

# Senate File 2162 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 3082)

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

## A BILL FOR

1 An Act relating to technical matters concerning the regulation of  
2 motor vehicles by the department of transportation and  
3 providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5477SV 82  
6 dea/nh/24

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1 1 Section 1. Section 321.1, subsection 6B, Code 2007, is  
1 2 amended to read as follows:  
1 3 6B. "Bona fide residence" or "bona fide address" means the  
1 4 current street or highway address of an individual's  
1 5 residence. The bona fide residence of a person with more than  
1 6 one dwelling is the dwelling for which the person claims a  
1 7 homestead tax credit under chapter 425, if applicable. The  
1 8 bona fide residence of a homeless person is a primary  
1 9 nighttime residence meeting one of the criteria listed in  
1 10 section 48A.2, subsection 2.

1 11 Sec. 2. Section 321.1, Code 2007, is amended by adding the  
1 12 following new subsection:

1 13 NEW SUBSECTION. 12A. "Completed motor vehicle" means a  
1 14 motor vehicle which does not require any additional  
1 15 manufacturing operations to perform its intended function  
1 16 except the addition of readily attachable equipment,  
1 17 components, or minor finishing operations.

1 18 Sec. 3. Section 321.1, subsection 37, Code 2007, is  
1 19 amended to read as follows:

1 20 37. "Manufacturer" means every person engaged in the  
1 21 business of fabricating or assembling vehicles of a type  
1 22 required to be registered. It does not include a person who  
1 23 converts, modifies, or alters a completed motor vehicle  
1 24 manufactured by another person. It includes a person who uses  
1 25 a completed motor vehicle manufactured by another person to  
1 26 construct a class "B" motor home as defined in section  
1 27 321.124.

~~1 28 "Completed motor vehicle" means a motor vehicle which does~~  
~~1 29 not require any additional manufacturing operations to perform~~  
~~1 30 its intended function except the addition of readily~~  
~~1 31 attachable equipment, components, or minor finishing~~  
~~1 32 operations.~~

~~1 33 "Final stage manufacturer" means a person who performs such~~  
~~1 34 manufacturing operations on an incomplete vehicle that it~~  
~~1 35 becomes a completed vehicle. A final stage manufacturer shall~~  
~~2 1 furnish to the department a document which identifies that the~~  
~~2 2 vehicle was incomplete prior to that manufacturing operation.~~  
~~2 3 The identification shall include the name of the incomplete~~  
~~2 4 vehicle manufacturer, the date of manufacture, and the vehicle~~  
~~2 5 identification number to ascertain that the document applies~~  
~~2 6 to a particular incomplete vehicle.~~

~~2 7 "Incomplete vehicle" means an assemblage, as a minimum,~~  
~~2 8 consisting of a frame and chassis structure, power train,~~  
~~2 9 steering system, suspension system, and braking system, to the~~  
~~2 10 extent that those systems are to be a part of the completed~~  
~~2 11 vehicle, that requires further manufacturing operations, other~~  
~~2 12 than the addition of readily attachable equipment, components,~~  
~~2 13 or minor finishing operations.~~

2 14 Sec. 4. Section 321.10, unnumbered paragraph 1, Code 2007,  
2 15 is amended to read as follows:

2 16 The director and officers of the department designated by  
2 17 the director are authorized to prepare under the seal of the

2 18 department and provide upon request a certified copy of any  
2 19 record of the department, charging a fee of fifty cents for  
2 20 each document so authenticated, and every such certified copy  
2 21 shall be admissible in any proceeding in any court in like  
2 22 manner as the original and shall be considered to be true and  
2 23 accurate unless shown otherwise by an objecting party. The  
2 24 seal of the department may be applied electronically on  
2 25 certified copies of records.

2 26 Sec. 5. Section 321.20, subsection 1, paragraph d, Code  
2 27 2007, is amended to read as follows:

2 28 d. A statement of the applicant's title and of all liens  
2 29 or encumbrances upon the vehicle and the names and ~~bona fide~~  
2 30 mailing addresses of all persons having any interest in the  
2 31 vehicle and the nature of every such interest. When the  
2 32 application refers to a new vehicle, it shall be accompanied  
2 33 by a manufacturer's or importer's certificate duly assigned as  
2 34 provided in section 321.45.

2 35 Sec. 6. Section 321.24, subsection 3, Code Supplement  
3 1 2007, is amended to read as follows:

3 2 3. The certificate of title shall contain upon its face  
3 3 the identical information required upon the face of the  
3 4 registration receipt. In addition, the certificate of title  
3 5 shall contain a statement of the owner's title, the title  
3 6 number assigned to the owner or owners of the vehicle, the  
3 7 amount of tax paid pursuant to section 423.26, the name and  
3 8 address of the previous owner, and a statement of all security  
3 9 interests and encumbrances as shown in the application, upon  
3 10 the vehicle described, including the nature of the security  
3 11 interest, date of perfection, and name and mailing address of  
3 12 the secured party.

