

Drake  
Jensen  
Judge

SSB 3192  
Transportation

Succeeded By  
SENATE FILE (SF/HF 2329)  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON DRAKE)

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

A BILL FOR

1 An Act increasing the fine for certain motor vehicle violations  
2 relating to railroad crossings.

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

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1 Section 1. Section 805.8, subsection 2, paragraph ac, Code  
2 Supplement 1999, is amended to read as follows:

3 ac. For violations of sections 321.341, 321.342, 321.343,  
4 and 321.344, the scheduled fine is fifty one hundred dollars.

5 EXPLANATION

6 This bill doubles the fine from \$50 to \$100 for violations  
7 of Code provisions requiring vehicle operators to obey signals  
8 of the immediate approach of a train, stop signals and signs  
9 at railroad crossings, and certain stopping requirements at  
10 railroad crossings for certain vehicles carrying passengers  
11 for hire, school buses, vehicles carrying hazardous material,  
12 and heavy equipment.

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Substitutes for HF 2121  
4/6/00  
(P. 1331)

H- 3/1/00 Passed on file

FILED FEB 23 '00

SENATE FILE 2329  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 3192)

Passed Senate, Date <sup>(P. 489)</sup> 3/1/00  
Vote: Ayes 46 Nays 0

Passed House, Date <sup>(P. 1334)</sup> 4-6-00  
Vote: Ayes 96 Nays 0

Approved 4-21-00

<sup>(P. 1098)</sup> Re Passed 4-11-00  
Vote 48-0

<sup>(P. 1432)</sup> Re Passed 4-12-00  
Vote 97-0

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2 Supplement 1999, is amended to read as follows:

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8 of the immediate approach of a train, stop signals and signs  
9 at railroad crossings, and certain stopping requirements at  
10 railroad crossings for certain vehicles carrying passengers  
11 for hire, school buses, vehicles carrying hazardous material,  
12 and heavy equipment.

14 SENATE FILE 2329

15 H-8652

16 1 Amend Senate File 2329, as passed by the Senate, as  
17 2 follows:

18 3 1. Page 1, by inserting before line 1 the  
19 4 following:

20 5 "Section 1. NEW SECTION. 321.344B IMMEDIATE  
21 6 SAFETY THREAT -- PENALTY.

22 7 A violation of section 321.341, 321.342, 321.343,  
23 8 or 321.344 which creates an immediate threat to the  
24 9 safety of a person or property is a simple misdemeanor  
25 10 punishable as a scheduled violation under section  
26 11 805.8, subsection 2, paragraph "ac".

27 12 2. Page 1, line 4, by inserting after the word  
28 13 "dollars." and inserting the following: "For  
29 14 violations of section 321.344B, the scheduled fine is  
30 15 two hundred dollars."

31 16 3. Title page, line 1, by striking the words  
32 17 "increasing the fine" and inserting the following:  
33 18 "enhancing penalties".

34 19 4. Title page, line 1, by striking the word  
35 20 "motor".

By DREES of Carroll  
WELTER of Jones  
T. TAYLOR of Linn

31 H-8652 FILED MARCH 29, 2000

32 *Adopted 4/6/00 (p. 1332)*

SENATE FILE 2329

H-8720

1 Amend Senate File 2329, as passed by the Senate, as  
2 follows:

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

5 "Section 1. Section 321.20, subsection 1, Code  
6 Supplement 1999, as amended by 2000 Iowa Acts, Senate  
7 File 2147, section 39, as enacted, is amended to read  
8 as follows:

9 1. The full legal name; social security number or,  
10 if the owner does not have a social security number  
11 but has a passport, the passport number; driver's  
12 license number, whether the license was issued by this  
13 state, another state, another country, or is an  
14 international driver's license; date of birth; bona  
15 fide residence; and mailing address of the owner and  
16 of the lessee if the vehicle is being leased. If the  
17 owner or lessee is a firm, association, or  
18 corporation, the application shall contain the  
19 business address and federal employer identification  
20 number of the owner or lessee. Up to three owners'  
21 names may be listed on the application. Information  
22 relating to the lessee of a vehicle shall not be  
23 required on an application for registration and a  
24 certificate of title for a vehicle with a gross  
25 vehicle weight rating of ~~twenty-six~~ ten thousand  
26 pounds or more.

27 Sec. \_\_\_\_\_. Section 321.449, subsection 1, Code  
28 Supplement 1999, is amended by adding the following  
29 new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. The department shall  
31 also adopt rules concerning hours of service for  
32 drivers of vehicles operated for hire and designed to  
33 transport more than eight persons, including the  
34 driver. The rules shall not apply to vehicles offered  
35 to the public for hire that are used principally in  
36 intracity operation and that are regulated by local  
37 authorities pursuant to section 321.236.

