

FEB 13 1997
TRANSPORTATION

HOUSE FILE
BY BRAUNS

240

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

A BILL FOR

1 An Act relating to application of the penalty for improperly
2 passing a stopped school bus.

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

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HF 240

1 Section 1. Section 321.372A, unnumbered paragraph 2, Code
2 1997, is amended to read as follows:

3 Not more than seven calendar days after receiving a report
4 of a violation of section 321.372, subsection 3, from a school
5 bus driver or a school official, the peace officer shall
6 initiate an investigation of the reported violation and
7 contact the owner of the motor vehicle involved in the
8 reported violation and request that the owner supply
9 information identifying the driver in accordance with section
10 321.484. If, from the investigation, the peace officer is
11 able to identify the driver and has reasonable cause to
12 believe a violation of section 321.372, subsection 3, has
13 occurred, the peace officer shall prepare a uniform traffic
14 citation for the violation and shall serve it personally on or
15 send it by certified mail to the driver of the vehicle. If,
16 from the investigation, the peace officer cannot identify the
17 driver but has reasonable cause to believe that a violation of
18 section 321.372, subsection 3, occurred while the vehicle was
19 being operated with the consent of the owner, the peace
20 officer shall prepare a uniform traffic citation for the
21 violation and shall serve it personally on or send it by
22 certified mail to the owner of the vehicle.

23 EXPLANATION

24 This bill provides that the owner of a vehicle which
25 improperly passes a school bus in violation of section 321.372
26 may be issued a uniform citation for the violation where a
27 peace officer determines that a violation of section 321.372
28 occurred and determines that the vehicle was being operated at
29 the time of the violation with the consent of the owner, even
30 though the driver is not identified. The penalty for a
31 violation of section 321.372 is a scheduled fine of \$25.

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