

Senate Study Bill 1080

Bill Text

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1 1 Section 1. Section [805.8](#), Code 2001, is amended by
1 2 striking the section and inserting in lieu thereof the
1 3 following:
1 4 805.8 SCHEDULED VIOLATIONS.
1 5 1. APPLICATION. Except as otherwise indicated, violations
1 6 of sections of the Code specified in sections 805.8A, 805.8B,
1 7 and 805.8C, are scheduled violations, and the scheduled fine
1 8 for each of those violations is as provided in those sections,
1 9 whether the violation is of state law or of a county or city
1 10 ordinance. The criminal penalty surcharge required by section
1 11 911.2 shall be added to the scheduled fine.
1 12 2. DESCRIPTION OF VIOLATIONS. The descriptions of
1 13 offenses used in sections 805.8A, 805.8B, and 805.8C, are for
1 14 convenience only and shall not be construed to define any
1 15 offense or to include or exclude any offense other than those
1 16 specifically included or excluded by reference to the Code. A
1 17 reference to a section or subsection of the Code without
1 18 further limitation includes every offense defined by that
1 19 section or subsection.
1 20 Sec. 2. NEW SECTION. 805.8A MOTOR VEHICLE AND
1 21 TRANSPORTATION SCHEDULED VIOLATIONS.
1 22 1. PARKING VIOLATIONS.
1 23 a. For parking violations under sections 321.236, 321.239,
1 24 321.358, 321.360, and 321.361, the scheduled fine is ten
1 25 dollars. The scheduled fine for a parking violation of
1 26 section 321.236 increases in an amount up to fifteen dollars,
1 27 as authorized by ordinance pursuant to section 321.236,
1 28 subsection 1, paragraph "a", if the parking violation is not
1 29 paid within thirty days of the date upon which the violation
1 30 occurred. For purposes of calculating the unsecured
1 31 appearance bond required under section 805.6, the scheduled
1 32 fine shall be ten dollars. However, violations charged by a
1 33 city or county upon simple notice of a fine instead of a
1 34 uniform citation and complaint as permitted by section
1 35 321.236, subsection 1, paragraph "a", are not scheduled
2 1 violations, and this section shall not apply to any offense
2 2 charged in that manner. For a parking violation under section
2 3 321.362 or 461A.38, the scheduled fine is ten dollars.
2 4 b. For a parking violation under section 321L.2A,
2 5 subsection 2, the scheduled fine is twenty dollars.
2 6 c. For violations under section 321L.2A, subsection 3,
2 7 321L.3, 321L.4, subsection 2, and 321L.7, the scheduled fine
2 8 is one hundred dollars.
2 9 2. TITLE OR REGISTRATION VIOLATIONS.
2 10 a. For violations under sections 321.32, 321.34, 321.37,
2 11 321.38, and 321.41, the scheduled fine is ten dollars.
2 12 b. For violations under sections 321.17, 321.47, 321.55,
2 13 321.98, and 321.115, the scheduled fine is thirty dollars.
2 14 c. For violations under sections 321.25, 321.45, 321.46,
2 15 321.48, 321.52, 321.57, 321.62, 321.67, and 321.104, the
2 16 scheduled fine is fifty dollars.
2 17 d. For a violation under section 321.99, the scheduled
2 18 fine is one hundred dollars.
2 19 3. EQUIPMENT VIOLATIONS.
2 20 a. For violations under sections 321.317, 321.386,
2 21 321.387, 321.388, 321.389, 321.390, 321.392, 321.393, 321.422,

2 22 321.432, 321.436, 321.439, 321.440, 321.441, 321.442, and
2 23 321.444, the scheduled fine is ten dollars.

2 24 b. For improperly used or nonused, or defective or
2 25 improper equipment, other than brakes, driving lights and
2 26 brake lights, under section 321.437, the scheduled fine is ten
2 27 dollars.

2 28 c. For violations under sections 321.382, 321.404A, and
2 29 321.438, the scheduled fine is fifteen dollars.

2 30 d. For violations of sections 321.383, 321.384, 321.385,
2 31 321.398, 321.402, 321.403, 321.404, 321.409, 321.415, 321.419,
2 32 321.420, 321.421, 321.423, and 321.433, the scheduled fine is
2 33 twenty dollars.

2 34 e. For violations under sections 321.234A, 321.247,
2 35 321.381, 321.381A, and 321.430, the scheduled fine is fifty
3 1 dollars.

3 2 4. DRIVER'S LICENSE VIOLATIONS.

3 3 a. For violations under sections 321.174A, 321.180,
3 4 321.180B, 321.193, and 321.194, the scheduled fine is thirty
3 5 dollars.

3 6 b. For violations under sections 321.174, 321.216,
3 7 321.216B, 321.216C, 321.219, and 321.220, the scheduled fine
3 8 is one hundred dollars.

3 9 5. SPEED VIOLATIONS.

3 10 a. For excessive speed violations in excess of the limit
3 11 under section 321.236, subsections 5 and 11, sections 321.285,
3 12 and 461A.36, the scheduled fine shall be the following:

3 13 (1) Ten dollars for speed not more than five miles per
3 14 hour in excess of the limit.

3 15 (2) Thirty dollars for speed greater than five but not
3 16 more than ten miles per hour in excess of the limit.

3 17 (3) Fifty dollars for speed greater than ten but not more
3 18 than fifteen miles per hour in excess of the limit.

