehicle acquired, the owner may claim
26 a refund for the balance of the credit. The refund is subject
27 to the following limitations:

28 Sec. 12. Section 321.166, subsection 2, Code 1995, is
29 amended to read as follows:

30 2. Every registration plate or pair of plates shall
31 display a registration plate number which shall consist of
32 alphabetical or numerical characters or a combination thereof
33 and the name of this state, which may be abbreviated. Every
34 registration plate issued by the county treasurer and
35 personalized registration plates issued under section 321.34,

1 subsection 5, shall display the name of the county except
2 plates issued for ~~truck-tractors, motorcycles, motorized~~
3 ~~bicycles, travel-trailers, semitrailers and trailers~~ special
4 trucks. ~~The year of expiration or the date of expiration~~
5 ~~shall be displayed on vehicle registration plates, except~~
6 ~~plates issued under section 321.19~~. Special truck
7 registration plates shall display the word "special".

8 Sec. 13. Section 321.166, subsection 7, Code 1995, is
9 amended to read as follows:

10 7. The year and month of expiration of registration, which
11 may be abbreviated, shall be displayed on vehicle registration
12 plates issued by the county treasurer. A distinctive emblem
13 or validation sticker may be prescribed by the department to
14 designate the year and month of expiration ~~which shall be~~
15 ~~attached to the embossed area on the plate located at the~~
16 ~~lower corners of the registration plate~~. The year and month
17 of expiration shall not be required to be displayed on plates
18 issued under section 321.19.

19 Sec. 14. Section 321.182, subsection 2, Code 1995, is
20 amended to read as follows:

21 2. Surrender all other motor vehicle licenses and
22 nonoperator's identification cards.

23 Sec. 15. Section 321.189, subsection 7, Code 1995, is
24 amended to read as follows:

25 7. CLASS M LICENSE EDUCATION REQUIREMENTS. A person
26 applying for a driver's license valid for the operation of a
27 motorcycle shall be required to successfully complete a
28 motorcycle education course either approved and established by
29 the department of education or from a private or commercial
30 driver education school licensed by the department before the
31 class M license will be issued. A public school district
32 shall charge a student a fee which shall not exceed the actual
33 cost of instruction minus moneys received by the school
34 district under subsection 9.

35 The requirement that an applicant complete a motorcycle

1 education course prior to issuance of a driver's license under
2 this subsection does not apply to the following:

3 a. An operator who has been issued a class M license prior
4 to ~~July-17-1994~~ May 1, 1995.

5 b. An operator who is renewing the operator's class M
6 license issued prior to ~~July-17-1994~~ May 1, 1995.

7 c. An operator who has been issued a driver's license
8 which is valid for the operation of a motorcycle in another
9 state.

10 Sec. 16. Section 321.423, subsections 3 and 4, Code 1995,
11 are amended to read as follows:

12 3. BLUE LIGHT. A blue light shall not be used on any
13 vehicle except for the following:

14 a. A vehicle owned or exclusively operated by a fire
15 department; ~~or~~.

16 b. A vehicle authorized by the ~~director-when:~~ chief of the
17 fire department if

18 ~~(1)--The~~ the vehicle is owned by a member of a the fire
19 department;

20 ~~(2)--The,~~ the request for authorization is made by the
21 member on forms provided by the department;

22 ~~(3)--Necessity,~~ and necessity for authorization is
23 demonstrated in the request.

24 ~~(4)--The-chief-of-the-fire-department-certifies-that-the~~
25 ~~member-is-in-good-standing-with-the-fire-department-and~~
26 ~~recommends-that-the-authorization-be-granted.~~

27 4. EXPIRATION OF AUTHORITY. The authorization shall
28 expire at midnight on the thirty-first day of December five
29 years from the year in which it was issued, or when the
30 vehicle is no longer owned by the member, or when the member
31 has ceased to be an active member of the fire department or of
32 an ambulance, rescue, or first responder service or when the
33 member has used the blue or white light beyond the scope of
34 its authorized use. A person issued an authorization under
35 subsection 3, paragraph "b", shall return the authorization to

1 the fire chief upon expiration.

2 Sec. 17. Section 321.484, unnumbered paragraph 2, Code
3 1995, is amended to read as follows:

4 The owner of a vehicle shall not be held responsible for a
5 violation of a provision regulating the stopping, standing, or
6 parking of a vehicle, whether the provision is contained in
7 this chapter, or chapter 321L, or an ordinance or other
8 regulation or rule, if the owner establishes that at the time
9 of the violation the vehicle was in the custody of an
10 identified person other than the owner pursuant to a lease as
11 defined in chapter 321F. The furnishing to the clerk of the
12 district court where the charge is pending of a copy of the
13 ~~certificate-of-responsibility~~ lease prescribed by section
14 321F.6 that was in effect for the vehicle at the time of the
15 alleged violation shall be prima facie evidence that the
16 vehicle was in the custody of an identified person other than
17 the owner within the meaning of this paragraph, and the charge
18 against the owner shall be dismissed. The clerk of the
19 district court then shall cause a uniform citation and
20 complaint to be issued against the lessee of the vehicle, and
21 the citation shall be served upon the defendant by ordinary
22 mail directed to the defendant at the address shown in the
23 certificate of responsibility.

