

JAN 1 1 2005  
TRANSPORTATION

HOUSE FILE 35  
BY SHOULTZ

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

**A BILL FOR**

1 An Act establishing motor vehicle registration fees for certain  
2 motor trucks and farm pickup trucks and making appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 35

1 Section 1. Section 321.1, Code 2005, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 23A. "Farm pickup truck" means a motor  
4 truck with an unladen weight of seven thousand pounds or less  
5 owned by a person engaged in farming and used for purposes of  
6 the owner's farming operations or to assist with another  
7 person's farming operations.

8 Sec. 2. Section 321.109, subsection 1, unnumbered  
9 paragraph 1, Code 2005, is amended to read as follows:

10 The annual fee for all motor vehicles including vehicles  
11 designated by manufacturers as station wagons, ~~and~~ 1993 and  
12 subsequent model years for multipurpose vehicles, and 2006 and  
13 subsequent model year motor trucks with an unladen weight of  
14 seven thousand pounds or less, except motor trucks registered  
15 pursuant to section 321.120, 321.121, or 321.122, motor homes,  
16 ambulances, hearses, motorcycles, motor bicycles, and 1992 and  
17 older model years for multipurpose vehicles, shall be equal to  
18 one percent of the value as fixed by the department plus forty  
19 cents for each one hundred pounds or fraction thereof of  
20 weight of vehicle, as fixed by the department. The weight of  
21 a motor vehicle, fixed by the department for registration  
22 purposes, shall include the weight of a battery, heater,  
23 bumpers, spare tire, and wheel. Provided, however, that for  
24 any new vehicle purchased in this state by a nonresident for  
25 removal to the nonresident's state of residence the purchaser  
26 may make application to the county treasurer in the county of  
27 purchase for a transit plate for which a fee of ten dollars  
28 shall be paid. And provided, however, that for any used  
29 vehicle held by a registered dealer and not currently  
30 registered in this state, or for any vehicle held by an  
31 individual and currently registered in this state, when  
32 purchased in this state by a nonresident for removal to the  
33 nonresident's state of residence, the purchaser may make  
34 application to the county treasurer in the county of purchase  
35 for a transit plate for which a fee of three dollars shall be

1 paid. The county treasurer shall issue a nontransferable  
2 certificate of registration for which no refund shall be  
3 allowed; and the transit plates shall be void thirty days  
4 after issuance. Such purchaser may apply for a certificate of  
5 title by surrendering the manufacturer's or importer's  
6 certificate or certificate of title, duly assigned as provided  
7 in this chapter. In this event, the treasurer in the county  
8 of purchase shall, when satisfied with the genuineness and  
9 regularity of the application, and upon payment of a fee of  
10 ten dollars, issue a certificate of title in the name and  
11 address of the nonresident purchaser delivering the same to  
12 the person entitled to the title as provided in this chapter.  
13 The application requirements of section 321.20 apply to a  
14 title issued as provided in this subsection, except that a  
15 natural person who applies for a certificate of title shall  
16 provide either the person's social security number, passport  
17 number, or driver's license number, whether the license was  
18 issued by this state, another state, or another country. The  
19 provisions of this subsection relating to multipurpose  
20 vehicles are effective January 1, 1993, for all 1993 and  
21 subsequent model years. The annual registration fee for  
22 multipurpose vehicles that are 1992 model years and older  
23 shall be in accordance with section 321.124.

24 Sec. 3. NEW SECTION. 321.120 FARM PICKUP TRUCKS.

25 1. The annual registration fee for a farm pickup truck  
26 shall be computed pursuant to section 321.122, subsection 1,  
27 paragraph "a" or "b".

