

House File 305 - Introduced

HOUSE FILE _____
BY SCHUELLER

(COMPANION TO SF 59 BY
STEWART)

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

A BILL FOR

1 An Act relating to the transport of passengers under eighteen
2 years of age in an open truck bed and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1027HH 83
5 dea/nh/8

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1 1 Section 1. NEW SECTION. 321.447 MINOR PASSENGERS IN OPEN
1 2 TRUCK BED.
1 3 1. Except as otherwise provided in this section, a person
1 4 shall not operate a motor vehicle on a highway while
1 5 transporting a passenger under eighteen years of age in an
1 6 unenclosed area of the vehicle not intended for passenger
1 7 seating, including but not limited to the open bed of a motor
1 8 truck.
1 9 2. Except as otherwise provided in this section, a person
1 10 under eighteen years of age shall not ride in an unenclosed
1 11 area of a motor vehicle not intended for passenger seating,
1 12 including but not limited to the open bed of a motor truck,
1 13 while the vehicle is being operated on a highway.
1 14 3. Subsections 1 and 2 do not apply if the owner of the
1 15 motor vehicle is a person engaged in farming or ranching and
1 16 the vehicle is being operated within the boundaries of land
1 17 that is owned or managed by the owner of the vehicle as a farm
1 18 or ranch, including the incidental operation of the vehicle on
1 19 a highway for the purpose of traveling not more than one mile
1 20 from one part of the farm or ranch to another part of that
1 21 farm or ranch.
1 22 4. Subsections 1 and 2 do not apply if the motor vehicle
1 23 is being operated in a parade and the speed of the vehicle
1 24 does not exceed eight miles per hour.
1 25 5. The operator and passengers in a motor vehicle may each
1 26 be charged separately for a violation of this section. A
1 27 violation of this section is a simple misdemeanor punishable
1 28 as a scheduled violation under section 805.8A, subsection 14,
1 29 paragraph "j".
1 30 Sec. 2. Section 805.8A, subsection 14, Code 2009, is
1 31 amended by adding the following new paragraph:
1 32 NEW PARAGRAPH. j. PASSENGER SEATING VIOLATIONS. For a
1 33 violation under section 321.447, subsection 1 or 2, the
1 34 scheduled fine is twenty-five dollars.

EXPLANATION

2 1 This bill prohibits the operator of a motor vehicle from
2 2 transporting passengers who are under 18 years of age in an
2 3 unenclosed area of the vehicle not intended for passenger
2 4 seating, such as an open truck bed. The bill also prohibits
2 5 persons under 18 years of age from riding in such an area of a
2 6 motor vehicle. The bill makes an exception for a motor
2 7 vehicle owned by a farmer or rancher when the vehicle is being
2 8 driven on land owned or managed by the farmer or rancher or on
2 9 the highway between one part of the farm or ranch to another
2 10 part of the farm or ranch for a distance of one mile or less.
2 11 Another exception is allowed for a motor vehicle being
2 12 operated at a speed of not more than eight miles per hour in a
2 13 parade. The penalty for a violation is a simple misdemeanor,
2 14 punishable by a scheduled fine of \$25. Both the driver and
2 15 passengers may each be charged with a separate violation.
2 16 LSB 1027HH 83
2 17 dea/nh/8

