

3/19/98 amended Business Calendar

Substituted by SF 2192 (S. 856) 2/24/98

# WITHDRAWN

**2413**

FEB 24 1998

Place On Calendar

HOUSE FILE  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 619)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to motor vehicle damage disclosure statements.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2413

1 Section 1. Section 321.69, subsections 2 and 3, Code  
2 Supplement 1997, are amended to read as follows:

3 2. The damage disclosure statement required by this  
4 section shall, at a minimum, state the total retail dollar  
5 amount of all damage to the vehicle during the period of the  
6 transferor's ownership of the vehicle and whether the  
7 transferor knows if the vehicle was titled as a salvage or  
8 flood vehicle in this or any other state prior to the  
9 transferor's ownership of the vehicle. For the purposes of  
10 this section, "damage" refers to damage to the vehicle caused  
11 by fire, vandalism, collision, weather, falling objects,  
12 submersion in water, or flood, where the cost of repair is  
13 three five thousand dollars or more per incident, but does not  
14 include normal wear and tear, glass damage, mechanical repairs  
15 or electrical repairs that have not been caused by fire,  
16 vandalism, collision, weather, falling objects, submersion in  
17 water, or flood. "Damage" does not include the cost of  
18 repairing, replacing, or reinstalling tires, lights,  
19 batteries, or an inflatable restraint system. A determination  
20 of the amount of damage to a vehicle shall be based on  
21 estimates of the retail cost of repairing the vehicle,  
22 including labor, parts, and other materials, if the vehicle  
23 has not been repaired or on the actual retail cost of repair,  
24 including labor, parts, and other materials, if the vehicle  
25 has been repaired. Only individual incidents in which the  
26 retail cost of repairs is three five thousand dollars or more  
27 are required to be disclosed by this section. If the vehicle  
28 has incurred damage of three five thousand dollars or more per  
29 incident in more than one incident, the damage amounts must be  
30 combined and disclosed as the total of all separate incidents.

31 3. The damage disclosure statement shall be provided by  
32 the transferor to the transferee at or before the time of  
33 sale. If the transferor is not a resident of this state the  
34 transferee shall not be required to submit a damage disclosure  
35 statement from the transferor with the transferee's

1 application for title unless the state of the transferor's  
2 residence requires a damage disclosure statement. However,  
3 the transferee shall submit a damage disclosure statement with  
4 the transferee's application for title indicating whether a  
5 salvage or rebuilt title had ever existed for the vehicle,  
6 whether the vehicle had incurred prior damage of three five  
7 thousand dollars or more per incident, and the year, make, and  
8 vehicle identification number of the motor vehicle. The  
9 transferee shall not be required to indicate whether the  
10 vehicle had incurred prior damage of three five thousand  
11 dollars or more per incident under this subsection if the  
12 transferor's certificate of title is from another state and if  
13 it indicates that the vehicle is salvaged and not rebuilt or  
14 is another state's salvage certificate of title.

15 EXPLANATION

16 Current law requires a transferor of a motor vehicle to  
17 provide a damage disclosure statement to the transferee  
18 indicating the costs of repair to the vehicle if a single  
19 damage amount exceeded \$3,000. The law provides that normal  
20 wear and tear need not be included in calculating the damage  
21 amount.

22 This bill changes the threshold damage amount from \$3,000  
23 to \$5,000. The bill further provides that when calculating  
24 the damage amount, the transferor does not need to include the  
25 cost to repair or replace tires, lights, and batteries.

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Weidman  
Carmack  
Caldwell

HSB 619  
TRANSPORTATION

Succeeded By  
SF/HF 2413

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON WELTER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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19 windshields, windows, a sound system, or an inflatable  
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