38 Sec. \_\_\_\_\_. Section 322.2, subsection 20, Code 1999,  
39 is amended to read as follows:

40 20. "Selling" includes bartering, exchanging,  
41 delivering, or otherwise dealing in."

42 2. Title page, line 1, by inserting after the  
43 word "Act" the following: "relating to  
44 transportation, by".

45 3. Title page, line 2, by inserting after the  
46 word "crossings" the following: ", modifying vehicle  
47 registration provisions, requiring adoption of rules  
48 for hours of service for certain drivers, and  
49 modifying a definition relating to motor vehicle  
50 dealers".

H-8720

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H-8720

Page 2

1 4. By renumbering as necessary.

By BLODGETT of Cerro Gordo

DREES of Carroll

WELTER of Jones

T. TAYLOR of Linn

H-8720 FILED APRIL 4, 2000

*Adopted 4/6/00 (P.1333)*

SEBATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 2329

H-8818

1 Amend the House amendment, S-5369, to Senate File  
2 2329, as passed by the Senate, as follows:

3 1. Page 1, by striking line 50 and inserting the  
4 following: "805.8, subsection 2, paragraph "ac".

5 Sec. \_\_\_\_ . NEW SECTION. 327G.25 CLOSING OF  
6 CROSSING FOR REPAIR OR UPGRADE.

7 A railway corporation shall not close a railway  
8 crossing to the traveling public for more than thirty  
9 days for the purpose of repairing or upgrading the  
10 crossing. A railway corporation violating this  
11 section shall, upon conviction, be subject to a  
12 schedule "one" penalty."

13 2. Page 2, line 15, by inserting after the word  
14 "provisions," the following: "regulating the closing  
15 of railway crossings,".

16 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8818 FILED APRIL 11, 2000

*House Concurred*

*4-12-00*

*(P.1432)*

HOUSE AMENDMENT TO  
SENATE FILE 2329

S-5369

1 Amend Senate File 2329, as passed by the Senate, as  
2 follows:

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

5 "Section 1. Section 321.20, subsection 1, Code  
6 Supplement 1999, as amended by 2000 Iowa Acts, Senate  
7 File 2147, section 39, as enacted, is amended to read  
8 as follows:

9 1. The full legal name; social security number or,  
10 if the owner does not have a social security number  
11 but has a passport, the passport number; driver's  
12 license number, whether the license was issued by this  
13 state, another state, another country, or is an  
14 international driver's license; date of birth; bona  
15 fide residence; and mailing address of the owner and  
16 of the lessee if the vehicle is being leased. If the  
17 owner or lessee is a firm, association, or  
18 corporation, the application shall contain the  
19 business address and federal employer identification  
20 number of the owner or lessee. Up to three owners'  
21 names may be listed on the application. Information  
22 relating to the lessee of a vehicle shall not be  
23 required on an application for registration and a  
24 certificate of title for a vehicle with a gross  
25 vehicle weight rating of ~~twenty-six~~ ten thousand  
26 pounds or more.

27 Sec. \_\_\_\_\_. Section 321.449, subsection 1, Code  
28 Supplement 1999, is amended by adding the following  
29 new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. The department shall  
31 also adopt rules concerning hours of service for  
32 drivers of vehicles operated for hire and designed to  
33 transport more than eight persons, including the  
34 driver. The rules shall not apply to vehicles offered  
35 to the public for hire that are used principally in  
36 intracity operation and that are regulated by local  
37 authorities pursuant to section 321.236.

38 Sec. \_\_\_\_\_. Section 322.2, subsection 20, Code 1999,  
39 is amended to read as follows:

40 20. "Selling" includes bartering, exchanging,  
41 delivering, or otherwise dealing in."

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

44 "Section 1. NEW SECTION. 321.344B IMMEDIATE  
45 SAFETY THREAT -- PENALTY.

46 A violation of section 321.341, 321.342, 321.343,  
47 or 321.344 which creates an immediate threat to the  
48 safety of a person or property is a simple misdemeanor  
49 punishable as a scheduled violation under section  
50 805.8, subsection 2, paragraph "ac"."

S-5369

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S-5369

Page 2

1 3. Page 1, line 4, by inserting after the word  
2 "dollars." and inserting the following: "For  
3 violations of section 321.344B, the scheduled fine is  
4 two hundred dollars."

5 4. Title page, line 1, by inserting after the  
6 word "Act" the following: "relating to  
7 transportation, by".