3 19 (4) Seventy dollars for speed greater than fifteen but not
3 20 more than twenty miles per hour in excess of the limit.

3 21 (5) Seventy dollars plus five dollars for each mile per
3 22 hour of excessive speed over twenty miles per hour over the
3 23 limit.

3 24 b. Notwithstanding paragraph "a", for excessive speed
3 25 violations in speed zones greater than fifty-five miles per
3 26 hour, the scheduled fine shall be:

3 27 (1) Ten dollars for speed not more than five miles per
3 28 hour in excess of the limit.

3 29 (2) Thirty dollars for speed greater than five but not
3 30 more than ten miles per hour in excess of the limit.

3 31 (3) Sixty dollars for speed greater than ten but not more
3 32 than fifteen miles per hour in excess of the limit.

3 33 (4) Ninety dollars for speed greater than fifteen but not
3 34 more than twenty miles per hour in excess of the limit.

3 35 (5) Ninety dollars plus five dollars for each mile per
4 1 hour of excessive speed over twenty miles per hour over the
4 2 limit.

4 3 c. Excessive speed in whatever amount by a school bus is
4 4 not a scheduled violation under any section listed in this
4 5 subsection.

4 6 d. Excessive speed in conjunction with a violation of
4 7 section 321.278 is not a scheduled violation, whatever the
4 8 amount of excess speed.

4 9 e. For a violation under section 321.295, the scheduled
4 10 fine is thirty dollars.

4 11 6. OPERATING VIOLATIONS.

4 12 a. For a violation under section 321.236, subsections 3,
4 13 4, 9, and 12, the scheduled fine is twenty dollars.

4 14 b. For violations under sections 321.275, subsections 1
4 15 through 7, 321.277A, 321.315, 321.316, 321.318, 321.363, and
4 16 321.365, the scheduled fine is twenty-five dollars.

4 17 c. For violations under sections 321.288, 321.297,
4 18 321.299, 321.302, 321.303, 321.304, subsections 1 and 2,

4 19 321.305, 321.306, 321.311, 321.312, 321.314, 321.323, 321.340,
4 20 321.353, 321.354, 321.366, and 321.395, the scheduled fine is
4 21 fifty dollars.

4 22 7. FAILURE TO YIELD VIOLATIONS.

4 23 a. For a violation by an operator of a motor vehicle under
4 24 section 321.257, subsection 2, the scheduled fine is fifty
4 25 dollars.

4 26 b. For violations under sections 321.298, 321.307,
4 27 321.308, 321.313, 321.319, 321.320, 321.321, 321.327, 321.329,
4 28 and 321.333, the scheduled fine is fifty dollars.

4 29 8. TRAFFIC SIGN OR SIGNAL VIOLATIONS. For violations
4 30 under sections 321.236, subsections 2 and 6, 321.256, 321.257,
4 31 subsection 2, 321.294, 321.304, subsection 3, and 321.322, the
4 32 scheduled fine is fifty dollars.

4 33 9. BICYCLE OR PEDESTRIAN VIOLATIONS. For violations by a
4 34 pedestrian or a bicyclist under section 321.234, subsections 3
4 35 and 4, 321.236, subsection 10, 321.257, subsection 2, 321.275,
5 1 subsection 8, 321.325, 321.326, 321.328, 321.331, 321.332,
5 2 321.397, or 321.434, the scheduled fine is fifteen dollars.

5 3 10. SCHOOL BUS VIOLATIONS.

5 4 a. For violations by an operator of a school bus under
5 5 sections 321.285 and 321.372, subsections 1 and 2, the
5 6 scheduled fine is thirty-five dollars.

5 7 b. For a violation under section 321.372, subsection 3,
5 8 the scheduled violation is one hundred dollars.

5 9 11. EMERGENCY VEHICLE VIOLATIONS.

5 10 a. For violations under sections 321.231, 321.367, and
5 11 321.368 the scheduled fine is thirty-five dollars.

5 12 b. For a violation under section 321.324, the scheduled
5 13 fine is one hundred dollars.

5 14 12. RESTRICTIONS ON VEHICLES.

5 15 a. For violations under sections 321.309, 321.310,
5 16 321.394, 321.461, and 321.462, the scheduled fine is twenty-
5 17 five dollars.

5 18 b. For height, weight, length, width, load violations, and
5 19 towed vehicle violations under section under 321.437, the
5 20 scheduled fine is twenty-five dollars.

5 21 c. For violations under sections 321.454, 321.455,
5 22 321.456, 321.457, and 321.458, the scheduled fine is one
5 23 hundred dollars.

5 24 d. For violations under section 321.466, the scheduled
5 25 fine is twenty dollars for each two thousand pounds or
5 26 fraction thereof of overweight.

5 27 e. Violations of the schedule of axle and tandem axle and
5 28 gross or group of axle weight violations in section 321.463
5 29 shall be scheduled violations subject to the provisions,
5 30 procedures, and exceptions contained in sections 805.6 to
5 31 805.11, irrespective of the amount of the fine under that
5 32 schedule. Violations of the schedule of weight violations
5 33 shall be chargeable, where the fine charged does not exceed
5 34 one thousand dollars, only by uniform citation and complaint.

