

FILED FEB 4 1998

REPRINTED

SENATE FILE 2113

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 2038)

Passed Senate, ^(p.276) Date 2/12/98 Passed House, ^(p.1007) Date 3/30/98
 Vote: Ayes 44 Nays 0 Vote: Ayes 91 Nays 0
 Approved April 10, 1998

A BILL FOR

1 An Act relating to driver and motor vehicle licensing, reporting,
 2 and registration.

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

SENATE FILE 2113

S-5030

1 Amend Senate File 2113 as follows:

2 1. Page 4, by inserting after line 19 the
 3 following:

4 "Sec. ____ . CODE EDITOR DIRECTIONS. The Code
 5 editor shall correct any remaining references in the
 6 Code or in Acts enacted by the Seventy-seventh General
 7 Assembly to reflect the terminology change made in
 8 this Act from motor vehicle license to driver's
 9 license."

10 2. By renumbering as necessary:

By LARRY MCKIBBEN

S-5030 FILED FEBRUARY 12, 1998

ADOPTED ^(p.275)

S.F. 2113

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OSTVIAFBA

1 Section 1. Section 321.1, subsection 11, paragraph b, Code
2 Supplement 1997, is amended to read as follows:

3 b. "Commercial driver's license" means a ~~motor-vehicle~~
4 driver's license valid for the operation of a commercial motor
5 vehicle.

6 Sec. 2. Section 321.1, Code Supplement 1997, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 20A. "Driver's license" means any license
9 or permit issued to a person to operate a motor vehicle on the
10 highways of this state, including but not limited to a
11 temporary restricted or temporary license and an instruction,
12 chauffeur's instruction, commercial driver's instruction,
13 temporary restricted, or temporary permit.

14 For purposes of license suspension, revocation, bar,
15 disqualification, cancellation, or denial under this chapter
16 and chapters 321A, 321C, and 321J, "driver's license" includes
17 any privilege to operate a motor vehicle.

18 Sec. 3. Section 321.1, subsection 21, Code Supplement
19 1997, is amended to read as follows:

20 21. "Endorsement" means an authorization to a person's
21 ~~motor-vehicle~~ driver's license required to permit the person
22 to operate certain types of motor vehicles or to transport
23 certain types or quantities of hazardous materials.

24 Sec. 4. Section 321.1, subsection 43, Code Supplement
25 1997, is amended by striking the subsection.

26 Sec. 5. Section 321.23, subsection 1, Code Supplement
27 1997, is amended to read as follows:

28 1. If the vehicle to be registered is a specially
29 constructed, reconstructed, remanufactured, or foreign
30 vehicle, such fact shall be stated in the application. A fee
31 of ten dollars shall be paid by the person making the
32 application upon issuance of a certificate of title by the
33 county treasurer. With reference to every specially
34 constructed or reconstructed motor vehicle subject to
35 registration the application shall be accompanied by a

1 statement from the department authorizing the motor vehicle to
2 be titled and registered in this state. The department shall
3 cause a physical inspection to be made of all specially
4 constructed or reconstructed motor vehicles, upon application
5 for a certificate of title by the owner, to determine whether
6 the motor vehicle is-in-a-safe-operating-condition complies
7 with the definition of specially constructed motor vehicle or
8 reconstructed motor vehicle in this chapter and to determine
9 that the integral component parts are properly identified and
10 that the rightful ownership is established before issuing the
11 owner the authority to have the motor vehicle registered and
12 titled. The purpose of the physical inspection under this
13 section is not to determine whether the motor vehicle is in a
14 condition safe to operate. With reference to every foreign
15 vehicle which has been registered outside of this state, the
16 owner shall surrender to the treasurer all registration
17 plates, registration cards, and certificates of title, or, if
18 the vehicle to be registered is from a nontitle state, the
19 evidence of foreign registration and ownership as may be
20 prescribed by the department except as provided in subsection
21 2.

22 Sec. 6. Section 321.265, Code 1997, is amended to read as
23 follows:

24 321.265 STRIKING FIXTURES UPON A HIGHWAY.

25 The driver of a vehicle involved in an accident resulting
26 in damage to property legally upon or adjacent to a highway
27 shall take reasonable steps to locate and notify the owner, a
28 peace officer, or person in charge of the damaged property of
29 the damage and shall inform the person of the driver's name
30 and address and the registration number of the vehicle causing
31 the damage and shall, upon request and if available, exhibit
32 the driver's ~~motor-vehicle~~ license of the driver of the
33 vehicle and shall report the accident when and as required in
34 section 321.266.

