

# Senate Study Bill 3082

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
TRANSPORTATION BILL)

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 5477DP 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 321.10, unnumbered paragraph 1, Code 2007,  
1 12 is amended to read as follows:

1 13 The director and officers of the department designated by  
1 14 the director are authorized to prepare under the seal of the  
1 15 department and provide upon request a certified copy of any  
1 16 record of the department, charging a fee of fifty cents for  
1 17 each document so authenticated, and every such certified copy  
1 18 shall be admissible in any proceeding in any court in like  
1 19 manner as the original and shall be considered to be true and  
1 20 accurate unless shown otherwise by an objecting party. The  
1 21 seal of the department may be applied electronically on  
1 22 certified copies of records.

1 23 Sec. 3. Section 321.30, subsection 1, Code Supplement  
1 24 2007, is amended by adding the following new paragraph:  
1 25 NEW PARAGRAPH. m. If the applicant is under eighteen  
1 26 years of age, unless the applicant has an Iowa driver's  
1 27 license or the application is being made by more than one  
1 28 applicant and one of the applicants is at least eighteen years  
1 29 of age.

1 30 Sec. 4. Section 321.30, subsection 3, Code Supplement  
1 31 2007, is amended to read as follows:

1 32 3. The department or the county treasurer shall refuse  
1 33 registration of a vehicle ~~on the following grounds:~~

~~1 34 a. If the applicant is under the age of eighteen years,~~  
~~1 35 unless the applicant has an Iowa driver's license or the~~  
~~2 1 application is being made by more than one applicant and one~~  
~~2 2 of the applicants is at least eighteen years of age.~~

2 3 b. ~~If~~ if the applicant for registration of the vehicle has  
2 4 failed to pay the required registration fees of any vehicle  
2 5 owned or previously owned when the registration fee was  
2 6 required to be paid by the applicant, and for which vehicle  
2 7 the registration was suspended or revoked under section  
2 8 321.101, subsection 1, paragraph "d", or section 321.101A,  
2 9 until the fees are paid together with any accrued penalties.

2 10 Sec. 5. Section 321.34, subsection 16, unnumbered  
2 11 paragraph 1, Code Supplement 2007, is amended to read as  
2 12 follows:

2 13 An owner referred to in subsection 12 who is a member of  
2 14 the national guard, as defined in chapter 29A, may, upon  
2 15 written application to the department, order special  
2 16 registration plates with a national guard processed emblem  
2 17 with the emblem designed by the department in cooperation with  
2 18 the adjutant general which emblem signifies that the applicant

2 19 is a member of the national guard. The application shall be  
2 20 approved by the department in consultation with the adjutant  
2 21 general. The special plate fees collected by the director  
2 22 under subsection 12, ~~paragraph paragraphs "a" and "c"~~, from  
2 23 the issuance and annual validation of letter=number designated  
2 24 and personalized national guard plates shall be paid monthly  
2 25 to the treasurer of state and credited to the road use tax  
2 26 fund. Notwithstanding section 423.43, and prior to the  
2 27 crediting of revenues to the road use tax fund under section  
2 28 423.43, subsection 1, paragraph "b", the treasurer of state  
2 29 shall transfer monthly from those revenues to the veterans  
2 30 license fee fund created in section 35A.11 the amount of the  
2 31 special fees collected under subsection 12, paragraph "a", in  
2 32 the previous month for national guard plates. Special  
2 33 registration plates with a national guard processed emblem  
2 34 shall be surrendered, as provided in subsection 12, in  
2 35 exchange for regular registration plates upon termination of  
3 1 the owner's membership in the active national guard.