5 35 Violations of the schedule of weight violations, where the
6 1 fine charged exceeds one thousand dollars shall, when the
6 2 violation is admitted and section 805.9 applies, be chargeable
6 3 upon uniform citation and complaint, indictment, or county
6 4 attorney's information, but otherwise, shall be chargeable
6 5 only upon indictment or county attorney's information.

6 6 In all cases of charges under the schedule of weight
6 7 violations, the charge shall specify the amount of fine
6 8 charged under the schedule. Where a defendant is convicted
6 9 and the fine under the foregoing schedule of weight violations
6 10 exceeds one thousand dollars, the conviction shall be of an
6 11 indictable offense although section 805.9 is employed and
6 12 whether the violation is charged upon uniform citation and
6 13 complaint, indictment, or county attorney's information.

6 14 f. For a violation under section 321E.16, other than the
6 15 provisions relating to weight, the scheduled fine is one

6 16 hundred dollars.

6 17 13. MOTOR CARRIER VIOLATIONS.

6 18 a. For violations under sections 321.54, 326.22, and
6 19 326.23, the scheduled fine is twenty dollars.

6 20 b. For a violation under section 321.449, the scheduled
6 21 fine is twenty-five dollars.

6 22 c. For violations under sections 321.208A, 321.364,
6 23 321.450, 321.460, and 452A.52, the scheduled fine is one
6 24 hundred dollars.

6 25 d. For violations of section 325A.3, subsection 5, or
6 26 section 325A.8, the scheduled fine is fifty dollars.

6 27 e. For violations of chapter 325A, other than a violation
6 28 of section 325A.3, subsection 5, or section 325A.8, the
6 29 scheduled fine is two hundred fifty dollars.

6 30 f. For failure to have proper carrier identification
6 31 markings under section 327B.1, the scheduled fine is fifty
6 32 dollars.

6 33 g. For failure to have proper evidence of interstate
6 34 authority carried or displayed under section 327B.1, and for
6 35 failure to register, carry, or display evidence that
7 1 interstate authority is not required under section 327B.1, the
7 2 scheduled fine is two hundred fifty dollars.

7 3 14. MISCELLANEOUS VIOLATIONS.

7 4 a. FAILURE TO OBEY A PEACE OFFICER. For a violation under
7 5 section 321.229, the scheduled fine is fifty dollars.

7 6 b. ABANDONING A MOTOR VEHICLE. For violation under
7 7 section 321.91, the scheduled fine is one hundred dollars.

7 8 c. SEAT BELT OR RESTRAINT VIOLATIONS.

7 9 (1) For a violation under section 321.445, the scheduled
7 10 fine is twenty-five dollars.

7 11 (2) For a violation under section 321.446, the scheduled
7 12 fine is fifty dollars.

7 13 d. LITTER AND DEBRIS VIOLATIONS. For violations under
7 14 sections 321.369 and 321.370, the scheduled fine is thirty-
7 15 five dollars.

7 16 e. OPEN CONTAINER VIOLATIONS. For violations under
7 17 sections 321.284 and 321.284A, the scheduled fine is one
7 18 hundred dollars.

7 19 f. PROOF OF FINANCIAL RESPONSIBILITY. If, in connection
7 20 with a motor vehicle accident, a person is charged and found
7 21 guilty of a violation of section 321.20B, subsection 1, the
7 22 scheduled fine is five hundred dollars, otherwise, the
7 23 scheduled fine for a violation of section 321.20B, subsection
7 24 1, is two hundred fifty dollars. Notwithstanding section
7 25 805.12, fines collected pursuant to this paragraph shall be
7 26 submitted to the state court administrator and distributed
7 27 fifty percent to the victim compensation fund established in
7 28 section 915.94, twenty-five percent to the county in which
7 29 such fine is imposed, and twenty-five percent to the general
7 30 fund of the state.

7 31 g. RADAR-JAMMING DEVICES. For a violation under section
7 32 321.232, the scheduled fine is one hundred dollars.

7 33 h. RAILROAD CROSSING VIOLATIONS.

7 34 (1) For violations under sections 321.341, 321.342,
7 35 321.343, and 321.344, the scheduled fine is one hundred
8 1 dollars.

8 2 (2) For a violation under section 321.344B, the scheduled
8 3 fine is two hundred fifty dollars.

8 4 i. ROAD WORK ZONE VIOLATIONS. The scheduled fine for any
8 5 moving traffic violation under chapter 321, as provided in
8 6 this section, shall be doubled if the violation occurs within
8 7 any road work zone, as defined in section 321.1.

8 8 Sec. 3. NEW SECTION. 805.8B NAVIGATION, RECREATION,
8 9 HUNTING, AND FISHING SCHEDULED VIOLATIONS.

8 10 1. NAVIGATION VIOLATIONS.

8 11 a. For violations of registration, inspections,
8 12 identification, and record provisions under sections 462A.5,

8 13 462A.35, and 462A.37, and for unused or improper or defective
8 14 lights and warning devices under section 462A.9, subsections
8 15 3, 4, 5, 9, and 10, the scheduled fine is ten dollars.

8 16 b. For violations of registration, identification, and
8 17 record provisions under sections 462A.4 and 462A.10, and for
8 18 unused or improper or defective equipment under section
8 19 462A.9, subsections 2, 6, 7, 8, and 13, and section 462A.11,
8 20 and for operation violations under sections 462A.26, 462A.31,
8 21 and 462A.33, the scheduled fine is twenty dollars.

