

Senate Study Bill 1238

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CO=CHAIRPERSONS McCOY AND
PUTNEY)

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

A BILL FOR

1 An Act relating to the local regulation of motor vehicles,
2 including the renewal of motor vehicle registrations by county
3 treasurers and the collection of delinquent parking fines owed
4 to a city or county.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2682XC 81
7 dea/pj/5

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1 1 Section 1. Section 321.40, Code 2005, is amended by adding
1 2 the following new unnumbered paragraph:
1 3 NEW UNNUMBERED PARAGRAPH. The county treasurer shall
1 4 refuse to renew the registration of a vehicle registered to an
1 5 applicant if the county treasurer knows that the applicant has
1 6 one or more uncontested, delinquent parking tickets owing to
1 7 the county, or owing to a city with which the county has an
1 8 agreement authorized under section 331.553. However, a county
1 9 treasurer may renew the registration if the treasurer
1 10 determines that an error was made by the county or city in
1 11 identifying the vehicle involved in the parking violation.
1 12 This paragraph does not apply to the transfer of a
1 13 registration or the issuance of a new registration.
1 14 Notwithstanding section 28E.10, a county treasurer may utilize
1 15 the department's vehicle registration and titling system to
1 16 facilitate the purposes of this paragraph.

1 17 Sec. 2. Section 321.236, subsection 1, paragraph a, Code
1 18 2005, is amended to read as follows:
1 19 a. May be charged and collected upon a simple notice of a
1 20 fine payable to the city clerk or clerk of the district court,
1 21 if authorized by ordinance. The fine for each violation
1 22 charged under a simple notice of a fine shall be established
1 23 by ordinance. The fine may be increased by five dollars if
1 24 the parking violation is not paid within thirty days of the
1 25 date upon which the violation occurred, if authorized by
1 26 ordinance. Violations of section 321L.4, subsection 2, may be
1 27 charged and collected upon a simple notice of a one hundred
1 28 dollar fine payable to the city clerk or clerk of the district
1 29 court, if authorized by ordinance. No costs or other charges
1 30 shall be assessed. All fines collected by a city pursuant to
1 31 this paragraph shall be retained by the city and all fines
1 32 collected by a county pursuant to this paragraph shall be
1 33 retained by the county, except as provided by an agreement
1 34 between a city and a county treasurer for the collection of
1 35 fines pursuant to section 331.553, subsection 7.

2 1 Sec. 3. Section 321.236, subsection 1, Code 2005, is
2 2 amended by adding the following new paragraph:
2 3 NEW PARAGRAPH. d. If the local authority regulating the
2 4 standing or parking of vehicles under this subsection is a
2 5 county or is a city which has an agreement with a county
2 6 treasurer by which the renewal of registration of a vehicle
2 7 shall be refused for uncontested and unpaid parking fines
2 8 under section 321.40, the simple notice of a fine under
2 9 paragraph "a" shall contain the following statement:
2 10 "FAILURE TO PAY PARKING FINES OWED BY YOU CAN BE GROUNDS
2 11 FOR REFUSING TO RENEW YOUR MOTOR VEHICLE'S REGISTRATION."
2 12 This paragraph "d" does not invalidate forms for notice of
2 13 parking violations in existence prior to July 1, 2006.

2 14 Existing forms may be used until supplies are exhausted.
2 15 Sec. 4. Section 331.553, Code 2005, is amended by adding
2 16 the following new subsection:
2 17 NEW SUBSECTION. 7. Enter into an agreement under chapter
2 18 28E for the collection of delinquent parking fines on behalf
2 19 of a city in conjunction with renewal of motor vehicle
2 20 registrations. If the agreement provides for a fee to be paid
2 21 to or retained by the county treasurer from the collection of
2 22 parking fines, such fees shall be credited to the county
2 23 general fund. Fines collected pursuant to this subsection
2 24 shall be remitted biannually to the city. Notwithstanding
2 25 section 28E.10, a county treasurer may utilize the state
2 26 department of transportation's vehicle registration and
2 27 titling system to facilitate the purposes of this subsection.
2 28 Sec. 5. Section 364.2, Code 2005, is amended by adding the
2 29 following new subsection:
2 30 NEW SUBSECTION. 5. If provided by ordinance, a city may
2 31 enter into an agreement under chapter 28E with a county
2 32 treasurer for the collection of delinquent parking fines at
2 33 the time a person applies for renewal of a motor vehicle
2 34 registration, for violations that have not been appealed or
2 35 for which appeal has been denied. The city may pay the
3 1 treasurer a reasonable fee for the collection of such fines,
3 2 or may allow the county treasurer to retain a portion of the
3 3 fines collected, as provided in the agreement.
3 4 Sec. 6. EFFECTIVE DATE. This Act takes effect July 1,
3 5 2006.

3 6 EXPLANATION

3 7 This bill authorizes county treasurers to enter into
3 8 agreements with cities to collect delinquent parking fines at
3 9 the time a person renews a motor vehicle registration. If
3 10 allowed by city ordinance, a city may pay the county treasurer
3 11 a reasonable fee or allow the treasurer to retain a portion of
3 12 the fines collected on behalf of the city. The bill
3 13 authorizes a county treasurer to refuse to renew the vehicle
3 14 registration of a person owing delinquent parking fines to the
3 15 county or to a city with which the county has an agreement.
3 16 However, delinquent parking fines could not prevent the
3 17 issuance of new registrations or transfers of registration.
3 18 The bill specifies that county treasurers may utilize the
3 19 state's registration and titling system, which is currently
3 20 used by county treasurers to perform duties relating to motor
3 21 vehicle registrations, to facilitate the collection of parking
3 22 fines. A parking fine which is under appeal would not be
3 23 collectible by the county treasurer. In addition, a county
3 24 treasurer could renew a registration if it is apparent that an
3 25 error was made by the county or city in identifying a vehicle
3 26 involved in a parking violation.
3 27 LSB 2682XC 81
3 28 dea:nh/pj/5