3 2 Sec. 6. Section 321.34, subsection 17, unnumbered  
3 3 paragraph 1, Code Supplement 2007, is amended to read as  
3 4 follows:

3 5 An owner referred to in subsection 12 who was at Pearl  
3 6 Harbor, Hawaii, as a member of the armed services of the  
3 7 United States on December 7, 1941, may, upon written  
3 8 application to the department, order special registration  
3 9 plates with a Pearl Harbor processed emblem. The emblem shall  
3 10 be designed by the department in consultation with service  
3 11 organizations. The application is subject to approval by the  
3 12 department. The special plate fees collected by the director  
3 13 under subsection 12, ~~paragraph paragraphs "a" and "c"~~, from  
3 14 the issuance and annual validation of letter=number designated  
3 15 and personalized Pearl Harbor plates shall be paid monthly to  
3 16 the treasurer of state and credited to the road use tax fund.  
3 17 Notwithstanding section 423.43, and prior to the crediting of  
3 18 revenues to the road use tax fund under section 423.43,  
3 19 subsection 1, paragraph "b", the treasurer of state shall  
3 20 transfer monthly from those revenues to the veterans license  
3 21 fee fund created in section 35A.11 the amount of the special  
3 22 fees collected under subsection 12, paragraph "a", in the  
3 23 previous month for Pearl Harbor plates.

3 24 Sec. 7. Section 321.34, subsection 18, unnumbered  
3 25 paragraph 1, Code Supplement 2007, is amended to read as  
3 26 follows:

3 27 An owner referred to in subsection 12 who was awarded a  
3 28 purple heart medal by the United States government for wounds  
3 29 received in military or naval combat against an armed enemy of  
3 30 the United States may, upon written application to the  
3 31 department and presentation of satisfactory proof of the award  
3 32 of the purple heart medal, order special registration plates  
3 33 with a purple heart processed emblem. The design of the  
3 34 emblem shall include a representation of a purple heart medal  
3 35 and ribbon. The application is subject to approval by the  
4 1 department in consultation with the adjutant general. The  
4 2 special plate fees collected by the director under subsection  
4 3 12, ~~paragraph paragraphs "a" and "c"~~, from the issuance and  
4 4 annual validation of letter=number designated and personalized  
4 5 purple heart plates shall be paid monthly to the treasurer of  
4 6 state and credited to the road use tax fund. Notwithstanding  
4 7 section 423.43, and prior to the crediting of revenues to the  
4 8 road use tax fund under section 423.43, subsection 1,  
4 9 paragraph "b", the treasurer of state shall transfer monthly  
4 10 from those revenues to the veterans license fee fund created  
4 11 in section 35A.11 the amount of the special fees collected  
4 12 under subsection 12, paragraph "a", in the previous month for  
4 13 purple heart plates.

4 14 Sec. 8. Section 321.34, subsection 19, unnumbered  
4 15 paragraph 1, Code Supplement 2007, is amended to read as  
4 16 follows:

4 17 An owner referred to in subsection 12 who is a retired  
4 18 member of the United States armed forces may, upon written  
4 19 application to the department and upon presentation of  
4 20 satisfactory proof of membership, order special registration  
4 21 plates with a United States armed forces retired processed  
4 22 emblem. The emblem shall be designed by the department in  
4 23 consultation with service organizations. The application is  
4 24 subject to approval by the department. For purposes of this  
4 25 subsection, a person is considered to be retired if the person  
4 26 is recognized by the United States armed forces as retired  
4 27 from the United States armed forces. The special plate fees  
4 28 collected by the director under subsection 12, ~~paragraph~~  
4 29 paragraphs "a" and "c", from the issuance and annual

4 30 validation of letter=number designated and personalized armed  
4 31 forces retired plates shall be paid monthly to the treasurer  
4 32 of state and credited to the road use tax fund.  
4 33 Notwithstanding section 423.43, and prior to the crediting of  
4 34 revenues to the road use tax fund under section 423.43,  
4 35 subsection 1, paragraph "b", the treasurer of state shall  
5 1 transfer monthly from those revenues to the veterans license  
5 2 fee fund created in section 35A.11 the amount of the special  
5 3 fees collected under subsection 12, paragraph "a", in the  
5 4 previous month for armed forces retired plates.