3 13 Sec. 7. Section 321.30, subsection 1, Code Supplement  
3 14 2007, is amended by adding the following new paragraph:

3 15 NEW PARAGRAPH. m. If the applicant is under eighteen  
3 16 years of age, unless the applicant has an Iowa driver's  
3 17 license or the application is being made by more than one  
3 18 applicant and one of the applicants is at least eighteen years  
3 19 of age.

3 20 Sec. 8. Section 321.30, subsection 3, Code Supplement  
3 21 2007, is amended to read as follows:

3 22 3. The department or the county treasurer shall refuse  
3 23 registration of a vehicle ~~on the following grounds:~~

3 24 ~~a. If the applicant is under the age of eighteen years,~~  
3 25 ~~unless the applicant has an Iowa driver's license or the~~  
3 26 ~~application is being made by more than one applicant and one~~  
3 27 ~~of the applicants is at least eighteen years of age.~~

3 28 ~~b. If if the applicant for registration of the vehicle has~~  
3 29 ~~failed to pay the required registration fees of any vehicle~~  
3 30 ~~owned or previously owned when the registration fee was~~  
3 31 ~~required to be paid by the applicant, and for which vehicle~~  
3 32 ~~the registration was suspended or revoked under section~~  
3 33 ~~321.101, subsection 1, paragraph "d", or section 321.101A,~~  
3 34 ~~until the fees are paid together with any accrued penalties.~~

3 35 Sec. 9. Section 321.34, subsection 16, unnumbered  
4 1 paragraph 1, Code Supplement 2007, is amended to read as  
4 2 follows:

4 3 An owner referred to in subsection 12 who is a member of  
4 4 the national guard, as defined in chapter 29A, may, upon  
4 5 written application to the department, order special  
4 6 registration plates with a national guard processed emblem  
4 7 with the emblem designed by the department in cooperation with  
4 8 the adjutant general which emblem signifies that the applicant  
4 9 is a member of the national guard. The application shall be  
4 10 approved by the department in consultation with the adjutant  
4 11 general. The special plate fees collected by the director  
4 12 under subsection 12, ~~paragraph paragraphs~~ "a" and "c", from  
4 13 the issuance and annual validation of letter-number designated  
4 14 and personalized national guard plates shall be paid monthly  
4 15 to the treasurer of state and credited to the road use tax  
4 16 fund. Notwithstanding section 423.43, and prior to the  
4 17 crediting of revenues to the road use tax fund under section  
4 18 423.43, subsection 1, paragraph "b", the treasurer of state  
4 19 shall transfer monthly from those revenues to the veterans  
4 20 license fee fund created in section 35A.11 the amount of the  
4 21 special fees collected under subsection 12, paragraph "a", in  
4 22 the previous month for national guard plates. Special  
4 23 registration plates with a national guard processed emblem  
4 24 shall be surrendered, as provided in subsection 12, in  
4 25 exchange for regular registration plates upon termination of  
4 26 the owner's membership in the active national guard.

4 27 Sec. 10. Section 321.34, subsection 17, unnumbered  
4 28 paragraph 1, Code Supplement 2007, is amended to read as

4 29 follows:

4 30 An owner referred to in subsection 12 who was at Pearl  
4 31 Harbor, Hawaii, as a member of the armed services of the  
4 32 United States on December 7, 1941, may, upon written  
4 33 application to the department, order special registration  
4 34 plates with a Pearl Harbor processed emblem. The emblem shall  
4 35 be designed by the department in consultation with service  
5 1 organizations. The application is subject to approval by the  
5 2 department. The special plate fees collected by the director  
5 3 under subsection 12, ~~paragraph paragraphs "a" and "c"~~, from  
5 4 the issuance and annual validation of letter=number designated  
5 5 and personalized Pearl Harbor plates shall be paid monthly to  
5 6 the treasurer of state and credited to the road use tax fund.  
5 7 Notwithstanding section 423.43, and prior to the crediting of  
5 8 revenues to the road use tax fund under section 423.43,  
5 9 subsection 1, paragraph "b", the treasurer of state shall  
5 10 transfer monthly from those revenues to the veterans license  
5 11 fee fund created in section 35A.11 the amount of the special  
5 12 fees collected under subsection 12, paragraph "a", in the  
5 13 previous month for Pearl Harbor plates.

