

Senate File 2144 - Introduced

SENATE FILE 2144

BY HOGG

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 8, Code 2018, is
2 amended to read as follows:

3 8. 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
24 the 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 the registration to the applicant. A
30 county treasurer collecting on behalf of the county or a city
31 shall update the vehicle registration records through the
32 distributed teleprocessing network on a daily basis for all
33 persons who have paid delinquent parking fines pursuant to
34 this paragraph. A county treasurer shall forward all funds
35 collected for the city to the city and all funds collected for

1 the county to the county.

2 Sec. 2. Section 321.40, subsection 10, Code 2018, 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, county attorney, or
7 county attorney's designee, may collect delinquent court debt
8 owed to the clerk of the district court and being collected
9 by the clerk, the county attorney, or the county attorney's
10 designee from a person applying for renewal of a vehicle
11 registration. The applicant may remit full payment of the
12 delinquent court debt, along with a processing fee of five
13 dollars, to the county treasurer at the time of registration
14 renewal. Upon full payment of the required delinquent court
15 debt, processing fee, and vehicle registration fee, the county
16 treasurer shall issue the registration to the person. A county
17 treasurer collecting on behalf of the clerk of the district
18 court, county attorney, or county attorney's designee, shall
19 update the vehicle registration records through the distributed
20 teleprocessing network on a daily basis for all persons who
21 have paid delinquent court debt pursuant to this paragraph.
22 A county treasurer shall forward all funds collected for
23 the clerk of the district court, county attorney, or county
24 attorney's designee, to the clerk of the district court. The
25 funds forwarded to the clerk of the district court shall be
26 distributed pursuant to section 602.8107 as if the delinquent
27 court debt had been collected by the clerk of the district
28 court, county attorney, or county attorney's designee, as
29 applicable.

30 Sec. 3. Section 321.46, subsection 5, Code 2018, is amended
31 to read as follows:

32 5. The seller or transferor may file an affidavit on
33 forms prescribed and provided by the department with the
34 county treasurer of the county where the vehicle is registered
35 certifying the sale or transfer of ownership of the vehicle and

1 the assignment and delivery of the certificate of title for the
2 vehicle. Upon receipt of the affidavit, the county treasurer
3 shall file the affidavit with the copy of the registration
4 receipt for the vehicle on file in the treasurer's office and
5 on that day the treasurer shall note receipt of the affidavit
6 in the ~~vehicle registration and titling system~~ distributed
7 teleprocessing network. Upon filing the affidavit, it shall
8 be presumed that the seller or transferor has assigned and
9 delivered the certificate of title for the vehicle. For a
10 leased vehicle, the lessor licensed pursuant to [chapter 321F](#) or
11 the lessee may file an affidavit as provided in [this subsection](#)
12 certifying that the lease has expired or been terminated and
13 the date that the leased vehicle was surrendered to the lessor.

14 Sec. 4. Section 321.152, subsection 3, Code 2018, is amended
15 to read as follows:

16 3. The five dollar processing fee charged by a county
17 treasurer for collection of tax debt owed to the department
18 of revenue pursuant to [section 321.40, subsection 6](#), for
19 collection of delinquent parking fines owed to a city or the
20 county pursuant to section 321.40, subsection 8, and for
21 collection of delinquent court debt pursuant to section 321.40,
22 subsection 10, shall be retained for deposit in the county
23 general fund.

24 Sec. 5. Section 321.236, subsection 1, paragraph e, Code
25 2018, is amended by striking the paragraph.

26 Sec. 6. Section 331.553, subsection 8, Code 2018, is amended
27 to read as follows:

28 8. a. Pursuant to an agreement under [chapter 28E](#), collect
29 delinquent parking fines on behalf of a city in conjunction
30 with renewal of motor vehicle registrations pursuant to section
31 321.40. If the agreement provides for a fee to be paid to or
32 retained by the county treasurer from the collection of parking
33 fines, such fees shall be credited to the county general fund.
34 Fines collected pursuant to [this subsection](#) shall be remitted
35 ~~biannually~~ to the city.

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

5 c. Notwithstanding section 28E.10, a county treasurer
6 may utilize the state department of transportation's vehicle
7 registration and titling system distributed teleprocessing
8 network to facilitate the purposes of this subsection.

9 Sec. 7. Section 364.2, subsection 5, Code 2018, is amended
10 to read as follows:

11 5. If provided by ordinance, a city may enter into a chapter
12 28E agreement for the collection of delinquent parking fines
13 by a county treasurer pursuant to section 321.40 at the time a
14 person applies for renewal of a motor vehicle registration, for
15 violations that have not been appealed or for which appeal has
16 been denied. ~~The city may pay the~~ county treasurer may collect
17 and retain a reasonable five dollar processing fee for deposit
18 in the county general fund for the collection of such fines, ~~or~~
19 ~~may allow the county treasurer to retain a portion of the fines~~
20 ~~collected, as provided in the agreement.~~

21 EXPLANATION

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

24 This bill relates to the vehicle registration duties of
25 county treasurers.

26 The bill provides that a county treasurer may collect
27 delinquent parking fines from a vehicle registration applicant
28 on behalf of the county or certain cities. The bill requires
29 the applicant to remit full payment for the delinquent parking
30 fines, along with a \$5 processing fee and the renewal fee,
31 to the county treasurer at the time of registration renewal.
32 A county treasurer collecting on behalf of the county or a
33 city is required to update the vehicle registration records
34 through the state department of transportation's distributed
35 teleprocessing network, on a daily basis, for all persons who

1 have paid delinquent parking fines in this manner. The bill
2 also makes corresponding changes.

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

10 The bill further provides that a county treasurer may
11 cooperate with the clerk of the district court, county
12 attorney, or county attorney's designee, to collect delinquent
13 court debt owed to the clerk and being collected by the clerk,
14 the county attorney, or the county attorney's designee. The
15 bill provides that a county treasurer may lift a hold on
16 vehicle registration if an applicant remits full payment for
17 the applicant's delinquent court debt. The county treasurer
18 may also collect a \$5 fee for the collection of such court debt
19 for deposit in the county general fund. The bill provides that
20 the funds forwarded to the clerk of the district court shall
21 be distributed pursuant to Code section 602.8107 as if the
22 delinquent court debt had been collected by the clerk of the
23 district court, county attorney, or county attorney's designee,
24 as applicable.