5 5 Sec. 9. Section 321.34, subsection 20, unnumbered  
5 6 paragraph 1, Code Supplement 2007, is amended to read as  
5 7 follows:

5 8 An owner referred to in subsection 12 who was awarded a  
5 9 silver or a bronze star by the United States government, may,  
5 10 upon written application to the department and presentation of  
5 11 satisfactory proof of the award of the silver or bronze star,  
5 12 order special registration plates with a silver or bronze star  
5 13 processed emblem. The emblem shall be designed by the  
5 14 department in consultation with the adjutant general. The  
5 15 special plate fees collected by the director under subsection  
5 16 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and  
5 17 annual validation of letter=number designated and personalized  
5 18 silver star and bronze star plates shall be paid monthly to  
5 19 the treasurer of state and credited to the road use tax fund.  
5 20 Notwithstanding section 423.43, and prior to the crediting of  
5 21 revenues to the road use tax fund under section 423.43,  
5 22 subsection 1, paragraph "b", the treasurer of state shall  
5 23 transfer monthly from those revenues to the veterans license  
5 24 fee fund created in section 35A.11 the amount of the special  
5 25 fees collected under subsection 12, paragraph "a", in the  
5 26 previous month for silver star and bronze star plates.

5 27 Sec. 10. Section 321.34, subsection 20A, unnumbered  
5 28 paragraph 1, Code Supplement 2007, is amended to read as  
5 29 follows:

5 30 An owner referred to in subsection 12 who was awarded a  
5 31 distinguished service cross, a navy cross, or an air force  
5 32 cross by the United States government may, upon written  
5 33 application to the department and presentation of satisfactory  
5 34 proof of the award, order special registration plates with a  
5 35 distinguished service cross, navy cross, or air force cross  
6 1 processed emblem. The emblem shall be designed by the  
6 2 department in consultation with the adjutant general. The  
6 3 special plate fees collected by the director under subsection  
6 4 12, ~~paragraph~~ paragraphs "a" and "c", from the issuance and  
6 5 annual validation of letter=number designated and personalized  
6 6 distinguished service cross, navy cross, and air force cross  
6 7 plates shall be paid monthly to the treasurer of state and  
6 8 credited to the road use tax fund. Notwithstanding section  
6 9 423.43, and prior to the crediting of revenues to the road use  
6 10 tax fund under section 423.43, subsection 1, paragraph "b",  
6 11 the treasurer of state shall transfer monthly from those  
6 12 revenues to the veterans license fee fund created in section  
6 13 35A.11 the amount of the special fees collected under  
6 14 subsection 12, paragraph "a", in the previous month for  
6 15 distinguished service cross, navy cross, and air force cross  
6 16 plates.

6 17 Sec. 11. Section 321.34, subsection 20B, unnumbered  
6 18 paragraph 1, Code Supplement 2007, is amended to read as  
6 19 follows:

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

7 6 medal plates.

7 7 Sec. 12. Section 321.34, subsection 24, Code Supplement  
7 8 2007, is amended to read as follows:

7 9 24. GOLD STAR PLATES. An owner referred to in subsection  
7 10 12 who is the surviving spouse, parent, child, or sibling of a  
7 11 deceased member of the United States armed forces who died  
7 12 while serving on active duty during a time of military  
7 13 conflict may order special registration plates bearing a gold  
7 14 star emblem upon written application to the department  
7 15 accompanied by satisfactory supporting documentation as  
7 16 determined by the department. The gold star emblem shall be  
7 17 designed by the department in cooperation with the commission  
7 18 of veterans affairs. The special plate fees collected by the  
7 19 director under subsection 12, ~~paragraph paragraphs~~ "a" and  
7 20 "c", from the issuance and annual validation of letter=number  
7 21 designated and personalized gold star plates shall be paid  
7 22 monthly to the treasurer of state and credited to the road use  
7 23 tax fund. Notwithstanding section 423.43, and prior to the  
7 24 crediting of revenues to the road use tax fund under section  
7 25 423.43, subsection 1, paragraph "b", the treasurer of state  
7 26 shall transfer monthly from those revenues to the veterans  
7 27 license fee fund created in section 35A.11 the amount of the  
7 28 special fees collected under subsection 12, paragraph "a", in  
7 29 the previous month for gold star plates.

7 30 Sec. 13. Section 321.52, subsection 4, paragraph c, Code  
7 31 Supplement 2007, is amended to read as follows:

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

~~9 3 The state department of transportation shall adopt rules in  
9 4 accordance with chapter 17A to carry out this section.~~

9 5 Sec. 14. Section 321.52, Code Supplement 2007, is amended  
9 6 by adding the following new subsection:

9 7 NEW SUBSECTION. 5. The department shall adopt rules in  
9 8 accordance with chapter 17A to carry out this section.