28 2. Upon application for a new registration or a renewal,  
29 an owner who registers a vehicle as a farm pickup truck may be  
30 required to show a copy of a schedule F form filed by the  
31 owner in the previous year for federal income tax purposes or  
32 other proof that the owner is engaged in farming pursuant to  
33 rules adopted by the department. If the department determines  
34 by audit or other means that a person who has registered a  
35 vehicle as a farm pickup truck does not qualify for the

1 registration, the person may be required to pay regular  
2 registration fees pursuant to section 321.109 in addition to  
3 any other penalty or sanction imposed by law.

4 Sec. 4. Section 321.122, subsection 1, unnumbered  
5 paragraph 1, Code 2005, is amended to read as follows:

6 The annual registration fee for truck tractors, road  
7 tractors, and motor trucks, except 2006 model year or newer  
8 motor trucks other than farm pickup trucks with an unladen  
9 weight of seven thousand pounds or less and motor trucks  
10 registered as special trucks, shall be based on the combined  
11 gross weight of the vehicle or combination of vehicles. All  
12 trucks, truck tractors, or road tractors registered under this  
13 section shall be registered for a gross weight equal to or in  
14 excess of the unladen weight of the vehicle or combination of  
15 vehicles. The annual registration ~~fee~~ fees for such vehicles  
16 or combination of vehicles, except special trucks, ~~shall be~~  
17 are as follows:

18 Sec. 5. NEW SECTION. 321.122A APPROPRIATION -- SCHOOL  
19 AND SENIORS TRANSPORTATION.

20 Beginning in January 2006, the department shall calculate  
21 monthly, from the total fees received from the registration of  
22 motor trucks under section 321.109, the amount that is in  
23 excess of the amount that would have been received for  
24 registration of those same motor trucks under section 321.122,  
25 Code 2005. Notwithstanding section 423.43, and prior to the  
26 crediting of revenues to the road use tax fund under section  
27 423.43, subsection 1, paragraph "b", the treasurer of state  
28 shall transfer monthly from those revenues to the general fund  
29 of the state the amount of excess registration fees calculated  
30 under this section and collected in the previous month. One-  
31 half of the moneys so transferred is appropriated to the  
32 department of education for support of the school  
33 transportation system. The remaining moneys are appropriated  
34 to the department of elder affairs, to be disbursed at the  
35 county level, through the area agencies on aging, to support

1 local transportation services for seniors. Notwithstanding  
2 section 8.33, moneys transferred and appropriated under this  
3 section shall not revert to the general fund of the state.

4 EXPLANATION

5 This bill changes the motor vehicle registration fees for  
6 model year 2006 and newer motor trucks with an unladen weight  
7 of 7,000 pounds or less, except farm pickup trucks, from fixed  
8 rate fees to fees based on vehicle weight and value. A truck  
9 currently subject to a flat fee based on combined gross weight  
10 will continue to be registered for the flat fee.

11 The bill defines "farm pickup truck" and provides that both  
12 current owners and new owners of farm pickup trucks will  
13 continue to pay the flat fee. An applicant for registration  
14 of a farm pickup truck may be asked to provide proof that the  
15 applicant is engaged in farming to qualify for the farm pickup  
16 truck registration rate. A copy of a schedule F form filed by  
17 the applicant for federal income tax purposes is satisfactory  
18 evidence that a person is engaged in farming. If an owner who  
19 has registered a vehicle as a farm pickup truck is found to be  
20 unqualified for the farm pickup truck registration rate, the  
21 owner may be required to pay regular registration fees in  
22 addition to any other penalties allowed by law.

23 The bill directs the state department of transportation to  
24 calculate monthly the excess revenues derived from registering  
25 motor trucks with an unladen weight of 7,000 pounds or less  
26 under the weight and value fee system rather than the current  
27 flat fee system. An amount equal to one-half of those excess  
28 revenues is appropriated to the department of education, from  
29 motor vehicle use tax revenues, for support of the school  
30 transportation system. The remaining revenues are  
31 appropriated to the department of elder affairs, to be  
32 distributed to counties through the area agencies on aging for  
33 support of local transportation services for seniors.

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