

MAR 1 1 2005  
Place On Calendar

HOUSE FILE 717  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 62)

Passed House, Date 3-16-05 Passed Senate, Date 4-12-05  
Vote: Ayes 98 Nays 0 Vote: Ayes 49 Nays 0  
Approved 4-27-05

**A BILL FOR**

1 An Act prohibiting the unauthorized sale, ownership, possession,  
2 or use of traffic signal preemption devices and providing a  
3 penalty.

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

HF 717

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1 Section 1. Section 321.260, Code 2005, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 3. a. A person shall not sell, own,  
4 possess, or use a traffic signal preemption device except as  
5 permitted in connection with the lawful operation of an  
6 authorized emergency vehicle as defined in section 321.1 or as  
7 otherwise authorized by the jurisdiction owning and operating  
8 an official traffic control signal. A person who is convicted  
9 of the unauthorized sale, ownership, possession, or use of a  
10 traffic signal preemption device is guilty of a simple  
11 misdemeanor. In addition to any other penalties, the  
12 punishment imposed for a violation under this subsection shall  
13 include assessment of a fine of not less than two hundred  
14 fifty dollars, and if the violation involves the unauthorized  
15 use of a traffic signal preemption device, the person may also  
16 be required to complete community service.

17 b. For purposes of this subsection, "traffic signal  
18 preemption device" means a device that, when activated, is  
19 capable of changing an official traffic control signal to  
20 green out of sequence.

21 EXPLANATION

22 This bill makes it unlawful to sell, own, possess, or use a  
23 traffic signal preemption device except in connection with the  
24 use of an authorized emergency vehicle or as authorized by the  
25 jurisdiction that owns and operates an official traffic  
26 control signal. The bill defines "traffic signal preemption  
27 device" as a device that can change a traffic control signal  
28 to green out of sequence.

29 The penalty for a violation is a simple misdemeanor, which  
30 is punishable by a fine of up to \$500 or 30 days'  
31 imprisonment, or both. The bill specifies that the penalty  
32 shall include, at a minimum, a fine of \$250. In addition, if  
33 the violation is for unauthorized use of a traffic signal  
34 preemption device, the person may also be required to perform  
35 community service.

S-3111

- 1 Amend House File 717, as passed by the House, as  
2 follows:
- 3 1. Page 1, by inserting before line 1, the  
4 following:
- 5 "Section 1. Section 321.232, subsection 4, Code  
6 2005, is amended to read as follows:
- 7 4. For the purposes of this section "radar jamming  
8 device" means any mechanism designed or ~~used to~~  
9 ~~transmit radio waves in the electromagnetic wave~~  
10 ~~spectrum intended for use to interfere with the~~  
11 ~~reception of those emitted from a device used by peace~~  
12 ~~officers of this state to measure the speed of motor~~  
13 ~~vehicles on the highways of this state and which is~~  
14 ~~not designed for two-way transmission and cannot~~  
15 ~~transmit in plain language."~~
- 16 2. Title page, line 1, by striking the word  
17 "ownership,".
- 18 3. Title page, line 2, by inserting after the  
19 word "devices" the following: "and radar jamming  
20 devices".
- 21 4. By renumbering as necessary.

By JOHN PUTNEY

S-3111 FILED APRIL 12, 2005  
WITHDRAWN

capable of changing an official traffic control signal to green out of sequence.

HOUSE FILE 717

AN ACT

PROHIBITING THE UNAUTHORIZED SALE, OWNERSHIP, POSSESSION,  
OR USE OF TRAFFIC SIGNAL PREEMPTION DEVICES AND PROVIDING  
A PENALTY.

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

Section 1. Section 321.260, Code 2005, is amended by  
adding the following new subsection:

NEW SUBSECTION. 3. a. A person shall not sell, own,  
possess, or use a traffic signal preemption device except as  
permitted in connection with the lawful operation of an  
authorized emergency vehicle as defined in section 321.1 or as  
otherwise authorized by the jurisdiction owning and operating  
an official traffic control signal. A person who is convicted  
of the unauthorized sale, ownership, possession, or use of a  
traffic signal preemption device is guilty of a simple  
misdemeanor. In addition to any other penalties, the  
punishment imposed for a violation under this subsection shall  
include assessment of a fine of not less than two hundred  
fifty dollars, and if the violation involves the unauthorized  
use of a traffic signal preemption device, the person may also  
be required to complete community service.

b. For purposes of this subsection, "traffic signal  
preemption device" means a device that, when activated, is

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 717, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 4/27, 2005

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THOMAS J. VILSACK  
Governor