24 Sec. 18. Section 321E.11, unnumbered paragraph 1, Code
25 1995, is amended to read as follows:

26 Movements by permit in accordance with this chapter shall
27 be permitted only during the hours from sunrise to sunset
28 unless the issuing authority determines that the movement can
29 be better accomplished at another period of time because of
30 traffic volume conditions or the vehicle subject to the permit
31 has an overall length not to exceed one hundred feet, an
32 overall width not to exceed eleven feet, and an overall height
33 not to exceed fourteen feet, four inches, and the permit
34 requires the vehicle to operate only on the those highways
35 designated highway-system by the department. Additional

1 safety lighting and escorts may be required for movement at
2 night.

3 Sec. 19. Section 321F.6, Code 1995, is amended by striking
4 the section and inserting in lieu thereof the following:

5 321F.6 FINANCIAL RESPONSIBILITY -- LEASE.

6 The lessee shall carry in the vehicle being leased,
7 evidence of financial responsibility as required by this
8 chapter and a copy of the lease, setting forth the name and
9 address of the lessee, period of the lease, and other
10 information as the director may require. The lease shall be
11 shown to any peace officer upon request.

12 Sec. 20. Section 321L.2, subsection 3, Code 1995, is
13 amended to read as follows:

14 3. Each handicapped identification device shall be
15 acquired by ~~the department and sold at a cost not to exceed~~
16 ~~five dollars,~~ to handicapped persons upon application on forms
17 prescribed by the department. Before delivering a handicapped
18 identification device to a handicapped person the department
19 shall permanently affix to the device a unique number which
20 may be used by the department to identify the individual to
21 whom the device is issued. A temporary handicapped
22 identification hanging device shall have the expiration date
23 permanently affixed to the device. Expiration dates and
24 identification numbers affixed to handicapped identification
25 hanging devices shall be of sufficient size to be readable
26 from outside the vehicle.

27 A handicapped person who owns a motor vehicle for which the
28 handicapped person has been issued radio operator registration
29 plates under section 321.34, subsection 3, or registration
30 plates as a seriously disabled veteran under section 321.105
31 may apply to the department for a handicapped identification
32 sticker to be affixed to the plates. The handicapped
33 identification stickers shall bear the international symbol of
34 accessibility. The handicapped identification stickers shall
35 be acquired by ~~the department and sold at a cost not to exceed~~

1 ~~five-dollars~~ to eligible handicapped persons upon application
2 on forms prescribed by the department.

3 Sec. 21. Section 327B.1, Code 1995, is amended to read as
4 follows:

5 327B.1 AUTHORITY SECURED AND REGISTERED.

6 It is unlawful for a carrier to perform an interstate
7 transportation service for compensation upon the highways of
8 this state without first registering the authority obtained
9 from the interstate commerce commission or evidence that such
10 authority is not required with the state department of
11 transportation.

12 The department shall participate in the single state
13 insurance registration program for regulated motor carriers as
14 provided in 49 U.S.C. § 11506 and interstate commerce
15 commission regulations.

16 Registration for carriers transporting commodities exempt
17 from interstate commerce commission regulation shall be
18 granted without hearing upon application and payment of a
19 twenty-five-dollar filing fee and an annual one-dollar fee per
20 vehicle. Each amendment of supplemental authority shall
21 require a ten-dollar filing fee.

22 ~~The department shall participate in the single state~~
23 ~~insurance registration system for motor carriers as provided~~
24 ~~in 49 U.S.C. § 11506.~~

25 The state department of transportation may execute
26 reciprocity agreements with authorized representatives of any
27 state exempting nonresidents from payment of fees as set forth
28 in this chapter. The state department of transportation shall
29 adopt rules pursuant to chapter 17A for the identification of
30 vehicles operated under reciprocity agreements.

