

FEB 28 1997
Place On Calendar

HOUSE FILE 403
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 302)

Failed
(p. 625)
Passed House, Date 3-17-97 Passed Senate, Date _____
Vote: Ayes 47 Nays 52 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing the speed limit on interstate and fully
2 controlled-access, divided, multilaned highways for certain
3 motor vehicles.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

HF 403

1 Section 1. Section 321.285, subsection 6, unnumbered
2 paragraph 1, Code 1997, is amended to read as follows:
3 Notwithstanding any other speed restrictions, the speed
4 limit for all vehicular traffic except commercial vehicles on
5 fully controlled-access, divided, multilaned highways
6 including the national system of interstate highways is ~~sixty-~~
7 five seventy miles per hour and for commercial vehicles is
8 sixty-five miles per hour.

9 PARAGRAPH DIVIDED. The department may establish a speed
10 limit of sixty-five miles per hour on certain divided,
11 multilaned highways. However, the department or cities with
12 the approval of the department may establish a lower speed
13 limit upon such highways located within the corporate limits
14 of a city. For the purposes of this subsection, a fully
15 controlled-access highway is a highway that gives preference
16 to through traffic by providing access connections with
17 selected public roads only and by prohibiting crossings at
18 grade or direct private driveway connections. A minimum speed
19 may be established by the department on the highways referred
20 to in this subsection if warranted by engineering and traffic
21 investigations.

22 EXPLANATION

23 This bill increases the speed limit for interstate and
24 other fully controlled-access, divided, multilaned highways
25 from 65 to 70 miles per hour for all vehicles except
26 commercial vehicles. The speed limit for all commercial
27 vehicles on these highways remains 65 miles per hour.
28 Commercial vehicles are motor vehicles or combinations of
29 vehicles with gross weights over 26,000 pounds, including
30 vehicles designed to carry passengers.

31
32
33
34
35

**HOUSE FILE 403
FISCAL NOTE**

A fiscal note for House File 403 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 403 increases the speed limit on interstate and other fully controlled-access divided, multilaned highways from 65 to 70 miles per hour for all vehicles except commercial vehicles.

ASSUMPTIONS

1. The speed limit change will be in effect on 1,134 miles of highways.
2. The Department of Transportation (DOT) will change 646 signs at a cost of \$220 per sign. The cost per sign includes materials and equipment. The cost for labor will be paid from the DOT's operating budget.

FISCAL IMPACT

House File 403 will cost an estimated \$142,000 from the Primary Road Fund.

SOURCE

Department of Transportation

(LSB 2270hv, DLR)

FILED MARCH 11, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR

**HOUSE FILE 403
FISCAL NOTE**

A fiscal note for **House File 403**, as amended by H-1141, is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 403, as amended by H-1141, increases the speed limit on interstate and other fully controlled-access divided, multilaned highways from 65 to 70 miles per hour for all vehicles.

ASSUMPTIONS

1. The speed limit change will be in effect on 1,134 miles of highways.
2. The Department of Transportation (DOT) will change 646 signs at a cost of \$75 per sign. The cost per sign includes labor, materials, and equipment.

FISCAL IMPACT

House File 403, as amended by H-1141, will cost an estimated \$48,500 from the Primary Road Fund.

SOURCE

Department of Transportation

(LSB 2270hv.2, DLR)

FILED MARCH 17, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 403

H-1182

1 Amend the amendment, H-1177, to House File 403 as
2 follows:

3 1. Page 1, by striking lines 4 through 26 and
4 inserting the following:

5 "Sec. ____ . Section 805.8, subsection 2, paragraph
6 g, subparagraph (4), Code 1997, is amended to read as
7 follows:

8 (4) (a) Notwithstanding subparagraphs (1) and
9 (3), for excessive speed violations in speed zones
10 greater than fifty-five miles per hour when in excess
11 of the limit by, the fine shall be as follows:

12 (i) By five miles per hour or less, the fine is
13 ten dollars, -by.

14 (ii) By more than five and not more than ten miles
15 per hour, the fine is twenty dollars, -by.

16 (iii) By more than ten and not more than fifteen
17 miles per hour the fine is forty eighty dollars, -by.

18 (iv) By more than fifteen and not more than twenty
19 miles-per-hour-the-fine-is-sixty-dollars,-and-by-more
20 than-twenty miles per hour the fine is sixty one
21 hundred dollars plus two-dollars-for-each-mile-per
22 hour-of-excessive-speed-over-twenty-miles-per-hour
23 over-the-limit.

24 (b) The clerk of the district court shall
25 distribute one hundred percent of the receipts under
26 subparagraph subdivision (a), subparagraph subdivision
27 parts (i) and (ii), according to section 602.8108.
28 The clerk of the district court shall distribute fifty
29 percent of the receipts under subparagraph subdivision
30 (a), subparagraph subdivision parts (iii) and (iv)
31 according to section 602.8108. Notwithstanding
32 section 602.8108, the clerk shall allocate ninety-five
33 percent of the remaining receipts under subparagraph
34 subdivision (a), subparagraph subdivision parts (iii)
35 and (iv) to the emergency medical services fund
36 created in section 135.25, and the balance shall be
37 retained by the district court for administrative
38 costs."