8 5. Title page, line 1, by striking the words  
9 "increasing the fine" and inserting the following:  
10 "enhancing penalties".

11 6. Title page, line 1, by striking the word  
12 "motor".

13 7. Title page, line 2, by inserting after the  
14 word "crossings" the following: ", modifying vehicle  
15 registration provisions, requiring adoption of rules  
16 for hours of service for certain drivers, and  
17 modifying a definition relating to motor vehicle  
18 dealers".

19 8. By renumbering, relettering, or redesignating  
20 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5369 FILED APRIL 6, 2000

*Senate Concurred 4-11-00 (p. 1097)*

SENATE FILE 2329

S-5378

1 Amend the House amendment, S-5369, to Senate File  
2 2329, as passed by the Senate, as follows:

3 1. Page 1, by striking line 50 and inserting the  
4 following: "805.8, subsection 2, paragraph "ac".

5 Sec. \_\_\_\_ . NEW SECTION. 327G.25 CLOSING OF  
6 CROSSING FOR REPAIR OR UPGRADE.

7 A railway corporation shall not close a railway  
8 crossing to the traveling public for more than thirty  
9 days for the purpose of repairing or upgrading the  
10 crossing. A railway corporation violating this  
11 section shall, upon conviction, be subject to a  
12 schedule "one" penalty."

13 2. Page 2, line 15, by inserting after the word  
14 "provisions," and inserting the following:  
15 "regulating the closing of railway crossings,".

16 3. By renumbering as necessary.

By JACK RIFE

S-5378 FILED APRIL 10, 2000

*Adapted*

*4-11-00 (p. 1097)*



SENATE FILE 2329

AN ACT

RELATING TO TRANSPORTATION, BY ENHANCING PENALTIES FOR CERTAIN VEHICLE VIOLATIONS RELATING TO RAILROAD CROSSINGS, MODIFYING VEHICLE REGISTRATION PROVISIONS, REGULATING THE CLOSING OF RAILWAY CROSSINGS, REQUIRING ADOPTION OF RULES FOR HOURS OF SERVICE FOR CERTAIN DRIVERS, AND MODIFYING A DEFINITION RELATING TO MOTOR VEHICLE DEALERS.

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

Section 1. Section 321.20, subsection 1, Code Supplement 1999, as amended by 2000 Iowa Acts, Senate File 2147, section 39, as enacted, is amended to read as follows:

1. The full legal name; social security number or, if the owner does not have a social security number but has a passport, the passport number; driver's license number, whether the license was issued by this state, another state, another country, or is an international driver's license; date of birth; bona fide residence; and mailing address of the owner and of the lessee if the vehicle is being leased. If the owner or lessee is a firm, association, or corporation, the application shall contain the business address and federal employer identification number of the owner or lessee. Up to three owners' names may be listed on the application. Information relating to the lessee of a vehicle shall not be

required on an application for registration and a certificate of title for a vehicle with a gross vehicle weight rating of ~~twenty-six~~ ten thousand pounds or more.

Sec. 2. NEW SECTION. 321.344B IMMEDIATE SAFETY THREAT -- PENALTY.

A violation of section 321.341, 321.342, 321.343, or 321.344 which creates an immediate threat to the safety of a person or property is a simple misdemeanor punishable as a scheduled violation under section 805.8, subsection 2, paragraph "ac".

Sec. 3. Section 321.449, subsection 1, Code Supplement 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall also adopt rules concerning hours of service for drivers of vehicles operated for hire and designed to transport more than eight persons, including the driver. The rules shall not apply to vehicles offered to the public for hire that are used principally in intracity operation and that are regulated by local authorities pursuant to section 321.236.

Sec. 4. Section 322.2, subsection 20, Code 1999, is amended to read as follows:

20. "Selling" includes bartering, exchanging, delivering, or otherwise dealing in.

Sec. 5. NEW SECTION. 327G.25 CLOSING OF CROSSING FOR REPAIR OR UPGRADE.

A railway corporation shall not close a railway crossing to the traveling public for more than thirty days for the purpose of repairing or upgrading the crossing. A railway corporation violating this section shall, upon conviction, be subject to a schedule "one" penalty.

Sec. 6. Section 805.8, subsection 2, paragraph ac, Code Supplement 1999, is amended to read as follows:

ac. For violations of sections 321.341, 321.342, 321.343, and 321.344, the scheduled fine is fifty one hundred dollars.

For violations of section 321.344B, the scheduled fine is two hundred dollars.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2329, Seventy-eighth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved 4.21, 2000

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THOMAS J. VILSACK  
Governor