

MAR 18 2005  
APPROPRIATIONS

HOUSE FILE 813  
BY COMMITTEE ON WAYS AND  
MEANS

(SUCCESSOR TO HF 513)  
(SUCCESSOR TO HSB 80)

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

**A BILL FOR**

1 An Act relating to the speed limit for vehicular traffic on  
2 highways, the fines for violations, and court costs for simple  
3 misdemeanor offenses and providing a fee and making  
4 appropriations.

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

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HF 813

1 Section 1. Section 321.285, subsection 6, Code 2005, is  
2 amended to read as follows:

3 6. a. Notwithstanding any other speed restrictions, the  
4 speed limit for all vehicular traffic on fully controlled-  
5 access, divided, multilaned highways ~~including the national~~  
6 ~~system of interstate highways~~ is sixty-five miles per hour.  
7 However, the speed limit for all vehicular traffic on highways  
8 that are part of the interstate road system, as defined in  
9 section 306.3, is seventy miles per hour. The department may  
10 establish a speed limit of sixty-five miles per hour on  
11 certain divided, multilaned highways not otherwise described  
12 in this paragraph.

13 ~~b. However, the department or cities with the approval of~~  
14 the The department, on its own motion or in response to a  
15 recommendation of a metropolitan or regional planning  
16 commission or council of governments, may establish a lower  
17 speed limit ~~upon such highways located within the corporate~~  
18 ~~limits of a city~~ on a highway described in this subsection.

19 c. For the purposes of this subsection, ~~a fully~~ "fully  
20 ~~controlled access highway is~~ highway" means a highway that  
21 gives preference to through traffic by providing access  
22 connections with selected public roads only and by prohibiting  
23 crossings at grade or direct private driveway connections.

24 d. A minimum speed may be established by the department on  
25 the highways referred to in this subsection if warranted by  
26 engineering and traffic investigations.

27 ~~It is further provided that any~~ Any kind of vehicle,  
28 implement, or conveyance incapable of attaining and  
29 maintaining a speed of forty miles per hour shall be  
30 prohibited from using the interstate road system.

31 Sec. 2. Section 602.1302, subsection 1, Code 2005, is  
32 amended to read as follows:

33 1. Except as otherwise provided by sections 602.1303, and  
34 602.1304, and 602.8108 or other applicable law, the expenses  
35 of operating and maintaining the judicial branch shall be paid

1 out of the general fund of the state from funds appropriated  
2 by the general assembly for the judicial branch. State  
3 funding shall be phased in as provided in section 602.11101.

4 Sec. 3. Section 602.8106, subsection 1, paragraphs b, d,  
5 and e, Code 2005, are amended to read as follows:

6 b. For filing and docketing of a complaint or information  
7 for a simple misdemeanor and a complaint or information for a  
8 nonscheduled simple misdemeanor under chapter 321, seventeen  
9 thirty dollars.

10 d. The court costs in scheduled violation cases where a  
11 court appearance is required, seventeen thirty dollars.

12 e. For court costs in scheduled violation cases where a  
13 court appearance is not required, seventeen thirty dollars.

14 Sec. 4. Section 602.8108, subsection 2, Code 2005, is  
15 amended to read as follows:

16 2. Except as otherwise provided, the clerk of the district  
17 court shall report and submit to the state court  
18 administrator, not later than the fifteenth day of each month,  
19 the fines and fees received during the preceding calendar  
20 month. Except as provided in subsections 3, 4, 5, 7, and 7A,  
21 8, and 9, the state court administrator shall deposit the  
22 amounts received with the treasurer of state for deposit in  
23 the general fund of the state. The state court administrator  
24 shall report to the legislative services agency within thirty  
25 days of the beginning of each fiscal quarter the amount  
26 received during the previous quarter in the account  
27 established under this section.

