

House File 226 - Introduced

HOUSE FILE 226

BY KAUFMANN

A BILL FOR

1 An Act prohibiting persons from intentionally blocking or
2 organizing others to block the movement of traffic on
3 certain highways, and providing penalties.

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

1 Section 1. NEW SECTION. 318.6A Intentional blocking of
2 traffic prohibited — organizing others to block prohibited —
3 penalties — exceptions.

4 1. A person shall not loiter on the traveled portion of
5 the right-of-way of a highway with a speed limit of fifty-five
6 miles per hour or more with the intention of blocking the
7 normal and reasonable movement of motor vehicle traffic.
8 A person who violates this subsection commits a serious
9 misdemeanor punishable by a fine in the amount of one thousand
10 dollars, which shall be in lieu of any other punishment imposed
11 under this chapter.

12 2. A person shall not perform an activity related to
13 organizing, scheduling, or otherwise assembling a group of
14 persons if the person knows or should reasonably know the group
15 of persons will violate subsection 1. A person who violates
16 this subsection commits an aggravated misdemeanor, which shall
17 be in lieu of any other punishment imposed under this chapter.

18 3. This section shall not apply to a person who blocks
19 the movement of traffic for the purpose of obtaining law
20 enforcement, medical, or mechanical assistance. This section
21 shall also not apply to a person who is a peace officer or
22 emergency responder, who is engaged in highway construction
23 or maintenance, or who is an employee of a federal, state, or
24 local government, if the person is acting within the scope of
25 the person's duties.

26 EXPLANATION

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

29 Under current law, a person is prohibited from placing an
30 obstruction in the highway right-of-way, including the traveled
31 portion of the roadway. A person who violates this provision
32 is subject to an injunction and guilty of creating a public
33 nuisance, an aggravated misdemeanor punishable by imprisonment
34 not to exceed two years and a fine of at least \$625 but not to
35 exceed \$6,250. Any obstruction is subject to removal.

1 This bill prohibits a person from loitering on the traveled
2 portion of the right-of-way of a highway with a speed limit
3 of 55 miles per hour or more with the intention of blocking
4 the normal and reasonable movement of motor vehicle traffic.
5 A person who violates this provision commits a serious
6 misdemeanor punishable by a fine of \$1,000, which is in lieu of
7 any other punishment imposed under Code chapter 318.

8 The bill also prohibits a person from performing an activity
9 related to organizing, scheduling, or otherwise assembling a
10 group of persons if the person knows or should reasonably know
11 the group of persons will loiter on the traveled portion of
12 the right-of-way of a highway with a speed limit of 55 miles
13 per hour or more with the intention of blocking the normal and
14 reasonable movement of motor vehicle traffic. A person who
15 violates this provision commits an aggravated misdemeanor,
16 which is in lieu of any other punishment imposed under Code
17 chapter 318.

18 The bill does not apply to a person who blocks the movement
19 of traffic for the purpose of obtaining law enforcement,
20 medical, or mechanical assistance. In addition, the
21 bill does not apply to a person who is a peace officer or
22 emergency responder, who is engaged in highway construction
23 or maintenance, or who is an employee of a federal, state, or
24 local government, if the person is acting within the scope of
25 the person's duties.