

JAN 27 2003
Place On Calendar

HOUSE FILE 66
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 7)

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

A BILL FOR

1 An Act requiring motor vehicle operators to take certain
2 precautions when passing stationary utility maintenance
3 vehicles and making a penalty applicable.

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

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HF 66

HOUSE FILE 66

H-1006

- 1 Amend House File 66 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "vehicle," the following: "a stationary municipal
- 4 maintenance vehicle,".
- 5 2. Page 1, line 11, by inserting after the words
- 6 "utility maintenance," the following: "municipal
- 7 maintenance,".
- 8 3. Title page, line 2, by inserting after the
- 9 word "maintenance" the following: "or municipal
- 10 maintenance".
- 11 4. By renumbering as necessary.

By TJEPKES of Webster

H-1006 FILED JANUARY 28, 2003

Adopted

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1 Section 1. Section 321.323A, subsection 2, Code 2003, is
2 amended to read as follows:

3 2. The operator of a motor vehicle approaching a
4 stationary towing or recovery vehicle, a stationary utility
5 maintenance vehicle, or a stationary highway maintenance
6 vehicle, that is displaying flashing yellow, amber, or red
7 lights, shall approach the vehicle with due caution and shall
8 proceed in one of the following manners, absent any other
9 direction by a peace officer:

10 a. Make a lane change into a lane not adjacent to the
11 towing, recovery, utility maintenance, or highway maintenance
12 vehicle if possible in the existing safety and traffic
13 conditions.

14 b. If a lane change under paragraph "a" would be
15 impossible, prohibited by law, or unsafe, reduce the speed of
16 the motor vehicle to a reasonable and proper speed for the
17 existing road and traffic conditions, which speed shall be
18 less than the posted speed limit, and be prepared to stop.

19 EXPLANATION

20 This bill amends Code section 321.323A by requiring that
21 motor vehicle operators take certain precautions when
22 approaching a stationary utility maintenance vehicle
23 displaying flashing yellow, amber, or red lights. Absent any
24 other direction by a peace officer, the motor vehicle operator
25 is to make a lane change if possible, or if a lane change
26 would be impossible, prohibited by law, or unsafe, reduce
27 speed below the posted limit and be prepared to stop.

28 A violation of this requirement is a simple misdemeanor
29 punishable by a scheduled fine of \$50.

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HOUSE FILE 66
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 7)

(As Amended and Passed by the House February 3, 2003)

Passed House, Date Passed - ~~2/10~~ 2/10/03 Passed Senate, Date Passed Hab
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 3/5/03

A BILL FOR

1 An Act requiring motor vehicle operators to take certain
2 precautions when passing stationary utility maintenance or
3 municipal maintenance vehicles and making a penalty
4 applicable.

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

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House Amendments _____

HF 66

1 Section 1. Section 321.323A, subsection 2, Code 2003, is
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10 peace officer:

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12 towing, recovery, utility maintenance, municipal maintenance,
13 or highway maintenance vehicle if possible in the existing
14 safety and traffic conditions.

15 b. If a lane change under paragraph "a" would be
16 impossible, prohibited by law, or unsafe, reduce the speed of
17 the motor vehicle to a reasonable and proper speed for the
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Tjepkes, chair
Klemme
Bell

Success: d By
SF. 066 -

HSB 7
PUBLIC SAFETY

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

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

A BILL FOR

1 An Act requiring motor vehicle operators to take certain
2 precautions when passing stationary utility maintenance
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HOUSE FILE 66

AN ACT

REQUIRING MOTOR VEHICLE OPERATORS TO TAKE CERTAIN PRECAUTIONS
WHEN PASSING STATIONARY UTILITY MAINTENANCE OR MUNICIPAL
MAINTENANCE VEHICLES AND MAKING A PENALTY APPLICABLE.

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

Section 1. Section 321.323A, subsection 2, Code 2003, is amended to read as follows:

2. The operator of a motor vehicle approaching a stationary towing or recovery vehicle, a stationary utility maintenance vehicle, a stationary municipal maintenance vehicle, or a stationary highway maintenance vehicle, that is displaying flashing yellow, amber, or red lights, shall approach the vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

a. Make a lane change into a lane not adjacent to the towing, recovery, utility maintenance, municipal maintenance, or highway maintenance vehicle if possible in the existing safety and traffic conditions.

b. If a lane change under paragraph "a" would be impossible, prohibited by law, or unsafe, reduce the speed of

the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

CHRISTOPHER C. RANTS
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 66, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor