

3/20/00 Sent back to Comm. from Reg. Cal. 2/3/00 Do Pass
LOCAL GOVERNMENT

FILED JAN 25 2000

SENATE FILE 2045
BY BOLKCOM and LUNDBY

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

A BILL FOR

1 An Act allowing cities to adopt ordinances to assess a local
2 public transit surcharge on city parking violations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2045 LOCAL GOVERNMENT

1 Section 1. Section 321.236, subsection 1, paragraph a,
2 Code 1999, is amended to read as follows:

3 a. May be charged and collected upon a simple notice of a
4 fine payable to the city clerk or clerk of the district court,
5 if authorized by ordinance. The fine shall not exceed five
6 dollars except for snow route parking violations in which case
7 the fine shall not exceed twenty-five dollars. The fine may
8 be increased up to ten dollars if the parking violation is not
9 paid within thirty days of the date upon which the violation
10 occurred, if authorized by ordinance. Violations of section
11 321L.4, subsection 2, may be charged and collected upon a
12 simple notice of a one hundred dollar fine payable to the city
13 clerk or clerk of the district court, if authorized by
14 ordinance. No costs or other charges shall be assessed except
15 a local public transit surcharge of up to one dollar if the
16 local authority has adopted an ordinance pursuant to section
17 364.3, subsection 2, paragraph "b". All fines collected by a
18 city pursuant to this paragraph shall be retained by the city
19 and all fines collected by a county pursuant to this paragraph
20 shall be retained by the county.

21 Sec. 2. Section 364.3, subsection 2, Code Supplement
22 1999, is amended to read as follows:

23 2. a. A city shall not provide a penalty in excess of a
24 two hundred dollar fine or in excess of thirty days
25 imprisonment for the violation of an ordinance. An amount
26 equal to ten percent of all fines collected by cities shall be
27 deposited in the account established in section 602.8108.
28 However, one hundred percent of all fines collected by a city
29 pursuant to section 321.236, subsection 1, shall be retained
30 by the city. The criminal penalty surcharge required by
31 section 911.2 shall be added to a city fine and is not a part
32 of the city's penalty.

33 b. A city may adopt an ordinance to assess a local public
34 transit surcharge of up to one dollar to be added to city
35 fines for parking violations. Moneys collected from the

1 surcharge shall be retained by the city and kept in a separate
2 account to be used only for establishing, improving, or
3 maintaining public transit within the city or surrounding
4 area.

5 EXPLANATION

6 This bill amends Code section 364.3, limiting the powers of
7 cities to the imposition of certain penalties, to allow a city
8 to adopt an ordinance to assess a local public transit
9 surcharge of up to \$1 to be added to city fines for parking
10 violations. Moneys collected from the surcharge are to be
11 used by the city only for establishing, improving, or
12 maintaining public transit within the city or surrounding
13 area.

14 The bill also amends a provision in Code section 321.236
15 allowing local authorities to regulate the standing and
16 parking of vehicles to allow imposition of a local public
17 transit surcharge adopted by ordinance under Code section
18 364.3.

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