

House File 2084 - Introduced

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BY PETTENGILL

A BILL FOR

1 An Act relating to moving traffic violations committed during
2 certain hours within a school zone and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, subsection 63, Code Supplement
2 2011, is amended to read as follows:

3 63. "*Residence district*" means the territory within a
4 city contiguous to and including a highway, not comprising a
5 business district, suburban district, or school district area,
6 where forty percent or more of the frontage on such highway
7 for a distance of three hundred feet or more is occupied by
8 dwellings or by dwellings and buildings in use for business.

9 Sec. 2. Section 321.1, Code Supplement 2011, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 68B. "*School area*" means the territory
12 contiguous to and including a highway for a distance of two
13 hundred feet in either direction from a schoolhouse in a city.

14 Sec. 3. Section 321.1, subsection 70, Code Supplement 2011,
15 is amended by striking the subsection and inserting in lieu
16 thereof the following:

17 70. "*School zone*" means a designated roadway segment
18 approaching, adjacent to, and beyond school buildings or
19 grounds, or along which school-related activities occur which
20 is established as a school zone by state or local authorities.

21 Sec. 4. Section 321.249, Code 2011, is amended to read as
22 follows:

23 **321.249 School zones crossings.**

24 Cities and counties shall have the power to establish school
25 zones crossings and provide for the stopping of all motor
26 vehicles approaching the school zones crossings, when movable
27 stop signs have been placed in the streets in the cities and
28 highways in counties at the limits of the zones crossings,
29 notwithstanding the provisions of any statute to the contrary.
30 All traffic-control devices provided for school zones crossings
31 shall conform to specifications included in the manual of
32 traffic-control devices adopted by the department, except the
33 provision prohibiting the use of portable or part-time stop
34 signs.

35 Sec. 5. Section 321.252, subsection 5, Code Supplement

1 2011, is amended to read as follows:

2 5. a. Local authorities shall adhere to the specifications
3 for signs as established by the department, and shall purchase,
4 install, and maintain signs in their respective jurisdictions
5 upon prepayment by the organization of the cost of such
6 purchase, installation, and maintenance.

7 b. The department shall include in its manual of
8 traffic-control devices specifications for a uniform system of
9 traffic-control devices in legally established school ~~zones~~
10 crossings.

11 Sec. 6. Section 321.252, Code Supplement 2011, is amended by
12 adding the following new subsection:

13 NEW SUBSECTION. 6. Notwithstanding subsection 5 and the
14 manual on uniform traffic control devices, additional signs
15 referring to higher traffic fines imposed for violations in a
16 school zone shall not be required to supplement existing school
17 zone signs posted pursuant to section 321.285, subsection 2,
18 paragraph "b".

19 Sec. 7. Section 321.285, subsection 2, paragraph a,
20 subparagraph (2), Code 2011, is amended to read as follows:

21 (2) Twenty-five miles per hour in any residence district or
22 school district zone.

23 Sec. 8. Section 321.285, subsection 2, paragraph b, Code
24 2011, is amended to read as follows:

25 b. Each school ~~district as defined in subsection 70 of~~
26 ~~section 321.1~~ zone shall be marked by distinctive signs as
27 ~~provided by the current manual of uniform traffic control~~
28 ~~devices adopted by the department~~ in accordance with section
29 321.252 and placed on the highway at the limits of such school
30 district zone.

31 Sec. 9. Section 805.8A, subsection 14, Code Supplement
32 2011, is amended by adding the following new paragraph:

33 NEW PARAGRAPH. m. *School zone violations.* The scheduled
34 fine for any moving traffic violation under chapter 321, as
35 provided in this section, shall be doubled if the violation

1 occurs between the hours of 7:00 a.m. and 5:00 p.m. Monday
2 through Friday within a school zone, as defined in section
3 321.1, which is identified by signage as required under section
4 321.285, subsection 2, paragraph "b". However, notwithstanding
5 subsection 5, the scheduled fine for violating the speed limit
6 in a school zone is as follows:

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

9 (2) Three hundred dollars for speed greater than ten but not
10 more than twenty miles per hour over the posted speed limit.

11 (3) Five hundred dollars for speed greater than twenty but
12 not more than twenty-five miles per hour over the posted speed
13 limit.

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

16 EXPLANATION

17 This bill provides increased penalties for certain motor
18 vehicle violations committed in a school zone and makes
19 related changes to conform terminology applicable to traffic
20 enforcement near schools to the terminology used in the manual
21 on uniform traffic control devices adopted by the department
22 of transportation.

23 Under current law, "school district" is defined, for
24 purposes of motor vehicle laws, as the territory contiguous
25 to and including a highway for a distance of two hundred feet
26 in either direction from a schoolhouse in a city. The bill
27 substitutes the term "school area" for "school district",
28 keeping the same definition. Code section 321.249 currently
29 provides for the use of portable or part-time stop signs
30 to stop vehicles approaching a "school zone". The bill
31 substitutes the term "school crossing" for "school zone" in
32 that provision. Finally, the bill newly defines "school
33 zone" as a designated roadway segment approaching, adjacent
34 to, and beyond school buildings or grounds, or along which
35 school-related activities occur, which is established as a

1 school zone by state or local authorities.

2 Code section 321.285 currently states that a
3 25-mile-per-hour speed limit applies on roadways within
4 a "school district", as currently defined. The bill amends
5 that provision to impose the 25-mile-per-hour speed limit in a
6 "school zone", as defined under the bill.

7 Pursuant to current law, most moving traffic violations are
8 simple misdemeanors, punishable by scheduled fines. However,
9 increased penalties apply for violations committed in a road
10 work zone. The bill establishes the following penalties for
11 violations committed during certain hours in a school zone
12 that mirror the penalties currently applicable to violations
13 committed in a road work zone: If a violation, other than
14 a speeding violation, is committed in a posted school zone
15 between the hours of 7:00 a.m. and 5:00 p.m. Monday through
16 Friday, the regular scheduled fine is doubled. If the
17 violation is a speeding violation, the fine is \$150 for speed
18 not more than 10 miles per hour over the speed limit; \$300 for
19 speed more than 10 but not more than 20 miles per hour over the
20 speed limit; \$500 for speed more than 20 but not more than 25
21 miles per hour over the speed limit; and \$1,000 for speed more
22 than 25 miles per hour over the speed limit.

23 In accordance with the manual on uniform traffic control
24 devices, portions of roadway designated as school zones are
25 marked with distinctive school zone signs and with supplemental
26 signs relating to the 25-mile-per-hour speed limit that applies
27 in school zones. The manual currently requires additional
28 signage at school zones if higher traffic fines apply.
29 However, the bill provides an exception to that provision,
30 stating that signage referring to higher traffic fines are not
31 required in addition to posted school zone signs.