8 22 c. For operating violations under sections 462A.12,
8 23 462A.15, subsection 1, sections 462A.24, and 462A.34, the
8 24 scheduled fine is twenty-five dollars. However, a violation
8 25 of section 462A.12, subsection 2, is not a scheduled
8 26 violation.

8 27 d. For violations of use, location, and storage of
8 28 vessels, devices, and structures under sections 462A.27,
8 29 462A.28, and 462A.32, the scheduled fine is fifteen dollars.

8 30 e. For violations of all subdivision ordinances under
8 31 section 462A.17, subsection 2, except those relating to
8 32 matters subject to regulation by authority of section 462A.31,
8 33 subsection 5, the scheduled fine is the same as prescribed for
8 34 similar violations of state law. For violations of
8 35 subdivision ordinances for which there is no comparable state
9 1 law, the scheduled fine is ten dollars.

9 2 2. SNOWMOBILE AND ALL-TERRAIN VEHICLE VIOLATIONS.

9 3 a. For registration violations under section 321G.3, the
9 4 scheduled fine is twenty dollars. When the scheduled fine is
9 5 paid, the violator shall submit sufficient proof that a valid
9 6 registration has been obtained.

9 7 b. For operating violations under section 321G.9,
9 8 subsections 1, 2, 3, 4, 5, and 7, sections 321G.11, and
9 9 321G.13, subsections 4 and 9, the scheduled fine is twenty
9 10 dollars.

9 11 c. For improper or defective equipment under section
9 12 321G.12, the scheduled fine is ten dollars.

9 13 d. For violations of section 321G.19, the scheduled fine
9 14 is fifteen dollars.

9 15 e. For identification violations under section 321G.5, the
9 16 scheduled fine is ten dollars.

9 17 3. HUNTING AND FISHING VIOLATIONS.

9 18 a. For violations of section 484A.2, the scheduled fine is
9 19 ten dollars.

9 20 b. For violations of sections 481A.54, 481A.69, 481A.71,
9 21 481A.72, 482.6, 483A.3, 483A.6, 483A.19, and 483A.27, the
9 22 scheduled fine is twenty dollars.

9 23 c. For violations of sections 481A.6, 481A.21, 481A.22,
9 24 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,
9 25 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections
9 26 482.7, 483A.7, 483A.8, 483A.23, and 483A.24, the scheduled
9 27 fine is twenty-five dollars.

9 28 d. For violations of sections 481A.7, 481A.24, 481A.47,
9 29 481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91,
9 30 481A.97, 481A.122, 481A.126, 481A.142, 481A.145, subsection 2,
9 31 sections 482.8, and 483A.37, the scheduled fine is fifty
9 32 dollars.

9 33 e. For violations of sections 481A.85, 481A.93, 481A.95,
9 34 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and 483A.42,
9 35 the scheduled fine is one hundred dollars.

10 1 f. For violations of section 481A.38 relating to the
10 2 taking, pursuing, killing, trapping or ensnaring, buying,
10 3 selling, possessing, or transporting any game, protected
10 4 nongame animals, fur-bearing animals, or fur or skin of the
10 5 animals, mussels, frogs, or fish or part of them, the
10 6 scheduled fines are as follows:

10 7 (1) For deer or turkey, the scheduled fine is one hundred
10 8 dollars.

10 9 (2) For protected nongame, the scheduled fine is one

10 10 hundred dollars.
10 11 (3) For mussels, frogs, spawn, or fish, the scheduled fine
10 12 is twenty-five dollars.
10 13 (4) For other game, the scheduled fine is fifty dollars.
10 14 (5) For fur-bearing animals, the scheduled fine is
10 15 seventy-five dollars.
10 16 g. For violations of section 481A.38 relating to an
10 17 attempt to take, pursue, kill, trap, buy, sell, possess, or
10 18 transport any game, protected nongame animals, fur-bearing
10 19 animals, or fur or skin of the animals, mussels, frogs, or
10 20 fish or part of them, the scheduled fines are as follows:
10 21 (1) For game or fur-bearing animals, the scheduled fine is
10 22 fifty dollars.
10 23 (2) For protected nongame, the scheduled fine is fifty
10 24 dollars.
10 25 (3) For mussels, frogs, spawn, or fish, the scheduled fine
10 26 is ten dollars.
10 27 h. For violations of section 481A.48 relating to
10 28 restrictions on game birds and animals, the scheduled fines
10 29 are as follows:
10 30 (1) Out-of-season, the scheduled fine is one hundred
10 31 dollars.
10 32 (2) Over limit, the scheduled fine is one hundred dollars.
10 33 (3) Attempt to take, the scheduled fine is fifty dollars.
10 34 (4) General waterfowl restrictions, the scheduled fine is
10 35 fifty dollars.
11 1 (a) No federal stamp, the scheduled fine is fifty dollars.
11 2 (b) Unplugged shotgun, the scheduled fine is ten dollars.
11 3 (c) Possession of other than steel shot, the scheduled
11 4 fine is twenty-five dollars.
11 5 (d) Early or late shooting, the scheduled fine is twenty-
11 6 five dollars.
11 7 (5) Possession of a prohibited pistol or revolver while
11 8 hunting deer, the scheduled fine is one hundred dollars.
11 9 i. For violations of section 481A.67 relating to general
11 10 violations of fishing laws, the scheduled fine is twenty-five
11 11 dollars.
11 12 (1) For over limit catch, the scheduled fine is thirty
11 13 dollars.
11 14 (2) For under minimum length or weight, the scheduled fine
11 15 is twenty dollars.
11 16 (3) For out-of-season fishing, the scheduled fine is fifty
11 17 dollars.
11 18 j. For violations of section 481A.73 relating to trotlines
11 19 and throwlines:
11 20 (1) For trotline or throwline violations in legal waters,
11 21 the scheduled fine is twenty-five dollars.
11 22 (2) For trotline or throwline violations in illegal
11 23 waters, the scheduled fine is fifty dollars.
11 24 k. For violations of section 481A.144, subsection 4, or
11 25 section 481A.145, subsections 4, 5, and 6, relating to
11 26 minnows:
11 27 (1) For general minnow violations, the scheduled fine is
11 28 twenty-five dollars.
11 29 (2) For commercial purposes, the scheduled fine is fifty
11 30 dollars.
11 31 l. For violations of section 481A.87 relating to the
11 32 taking or possessing of fur-bearing animals out of season:
11 33 (1) For red fox, gray fox, or mink, the scheduled fine is
11 34 one hundred dollars.
11 35 (2) For all other furbearers, the scheduled fine is fifty
12 1 dollars.
12 2 m. For violations of section 482.4 relating to gear tags:
12 3 (1) For commercial license violations, the scheduled fine
12 4 is one hundred dollars.
12 5 (2) For no gear tags, the scheduled fine is twenty-five
12 6 dollars.