28 Sec. 5. Section 602.8108, Code 2005, is amended by adding  
29 the following new subsection:

30 NEW SUBSECTION. 7A. The state court administrator shall  
31 allocate to the judicial branch for the fiscal year beginning  
32 July 1, 2005, and for each fiscal year thereafter, seven  
33 million dollars of the moneys received annually under  
34 subsection 2, to be used for salaries of supreme court  
35 justices, appellate court judges, district court judges,

1 district associate judges, judicial magistrates and staff,  
2 state court administrator, clerk of the supreme court,  
3 district court administrators, clerks of the district court,  
4 juvenile court officers, board of law examiners and board of  
5 examiners of shorthand reporters and judicial qualifications  
6 commission, receipt and disbursement of child support  
7 payments, reimbursement of the auditor of state for expenses  
8 incurred in completing audits of the offices of the clerks of  
9 the district court during the fiscal year, and maintenance,  
10 equipment, and miscellaneous purposes.

11 Sec. 6. Section 602.8108, Code 2005, is amended by adding  
12 the following new subsection:

13 NEW SUBSECTION. 9. a. The state court administrator  
14 shall allocate to the vehicle depreciation account maintained  
15 by the department of public safety for vehicles utilized by  
16 the Iowa state patrol the following amounts from fines  
17 attributable to speeding violations:

18 (1) For the fiscal year beginning July 1, 2005, and ending  
19 June 30, 2006, six hundred eighty-four thousand dollars.

20 (2) For the fiscal year beginning July 1, 2006, and ending  
21 June 30, 2007, seven hundred seventy-eight thousand dollars.

22 (3) For the fiscal year beginning July 1, 2007, and ending  
23 June 30, 2008, eight hundred seventy-three thousand dollars.

24 (4) For the fiscal year beginning July 1, 2008, and ending  
25 June 30, 2009, eight hundred seventy-three thousand dollars.

26 b. All moneys allocated under this subsection are  
27 appropriated to the department of public safety and shall be  
28 used for the purchase of state patrol vehicles.

29 Notwithstanding section 12C.7, subsection 2, interest or  
30 earnings on moneys allocated to the vehicle depreciation  
31 account under this subsection shall be credited to the  
32 account. Notwithstanding section 8.33, moneys allocated to  
33 the vehicle depreciation account under this subsection shall  
34 not revert at the end of the fiscal year but shall remain  
35 available for the purpose intended.

1 c. This subsection is repealed July 1, 2009.

2 Sec. 7. Section 805.8A, subsection 5, paragraph b, Code  
3 2005, is amended to read as follows:

4 b. Notwithstanding paragraph "a", for excessive speed  
5 violations in speed zones greater than fifty-five miles per  
6 hour, the scheduled fine shall be:

7 (1) ~~Pen~~ Twenty dollars for speed not more than five miles  
8 per hour in excess of the limit.

9 (2) ~~Twenty~~ Forty dollars for speed greater than five but  
10 not more than ten miles per hour in excess of the limit.

11 (3) ~~Ferty~~ Sixty dollars for speed greater than ten but not  
12 more than fifteen miles per hour in excess of the limit.

13 (4) ~~Sixty~~ Eighty dollars for speed greater than fifteen  
14 but not more than twenty miles per hour in excess of the  
15 limit.

16 (5) ~~Sixty~~ Ninety dollars plus ~~two~~ five dollars for each  
17 mile per hour of excessive speed over twenty miles per hour  
18 over the limit.

19 Sec. 8. CANINE VEHICLE REPLACEMENT. The department of  
20 public safety shall use a portion of the funds allocated to  
21 the department of public safety's vehicle depreciation account  
22 pursuant to section 602.8108, subsection 9, as enacted in this  
23 Act, to replace existing Iowa state patrol vehicles used by  
24 canine handlers, when those vehicles are due for replacement,  
25 with multipurpose vehicles properly equipped for canine  
26 transport.