5 14 Sec. 11. Section 321.34, subsection 18, unnumbered  
5 15 paragraph 1, Code Supplement 2007, is amended to read as  
5 16 follows:

5 17 An owner referred to in subsection 12 who was awarded a  
5 18 purple heart medal by the United States government for wounds  
5 19 received in military or naval combat against an armed enemy of  
5 20 the United States may, upon written application to the  
5 21 department and presentation of satisfactory proof of the award  
5 22 of the purple heart medal, order special registration plates  
5 23 with a purple heart processed emblem. The design of the  
5 24 emblem shall include a representation of a purple heart medal  
5 25 and ribbon. The application is subject to approval by the  
5 26 department in consultation with the adjutant general. The  
5 27 special plate fees collected by the director under subsection  
5 28 12, ~~paragraph paragraphs "a" and "c"~~, from the issuance and  
5 29 annual validation of letter=number designated and personalized  
5 30 purple heart plates shall be paid monthly to the treasurer of  
5 31 state and credited to the road use tax fund. Notwithstanding  
5 32 section 423.43, and prior to the crediting of revenues to the  
5 33 road use tax fund under section 423.43, subsection 1,  
5 34 paragraph "b", the treasurer of state shall transfer monthly  
5 35 from those revenues to the veterans license fee fund created  
6 1 in section 35A.11 the amount of the special fees collected  
6 2 under subsection 12, paragraph "a", in the previous month for  
6 3 purple heart plates.

6 4 Sec. 12. Section 321.34, subsection 19, unnumbered  
6 5 paragraph 1, Code Supplement 2007, is amended to read as  
6 6 follows:

6 7 An owner referred to in subsection 12 who is a retired  
6 8 member of the United States armed forces may, upon written  
6 9 application to the department and upon presentation of  
6 10 satisfactory proof of membership, order special registration  
6 11 plates with a United States armed forces retired processed  
6 12 emblem. The emblem shall be designed by the department in  
6 13 consultation with service organizations. The application is  
6 14 subject to approval by the department. For purposes of this  
6 15 subsection, a person is considered to be retired if the person  
6 16 is recognized by the United States armed forces as retired  
6 17 from the United States armed forces. The special plate fees  
6 18 collected by the director under subsection 12, ~~paragraph~~  
6 19 ~~paragraphs "a" and "c"~~, from the issuance and annual  
6 20 validation of letter=number designated and personalized armed  
6 21 forces retired plates shall be paid monthly to the treasurer  
6 22 of state and credited to the road use tax fund.  
6 23 Notwithstanding section 423.43, and prior to the crediting of  
6 24 revenues to the road use tax fund under section 423.43,  
6 25 subsection 1, paragraph "b", the treasurer of state shall  
6 26 transfer monthly from those revenues to the veterans license  
6 27 fee fund created in section 35A.11 the amount of the special  
6 28 fees collected under subsection 12, paragraph "a", in the  
6 29 previous month for armed forces retired plates.

6 30 Sec. 13. Section 321.34, subsection 20, unnumbered  
6 31 paragraph 1, Code Supplement 2007, is amended to read as  
6 32 follows:

6 33 An owner referred to in subsection 12 who was awarded a  
6 34 silver or a bronze star by the United States government, may,  
6 35 upon written application to the department and presentation of  
7 1 satisfactory proof of the award of the silver or bronze star,  
7 2 order special registration plates with a silver or bronze star  
7 3 processed emblem. The emblem shall be designed by the  
7 4 department in consultation with the adjutant general. The

7 5 special plate fees collected by the director under subsection  
7 6 12, ~~paragraph paragraphs~~ "a" and "c", from the issuance and  
7 7 annual validation of letter=number designated and personalized  
7 8 silver star and bronze star plates shall be paid monthly to  
7 9 the treasurer of state and credited to the road use tax fund.  
7 10 Notwithstanding section 423.43, and prior to the crediting of  
7 11 revenues to the road use tax fund under section 423.43,  
7 12 subsection 1, paragraph "b", the treasurer of state shall  
7 13 transfer monthly from those revenues to the veterans license  
7 14 fee fund created in section 35A.11 the amount of the special  
7 15 fees collected under subsection 12, paragraph "a", in the  
7 16 previous month for silver star and bronze star plates.

7 17 Sec. 14. Section 321.34, subsection 20A, unnumbered  
7 18 paragraph 1, Code Supplement 2007, is amended to read as  
7 19 follows:

7 20 An owner referred to in subsection 12 who was awarded a  
7 21 distinguished service cross, a navy cross, or an air force  
7 22 cross by the United States government may, upon written  
7 23 application to the department and presentation of satisfactory  
7 24 proof of the award, order special registration plates with a  
7 25 distinguished service cross, navy cross, or air force cross  
7 26 processed emblem. The emblem shall be designed by the  
7 27 department in consultation with the adjutant general. The  
7 28 special plate fees collected by the director under subsection  
7 29 12, ~~paragraph paragraphs~~ "a" and "c", from the issuance and  
7 30 annual validation of letter=number designated and personalized  
7 31 distinguished service cross, navy cross, and air force cross  
7 32 plates shall be paid monthly to the treasurer of state and  
7 33 credited to the road use tax fund. Notwithstanding section  
7 34 423.43, and prior to the crediting of revenues to the road use  
7 35 tax fund under section 423.43, subsection 1, paragraph "b",  
8 1 the treasurer of state shall transfer monthly from those  
8 2 revenues to the veterans license fee fund created in section  
8 3 35A.11 the amount of the special fees collected under  
8 4 subsection 12, paragraph "a", in the previous month for  
8 5 distinguished service cross, navy cross, and air force cross  
8 6 plates.

8 7 Sec. 15. Section 321.34, subsection 20B, unnumbered  
8 8 paragraph 1, Code Supplement 2007, is amended to read as  
8 9 follows:

8 10 An owner referred to in subsection 12 who was awarded a  
8 11 soldier's medal, a navy and marine corps medal, or an airman's  
8 12 medal by the United States government may, upon written  
8 13 application to the department and presentation of satisfactory  
8 14 proof of the award, order special registration plates with a  
8 15 soldier's medal, navy and marine corps medal, or airman's  
8 16 medal processed emblem. The emblem shall be designed by the  
8 17 department in consultation with the adjutant general. The  
8 18 special plate fees collected by the director under subsection  
8 19 12, ~~paragraph paragraphs~~ "a" and "c", from the issuance and  
8 20 annual validation of letter=number designated and personalized  
8 21 soldier's medal, navy and marine corps medal, and airman's  
8 22 medal plates shall be paid monthly to the treasurer of state  
8 23 and credited to the road use tax fund. Notwithstanding  
8 24 section 423.43, and prior to the crediting of revenues to the  
8 25 road use tax fund under section 423.43, subsection 1,  
8 26 paragraph "b", the treasurer of state shall transfer monthly  
8 27 from those revenues to the veterans license fee fund created  
8 28 in section 35A.11 the amount of the special fees collected  
8 29 under subsection 12, paragraph "a", in the previous month for  
8 30 soldier's medal, navy and marine corps medal, and airman's  
8 31 medal plates.

8 32 Sec. 16. Section 321.34, subsection 24, Code Supplement  
8 33 2007, is amended to read as follows:

8 34 24. GOLD STAR PLATES. An owner referred to in subsection  
8 35 12 who is the surviving spouse, parent, child, or sibling of a  
9 1 deceased member of the United States armed forces who died  
9 2 while serving on active duty during a time of military  
9 3 conflict may order special registration plates bearing a gold  
9 4 star emblem upon written application to the department  
9 5 accompanied by satisfactory supporting documentation as  
9 6 determined by the department. The gold star emblem shall be  
9 7 designed by the department in cooperation with the commission  
9 8 of veterans affairs. The special plate fees collected by the  
9 9 director under subsection 12, ~~paragraph paragraphs~~ "a" and  
9 10 "c", from the issuance and annual validation of letter=number  
9 11 designated and personalized gold star plates shall be paid  
9 12 monthly to the treasurer of state and credited to the road use  
9 13 tax fund. Notwithstanding section 423.43, and prior to the  
9 14 crediting of revenues to the road use tax fund under section  
9 15 423.43, subsection 1, paragraph "b", the treasurer of state

9 16 shall transfer monthly from those revenues to the veterans  
9 17 license fee fund created in section 35A.11 the amount of the  
9 18 special fees collected under subsection 12, paragraph "a", in  
9 19 the previous month for gold star plates.

9 20 Sec. 17. Section 321.52, subsection 4, paragraph c, Code  
9 21 Supplement 2007, is amended to read as follows:

9 22 c. A salvage theft examination shall be made by a peace  
9 23 officer who has been specially certified and recertified when  
9 24 required by the Iowa law enforcement academy to do salvage  
9 25 theft examinations. The Iowa law enforcement academy shall  
9 26 determine standards for training and certification, conduct  
9 27 training, and may approve alternative training programs which  
9 28 satisfy the academy's standards for training and  
9 29 certification. The owner of the salvage vehicle shall make  
9 30 the vehicle available for examination at a time and location  
9 31 designated by the peace officer doing the examination. The  
9 32 owner may obtain a permit to drive the vehicle to and from the  
9 33 examination location by submitting a repair affidavit to the  
9 34 agency performing the examination stating that the vehicle is  
9 35 reasonably safe for operation and listing the repairs which  
10 1 have been made to the vehicle. The owner must be present for  
10 2 the examination and have available for inspection the salvage  
10 3 title, bills of sale for all essential parts changed, if  
10 4 applicable, and the repair affidavit. The examination shall  
10 5 be for the purposes of determining whether the vehicle or  
10 6 repair components have been stolen. The examination is not a  
10 7 safety inspection and a signed salvage theft examination  
10 8 certificate shall not be construed by any court of law to be a  
10 9 certification that the vehicle is safe to be operated. There  
10 10 shall be no cause of action against the peace officer or the  
10 11 agency conducting the examination or the county treasurer for  
10 12 failure to discover or note safety defects. If the vehicle  
10 13 passes the theft examination, the peace officer shall indicate  
10 14 that the vehicle passed examination on the salvage theft  
10 15 examination certificate. The permit and salvage theft  
10 16 examination certificate shall be on controlled forms  
10 17 prescribed and furnished by the department. The owner shall  
10 18 pay a fee of thirty dollars upon completion of the  
10 19 examination. The agency performing the examinations shall  
10 20 retain twenty dollars of the fee and shall pay five dollars of  
10 21 the fee to the department and five dollars of the fee to the  
10 22 treasurer of state for deposit in the general fund of the  
10 23 state. Moneys deposited to the general fund under this  
10 24 paragraph are subject to the requirements of section 8.60 and  
10 25 shall be used by the Iowa law enforcement academy to provide  
10 26 for the special training, certification, and recertification  
10 27 of officers as required by this subsection.

~~10 28 The state department of transportation shall adopt rules in  
10 29 accordance with chapter 17A to carry out this section.~~

10 30 Sec. 18. Section 321.52, Code Supplement 2007, is amended  
10 31 by adding the following new subsection:

10 32 NEW SUBSECTION. 5. The department shall adopt rules in  
10 33 accordance with chapter 17A to carry out this section.

10 34 Sec. 19. Section 321.90, subsection 2, paragraphs d and e,  
10 35 Code 2007, are amended to read as follows:

11 1 d. If the abandoned motor vehicle is not reclaimed in  
11 2 accordance with section 321.89, subsection 3, or no lienholder  
11 3 objects to the disposal in the case of an owner-applicant, the  
11 4 police authority shall give the applicant a certificate of  
11 5 authority allowing the applicant to obtain a junking  
11 6 certificate for the motor vehicle. The applicant shall make  
11 7 application for a junking certificate to the county treasurer  
11 8 within ~~fifteen~~ thirty days of ~~purchase receipt of the~~  
11 9 ~~certificate of authority~~ and surrender the certificate of  
11 10 authority in lieu of the certificate of title. The demolisher  
11 11 shall accept the junking certificate in lieu of the  
11 12 certificate of title to the motor vehicle.

11 13 e. Notwithstanding any other provisions of this section  
11 14 and sections 321.89 and 321.91, any person, firm, corporation,  
11 15 or unit of government upon whose property or in whose  
11 16 possession is found any abandoned motor vehicle, or any person  
11 17 being the owner of a motor vehicle whose title certificate is  
11 18 faulty, lost, or destroyed, may dispose of such motor vehicle  
11 19 to a demolisher for junk without a title and without the  
11 20 notification procedures of section 321.89, subsection 3, if  
11 21 the motor vehicle lacks an engine or two or more wheels or  
11 22 other structural part which renders the vehicle totally  
11 23 inoperable. The police authority shall give the applicant a  
11 24 certificate of authority. The owner shall apply to the county  
11 25 treasurer for a junking certificate within ~~fifteen~~ thirty days  
11 26 of ~~purchase receipt of the certificate of authority~~ and shall

11 27 surrender the certificate of authority in lieu of the  
11 28 certificate of title.  
11 29 Sec. 20. Section 321.105, unnumbered paragraph 5, Code  
11 30 2007, is amended to read as follows:  
11 31 Seriously disabled veterans who have been provided with an  
11 32 automobile or other vehicle by the United States government  
11 33 under the provisions of sections 1901 to 1903, Title 38 of the  
11 34 United States Code, 38 U.S.C. } 1901 et seq. (1970), shall be  
11 35 exempt from payment of ~~any automobile the~~ registration fee  
12 1 provided in this chapter ~~for that vehicle~~, and shall be  
12 2 provided, without fee, with ~~a~~ one set of regular registration  
12 3 ~~plate plates or one set of any type of special registration~~  
12 4 ~~plates associated with service in the United States armed~~  
12 5 ~~forces for which the disabled veteran qualifies under section~~  
12 6 ~~321.34.~~ The disabled veteran, to be able to claim the ~~above~~  
12 7 benefit, must be a resident of the state of Iowa. ~~The In lieu~~  
12 8 ~~of the set of regular or special military registration plates~~  
12 9 ~~available without fee, the disabled veteran may obtain a~~  
12 10 ~~special or personalized plate a set of nonmilitary special~~  
12 11 ~~registration plates or personalized plates issued under~~  
12 12 section 321.34 by paying the ~~difference between the fee for a~~  
12 13 ~~regular registration plate and the fee for the special or~~  
12 14 ~~personalized registration plate additional fees associated~~  
12 15 ~~with those plates.~~

12 16 Sec. 21. Section 321.173, Code 2007, is amended to read as  
12 17 follows:

12 18 321.173 WHEN FEES RETURNABLE.