35 Sec. 7. Section 321.271, unnumbered paragraph 1, Code

1 1997, is amended to read as follows:

2 All accident reports filed by a driver of a vehicle
3 involved in an accident as required under section 321.266
4 shall be in writing. The report shall be without prejudice to
5 the individual so reporting and shall be for the confidential
6 use of the department, except that upon the request of any
7 person involved in the accident, the person's insurance
8 company or its agent, or the attorney for such person, the
9 department shall disclose the identity and address of the
10 person other persons involved in the accident and may disclose
11 the name of the insurance companies with whom the other
12 persons have liability insurance. The department, upon
13 written request of the person making the report, shall provide
14 the person with a copy of that person's report. The written
15 report filed with the department shall not be admissible in or
16 used in evidence in any civil or criminal case arising out of
17 the facts on which the report is based.

18 Sec. 8. Section 321.492, unnumbered paragraph 1, Code
19 Supplement 1997, is amended to read as follows:

20 A peace officer is authorized to stop a vehicle to require
21 exhibition of the driver's motor-vehicle license of the
22 driver, to serve a summons or memorandum of traffic violation,
23 to inspect the condition of the vehicle, to inspect the
24 vehicle with reference to size, weight, cargo, log book, bills
25 of lading or other manifest of employment, tires, and safety
26 equipment, or to inspect the registration certificate, the
27 compensation certificate, travel order, or permit of the
28 vehicle.

29 Sec. 9. Sections 18.138, 123.48, 124B.3, subsection 2,
30 paragraph "a", 172B.1, 172B.3, 172B.5, 321.1A, 321.46,
31 321.174, 321.177, 321.180, 321.180A, 321.181, 321.182,
32 321.184, 321.186, 321.186A, 321.188, 321.191, 321.193,
33 321.194, 321.195, 321.196, 321.198, 321.199, 321.201, 321.205,
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2 321A.17, 321G.9, 321G.20, 321G.24, 321J.1, 321J.2A, 321J.8,
3 805.9, and 901.5, Code 1997, and sections 22.7, 232.52, 312.2,
4 321.20, 321.174A, 321.189, 321.190, 321.210B, 321.216B,
5 321.218, 321.218A, 321.491, 321.492, 321.555, 321A.32,
6 321A.32A, 321E.34, 321J.2, 321J.4, 321J.4B, 321J.9, 321J.12,
7 321J.13, 321J.17, 321J.20, 321J.21, 321J.25, 321L.3, 707.6A,
8 805.8, and 805.16, Code Supplement 1997, are amended by
9 striking from the sections the words "motor vehicle license"
10 and inserting in lieu thereof the words "driver's license".

11 Sec. 10. Sections 321.182, 321.187, 321.188, 321.191,
12 321.195, and 321.216A, Code 1997, and sections 321.179,
13 321.189A, and 602.8102, Code Supplement 1997, are amended by
14 striking from the sections the words "motor vehicle licenses"
15 and inserting in lieu thereof the words "driver's licenses".

16 Sec. 11. Section 321.176, Code 1997, and section 321.179,
17 Code Supplement 1997, are amended by striking from the
18 sections the words "motor vehicle licensing" and inserting in
19 lieu thereof the words "driver's licensing".

20

EXPLANATION

21 This bill changes the terminology for a license for an
22 operator of a motor vehicle from motor vehicle license to
23 driver's license.

24 The bill allows a person's liability insurance information
25 to be made available to all other persons involved in an
26 accident.

27 The bill changes the purpose for which the department
28 causes a physical inspection to be made for specially
29 constructed and reconstructed vehicles from determining
30 whether the vehicle is in a safe operating condition to
31 determining whether the vehicle meets the definition of a
32 specially constructed or reconstructed vehicle.

