

FEB 14 2003

JUDICIARY

HOUSE FILE 205

BY S. OLSON

Passed House, Date _____ Passed Senate, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to salvage theft examination fees.

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

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HF 205

1 Section 1. Section 321.52, subsection 4, paragraph c,
2 unnumbered paragraph 1, Code 2003, is amended to read as
3 follows:

4 A salvage theft examination shall be made by a peace
5 officer who has been specially certified and recertified when
6 required by the Iowa law enforcement academy to do salvage
7 theft examinations. The Iowa law enforcement academy shall
8 determine standards for training and certification, conduct
9 training, and may approve alternative training programs which
10 that satisfy the academy's standards for training and
11 certification. The owner of the salvage vehicle shall make
12 the vehicle available for examination at a time and location
13 designated by the peace officer doing the examination. The
14 owner may obtain a permit to drive the vehicle to and from the
15 examination location by submitting a repair affidavit to the
16 agency performing the examination stating that the vehicle is
17 reasonably safe for operation and listing the repairs which
18 have been made to the vehicle. The owner must be present for
19 the examination and have available for inspection the salvage
20 title, bills of sale for all essential parts changed, and the
21 repair affidavit. The examination shall be for the purposes
22 of determining whether the vehicle or repair components have
23 been stolen. The examination is not a safety inspection and a
24 signed salvage theft examination certificate shall not be
25 construed by any court of law to be a certification that the
26 vehicle is safe to be operated. There shall be no cause of
27 action against the peace officer or the agency conducting the
28 examination or the county treasurer for failure to discover or
29 note safety defects. If the vehicle passes the theft
30 examination, the peace officer shall indicate that the vehicle
31 passed examination on the salvage theft examination
32 certificate. The permit and salvage theft examination
33 certificate shall be on controlled forms prescribed and
34 furnished by the department. The owner shall pay a fee of
35 thirty fifty dollars upon completion of the examination. The

1 agency performing the examinations shall retain ~~twenty~~ forty
2 dollars of the fee and shall pay five dollars of the fee to
3 the department and five dollars of the fee to the treasurer of
4 state for deposit in the general fund of the state. Moneys
5 deposited to the general fund under this paragraph are subject
6 to the requirements of section 8.60 and shall be used by the
7 Iowa law enforcement academy to provide for the special
8 training, certification, and recertification of officers as
9 required by this subsection.

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EXPLANATION

This bill increases the fee an owner of a salvage vehicle must pay for a salvage theft examination conducted by a specially certified peace officer from \$30 to \$50. The agency performing the examination is to keep \$40 of the fee rather than \$20. The Code provides that the owner of a salvage vehicle must present a properly executed salvage theft examination certificate showing that the vehicle and none of its repair components have been stolen in order to receive a regular certificate of title.