12 7 n. For violations of section 482.11 relating to turtles:
12 8 (1) For commercial turtle violations, the scheduled fine
12 9 is one hundred dollars.
12 10 (2) For sport turtle violations, the scheduled fine is
12 11 fifty dollars.
12 12 o. For violations of section 482.12 relating to mussels:
12 13 (1) For commercial mussel violations, the scheduled fine
12 14 is one hundred dollars.
12 15 (2) For sport mussel violations, the scheduled fine is
12 16 fifty dollars.
12 17 p. For violations of section 483A.1 relating to licenses
12 18 and permits, the scheduled fines are as follows:
12 19 (1) For a license or permit costing ten dollars or less,
12 20 the scheduled fine is twenty dollars.
12 21 (2) For a license or permit costing more than ten dollars
12 22 but not more than twenty dollars, the scheduled fine is thirty
12 23 dollars.
12 24 (3) For a license or permit costing more than twenty
12 25 dollars but not more than forty dollars, the scheduled fine is
12 26 fifty dollars.
12 27 (4) For a license or permit costing more than forty
12 28 dollars but not more than fifty dollars, the scheduled fine is
12 29 seventy dollars.
12 30 (5) For a license or permit costing more than fifty
12 31 dollars, the scheduled fine is one hundred dollars.
12 32 q. For violations of section 483A.26 relating to false
12 33 claims for licenses:
12 34 (1) For making a false claim for a license by a resident,
12 35 the scheduled fine is fifty dollars.
13 1 (2) For making a false claim for a license by a
13 2 nonresident, the scheduled fine is one hundred dollars.
13 3 r. For violations of section 483A.36 relating to the
13 4 conveyance of guns:
13 5 (1) For conveying an assembled, unloaded gun, the
13 6 scheduled fine is twenty-five dollars.
13 7 (2) For conveying a loaded gun, the scheduled fine is
13 8 fifty dollars.
13 9 4. GINSENG VIOLATIONS. For a violation of section
13 10 456A.24, subsection 11, the scheduled fine is one hundred
13 11 dollars.
13 12 5. EURASIAN WATER MILFOIL VIOLATIONS. For violations of
13 13 section 456A.37, subsection 5, the scheduled fine is one
13 14 hundred dollars.
13 15 6. MISUSE OF PARKS AND PRESERVES.
13 16 a. For violations under sections 461A.39, 461A.45, and
13 17 461A.50, the scheduled fine is ten dollars.
13 18 b. For violations under sections 461A.40, 461A.43,
13 19 461A.46, and 461A.49, the scheduled fine is fifteen dollars.
13 20 c. For violations of section 461A.44, the scheduled fine
13 21 is fifty dollars.
13 22 d. For violations of section 461A.48, the scheduled fine
13 23 is twenty-five dollars.
13 24 Sec. 4. NEW SECTION. 805.8C MISCELLANEOUS SCHEDULED
13 25 VIOLATIONS.
13 26 1. ENERGY EMERGENCY VIOLATIONS. For violations of an
13 27 executive order issued by the governor under the provisions of
13 28 section 473.8, the scheduled fine is fifty dollars.
13 29 2. ALCOHOLIC BEVERAGE VIOLATIONS.
13 30 For violations of section 123.49, subsection 2, paragraph
13 31 "h", the scheduled fine for a licensee or permittee is one
13 32 thousand five hundred dollars, and the scheduled fine for a
13 33 person who is employed by a licensee or permittee is five
13 34 hundred dollars.
13 35 3. SMOKING VIOLATIONS.
14 1 a. For violations of section 142B.6, the scheduled fine is
14 2 twenty-five dollars, and is a civil penalty, and the criminal
14 3 penalty surcharge under section 911.2 shall not be added to

14 4 the penalty, and the court costs pursuant to section 805.9,
14 5 subsection 6, shall not be imposed. If the civil penalty
14 6 assessed for a violation of section 142B.6 is not paid in a
14 7 timely manner, a citation shall be issued for the violation in
14 8 the manner provided in section 804.1. However, a person under
14 9 age eighteen shall not be detained in a secure facility for
14 10 failure to pay the civil penalty. The complainant shall not
14 11 be charged a filing fee.