31 Fees may be subject to reduction or proration pursuant to
32 sections 326.5 and 326.32.

33 Sec. 22. Section 327B.6, unnumbered paragraph 1, Code
34 1995, is amended to read as follows:

35 Registration under section 327B.1 shall not be granted

1 until the exempt carrier has filed with the state department
2 of transportation evidence of insurance or surety bond issued
3 by an insurance carrier or bonding company authorized to do
4 business in this state and in the a form prescribed in-49
5 C.F.R.-§-387.15-for-motor-carriers-of-property-and-in-49
6 C.F.R.-§-387.39-for-motor-carriers-of-passengers by the
7 department. The minimum limits of liability for each
8 interstate motor carrier for hire subject to federal minimum
9 limits of liability are those adopted under United States
10 Code, Title 49, and prescribed in 49 C.F.R. § 387.3 and §
11 387.9 for motor carriers of property and in 49 C.F.R. § 387.27
12 and § 387.33 for motor carriers of passengers.

13 Sec. 23. NEW SECTION. 327B.7 RECIPROCITY FOR EXEMPT COM-
14 MODITY BASE STATE REGISTRATION SYSTEM.

15 The department may enter into a reciprocity agreement on
16 behalf of this state with authorized representatives of other
17 states to become a member of an exempt commodity base state
18 registration system for the registration, insurance
19 verification, and fee collection for carriers hauling
20 commodities exempt from interstate commerce commission
21 authority.

22 Sec. 24. Section 805.3, Code 1995, is amended to read as
23 follows:

24 805.3 PROCEDURE.

25 Before the cited person is released, the person shall sign
26 the citation, either in a paper or electronic format, as a
27 written promise to appear in court at the time and place
28 specified. A copy of the citation shall be given to the
29 person.

30 Sec. 25. Section 805.5, Code 1995, is amended to read as
31 follows:

32 805.5 FAILURE TO APPEAR.

33 Any person who willfully fails to appear in court as
34 specified by the citation shall be guilty of a simple
35 misdemeanor. Where a defendant fails to make a required court

1 appearance, the court shall issue an arrest warrant for the
2 offense of failure to appear, and shall forward the warrant
3 and the original or electronically produced citation to the
4 clerk. The clerk shall enter a transfer to the issuing agency
5 on the docket, and shall return the warrant with the original
6 citation attached to the law enforcement agency which issued
7 the original or electronically produced citation for
8 enforcement of the warrant. Upon arrest of the defendant, the
9 warrant and the original or electronically produced citation
10 shall be returned to the court, and the offenses shall be
11 heard and disposed of simultaneously.

12 Sec. 26. Section 805.6, subsection 1, paragraph a,
13 unnumbered paragraph 3, Code 1995, is amended to read as
14 follows:

15 Notwithstanding other contrary requirements of this
16 section, a uniform citation and complaint may be originated
17 from a computerized device. The officer issuing the citation
18 through a computerized device shall obtain electronically the
19 signature of the person cited as provided in section 805.3 and
20 shall give two copies of the citation to the person cited and
21 shall provide a record of the citation to the court where the
22 person cited is to appear and to the law enforcement agency of
23 the officer by an electronic process which accurately
24 reproduces or forms a durable medium for accurately and
25 legibly reproducing an unaltered image or copy of the
26 citation.

27 Sec. 27. Section 321F.7, Code 1995, is repealed.

28 Sec. 28. EFFECTIVE DATE. Section 15 of this Act, amending
29 section 321.189, subsection 7, being deemed of immediate
30 importance, takes effect upon enactment.

31 EXPLANATION

32 Section 321.13 is amended to allow the department to retain
33 a record or document if it appears, or is later determined,
34 that the record or document is fictitious or unlawfully or
35 erroneously issued.

1 Section 321.34, subsection 2, and section 321.166, subsec-
2 tion 7, are amended to permit the issuance of one validation
3 sticker containing both the month and year of expiration for
4 use on registration plates instead of current law which pro-
5 vides for issuance of two stickers, one for the month and one
6 for the year.

7 The bill changes section 321.34, subsection 7, and section
8 321L.2, subsection 3, to eliminate the additional \$5 charge
9 for certain handicapped identification permits.

10 Section 321.47 allows the county treasurer to transfer
11 title to a motor vehicle if it has been ordered in a
12 dissolution decree. A person who has been granted title to a
13 motor vehicle must otherwise comply with other requirements
14 for transferring title.

15 Sections 321.89 and 321.90 require the acquisition of a
16 junking certificate for demolishing vehicles which have been
17 abandoned. Current law allows a demolisher to demolish,
18 wreck, or dismantle an abandoned vehicle purchased at an
19 auction without further titling of the vehicle. This bill
20 provides that the demolisher must apply for a junking
21 certificate within 15 days of purchase and can use the sales
22 receipt in lieu of a certificate of title. In addition, a
23 person who wishes to dispose of an abandoned motor vehicle, or
24 any person or governmental body upon whose property a motor
25 vehicle has been abandoned or a person who is the owner but
26 whose title is faulty, lost, or destroyed, may dispose of the
27 vehicle by obtaining a certificate of authority from the
28 police authority and then using the certificate in lieu of a
29 certificate of title in order to obtain a junking certificate.
30 Current law allows the person or governmental unit to transfer
31 the abandoned motor vehicle to a demolisher without obtaining
32 a junking certificate.