27 EXPLANATION

28 This bill increases the speed limit on interstate highways  
29 from 65 to 70 miles per hour for all vehicles. The speed  
30 limit on all other fully controlled access, divided,  
31 multilaned highways remains at 65 miles per hour, and the  
32 state department of transportation may continue to establish a  
33 65-mile-per-hour speed limit on certain other divided,  
34 multilaned highways. The bill broadens the authority of the  
35 department to establish a lower speed limit on any portion of

1 a divided, multilaned highway, including interstates. The  
2 department may exercise this authority on its own motion or in  
3 response to a recommendation of a metropolitan or regional  
4 planning commission or council of governments.

5 The bill increases fines for speeding violations committed  
6 in speed zones greater than 55 miles per hour. The fines are  
7 increased from \$10 to \$20 for speed not more than five miles  
8 per hour over the limit; from \$20 to \$40 for more than five  
9 but not more than 10 miles per hour over the limit; from \$40  
10 to \$60 for more than 10 but not more than 15 miles per hour  
11 over the limit; from \$60 to \$80 for more than 15 but not more  
12 than 20 miles per hour over the limit; and from \$60 to \$90  
13 plus \$5 for each mile per hour of excessive speed over 20  
14 miles per hour over the limit. For the fiscal year beginning  
15 July 1, 2005, and for the three succeeding fiscal years, an  
16 amount estimated to be the portion of speeding fines collected  
17 from the increased fines is to be allocated to the state  
18 patrol vehicle depreciation account. The moneys are  
19 appropriated to the department of public safety to be used to  
20 purchase vehicles for the Iowa state patrol. The department  
21 of public safety is directed to use a portion of those vehicle  
22 depreciation funds to replace state patrol vehicles used by  
23 canine handlers with multipurpose vehicles equipped for canine  
24 transport when the existing vehicles are due for replacement.

25 The bill provides for an increase in the fee charged by the  
26 clerk of the district court for the filing and docketing of a  
27 complaint or information for a simple misdemeanor from \$17 to  
28 \$30. The bill also increases the court costs for a scheduled  
29 violation from \$17 to \$30. The state court administrator is  
30 directed to allocate \$7 million annually, from fines and fees  
31 received from the district courts, to the judicial branch to  
32 be used for salaries, receipt and disbursement of child  
33 support payments, reimbursement of auditor expenses,  
34 maintenance, equipment, and miscellaneous purposes.

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Chair - Tjepkes  
Rasmussen  
Huser

HSB 80  
TRANSPORTATION

HOUSE FILE <sup>24</sup>SF 10 <sup>24</sup>By 813  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON ARNOLD)

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

**A BILL FOR**

1 An Act increasing the speed limit for vehicular traffic on  
2 interstate highways.

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

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6 ~~system of interstate highways~~ is sixty-five miles per hour.  
7 However, the speed limit for all vehicular traffic on highways  
8 that are part of the interstate road system, as defined in  
9 section 306.3, is seventy miles per hour. The department may  
10 establish a speed limit of sixty-five miles per hour on  
11 certain divided, multilaned highways not otherwise described  
12 in this paragraph.

13 b. ~~However, the~~ The department, or ~~cities~~ a city with the  
14 approval of the department, may establish a lower speed limit  
15 upon such highways on a highway described in this subsection  
16 that is located within the corporate limits of a city.

17 c. For the purposes of this subsection, ~~a fully~~ "fully  
18 controlled-access highway is highway" means a highway that  
19 gives preference to through traffic by providing access  
20 connections with selected public roads only and by prohibiting  
21 crossings at grade or direct private driveway connections.

22 d. A minimum speed may be established by the department on  
23 the highways referred to in this subsection if warranted by  
24 engineering and traffic investigations.

25 e. ~~It is further provided that any~~ Any kind of vehicle,  
26 implement, or conveyance incapable of attaining and  
27 maintaining a speed of forty miles per hour shall be  
28 prohibited from using the interstate road system.

29 EXPLANATION

30 This bill increases the speed limit for interstate highways  
31 from 65 to 70 miles per hour for all vehicles. The bill  
32 retains the current provision that allows the state department  
33 of transportation, or a city with the approval of the  
34 department, to establish a lower speed limit for such a  
35 highway located within the corporate limits of a city.