12 19 1. Whenever any application to the department is  
12 20 accompanied by ~~any a vehicle registration~~ fee as required by  
12 21 law and ~~such the~~ application is refused or rejected ~~said, the~~  
12 22 fee shall be returned to ~~said the~~ applicant.

12 23 2. Whenever the department through error collects any  
12 24 ~~vehicle registration~~ fee not required to be paid ~~hereunder~~  
12 25 ~~under this chapter~~, the ~~same fee~~ shall be refunded, from the  
12 26 refund account, to the person paying the ~~same fee~~ upon  
12 27 application ~~therefor~~ made within ~~six months~~ one year after the  
12 28 date of such payment.

12 29 Sec. 22. Section 321.196, subsection 2, Code 2007, is  
12 30 amended to read as follows:

12 31 2. Except as required in section 321.188, and except for a  
12 32 motorcycle instruction permit issued in accordance with  
12 33 section 321.180 or 321.180B, a driver's license is renewable  
12 34 without ~~a driving test or written examination or penalty~~  
12 35 within a period of ~~sixty days after its expiration date and~~  
13 1 ~~without a driving test within a period of one year after its~~  
13 2 expiration date. A person shall not be considered to be  
13 3 driving with an invalid license during a period of sixty days  
13 4 following the license expiration date. However, for a license  
13 5 renewed within the sixty-day period, the date of issuance  
13 6 shall be considered to be the previous birthday anniversary on  
13 7 which it expired.

13 8 Sec. 23. Section 321.210B, subsections 7 and 14, Code  
13 9 Supplement 2007, are amended to read as follows:

13 10 7. a. ~~The A~~ civil penalty, ~~if~~ assessed pursuant to  
13 11 section 321.218A, ~~321A.32A, or 321J.17~~ shall be added to the  
13 12 amount owing under the installment agreement.

13 13 b. The clerk of the district court shall transmit to the  
13 14 department, from the first moneys collected, an amount equal  
13 15 to the amount of any civil penalty assessed pursuant to  
13 16 section 321.218A or 321A.32A and added to the installment  
13 17 agreement. The department shall transmit the money received  
13 18 from the clerk of the district court pursuant to this  
13 19 ~~subsection paragraph~~ to the treasurer of state for deposit in  
13 20 the juvenile detention home fund created in section 232.142.

13 21 c. ~~The clerk of the district court shall transmit to the~~  
13 22 ~~department, from the first moneys collected, an amount equal~~  
13 23 ~~to the amount of any civil penalty assessed pursuant to~~  
13 24 ~~section 321J.17 and added to the installment agreement. The~~  
13 25 ~~department shall transmit the money received from the clerk of~~  
13 26 ~~the district court pursuant to this paragraph to the treasurer~~  
13 27 ~~of state who shall deposit one-half of the money in the~~  
13 28 ~~separate fund established in section 915.94 and one-half of~~  
13 29 ~~the money in the general fund of the state.~~

13 30 14. Except for ~~the a~~ civil penalty ~~if~~ assessed and  
13 31 collected pursuant to subsection 7, any amount collected under  
13 32 the installment agreement shall be distributed as provided in  
13 33 section 602.8107, subsection 4.

13 34 Sec. 24. Section 321A.32A, Code Supplement 2007, is  
13 35 amended to read as follows:

14 1 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.

14 2 When the department suspends, revokes, or bars a person's

14 3 driver's license or nonresident operating privilege under this  
14 4 chapter, the department shall assess the person a civil  
14 5 penalty of two hundred dollars. However, for persons age  
14 6 nineteen or under, the civil penalty assessed shall be fifty  
14 7 dollars. The money collected by the department under this  
14 8 section shall be transmitted to the treasurer of state who  
14 9 shall deposit the money in the juvenile detention home fund  
14 10 created in section 232.142. A Except as provided in section  
~~14 11 321.210B, a temporary restricted license shall not be issued~~  
14 12 or a driver's license or nonresident operating privilege  
14 13 reinstated until the civil penalty has been paid. A person  
14 14 assessed a penalty under this section may remit the civil  
14 15 penalty along with a processing fee of five dollars to a  
14 16 county treasurer authorized to issue driver's licenses under  
14 17 chapter 321M, or the civil penalty may be paid directly to the  
14 18 department.