9 9 Sec. 15. Section 321.90, subsection 2, paragraphs d and e,  
9 10 Code 2007, are amended to read as follows:

9 11 d. If the abandoned motor vehicle is not reclaimed in  
9 12 accordance with section 321.89, subsection 3, or no lienholder  
9 13 objects to the disposal in the case of an owner=applicant, the  
9 14 police authority shall give the applicant a certificate of  
9 15 authority allowing the applicant to obtain a junking  
9 16 certificate for the motor vehicle. The applicant shall make

9 17 application for a junking certificate to the county treasurer  
9 18 within ~~fifteen~~ thirty days of purchase and surrender the  
9 19 certificate of authority in lieu of the certificate of title.  
9 20 The demolisher shall accept the junking certificate in lieu of  
9 21 the certificate of title to the motor vehicle.

9 22 e. Notwithstanding any other provisions of this section  
9 23 and sections 321.89 and 321.91, any person, firm, corporation,  
9 24 or unit of government upon whose property or in whose  
9 25 possession is found any abandoned motor vehicle, or any person  
9 26 being the owner of a motor vehicle whose title certificate is  
9 27 faulty, lost, or destroyed, may dispose of such motor vehicle  
9 28 to a demolisher for junk without a title and without the  
9 29 notification procedures of section 321.89, subsection 3, if  
9 30 the motor vehicle lacks an engine or two or more wheels or  
9 31 other structural part which renders the vehicle totally  
9 32 inoperable. The police authority shall give the applicant a  
9 33 certificate of authority. The owner shall apply to the county  
9 34 treasurer for a junking certificate within ~~fifteen~~ thirty days  
9 35 of purchase and shall surrender the certificate of authority  
10 1 in lieu of the certificate of title.

10 2 Sec. 16. Section 321.105, unnumbered paragraph 5, Code  
10 3 2007, is amended to read as follows:

10 4 Seriously disabled veterans who have been provided with an  
10 5 automobile or other vehicle by the United States government  
10 6 under the provisions of sections 1901 to 1903, Title 38 of the  
10 7 United States Code, 38 U.S.C. } 1901 et seq. (1970), shall be  
10 8 exempt from payment of ~~any automobile~~ the registration fee  
10 9 provided in this chapter for that vehicle, and shall be  
10 10 provided, without fee, with ~~a one set of regular~~ regular registration  
10 11 ~~plate plates or one set of any type of special registration~~  
10 12 ~~plates associated with service in the United States armed~~  
10 13 ~~forces for which the disabled veteran qualifies under section~~  
10 14 ~~321.34.~~ The disabled veteran, to be able to claim the ~~above~~  
10 15 benefit, must be a resident of the state of Iowa. ~~The In lieu~~  
10 16 ~~of the set of regular or special military registration plates~~  
10 17 ~~available without fee, the disabled veteran may obtain a~~  
10 18 ~~special or personalized plate a set of nonmilitary special~~  
10 19 ~~registration plates or personalized plates issued under~~  
10 20 section 321.34 by paying the difference between the fee for a  
10 21 regular registration plate and the fee for the special or  
10 22 personalized registration plate additional fees associated  
10 23 with those plates.

10 24 Sec. 17. Section 321.173, Code 2007, is amended to read as  
10 25 follows:

10 26 321.173 WHEN FEES RETURNABLE.

10 27 1. Whenever any application to the department is  
10 28 accompanied by ~~any a vehicle registration~~ fee as required by  
10 29 law and ~~such~~ the application is refused or rejected ~~said, the~~  
10 30 fee shall be returned to ~~said the~~ applicant.

10 31 2. Whenever the department through error collects any  
10 32 vehicle registration fee not required to be paid ~~hereunder~~  
10 33 under this chapter, the ~~same~~ fee shall be refunded, from the  
10 34 refund account, to the person paying the ~~same~~ fee upon  
10 35 application ~~therefor~~ made within ~~six months~~ one year after the  
11 1 date of such payment.