14 12 b. For violations of section 453A.2, subsection 1, by an
14 13 employee of a retailer, the scheduled fine is as follows:

14 14 (1) If the violation is a first offense, the scheduled
14 15 fine is one hundred dollars.

14 16 (2) If the violation is a second offense, the scheduled
14 17 fine is two hundred fifty dollars.

14 18 (3) If the violation is a third or subsequent offense, the
14 19 scheduled fine is five hundred dollars.

14 20 c. For violations of section 453A.2, subsection 2, the
14 21 scheduled fine is as follows and is a civil penalty, and the
14 22 criminal penalty surcharge under section 911.2 shall not be
14 23 added to the penalty, and the court costs pursuant to section
14 24 805.9, subsection 6, shall not be imposed:

14 25 (1) If the violation is a first offense, the scheduled
14 26 fine is fifty dollars.

14 27 (2) If the violation is a second offense, the scheduled
14 28 fine is one hundred dollars.

14 29 (3) If the violation is a third or subsequent offense, the
14 30 scheduled fine is two hundred fifty dollars.

14 31 Sec. 5. CODE EDITOR DIRECTIONS. The Code editor shall
14 32 make any necessary changes to the Code in order to conform any
14 33 provisions of the Code with this Act.

14 34 EXPLANATION

14 35 This bill makes changes to scheduled fine amounts and
15 1 reorganizes Code section 805.8 relating to scheduled fines.
15 2 The bill separates Code section 805.8 into three new sections
15 3 805.8A (motor vehicle and transportation-related offenses),
15 4 805.8B (navigation, recreation, hunting, and fishing
15 5 offenses), and 805.8C (miscellaneous offenses). The bill does
15 6 not change any scheduled fine amounts for offenses moved to
15 7 new Code sections 805.8B and 805.8C, the offenses were merely
15 8 reorganized from Code section 805.8 into the new Code
15 9 sections. The bill does, however, change certain scheduled
15 10 fine amounts in new Code section 805.8A which relate to motor
15 11 vehicle and transportation offenses. (Only one offense was
15 12 moved from the recreation to the transportation offenses, that
15 13 being the improper operation of an all-terrain vehicle, with a
15 14 fine decrease from \$100 to \$50.) A scheduled violation is a
15 15 simple misdemeanor that allows a defendant to pay a fixed fine
15 16 amount plus court costs and surcharge without ever making a
15 17 formal court appearance.

15 18 PARKING VIOLATIONS. The bill increases a parking fine from
15 19 \$5 to \$10 under Code sections 321.236, 321.239, 321.358,
15 20 321.360, and 321.361. The bill increases the maximum parking
15 21 fine amount if the fine is not paid after 30 days from \$10 to
15 22 \$15. The unsecured appearance bond required for a parking
15 23 violation is also increased from \$5 to \$10.

15 24 The bill changes a violation under Code section 321L.3
15 25 (retuning of persons with disabilities parking permit) and
15 26 321L.7 (failure to provide persons with disabilities parking
15 27 spaces), from a simple misdemeanor to a simple misdemeanor
15 28 punishable as a scheduled violation, but the fine amount
15 29 remains at \$100.

15 30 REGISTRATION AND TITLE VIOLATIONS. The bill increases the
15 31 fine amount from \$5 to \$10 for the following offenses:
15 32 failure to carry a registration card (321.32); miscellaneous
15 33 registration violations (321.34); failure to properly display
15 34 plates (321.37); failure to properly maintain plates (321.38);
15 35 and failure to give notice of name or address or special fuel

16 1 change (321.41). The bill increases the fine amount from \$20
16 2 to \$30 for the following offenses: operating a vehicle that
16 3 is not properly registered (321.17); failure to have required
16 4 registration and financial liability coverage if doing
16 5 business in the state (321.55); operating or allowing to
16 6 operate without registration (321.98). The bill decreases the
16 7 fine amount from \$100 to \$30 for the following offenses:
16 8 transfers of title by operation of law (321.47); and antique
16 9 car registration violations (321.115). The bill also
16 10 decreases the fine amount from \$100 to \$50 under Code section
16 11 321.57 for failure to have proper plates by a manufacturer or
16 12 dealer.

16 13 EQUIPMENT VIOLATIONS. The bill decreases the fine amount
16 14 from \$20 to \$10 under Code section 321.386 for failure to have
16 15 or to comply with motorcycle headlight provisions. The bill
16 16 increases the fine amount from \$10 to \$15 under Code section
16 17 321.438, subsections 1 and 3, for failure to maintain certain
16 18 windshield requirements. The bill decreases the fine amount
16 19 from \$100 to \$20 for the following offense: special
16 20 restrictions on lamps (321.421). The bill increases the fine
16 21 amount from \$25 to \$50 under Code section 321.381 for movement
16 22 of unsafe or improperly equipped vehicles. The bill decreases
16 23 the fine amount from \$100 to \$50 under Code section 321.247
16 24 for improper operation of a golf cart, and Code section
16 25 321.234A, for improper operation of an all-terrain vehicle.
16 26 The bill changes the penalty under Code section 321.381A
16 27 (operation of a low-speed vehicle) from a simple misdemeanor
16 28 to a simple misdemeanor punishable as a scheduled violation in
16 29 the amount of \$50. The bill increases the fine amount from
16 30 \$20 to \$50 under Code section 321.430 for defective or
16 31 improperly used brakes.