14 19 Sec. 25. Section 321J.17, subsection 1, Code 2007, is  
14 20 amended to read as follows:

14 21 1. If the department revokes a person's driver's license  
14 22 or nonresident operating privilege under this chapter, the  
14 23 department shall assess the person a civil penalty of two  
14 24 hundred dollars. The money collected by the department under  
14 25 this section shall be transmitted to the treasurer of state  
14 26 who shall deposit one-half of the money in the separate fund  
14 27 established in section 915.94 and one-half of the money in the  
14 28 general fund of the state. A temporary restricted license  
14 29 shall not be issued unless an ignition interlock device has  
14 30 been installed pursuant to section 321J.4 ~~and the civil~~  
~~14 31 penalty has been paid.~~ A driver's license or nonresident  
14 32 operating privilege shall not be reinstated unless proof of  
14 33 deinstallation of an ignition interlock device installed  
14 34 pursuant to section 321J.4 has been submitted to the  
14 35 department ~~and.~~ Except as provided in section 321.210B, a  
~~15 1 temporary restricted license shall not be issued or a driver's~~  
~~15 2 license or nonresident operating privilege reinstated until~~  
15 3 the civil penalty has been paid. A person assessed a penalty  
15 4 under this section may remit the civil penalty along with a  
15 5 processing fee of five dollars to a county treasurer  
15 6 authorized to issue driver's licenses under chapter 321M, or  
15 7 the civil penalty may be paid directly to the department.

15 8 Sec. 26. Section 321M.9, subsection 1, Code Supplement  
15 9 2007, is amended to read as follows:

15 10 1. FEES TO COUNTIES. Notwithstanding any other provision  
15 11 in the Code to the contrary, the county treasurer of a county  
15 12 authorized to issue driver's licenses under this chapter shall  
15 13 retain for deposit in the county general fund seven dollars of  
15 14 fees received for each issuance or renewal of driver's  
15 15 licenses and nonoperator's identification cards, but shall not  
15 16 retain any moneys for the issuance of any persons with  
15 17 disabilities identification devices. The five dollar  
15 18 processing fee charged by a county treasurer for collection of  
15 19 a civil penalty under section 321.218A, ~~or 321A.32A, or~~  
~~15 20 321J.17~~ shall be retained for deposit in the county general  
15 21 fund. The county treasurer shall remit the balance of fees  
15 22 and all civil penalties to the department.

15 23 Sec. 27. Section 322.29, subsection 6, Code Supplement  
15 24 2007, is amended to read as follows:

15 25 6. Notwithstanding section 322.3, subsection ~~1, 14,~~ a  
15 26 person licensed as a wholesaler under subsection 4 may be  
15 27 licensed as a used motor vehicle dealer ~~solely for the purpose~~  
~~15 28 of dealing in used motor vehicles of the same make and model~~  
~~15 29 the person is licensed to wholesale.~~

15 30 Sec. 28. Section 331.552, subsection 4, Code 2007, is  
15 31 amended to read as follows:

15 32 4. Keep the official county seal provided by the county.  
15 33 The official seal shall be an impression seal on the face of  
15 34 which shall appear the name of the county, the word "county"  
15 35 which may be abbreviated, the word "treasurer" which may be  
16 1 abbreviated, and the word "Iowa". ~~The impression of the seal~~  
~~16 2 shall be placed on each motor vehicle certificate of title~~  
~~16 3 signed by the treasurer.~~

16 4 Sec. 29. Section 331.557A, subsection 4, Code Supplement  
16 5 2007, is amended to read as follows:

16 6 4. Accept payment of civil penalties pursuant to sections  
16 7 321.218A, ~~and 321A.32A, and 321J.17~~ and remit the penalties to  
16 8 the state department of transportation.

16 9 Sec. 30. CODIFICATION. The Code editor is requested to  
16 10 transfer section 321.173 pertaining to the return of vehicle  
16 11 registration fees, as amended in this Act, to section 321.129  
16 12 or another suitable location to improve readability.

16 13 Sec. 31. EFFECTIVE DATE. The sections of this Act that

16 14 amend sections 321.210B, 321A.32A, 321J.17, 321M.9 and  
16 15 331.557A, being deemed of immediate importance, take effect  
16 16 upon enactment.

#### 16 17 EXPLANATION

16 18 This bill contains provisions relating to the regulation of  
16 19 motor vehicles by the department of transportation.

16 20 The bill amends the definition of "bona fide residence" in  
16 21 Code section 321.1 to specify that if a person has more than  
16 22 one dwelling and claims a homestead tax credit for one of the  
16 23 dwellings, the bona fide residence is the dwelling for which  
16 24 the person claims the tax credit.