By WARNSTADT of Woodbury

H-1182 FILED MARCH 17, 1997

ADOPTED 3-17-97

(P. 624)

H-1178

1 Amend House File 403 as follows:

2 1. Page 1, by inserting after line 21 the
3 following:

4 "Sec. ____ . Section 805.8, subsection 2, paragraph
5 g, subparagraph (4), Code 1997, is amended to read as
6 follows:

7 (4) Notwithstanding subparagraphs (1) and (3), for
8 excessive speed violations in speed zones greater than
9 fifty-five miles per hour when in excess of the limit
10 by five miles per hour or less the fine is ten fifty
11 dollars, by more than five and not more than ten miles
12 per hour the fine is twenty seventy-five dollars, and
13 by more than ten ~~and-not-more-than-fifteen-miles-per~~
14 ~~hour-the-fine-is-forty-dollars,-by-more-than-fifteen~~
15 ~~and-not-more-than-twenty~~ miles per hour the fine is
16 sixty one hundred dollars, ~~and-by-more-than-twenty~~
17 ~~miles-per-hour-the-fine-is-sixty-dollars-plus-two~~
18 ~~dollars-for-each-mile-per-hour-of-excessive-speed-over~~
19 ~~twenty-miles-per-hour-over-the-limit."~~

20 2. Title page, line 3, by inserting after the
21 word "vehicles" the following: "and providing a
22 penalty".

23 3. By renumbering as necessary.

By FALLON of Polk

H-1178 FILED MARCH 14, 1997

WITHDRAWN

3-17-97 (p.624)

HOUSE FILE 403

H-1141

Amend House File 403 as follows:

2 1. Page 1, line 4, by striking the words "except
3 commercial vehicles".

4 2. Page 1, lines 7 and 8, by striking the words
5 "and for commercial vehicles is sixty-five miles per
6 hour".

By RAYHONS of Hancock

H-1141 FILED MARCH 5, 1997

Adopted
3-17-97 (p.623)

HOUSE FILE 403

H-1142

1 Amend House File 403 as follows:

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

4 "Section 1. Section 321.285, subsection 4, Code
5 1997, is amended to read as follows:

6 4. Notwithstanding any other speed restrictions,
7 the speed limit for all vehicular traffic shall be
8 fifty-five sixty miles per hour."

9 2. By renumbering as necessary.

By RAYHONS of Hancock

H-1142 FILED MARCH 5, 1997

WITHDRAWN

3-17-97

(p.621)

HOUSE FILE 403

H-1177

1 Amend House File 403 as follows:

2 1. Page 1, by inserting after line 21 the
3 following:

4 "Sec. ____ . Section 805.8, subsection 2, paragraph
5 g, subparagraph (4), Code 1997, is amended to read as
6 follows:

7 (4) Notwithstanding subparagraphs (1) and (3), for
8 excessive speed violations in speed zones greater than
9 fifty-five miles per hour when in excess of the limit
10 by five miles per hour or less the fine is ten
11 dollars, by more than five and not more than ten miles
12 per hour the fine is twenty dollars, by more than ten
13 and not more than fifteen miles per hour the fine is
14 forty eighty dollars, by more than fifteen and not
15 more than twenty miles per hour the fine is sixty one
16 hundred twenty dollars, and by more than twenty miles
17 per hour the fine is sixty one hundred twenty dollars
18 plus two dollars for each mile per hour of excessive
19 speed over twenty miles per hour over the limit.

20 Notwithstanding section 602.8108, the clerk of the
21 district court shall allocate ninety-five percent of
22 funds received pursuant to this section to the
23 emergency medical services fund created in section
24 135.25, and the remaining funds shall be allocated to
25 the enhanced court collections fund created in section
26 602.1304."

27 2. Title page, line 3, by inserting after the
28 word "vehicles" the following: "and providing a
29 penalty".

30 3. By renumbering as necessary.

By WARNSTADT of Woodbury

H-1177 FILED MARCH 14, 1997

Pat Serrano
3.17.97 (R624)

HOUSE FILE 403

H-1174

1 Amend House File 403 as follows:

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

4 "Section 1. NEW SECTION. 321.232A RADAR OR OTHER
5 SPEED-MEASURING DEVICE DETECTORS -- POSSESSION, USE,
6 OR SALE PROHIBITED.

7 1. A person commits a simple misdemeanor by doing
8 either of the following:

9 a. Operating a vehicle on a highway of this state
10 while using or possessing a device designed to detect
11 emissions from a radar, laser, or other speed-
12 measuring device and signal the existence of those
13 emissions.

14 b. Offering for sale or selling in this state a
15 device designed to detect emissions from a radar,
16 laser, or other speed-measuring device and signal the
17 existence of those emissions.

18 2. It is an affirmative defense to a charge of
19 violating subsection 1 that the device, at the time of
20 the alleged offense, had no power source and was not
21 readily accessible for use by the driver or an
22 occupant of the vehicle.

23 3. A device prohibited by this section may be
24 seized as evidence under chapter 809 and shall be
25 disposed of or returned to the person from whom it was
26 seized in accordance with section 809.5. Upon request
27 and payment of the costs of shipment, the seizing
28 agency shall ship the device to an address specified
29 by the person from whom the device was seized.

30 4. This section does not apply to the following:

31 a. A device designed exclusively to receive radio
32 signals on frequencies lawfully licensed by a state or
33 federal agency.

34 b. A device used by a peace officer in the
35 performance of the official duties of the peace
36 officer."

37 2. Title page, line 1, by inserting after the
38 word "Act" the following: "relating to the
39 enforcement of speed limits by prohibiting the
40 possession or use of radar detectors, providing a
41 penalty, and by".

42 3. By renumbering as necessary.

By RICHARDSON of Warren

H-1174 FILED MARCH 14, 1997

Not Germane
3-17-97 (p622)