

House File 390 - Introduced

HOUSE FILE 390

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 45)

A BILL FOR

1 An Act relating to required notices to the department of
2 transportation regarding certain registered aircraft.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 328.24, subsection 1, Code 2019, is
2 amended to read as follows:

3 1. If, during the year for which an aircraft, except
4 aircraft used for the application of herbicides and pesticides,
5 was registered and the required fee paid, the aircraft is
6 destroyed by fire or accident or junked, and ~~its~~ the aircraft's
7 identity as an aircraft entirely eliminated, or the aircraft
8 is removed and continuously used beyond the boundaries of
9 the state, then the owner in whose name ~~it~~ the aircraft was
10 registered at the time of destruction, dismantling, or removal
11 from the state shall ~~return the certificate of registration~~
12 provide notice to the department within thirty days and make
13 affidavit of the destruction, dismantling, or removal and
14 make claim for the refund. The refund shall be paid from the
15 general fund of the state.

16 Sec. 2. Section 328.43, Code 2019, is amended to read as
17 follows:

18 **328.43 Transfer notice.**

19 Upon the transfer of ownership of any registered aircraft,
20 the owner shall immediately ~~give~~ provide notice to the
21 department ~~upon the form on the reverse side of the certificate~~
22 ~~of registration~~, stating the date of such transfer, the name
23 and post office address with street number, if in a city, of
24 the person to whom the aircraft was transferred, the number of
25 the registration certificate, and such other information as the
26 department may require.

27

EXPLANATION

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

30 In 2015, the general assembly repealed a provision
31 which required the display of an aircraft's certificate of
32 registration under certain circumstances and the presentation
33 of the certificate for inspection upon a demand by various
34 parties. This bill alters certain notice provisions involving
35 the return of an aircraft's certificate of registration to the

1 department of transportation (DOT).

2 Under current law, if a registered aircraft is destroyed
3 by fire or accident or junked, and its identity as an
4 aircraft entirely eliminated, or the aircraft is removed and
5 continuously used beyond the boundaries of the state, then
6 the owner is required to return the aircraft's certificate of
7 registration to the DOT within 30 days, provide an affidavit
8 of the destruction, dismantling, or removal, and make a claim
9 for a refund of the registration fee. The bill strikes the
10 requirement that the owner return the aircraft's certificate of
11 registration to the DOT within 30 days, and instead requires
12 the owner to provide notice to the DOT within 30 days.

13 Under current law, upon transfer of ownership of a
14 registered aircraft, the owner is required to immediately give
15 notice to the DOT upon the form on the reverse side of the
16 certificate of registration. The bill strikes the requirement
17 that the notice be upon the form on the reverse side of the
18 certificate of registration.