16 25 The bill strikes definitions of the terms "final stage  
16 26 manufacturer" and "incomplete motor vehicle" from the list of  
16 27 definitions in Code section 321.1. The two definitions have  
16 28 been nullified since 1987, when the department of  
16 29 transportation was enjoined from applying the provision  
16 30 enacting the definitions. The bill also strikes the  
16 31 definition of "completed motor vehicle" from within the  
16 32 definition of "manufacturer" and rewrites it in a separate  
16 33 subsection in order to alphabetize the definition.

16 34 The bill amends Code section 321.10 to provide that the  
16 35 seal of the department may be applied electronically to  
17 1 certified copies of records prepared by the department.

17 2 The bill amends Code sections 321.20 and 321.24 to require  
17 3 that mailing addresses for parties having a security interest  
17 4 in a vehicle be provided with an application for a certificate  
17 5 of title and recorded on a certificate of title.

17 6 The bill amends Code section 321.30 to require the  
17 7 department to refuse to issue a vehicle certificate of title  
17 8 to an applicant who is under age 18, unless the application is  
17 9 made jointly with another applicant who is at least 18 years  
17 10 of age. Currently, the department may issue a certificate of  
17 11 title but must refuse to issue a vehicle registration in such  
17 12 circumstances.

17 13 The bill amends Code section 321.34 to correctly identify  
17 14 the revenue that is credited to the veterans license fee fund  
17 15 from the sale of special registration plates associated with  
17 16 military service.

17 17 A provision in Code section 321.52 is amended to clarify  
17 18 that the owner of a vehicle subject to a salvage theft  
17 19 examination is required to present bills of sale for all  
17 20 essential parts changed only if applicable. The bill also  
17 21 makes a technical amendment to the section to provide for  
17 22 proper placement of the language relating to the department's  
17 23 duty to adopt rules.

17 24 The bill amends Code section 321.90 to increase the time  
17 25 limitation from 15 days to 30 days for a person with a  
17 26 certificate of authority to apply to the county treasurer for  
17 27 a junking certificate.

17 28 The bill amends a provision in Code section 321.105 to  
17 29 clarify that a seriously disabled veteran who is entitled to  
17 30 register a motor vehicle without fee may substitute, without  
17 31 payment of an additional fee, a set of special registration  
17 32 plates associated with military service for which the veteran  
17 33 qualifies. The disabled veteran may also substitute a set of  
17 34 any of the special nonmilitary plates or personalized plates  
17 35 upon payment of the special fees associated with those plates.

18 1 The bill amends Code section 321.173 to increase from six  
18 2 months to one year the time allowed to apply for a refund of  
18 3 any vehicle registration fee collected by the department in  
18 4 error. The bill makes technical revisions to clarify that the  
18 5 section is intended to apply only to vehicle registration  
18 6 fees. In addition, the Code editor is requested to transfer  
18 7 the Code section to another location to improve its  
18 8 readability.

18 9 Code section 321.196 is amended to expand the 60-day grace  
18 10 period currently allowed for renewal of an expired driver's  
18 11 license without taking a written examination and paying a  
18 12 penalty. The grace period is extended to one year, which  
18 13 coincides with the grace period for renewal of an expired  
18 14 license without taking a driving test.

18 15 The bill makes corrective amendments to several provisions  
18 16 relating to the collection of civil penalties for  
18 17 reinstatement of a driver's license. The amendment to Code  
18 18 section 321.210B directs that civil penalties assessed in  
18 19 connection with revocations for operating while intoxicated  
18 20 and collected pursuant to an installment agreement shall be  
18 21 deposited one-half in the victim compensation fund and  
18 22 one-half in the general fund of the state. Code sections  
18 23 321J.17, 321M.9, and 331.557A are amended to reflect that  
18 24 county treasurers are authorized to collect civil penalties



18 25 required for reinstatement of a driver's license revoked for  
18 26 operating while intoxicated and to charge a \$5 processing fee  
18 27 to the licensee. Code section 321A.32A, relating to driver's  
18 28 license sanctions under the motor vehicle financial  
18 29 responsibility law, is amended to reference the collection of  
18 30 civil penalties pursuant to installment agreements. All of  
18 31 these provisions take effect upon enactment of the bill.  
18 32 Code section 322.29 is amended to allow a person who  
18 33 rebuilds new completed motor vehicles into ambulances, rescue  
18 34 vehicles, fire vehicles, or towing or recovery vehicles to be  
18 35 licensed as a used motor vehicle dealer for the purpose of  
19 1 selling used vehicles of any make and model.  
19 2 The amendment to Code section 331.552 eliminates an  
19 3 obsolete provision requiring a county's official seal to be  
19 4 impressed on each certificate of title issued by the county  
19 5 treasurer.  
19 6 LSB 5477SV 82  
19 7 dea/nh/24