

Senate Study Bill 3171 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WILHELM)

A BILL FOR

1 An Act relating to the vehicle registration duties of county
2 treasurers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.40, subsection 7, Code 2014, is
2 amended to read as follows:

3 7. a. The county treasurer shall refuse to renew the
4 registration of a vehicle registered to an applicant if the
5 county treasurer knows that the applicant has one or more
6 uncontested, delinquent parking fines for tickets issued
7 pursuant to section 321.236, subsection 1, paragraph "b", owing
8 to the county, or owing to a city with which the county has
9 an agreement authorized under section 331.553. However, a
10 county treasurer may renew the registration if the treasurer
11 determines that an error was made by the county or city in
12 identifying the vehicle involved in the parking violation or
13 if the citation has been dismissed as against the owner of the
14 vehicle pursuant to section 321.484. This subsection does not
15 apply to the transfer of a registration or the issuance of a
16 new registration. Notwithstanding section 28E.10, a county
17 treasurer may utilize the department's ~~vehicle registration and~~
18 ~~titling system~~ distributed teleprocessing network to facilitate
19 the purposes of this subsection.

20 b. The county treasurer of the county in which a person's
21 vehicle is registered may collect from an applicant delinquent
22 parking fines owed to a city with which the county has an
23 agreement authorized under section 331.553 or owed to the
24 county. The applicant may remit full payment for such
25 delinquent parking fines, along with a processing fee of five
26 dollars, to the county treasurer at the time of registration
27 renewal. Upon full payment of the required delinquent parking
28 fines, processing fee, and vehicle registration fee, the county
29 treasurer shall issue registration to the applicant. A county
30 treasurer collecting on behalf of the county or a city shall
31 update the vehicle registration records through the distributed
32 teleprocessing network on a daily basis for all persons who
33 have paid delinquent parking fines pursuant to this paragraph.
34 A county treasurer shall forward all funds collected for the
35 city to the city and all funds collected for the county to the

1 county.

2 Sec. 2. Section 321.40, subsection 9, Code 2014, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. c. The county treasurer of the county
5 in which the person's vehicle is registered, in cooperation
6 with the clerk of the district court, may collect delinquent
7 court debt owed to the clerk of the district court from a
8 person applying for renewal of a vehicle registration. The
9 applicant may remit full payment of the delinquent court debt,
10 along with a processing fee of five dollars, to the county
11 treasurer at the time of registration renewal. Upon full
12 payment of the required delinquent court debt, processing
13 fee, and vehicle registration fee, the county treasurer shall
14 issue the registration to the person. A county treasurer
15 collecting on behalf of the clerk of the district court shall
16 update the vehicle registration records through the distributed
17 teleprocessing network on a daily basis for all persons who
18 have paid delinquent court debt pursuant to this paragraph.
19 A county treasurer shall forward all funds collected for the
20 clerk of the district court to the clerk of the district court.

21 Sec. 3. Section 321.46, subsection 5, Code 2014, is amended
22 to read as follows:

23 5. The seller or transferor may file an affidavit on
24 forms prescribed and provided by the department with the
25 county treasurer of the county where the vehicle is registered
26 certifying the sale or transfer of ownership of the vehicle and
27 the assignment and delivery of the certificate of title for the
28 vehicle. Upon receipt of the affidavit, the county treasurer
29 shall file the affidavit with the copy of the registration
30 receipt for the vehicle on file in the treasurer's office and
31 on that day the treasurer shall note receipt of the affidavit
32 in the ~~vehicle registration and titling system~~ distributed
33 teleprocessing network. Upon filing the affidavit, it shall
34 be presumed that the seller or transferor has assigned and
35 delivered the certificate of title for the vehicle. For a

1 leased vehicle, the lessor licensed pursuant to chapter 321F or
2 the lessee may file an affidavit as provided in this subsection
3 certifying that the lease has expired or been terminated and
4 the date that the leased vehicle was surrendered to the lessor.

5 Sec. 4. Section 321.152, subsection 3, Code 2014, is amended
6 to read as follows:

7 3. The five dollar processing fee charged by a county
8 treasurer for collection of tax debt owed to the department
9 of revenue pursuant to section 321.40, subsection 6, for
10 collection of delinquent parking fines owed to a city or the
11 county pursuant to section 321.40, subsection 7, and for
12 collection of delinquent court debt pursuant to section 321.40,
13 subsection 9, shall be retained for deposit in the county
14 general fund.

15 Sec. 5. Section 321.236, subsection 1, paragraph e, Code
16 2014, is amended by striking the paragraph.

17 Sec. 6. Section 331.553, subsection 8, Code 2014, is amended
18 to read as follows:

19 8. a. Pursuant to an agreement under chapter 28E, collect
20 delinquent parking fines on behalf of a city in conjunction
21 with renewal of motor vehicle registrations pursuant to section
22 321.40. If the agreement provides for a fee to be paid to or
23 retained by the county treasurer from the collection of parking
24 fines, such fees shall be credited to the county general fund.
25 Fines collected pursuant to this subsection shall be remitted
26 ~~biannually~~ to the city.

27 b. Pursuant to a resolution adopted by the board of
28 supervisors for that county, collect delinquent parking fines
29 on behalf of the county in conjunction with renewal of motor
30 vehicle registrations pursuant to section 321.40.

31 c. Notwithstanding section 28E.10, a county treasurer
32 may utilize the state department of transportation's ~~vehicle~~
33 ~~registration and titling system~~ distributed teleprocessing
34 network to facilitate the purposes of this subsection.

35 Sec. 7. Section 364.2, subsection 5, Code 2014, is amended

1 to read as follows:

2 5. If provided by ordinance, a city may enter into a chapter
3 28E agreement for the collection of delinquent parking fines
4 by a county treasurer pursuant to section 321.40 at the time a
5 person applies for renewal of a motor vehicle registration, for
6 violations that have not been appealed or for which appeal has
7 been denied. ~~The city may pay the county treasurer may collect~~
8 and retain a reasonable five dollar processing fee for deposit
9 into the county general fund for the collection of such fines,
10 ~~or may allow the county treasurer to retain a portion of the~~
11 ~~finest collected, as provided in the agreement.~~

12

EXPLANATION

13

The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15

This bill is related to the vehicle registration duties of
16 county treasurers.

17

The bill provides that a county treasurer may collect
18 delinquent parking fines from a vehicle registration applicant
19 on behalf of the county or certain cities. The bill requires
20 the applicant to remit full payment for the delinquent parking
21 fines, along with a \$5 processing fee and the renewal fee,
22 to the county treasurer at the time of registration renewal.
23 A county treasurer collecting on behalf of the county or a
24 city is required to update the vehicle registration records
25 through the state department of transportation's distributed
26 teleprocessing network, on a daily basis, for all persons who
27 have paid delinquent parking fines in this manner. The bill
28 also makes corresponding changes.

29

The bill strikes language related to payment of computer
30 programming costs incurred by the department of transportation
31 to accommodate the collection of delinquent parking fines on
32 behalf of cities through Code chapter 28E agreements between
33 counties and cities and replaces that payment with a \$5 fee
34 that the county treasurer may collect for the collection of
35 such fines.

S.F. _____

1 The bill further provides that a county treasurer may
2 cooperate with the clerk of the district court to collect
3 delinquent court debt owed to the clerk. The bill provides
4 that a county treasurer may lift a hold on vehicle registration
5 if an applicant remits full payment for the applicant's
6 delinquent court debt. The county treasurer may also collect a
7 \$5 fee for the collection of such court debt for deposit into
8 the county general fund.