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H. 3/18/98 Do Pass
H. 3/26/98 Unfinished Bus.
Calendar

SENATE FILE 2113
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 2038)

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 12, 1998)

----- - New Language by the Senate

Passed Senate, Date _____ Passed House, Date ^(p. 1007) 3/30/98
Vote: Ayes _____ Nays _____ Vote: Ayes 91 Nays 0
Approved April 10, 1998

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14 For purposes of license suspension, revocation, bar,
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5 the individual so reporting and shall be for the confidential
6 use of the department, except that upon the request of any
7 person involved in the accident, the person's insurance
8 company or its agent, or the attorney for such person, the
9 department shall disclose the identity and address of ~~the~~
10 person other persons involved in the accident and may disclose
11 the name of the insurance companies with whom the other
12 persons have liability insurance. The department, upon
13 written request of the person making the report, shall provide
14 the person with a copy of that person's report. The written
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McKibben

SSB 2038

Connolly
Rittner

Transportation

Succeeded By
SENATE/HOUSE FILE SE/HF 2113
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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SENATE FILE 2113

AN ACT

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AND REGISTRATION.

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

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The driver of a vehicle involved in an accident resulting in damage to property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner, a peace officer, or person in charge of the damaged property of the damage and shall inform the person of the driver's name and address and the registration number of the vehicle causing the damage and shall, upon request and if available, exhibit the driver's motor-vehicle license of the driver of the vehicle and shall report the accident when and as required in section 321.266.

Sec. 7. Section 321.271, unnumbered paragraph 1, Code 1997, is amended to read as follows:

All accident reports filed by a driver of a vehicle involved in an accident as required under section 321.266 shall be in writing. The report shall be without prejudice to the individual so reporting and shall be for the confidential use of the department, except that upon the request of any person involved in the accident, the person's insurance company or its agent, or the attorney for such person, the department shall disclose the identity and address of the person other persons involved in the accident and may disclose the name of the insurance companies with whom the other persons have liability insurance. The department, upon written request of the person making the report, shall provide the person with a copy of that person's report. The written report filed with the department shall not be admissible in or used in evidence in any civil or criminal case arising out of the facts on which the report is based.

Sec. 8. Section 321.492, unnumbered paragraph 1, Code Supplement 1997, is amended to read as follows:

A peace officer is authorized to stop a vehicle to require exhibition of the driver's motor-vehicle license of the driver, to serve a summons or memorandum of traffic violation,

to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires, and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of the vehicle.

Sec. 9. Sections 18.138, 123.48, 124B.3, subsection 2, paragraph "a", 172B.1, 172B.3, 172B.5, 321.1A, 321.46, 321.174, 321.177, 321.180, 321.180A, 321.181, 321.182, 321.184, 321.186, 321.186A, 321.188, 321.191, 321.193, 321.194, 321.195, 321.196, 321.198, 321.199, 321.201, 321.205, 321.206, 321.208, 321.210A, 321.211, 321.212, 321.213, 321.213A, 321.215, 321.216, 321.216A, 321.220, 321.223, 321.234A, 321.247, 321.261, 321.263, 321.485, 321.556, 321A.1, 321A.17, 321G.9, 321G.20, 321G.24, 321J.1, 321J.2A, 321J.8, 805.9, and 901.5, Code 1997, and sections 22.7, 232.52, 312.2, 321.20, 321.174A, 321.189, 321.190, 321.210B, 321.216B, 321.218, 321.218A, 321.491, 321.492, 321.555, 321A.32, 321A.32A, 321E.34, 321J.2, 321J.4, 321J.4B, 321J.9, 321J.12, 321J.13, 321J.17, 321J.20, 321J.21, 321J.25, 321L.3, 707.6A, 805.8, and 805.16, Code Supplement 1997, are amended by striking from the sections the words "motor vehicle license" and inserting in lieu thereof the words "driver's license".

Sec. 10. Sections 321.182, 321.187, 321.188, 321.191, 321.195, and 321.216A, Code 1997, and sections 321.179, 321.189A, and 602.8102, Code Supplement 1997, are amended by striking from the sections the words "motor vehicle licenses" and inserting in lieu thereof the words "driver's licenses".

Sec. 11. Section 321.176, Code 1997, and section 321.179, Code Supplement 1997, are amended by striking from the sections the words "motor vehicle licensing" and inserting in lieu thereof the words "driver's licensing".

Sec. 12. CODE EDITOR DIRECTIONS. The Code editor shall correct any remaining references in the Code or in Acts enacted by the Seventy-seventh General Assembly to reflect the terminology change made in this Act from motor vehicle license to driver's license.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2113, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved April 10, 1998

TERRY E. BRANSTAD
Governor

SF 2113