16 32 DRIVER'S LICENSE VIOLATIONS. The bill increases the fine
16 33 from \$20 to \$30 for the following offenses: operating with an
16 34 expired license (321.174A); instruction permit violations
16 35 (321.180); graduated driver's license violations (321.180B);
17 1 violations of restrictions placed on license (321.193); and
17 2 violations of a school permit (321.194). The bill increases
17 3 the fine amount from \$75 to \$100 under Code section 321.216
17 4 for unlawful use of a driver's license or nonoperator
17 5 identification card. The bill makes Code section 321.216B
17 6 (use of driver's license or nonoperator identification card to
17 7 unlawfully obtain alcohol) a scheduled violation punishable by
17 8 a \$100 fine. The bill also makes Code section 321.216C (use
17 9 of driver's license or nonoperator identification card to
17 10 unlawfully obtain tobacco products) a scheduled violation
17 11 punishable by a fine of \$100.

17 12 SPEED VIOLATIONS IN SPEED ZONES OF FIFTY-FIVE MILES OR LESS
17 13 PER HOUR. The bill increases the fine amount in the following
17 14 manner: if the vehicle is in excess of the posted speed of
17 15 greater than 5 but not more than 10 miles per hour, the fine
17 16 increases from \$20 to \$30; if the vehicle is in excess of the
17 17 posted speed of greater than 10 but not more than 15 miles per
17 18 hour, the fine increases from \$30 to \$50; if the vehicle is in
17 19 excess of the posted speed of greater than 15 but not more
17 20 than 20 miles per hour, the fine increases from \$40 to \$70;
17 21 and if the vehicle is in excess of 20 miles per hour over the
17 22 posted speed, the fine increases from \$40 to \$70, and the
17 23 incremental fine amount for each mile per hour over 20 miles
17 24 per hour increases from \$2 per mile per hour to \$5 per mile
17 25 per hour, which is in addition to the \$70 fine.

17 26 SPEED VIOLATIONS IN SPEED ZONES GREATER THAN FIFTY-FIVE
17 27 MILES PER HOUR. The bill increases the fine amount for
17 28 speeding in the following manner: if the vehicle is in excess
17 29 of the posted speed of greater than 5 but not more than 10
17 30 miles per hour, the fine increases from \$20 to \$30; if the
17 31 vehicle is in excess of the posted speed of greater than 10
17 32 but not more than 15 miles per hour, the fine increases from

17 33 \$40 to \$60; and if the vehicle is in excess of the posted
17 34 speed of greater than 15 but not more than 20 miles per hour,
17 35 the fine increases from \$60 to \$90, and the incremental fine
18 1 amount for each mile per hour over 20 miles per hour increases
18 2 from \$2 per mile per hour to \$5 per mile per hour, which is in
18 3 addition to the \$90 fine.

18 4 SPEED VIOLATIONS ON A BRIGDE. The bill increases the fine
18 5 amount under Code section 321.295 from \$15 to \$30.

18 6 OPERATING VIOLATIONS. The bill increases the fine amount
18 7 from \$15 to \$20 under Code section 321.236, subsections 3, 4,
18 8 9, and 12, which pertain to local parking ordinances
18 9 (designated one-ways, snow routes, U-turns, and processions).
18 10 The bill increases the fine amount from \$15 to \$25 for the
18 11 following offenses: motorcycle violations (321.275,
18 12 subsections 1 through 7); failure to give continuous turn
18 13 signal (321.315); failure to stop or suddenly decreasing speed
18 14 (321.316); incorrect hand signal (321.318); driving with
18 15 obstructed view or control (321.363); and coasting on a
18 16 downgrade (321.365). The bill increases the fine amount from
18 17 \$20 to \$50 under Code section 321.288 for failure to maintain
18 18 control. The bill increases the fine amount from \$15 to \$50
18 19 for the following offenses: for driving on wrong side of the
18 20 highway (321.297); passing on wrong side of road (321.299);
18 21 unsafe passing (321.303); passing too near a bridge,
18 22 intersection, or railroad crossing (321.304, subsections 1 and
18 23 2); violating one-way traffic designation (321.305); improper
18 24 use of lanes (321.306); turning from improper lane (321.111);
18 25 making unsafe U-turn (321.312); unsafe turn or failure to give
18 26 signal (321.314); unsafe backing on highway (321.323); driving
18 27 in or through a safety zone (321.340); unsafe entry onto
18 28 sidewalk or road (321.353); stopping on traveled portion of
18 29 highway (321.354); and parking on certain roads without
18 30 activating parking lights (321.395). The bill decreases the
18 31 fine amount from \$100 to \$50 for the following offenses:
18 32 overtaking on right (321.302); and acts prohibited on fully
18 33 controlled-access roads (321.366).