33 Section 321.126, subsection 6, is amended to allow county
34 treasurers to refund registration fees for vehicles sold or
35 junked.

1 Section 321.166, subsection 2, is amended to require per-
2 sonalized registration plates to display the county name.

3 Section 321.182 is amended to require an applicant for a
4 motor vehicle license to surrender all nonoperator's identi-
5 fication cards.

6 Section 321.189, subsection 7, exempts motorcycle operators
7 who obtain a permit prior to May 1, 1995, from the motorcycle
8 education requirement of the subsection. This portion of the
9 Act takes effect upon enactment.

10 Section 321.423 allows the chief of a fire department to
11 issue an authorization for a member of the fire department to
12 use a flashing blue light on the person's own vehicle rather
13 than requiring the director of transportation to do so. The
14 person must relinquish the authorization to the fire chief
15 when it expires or when circumstances change so that the
16 member no longer needs the authorization.

17 Amendments to sections 321.484 and 321F.6 and the repeal of
18 section 321F.7 eliminate the requirements for a lessor of a
19 motor vehicle to file a copy of a certificate evidencing
20 financial responsibility and a copy of the lease with the
21 department. Evidence of financial responsibility and the
22 lease must still be carried in the leased vehicle at all
23 times.

24 Amendments to section 327B.1 eliminate the filing fee for
25 motor carriers with interstate commerce commission authority
26 while retaining the filing fee for motor carriers exempt from
27 interstate commerce commission authority and authorize
28 collection of an annual \$1 fee per vehicle to issue the
29 registration.

30 Amendments to section 327B.6 allow the department to accept
31 insurance filings for regulated motor carriers from insurance
32 carriers authorized to do business in any state and accepted
33 by the interstate commerce commission, eliminate citing
34 obsolete references for filing forms, and make applicable only
35 to exempt carriers the revocation of registration when

1 insurance lapses. If interstate commerce commission-regulated
2 motor carriers' insurance lapses, the registration receipt is
3 no longer valid.

4 New section 327B.7 provides for reciprocity with other
5 states for an exempt commodity base state registration system.

6 The amendments to chapter 805 provide that a citation
7 produced electronically shall provide a means for obtaining
8 the cited person's signature.

9 BACKGROUND STATEMENT

10 SUBMITTED BY THE AGENCY

11 The amendment to section 321.13 allows the department to
12 retain and hold fraudulent documents, such as fictitious im-
13 migration papers and birth certificates, which are not
14 property of the department until an investigation is
15 completed.

16 Sections 321.19, 321.34, subsections 2 and 7, 321.123, and
17 321.166, subsections 2 and 7, are amended pursuant to changes
18 proposed by an industry work group in preparation for a
19 vehicle registration plate reissue. The changes include
20 adding the county name on more registration plates and using
21 only one registration sticker per set of plates. The changes
22 will improve inventory control, cost, and efficiency.

23 The changes to sections 321.34, subsection 7, and 321L.2,
24 subsection 3, eliminate the additional fees associated with
25 handicapped parking permits and registration plates. The
26 federal American with Disabilities Act prohibits additional
27 costs for accommodating citizens with disabilities.

28 In an effort to reduce paperwork, the changes to section
29 321.47 allow the department to use a copy of a divorce decree
30 to transfer title to a vehicle.

31 The proposed amendments to sections 321.89 and 321.90 would
32 ensure that junked or demolished vehicles are removed from the
33 vehicle registration system.

34 Section 321.166, subsection 6, is amended to allow county
35 treasurers to refund registration fees for vehicles sold or

1 junked.

2 The amendment to section 321.423 places the authority to
3 issue permits for blue lights with the local fire chief,
4 reducing the department's paperwork.

5 The changes to sections 321.484 and 321F.6 and the repeal
6 of section 321F.7 reduce unnecessary paperwork by eliminating
7 the requirement for a lessor to file evidence of financial
8 responsibility and a copy of the lease. It does not eliminate
9 the requirement to carry evidence of financial responsibility
10 and a copy of the lease in the vehicle.

11 Amending sections 327B.1 and 327B.6 are technical
12 corrections necessary to comply with federal regulations. New
13 section 327B.7 allows for reciprocity with other states to
14 maintain an exempt commodity base state registration system.

15 The amendments to chapter 805 are technical corrections
16 concerning the use of electronically produced citations.

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