

**House File 2430 - Introduced**

HOUSE FILE 2430

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2150)

**A BILL FOR**

1 An Act relating to unintentionally causing the death of a  
2 person by operating a motor vehicle at an excessive speed,  
3 and providing penalties.

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

1 Section 1. Section 707.6A, subsection 2, Code 2018, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. c. Exceeding a speed limit established or  
4 posted pursuant to section 321.236, subsection 13, paragraph  
5 "a", section 321.285, section 321.288, subsection 2, paragraph  
6 "f", or section 321.289, 321.290, 321.293, or 321.295, by  
7 twenty-five miles per hour or more, if the death of the other  
8 person directly or indirectly results from the violation.  
9 This paragraph shall not apply to a member of a public safety  
10 agency, as defined in section 34.1, performing official duties.

11 EXPLANATION

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

14 This bill provides that a person commits a class "C" felony  
15 when the person unintentionally causes the death of another by  
16 exceeding a speed limit established or posted pursuant to Code  
17 section 321.236, subsection 13, paragraph "a" (powers of local  
18 authorities to regulate speed in rural residence districts),  
19 Code section 321.285 (general speed restrictions), Code  
20 section 321.288, subsection 2, paragraph "f" (reduced speed  
21 in road work zones), or Code section 321.289 (speed signs),  
22 321.290 (special restrictions), 321.293 (local authorities may  
23 alter limits), or 321.295 (limitation on bridge or elevated  
24 structures), by 25 miles per hour or more, if the death of the  
25 other person directly or indirectly results from the violation.  
26 A class "C" felony is punishable by imprisonment for no more  
27 than 10 years and a fine of at least \$1,000 but not more than  
28 \$10,000. The bill exempts members of a public safety agency  
29 performing official duties from the provision.

30 By operation of law, a person who commits a violation  
31 under the bill is subject to driver's license suspension for  
32 vehicular homicide (Code section 321.210D) and is disqualified  
33 from operating a commercial motor vehicle for one year (Code  
34 section 321.208). In addition, the person is prohibited from  
35 being admitted to bail during the appeal process (Code section

1 811.1). If the person fails to remain at the scene of the  
2 accident in violation of Code section 321.261, the person  
3 must also be denied parole or work release until the person  
4 has served at least seven-tenths of the maximum term of the  
5 person's sentence (Code section 902.12).