18 34 FAILURE TO YIELD VIOLATIONS. The bill increases the fine
18 35 amount from \$20 to \$50 for the following offenses: various
19 1 failure to yield violations (321.257, subsection 2); failure
19 2 to yield half of road (321.298); following too closely
19 3 (321.307); following too closely by motor trucks or towing
19 4 vehicles (321.308); unsafe starting of a stopped vehicle
19 5 (321.313); failure to yield to vehicle on the right (321.319);
19 6 failure to yield upon left turn (321.320); failure to yield
19 7 upon entering a highway (321.321); failure to yield to
19 8 pedestrian (321.329); and failure to yield to blind person
19 9 (321.333). The bill decreases the fine amount from \$100 to
19 10 \$50 under Code section 321.327 for violation of a pedestrian's
19 11 right-of-way.

19 12 TRAFFIC SIGN OR SIGNAL VIOLATIONS. The bill increases the
19 13 fine amount from \$20 to \$50 for the following offenses:
19 14 failure to comply with lawful order of a police officer
19 15 (321.229); local traffic ordinances (321.236, subsections 2
19 16 and 6); failure to obey traffic control device (321.256);
19 17 various offenses for failure to respond to a traffic control
19 18 device (321.257, subsection 2); failure to maintain minimum
19 19 speed when directed by police officer (321.294); violation of
19 20 posted highway signs which direct traffic (321.304, subsection
19 21 3); and failure to obey a stop or yield sign (321.322).

19 22 BICYCLE OR PEDESTRIAN VIOLATIONS. The bill increases the
19 23 fine amount from \$10 to \$15 for the following offenses:
19 24 bicycle rider not riding on proper seat or too many persons on
19 25 bicycle (321.234, subsections 3 and 4); local authority
19 26 regulation of bicycles (321.236, subsection 10); failure by
19 27 pedestrian or bicycle rider to obey walk light (321.257,
19 28 subsection 2); failure by pedestrian to obey traffic control
19 29 device (321.325); pedestrian walking on wrong side of highway

19 30 (321.326); pedestrian failure to use crosswalk (321.328);
19 31 soliciting rides from within roadway (321.331); unlawful use
19 32 of white cane (331.332); improper light on bicycle (321.397);
19 33 and use of siren or whistle on a bicycle (321.434). The bill
19 34 increases the fine from \$5 to \$15 under Code section 321.275,
19 35 subsection 8, for failure to display bicycle safety flag.

20 1 SCHOOL BUS VIOLATIONS. The bill increases the fine from
20 2 \$25 to \$35 for violations by a school bus driver under Code
20 3 sections 321.285 and 321.372, subsections 1 and 2.

20 4 EMERGENCY VEHICLE VIOLATIONS. The bill increases the fine
20 5 from \$10 to \$35 for a violation under Code section 321.231 for
20 6 failure of a driver of an emergency vehicle to exercise
20 7 caution. The bill increases the fine from \$20 to \$35 for
20 8 failure to maintain distance from a fire-fighting vehicle
20 9 under Code section 321.367. The bill increases the fine from
20 10 \$15 to \$35 for crossing an unprotected firehouse under Code
20 11 section 321.368. The bill increases the fine from \$25 to \$100
20 12 for failure to yield to an emergency vehicle under Code
20 13 section 321.324.

20 14 RESTRICTIONS ON VEHICLES. The bill increases the fine
20 15 amount from \$25 to \$100 for the following offenses: width and
20 16 length violations (321.454); excess side projection of load
20 17 passenger vehicle (321.455); excess height (321.456); excess
20 18 length (321.457); and excess projection from front of the
20 19 vehicle (321.458).

20 20 MOTOR CARRIER VIOLATIONS. The bill increases the fine from
20 21 \$50 to \$100 for the following offenses: improper hauling food
20 22 intended for human consumption (321.364), and hazardous
20 23 material transportation (321.450). The bill increases the
20 24 fine from \$15 to \$50 for failure to have proper carrier
20 25 identification markings under Code section 327B.1. The bill
20 26 increases the fine from \$100 to \$250 for the following
20 27 offenses under Code section 327B.1, failure to have proper
20 28 evidence of interstate authority carried or displayed, and
20 29 failure to register, carry, or display evidence that
20 30 interstate authority is not required.

20 31 LITTER AND DEBRIS VIOLATIONS. The bill increases the fine
20 32 from \$25 to \$35 for the following offenses: for littering
20 33 (321.369), and for failing to remove debris from the highway
20 34 (321.370).

20 35 SEAT BELT VIOLATIONS. The bill increases the fine from \$10
21 1 to \$25 under Code section 321.445 for failing to wear a seat
21 2 belt. The bill increases the fine from \$10 to \$50 under Code
21 3 section 321.446 for failing to secure a child in a vehicle.

21 4 OPEN CONTAINER VIOLATION. The bill increases the fine from
21 5 \$50 to \$100 under Code sections 321.284 and 321.284A relating
21 6 to open containers in a motor vehicle.

21 7 RADAR-JAMMING DEVICES. The bill increases the fine from
21 8 \$10 to \$100 under Code section 321.232 relating to use of
21 9 radar-jamming devices.

21 10 RAILROAD CROSSINGS. The bill increases the fine from \$200
21 11 to \$250 under Code section 321.344B if a vehicle improperly
21 12 crosses a railroad crossing and the violation creates an
21 13 immediate threat to the safety of a person or property.

21 14 CODE EDITING. The bill will require numerous internal
21 15 reference changes before enactment.

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