

FEB 16 2000

TRANSPORTATION

HOUSE FILE

2282

BY BLODGETT

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

A BILL FOR

1 An Act relating to motor vehicle regulation and making penalties  
2 applicable.

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

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HF 2282

1 Section 1. Section 321.20B, subsection 6, Code Supplement  
2 1999, is amended to read as follows:

3 6. This section does not apply to a motor vehicle driven  
4 upon a highway in conformance with the provisions of this  
5 chapter relating to manufacturers, transporters, or dealers,  
6 or a motor vehicle identified in section 321.18, subsections 1  
7 2 through 6, and subsection 8.

8 Sec. 2. Section 321.194, subsection 1, paragraph a,  
9 subparagraph (1), Code 1999, is amended to read as follows:

10 (1) During the hours of 6 a.m. to 10 p.m. over the most  
11 direct and accessible route between the following locations  
12 for the purpose of attending duly scheduled courses of  
13 instruction and duly scheduled extracurricular activities at  
14 the designated locations:

15 (a) The licensee's residence and schools of enrollment and  
16 between-schools.

17 b. Schools of enrollment for-the-purpose-of-attending-duly  
18 scheduled-courses-of-instruction-and-extracurricular  
19 activities-within-the-school-district.

20 (c) The licensee's residence or schools of enrollment and  
21 off-campus locations within the school district of enrollment.

22 Sec. 3. Section 321.218, subsections 1, 3, and 4, Code  
23 Supplement 1999, are amended to read as follows:

24 1. A person whose driver's license or operating privilege  
25 has been denied, canceled, suspended, or revoked as provided  
26 in this chapter or as provided in section 252J.8 or 261.126 or  
27 section 901.5, subsection 10, and who operates a motor vehicle  
28 upon the highways of this state while the license or privilege  
29 is denied, canceled, suspended, or revoked, commits a simple  
30 misdemeanor. In addition to any other penalties, the  
31 punishment imposed for a violation of this subsection shall  
32 include assessment of a fine of not less than two hundred  
33 fifty dollars nor more than one thousand five hundred dollars.

34 3. The department, upon receiving the record of the  
35 conviction of a person under this section upon a charge of

1 operating a motor vehicle while the license of the person is  
2 suspended or revoked, shall, except for licenses suspended  
3 under section 252J.8, 261.126, 321.210, subsection 1,  
4 paragraph "c", section 321.210A, 321.210B, or 321.513, extend  
5 the period of suspension or revocation for an additional like  
6 period, and the department shall not issue a new driver's  
7 license to the person during the additional period.

8 If the department receives a record of a conviction of a  
9 person under this section but the person's driving record does  
10 not indicate what the original grounds of suspension were, the  
11 period of suspension under this subsection shall be for a  
12 period not to exceed six months.

13 4. A person who operates a commercial motor vehicle upon  
14 the highways of this state when disqualified from operating  
15 the commercial motor vehicle under section 321.208 commits a  
16 serious simple misdemeanor if a commercial driver's license is  
17 required for the person to operate the commercial motor  
18 vehicle.

19 Sec. 4. Section 321.302, Code 1999, is amended to read as  
20 follows:

21 321.302 OVERTAKING ON THE RIGHT.

22 1. The Unless otherwise prohibited by law the driver of a  
23 vehicle may overtake and pass upon the right of another  
24 vehicle which is making or about to make a left turn on a  
25 roadway with unobstructed pavement of sufficient width for two  
26 or more lines of traffic moving in the same direction as the  
27 vehicle being passed when such movement can be made in safety.

28 2. The driver of a vehicle may overtake and, allowing  
29 sufficient clearance, pass another vehicle proceeding in the  
30 same direction either upon the left or upon the right on a  
31 roadway with unobstructed pavement of sufficient width for  
32 four or more lines of moving traffic when such movement can be  
33 made in safety.

34 3. No A person shall not drive off the pavement, or upon  
35 the shoulder of the roadway, or upon the apron or roadway of

1 an intersecting highway in overtaking or passing on the right.

2 Sec. 5. Section 321.423, subsection 6, Code 1999, is  
3 amended to read as follows:

4 6. AMBER FLASHING LIGHT. A farm tractor, farm tractor  
5 with towed equipment, self-propelled implement of husbandry,  
6 road construction or maintenance vehicle, road grader, or  
7 other vehicle principally designed for use off the highway  
8 which, when operated on a primary or secondary road, is  
9 operated at a speed of twenty-five thirty-five miles an hour  
10 or less, shall be equipped with and display an amber flashing  
11 light visible from the rear at any time from sunset to  
12 sunrise. If the amber flashing light is obstructed by the  
13 towed equipment, the towed equipment shall also be equipped  
14 with and display an amber flashing light as required under  
15 this subsection. All vehicles specified in this subsection  
16 which are manufactured for sale or sold in this state shall be  
17 equipped with an amber flashing light in accordance with the  
18 standards of the American society of agricultural engineers.

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#### EXPLANATION

20 This bill makes several technical corrections in Code  
21 provisions relating to motor vehicles. Code section 321.20B,  
22 relating to motor vehicle financial liability coverage, is  
23 amended to make the section applicable to nonresidents.

24 Code section 321.194, relating to minors' school driver's  
25 licenses, is amended to provide that the driver's license  
26 entitles the licensee to operate a motor vehicle for the  
27 purpose of attending duly scheduled courses of instruction and  
28 duly scheduled extracurricular activities at the licensee's  
29 schools of enrollment and at off-campus locations within the  
30 licensee's school district of enrollment. Currently, the  
31 license entitles the licensee to operate a motor vehicle to  
32 attend duly scheduled courses of instruction and  
33 extracurricular activities within the school district at the  
34 licensee's schools of enrollment.

35 The bill amends Code section 321.218, relating to penalties

1 for operating a motor vehicle without a valid driver's  
2 license, to provide that operating while a person's driver's  
3 license is suspended, revoked, denied, or barred for  
4 defaulting on certain student loans is a simple misdemeanor.  
5 In addition to any other penalties, a fine of at least \$250  
6 but not more than \$1,500 shall be assessed for a violation of  
7 this provision. Code section 321.218 is also amended to  
8 provide that a person who operates a commercial motor vehicle  
9 when disqualified for certain offenses commits a simple rather  
10 than a serious misdemeanor.

11 Code section 321.302, relating to passing another motor  
12 vehicle on the right, is amended to allow a vehicle to pass a  
13 vehicle making a left turn only on a roadway with unobstructed  
14 pavement wide enough for two or more lines of traffic going in  
15 the same direction as the vehicle being passed and to prohibit  
16 a person from driving on the apron or roadway of an  
17 intersecting highway when passing on the right. A violation  
18 of this provision is a simple misdemeanor.

19 The bill amends a provision in Code section 321.423,  
20 relating to amber flashing lights used on certain slow-moving  
21 vehicles, to use 35 miles an hour rather than 25 miles an hour  
22 in referring to the speed at which such vehicles may travel.  
23 This change is necessary to agree with the Code changes made  
24 in previous years relating to the speed at which certain slow-  
25 moving vehicles may travel.

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