

House File 2391 - Introduced

HOUSE FILE 2391
BY MASCHER

A BILL FOR

1 An Act relating to penalties for motor vehicle speeding
2 violations for driving more than fifteen miles per hour over
3 the speed limit.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.285, Code Supplement 2009, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 7. A person who violates speeding
4 restrictions under section 321.236, subsection 5 or 11, this
5 section, or section 461A.36, commits a simple misdemeanor.

6 a. Except as provided in paragraph "b", speeding violations
7 are punishable as scheduled violations under section 805.8A,
8 subsection 5 or 10, if the speed is not more than fifteen miles
9 per hour in excess of the limit.

10 b. Speeding violations committed in a road work zone are
11 punishable as scheduled violations under section 805.8A,
12 subsection 14, paragraph "i", if the speed is not more than
13 fifteen miles per hour in excess of the limit.

14 c. A person who commits a speeding violation by driving at a
15 speed of more than fifteen miles per hour over the posted speed
16 limit in a road work zone is subject to the following penalties
17 in addition to the penalty provided for a simple misdemeanor or
18 any other penalty provided by law:

19 (1) Five hundred dollars for speed greater than fifteen but
20 not more than twenty-five miles per hour over the posted speed
21 limit.

22 (2) One thousand dollars for speed greater than twenty-five
23 miles per hour over the posted speed limit.

24 Sec. 2. Section 461A.36, Code 2009, is amended to read as
25 follows:

26 **461A.36 Speed limit.**

27 1. The maximum speed limit of all vehicles on state
28 park and preserve drives, roads, and highways shall
29 ~~be~~ is thirty-five miles per hour. All driving shall be
30 confined to designated roadways. ~~Whenever~~ If the commission
31 ~~shall determine~~ determines that the speed limit ~~hereinbefore~~
32 ~~set forth~~ established pursuant to this section is greater than
33 is reasonable or safe under the conditions found to exist at
34 any place of congestion or ~~upon~~ on any part of the park roads,
35 drives, or highways, ~~said~~ the commission shall determine and

1 declare a reasonable and safe speed limit, ~~thereat~~ which shall
2 be effective when appropriate signs giving notice ~~thereof~~ of
3 the speed limit are erected at such places of congestion or
4 other parts of the park roads, drives, or highways.

5 2. A violation of a speed limit under this section is
6 punishable as a simple misdemeanor as provided in section
7 321.285, subsection 7.

8 Sec. 3. Section 805.8A, subsection 5, paragraphs a and b,
9 Code Supplement 2009, are amended to read as follows:

10 a. For excessive speed violations ~~in~~ for speed not more than
11 fifteen miles per hour in excess of the limit under section
12 321.236, subsections 5 and 11, and sections 321.285, ~~and~~
13 461A.36, the scheduled fine shall be the following:

14 (1) Ten dollars for speed not more than five miles per hour
15 in excess of the limit.

16 (2) Twenty dollars for speed greater than five but not more
17 than ten miles per hour in excess of the limit.

18 (3) Thirty dollars for speed greater than ten but not more
19 than fifteen miles per hour in excess of the limit.

20 ~~(4) Forty dollars for speed greater than fifteen but not~~
21 ~~more than twenty miles per hour in excess of the limit.~~

22 ~~(5) Forty dollars plus two dollars for each mile per hour of~~
23 ~~excessive speed over twenty miles per hour over the limit.~~

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

27 (1) Twenty dollars for speed not more than five miles per
28 hour in excess of the limit.

29 (2) Forty dollars for speed greater than five but not more
30 than ten miles per hour in excess of the limit.

31 (3) Sixty dollars for speed greater than ten but not more
32 than fifteen miles per hour in excess of the limit.

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

35 ~~(5) Ninety dollars plus five dollars for each mile per hour~~

1 ~~of excessive speed over twenty miles per hour over the limit.~~

2 Sec. 4. Section 805.8A, subsection 14, paragraph i, Code
3 Supplement 2009, is amended to read as follows:

4 *i. Road work zone violations.* The scheduled fine for any
5 moving traffic violation under chapter 321, as provided in
6 this section, shall be doubled if the violation occurs within
7 any road work zone, as defined in section 321.1. However,
8 notwithstanding subsection 5, the scheduled fine for violating
9 the speed limit in a road work zone for speed not more than
10 fifteen miles per hour over the limit is as follows:

11 (1) One hundred fifty dollars for speed not more than ten
12 miles per hour over the posted speed limit.

13 (2) Three hundred dollars for speed greater than ten but not
14 more than ~~twenty~~ fifteen miles per hour over the posted speed
15 limit.

16 ~~(3) Five hundred dollars for speed greater than twenty but~~
17 ~~not more than twenty-five miles per hour over the posted speed~~
18 ~~limit.~~

19 ~~(4) One thousand dollars for speed greater than twenty-five~~
20 ~~miles per hour over the posted speed limit.~~

21 EXPLANATION

22 This bill makes changes to penalties for motor vehicle
23 speeding violations that involve speed of more than 15 miles
24 per hour over the limit.

25 Under current law, all speeding violations are simple
26 misdemeanors punishable as scheduled violations. Fines vary,
27 but are higher for violations committed in speed zones greater
28 than 55 miles per hour. The highest fines are for speeding
29 violations committed in road work zones.

30 Under the bill, only speeding violations of up to 15 miles
31 per hour over the limit, including violations in road work
32 zones, are punishable as scheduled violations. Any violation
33 for speed in excess of 15 miles per hour over the limit is a
34 simple misdemeanor punishable by confinement for no more than
35 30 days or a fine of at least \$65 but not more than \$625 or by

1 both.

2 A person who drives at a speed greater than 15 but not more
3 than 25 miles per hour over the posted limit in a road work
4 zone is subject to a fine of \$500 in addition to the penalty
5 allowed for a simple misdemeanor. If the speed is more than 25
6 miles per hour over the posted limit in a road work zone, the
7 additional fine is \$1,000.

8 The penalties under the bill apply to violations of speed
9 limits on public roads, speed restrictions established by local
10 authorities for public parks and alleys, and speed limits
11 established for state parks and preserves.