11 2 Sec. 18. Section 321.196, subsection 2, Code 2007, is  
11 3 amended to read as follows:

11 4 2. Except as required in section 321.188, and except for a  
11 5 motorcycle instruction permit issued in accordance with  
11 6 section 321.180 or 321.180B, a driver's license is renewable  
11 7 without ~~a driving test,~~ written examination, or penalty within  
11 8 a period of ~~sixty days after its expiration date and without a~~  
11 9 ~~driving test within a period of~~ one year after its expiration  
11 10 date. A person shall not be considered to be driving with an  
11 11 invalid license during a period of sixty days following the  
11 12 license expiration date. However, for a license renewed  
11 13 within the sixty-day period, the date of issuance shall be  
11 14 considered to be the previous birthday anniversary on which it  
11 15 expired.

11 16 Sec. 19. Section 321.210B, subsections 7 and 14, Code  
11 17 Supplement 2007, are amended to read as follows:

11 18 7. a. ~~The A~~ A civil penalty, ~~if~~ assessed pursuant to  
11 19 section 321.218A, ~~321A.32A, or 321J.17~~ shall be added to the  
11 20 amount owing under the installment agreement.

11 21 b. The clerk of the district court shall transmit to the  
11 22 department, from the first moneys collected, an amount equal  
11 23 to the amount of any civil penalty assessed pursuant to  
11 24 ~~section 321.218A or 321A.32A~~ and added to the installment  
11 25 agreement. The department shall transmit the money received  
11 26 from the clerk of the district court pursuant to this  
11 27 ~~subsection paragraph~~ to the treasurer of state for deposit in

11 28 the juvenile detention home fund created in section 232.142.  
11 29 c. The clerk of the district court shall transmit to the  
11 30 department, from the first moneys collected, an amount equal  
11 31 to the amount of any civil penalty assessed pursuant to  
11 32 section 321J.17 and added to the installment agreement. The  
11 33 department shall transmit the money received from the clerk of  
11 34 the district court pursuant to this paragraph to the treasurer  
11 35 of state who shall deposit one-half of the money in the  
12 1 separate fund established in section 915.94 and one-half of  
12 2 the money in the general fund of the state.

12 3 14. Except for ~~the~~ a civil penalty ~~if~~ assessed and  
12 4 collected pursuant to subsection 7, any amount collected under  
12 5 the installment agreement shall be distributed as provided in  
12 6 section 602.8107, subsection 4.

12 7 Sec. 20. Section 321A.32A, Code Supplement 2007, is  
12 8 amended to read as follows:

12 9 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.

12 10 When the department suspends, revokes, or bars a person's  
12 11 driver's license or nonresident operating privilege under this  
12 12 chapter, the department shall assess the person a civil  
12 13 penalty of two hundred dollars. However, for persons age  
12 14 nineteen or under, the civil penalty assessed shall be fifty  
12 15 dollars. The money collected by the department under this  
12 16 section shall be transmitted to the treasurer of state who  
12 17 shall deposit the money in the juvenile detention home fund  
12 18 created in section 232.142. ~~A Except as provided in section~~  
12 19 ~~321.210B, a temporary restricted license shall not be issued~~  
12 20 ~~or a driver's license or nonresident operating privilege~~  
12 21 ~~reinstated until the civil penalty has been paid. A person~~  
12 22 ~~assessed a penalty under this section may remit the civil~~  
12 23 ~~penalty along with a processing fee of five dollars to a~~  
12 24 ~~county treasurer authorized to issue driver's licenses under~~  
12 25 ~~chapter 321M, or the civil penalty may be paid directly to the~~  
12 26 ~~department.~~

12 27 Sec. 21. Section 321J.17, subsection 1, Code 2007, is  
12 28 amended to read as follows:

12 29 1. If the department revokes a person's driver's license  
12 30 or nonresident operating privilege under this chapter, the  
12 31 department shall assess the person a civil penalty of two  
12 32 hundred dollars. The money collected by the department under  
12 33 this section shall be transmitted to the treasurer of state  
12 34 who shall deposit one-half of the money in the separate fund  
12 35 established in section 915.94 and one-half of the money in the  
13 1 general fund of the state. A temporary restricted license  
13 2 shall not be issued unless an ignition interlock device has  
13 3 been installed pursuant to section 321J.4 ~~and the civil~~  
13 4 ~~penalty has been paid. A driver's license or nonresident~~  
13 5 ~~operating privilege shall not be reinstated unless proof of~~  
13 6 ~~deinstallation of an ignition interlock device installed~~  
13 7 ~~pursuant to section 321J.4 has been submitted to the~~  
13 8 ~~department and. Except as provided in section 321.210B, a~~  
13 9 ~~temporary restricted license shall not be issued or a driver's~~  
13 10 ~~license or nonresident operating privilege reinstated until~~  
13 11 ~~the civil penalty has been paid. A person assessed a penalty~~  
13 12 ~~under this section may remit the civil penalty along with a~~  
13 13 ~~processing fee of five dollars to a county treasurer~~  
13 14 ~~authorized to issue driver's licenses under chapter 321M, or~~  
13 15 ~~the civil penalty may be paid directly to the department.~~

13 16 Sec. 22. Section 321M.9, subsection 1, Code Supplement  
13 17 2007, is amended to read as follows:

13 18 1. FEES TO COUNTIES. Notwithstanding any other provision  
13 19 in the Code to the contrary, the county treasurer of a county  
13 20 authorized to issue driver's licenses under this chapter shall  
13 21 retain for deposit in the county general fund seven dollars of  
13 22 fees received for each issuance or renewal of driver's  
13 23 licenses and nonoperator's identification cards, but shall not  
13 24 retain any moneys for the issuance of any persons with  
13 25 disabilities identification devices. The five dollar  
13 26 processing fee charged by a county treasurer for collection of  
13 27 a civil penalty under section 321.218A, ~~or~~ 321A.32A, ~~or~~  
13 28 ~~321J.17~~ shall be retained for deposit in the county general  
13 29 fund. The county treasurer shall remit the balance of fees  
13 30 and all civil penalties to the department.

13 31 Sec. 23. Section 322.29, subsection 6, Code Supplement  
13 32 2007, is amended to read as follows:

13 33 6. Notwithstanding section 322.3, subsection 1, a person  
13 34 licensed as a wholesaler under subsection 4 may be licensed as  
13 35 a used motor vehicle dealer ~~solely for the purpose of dealing~~  
14 1 ~~in used motor vehicles of the same make and model the person~~  
14 2 ~~is licensed to wholesale.~~

14 3 Sec. 24. Section 331.552, subsection 4, Code 2007, is

14 4 amended to read as follows:

14 5 4. Keep the official county seal provided by the county.  
14 6 The official seal shall be an impression seal on the face of  
14 7 which shall appear the name of the county, the word "county"  
14 8 which may be abbreviated, the word "treasurer" which may be  
14 9 abbreviated, and the word "Iowa". ~~The impression of the seal~~  
~~14 10 shall be placed on each motor vehicle certificate of title~~  
~~14 11 signed by the treasurer.~~

14 12 Sec. 25. Section 331.557A, subsection 4, Code Supplement  
14 13 2007, is amended to read as follows:

14 14 4. Accept payment of civil penalties pursuant to sections  
14 15 321.218A, ~~and 321A.32A, and 321J.17~~ and remit the penalties to  
14 16 the state department of transportation.

14 17 Sec. 26. CODIFICATION. The Code editor is requested to  
14 18 transfer section 321.173 pertaining to the return of vehicle  
14 19 registration fees, as amended in this Act, to section 321.129  
14 20 or another suitable location to improve readability.

14 21 Sec. 27. EFFECTIVE DATE. The sections of this Act that  
14 22 amend sections 321.210B, 321A.32A, 321J.17, 321M.9 and  
14 23 331.557A, being deemed of immediate importance, take effect  
14 24 upon enactment.

14 25 EXPLANATION

14 26 This bill contains provisions relating to the regulation of  
14 27 motor vehicles by the department of transportation.

14 28 The bill amends the definition of "bona fide residence" in  
14 29 Code section 321.1 to specify that if a person has more than  
14 30 one dwelling and claims a homestead tax credit for one of the  
14 31 dwellings, the bona fide residence is the dwelling for which  
14 32 the person claims the tax credit.

14 33 The bill amends Code section 321.10 to provide that the  
14 34 seal of the department may be applied electronically to  
14 35 certified copies of records prepared by the department.

15 1 The bill amends Code section 321.30 to require the  
15 2 department to refuse to issue a vehicle certificate of title  
15 3 to an applicant who is under age 18, unless the application is  
15 4 made jointly with another applicant who is at least 18 years  
15 5 of age. Currently, the department may issue a certificate of  
15 6 title but must refuse to issue a vehicle registration in such  
15 7 circumstances.

15 8 The bill amends Code section 321.34 to correctly identify  
15 9 the revenue that is credited to the veterans license fee fund  
15 10 from the sale of special registration plates associated with  
15 11 military service.

15 12 A provision in Code section 321.52 is amended to clarify  
15 13 that the owner of a vehicle subject to a salvage theft  
15 14 examination is required to present bills of sale for all  
15 15 essential parts changed only if applicable. The bill also  
15 16 makes a technical amendment to the section to provide for  
15 17 proper placement of the language relating to the department's  
15 18 duty to adopt rules.

15 19 The bill amends Code section 321.90 to increase the time  
15 20 limitation from 15 days to 30 days for a person with a  
15 21 certificate of authority to apply to the county treasurer for  
15 22 a junking certificate.

15 23 The bill amends a provision in Code section 321.105 to  
15 24 clarify that a seriously disabled veteran who is entitled to  
15 25 register a motor vehicle without fee may substitute, without  
15 26 payment of an additional fee, a set of special registration  
15 27 plates associated with military service for which the veteran  
15 28 qualifies. The disabled veteran may also substitute a set of  
15 29 any of the special nonmilitary plates or personalized plates  
15 30 upon payment of the special fees associated with those plates.

15 31 The bill amends Code section 321.173 to increase from six  
15 32 months to one year the time allowed to apply for a refund of  
15 33 any vehicle registration fee collected by the department in  
15 34 error. The bill makes technical revisions to clarify that the  
15 35 section is intended to apply only to vehicle registration  
16 1 fees. In addition, the Code editor is requested to transfer  
16 2 the Code section to another location to improve its  
16 3 readability.

16 4 Code section 321.196 is amended to expand the 60-day grace  
16 5 period currently allowed for renewal of an expired driver's  
16 6 license without taking a written examination and paying a  
16 7 penalty. The grace period is extended to one year, which  
16 8 coincides with the grace period for renewal of an expired  
16 9 license without taking a driving test.

16 10 The bill makes corrective amendments to several provisions  
16 11 relating to the collection of civil penalties for  
16 12 reinstatement of a driver's license. The amendment to Code  
16 13 section 321.210B directs that civil penalties assessed in  
16 14 connection with revocations for operating while intoxicated

16 15 and collected pursuant to an installment agreement shall be  
16 16 deposited one-half in the victim compensation fund and  
16 17 one-half in the general fund of the state. Code sections  
16 18 321J.17, 321M.9, and 331.557A are amended to reflect that  
16 19 county treasurers are authorized to collect civil penalties  
16 20 required for reinstatement of a driver's license revoked for  
16 21 operating while intoxicated and to charge a \$5 processing fee  
16 22 to the licensee. Code section 321A.32A, relating to driver's  
16 23 license sanctions under the motor vehicle financial  
16 24 responsibility law, is amended to reference the collection of  
16 25 civil penalties pursuant to installment agreements. All of  
16 26 these provisions take effect upon enactment of the bill.  
16 27 Code section 322.29 is amended to allow a person who  
16 28 rebuilds new completed motor vehicles into ambulances, rescue  
16 29 vehicles, fire vehicles, or towing or recovery vehicles to be  
16 30 licensed as a used motor vehicle dealer for the purpose of  
16 31 selling used vehicles of any make and model.  
16 32 The amendment to Code section 331.552 eliminates an  
16 33 obsolete provision requiring a county's official seal to be  
16 34 impressed on each certificate of title issued by the county  
16 35 treasurer.  
17 1 LSB 5477DP 82  
17 2 dea/nh/24