

Senate Study Bill 3121 - Introduced

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

A BILL FOR

1 An Act regarding the registration and titling of motor
2 vehicles, including by providing for registration and
3 titling by any county treasurer and by modifying related
4 fees and the amount of fees retained by county treasurers.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.20, subsection 1, unnumbered
2 paragraph 1, Code 2020, is amended to read as follows:
3 Except as provided in [this chapter](#), an owner of a vehicle,
4 or a lessor of a vehicle pursuant to chapter 321F which has a
5 gross vehicle weight of less than ten thousand pounds, which
6 is subject to registration, shall make application to the any
7 ~~county treasurer of the county of the owner's residence, or~~
8 ~~if a nonresident, to the county treasurer of the county where~~
9 ~~the primary users of the vehicle are located, or if a lessor~~
10 ~~of the vehicle pursuant to [chapter 321F](#) which vehicle has a~~
11 ~~gross vehicle weight of less than ten thousand pounds, to the~~
12 ~~county treasurer of the county of the lessee's residence,~~
13 ~~or if a firm, association, or corporation with vehicles in~~
14 ~~multiple counties, the owner may make application to the~~
15 ~~county treasurer of the county where the primary user of the~~
16 ~~vehicle is located,~~ for the registration and issuance of a
17 certificate of title for the vehicle upon the appropriate form
18 furnished by the department. However, upon the transfer of
19 ownership, the owner of a vehicle subject to the apportioned
20 registration provisions of [chapter 326](#) shall make application
21 for issuance of a certificate of title to either the department
22 or ~~the appropriate~~ any county treasurer. The owner of a
23 vehicle purchased pursuant to [section 578A.7](#) shall present
24 documentation that such sale was completed in compliance with
25 that section. The application shall be accompanied by a fee
26 of ~~twenty~~ twenty-five dollars, and shall bear the owner's
27 signature. A nonresident owner of two or more vehicles subject
28 to registration may make application for registration and
29 issuance of a certificate of title for all vehicles subject to
30 registration to the any county treasurer ~~of the county where~~
31 ~~the primary user of any of the vehicles is located.~~ The owner
32 of a mobile home or manufactured home shall make application
33 for a certificate of title under [this section](#) from the county
34 treasurer of the county where the mobile home or manufactured
35 home is located. The application shall contain:

1 Sec. 2. Section 321.20, subsections 2, 3, and 4, Code 2020,
2 are amended to read as follows:

3 2. Notwithstanding contrary provisions of [this chapter](#)
4 or [chapter 326](#) regarding titling and registration by means
5 other than electronic means, the department shall, ~~by July 1,~~
6 ~~2019,~~ develop and implement a program to allow for electronic
7 applications, titling, registering, and funds transfers for
8 vehicles subject to registration in order to improve the
9 efficiency and timeliness of the processes and to reduce costs
10 for all parties involved. The program shall also provide for
11 the electronic submission of any statement required by this
12 section, except where prohibited by federal law.

13 3. The department shall adopt rules ~~on~~ pursuant to chapter
14 17A to administer this section, including rules relating to the
15 method for providing signatures for applications and statements
16 required by [this section](#) that are made by electronic means.

17 4. ~~Notwithstanding [this section](#) or any other provision of~~
18 ~~law to the contrary, if the program required by subsection~~
19 ~~2 is not implemented by July 1, 2019, an owner of a vehicle~~
20 ~~subject to registration may apply to the county treasurer of a~~
21 ~~county contiguous to the county designated for the owner under~~
22 ~~[subsection 1](#) for registration and issuance of a certificate of~~
23 ~~title. If a transaction occurs under the program established~~
24 ~~pursuant to subsection 2, the required documentation shall~~
25 ~~be electronically submitted to the county treasurer of the~~
26 ~~county of the owner's residence; or if a nonresident, to the~~
27 ~~county treasurer of the county where the primary users of the~~
28 ~~vehicle are located; or if a lessor of the vehicle pursuant to~~
29 ~~chapter 321F which has a gross vehicle weight of less than ten~~
30 ~~thousand pounds, to the county treasurer of the county of the~~
31 ~~lessee's residence; or if a firm, association, or corporation~~
32 ~~with vehicles in multiple counties, the county treasurer of the~~
33 ~~county where the primary user of the vehicle is located.~~

34 Sec. 3. Section 321.20A, subsection 1, Code 2020, is amended
35 to read as follows:

1 1. Notwithstanding other provisions of [this chapter](#),
2 the owner of a commercial vehicle subject to the apportioned
3 registration provisions of [chapter 326](#) may make application
4 to the department or ~~the appropriate~~ any county treasurer
5 for a certificate of title. The owner of a commercial
6 vehicle purchased pursuant to [section 578A.7](#) shall present
7 documentation that such sale was completed in compliance with
8 that section. The application for certificate of title shall
9 be made within thirty days of purchase or transfer and shall be
10 accompanied by a ~~twenty~~ twenty-five dollar title fee and the
11 appropriate fee for new registration. The department or the
12 county treasurer shall deliver the certificate of title to the
13 owner if there is no security interest. If there is a security
14 interest, the title, when issued, shall be delivered to the
15 first secured party. Delivery may be made using electronic
16 means.

17 Sec. 4. Section 321.23, subsections 3 and 4, Code 2020, are
18 amended to read as follows:

19 3. In the event an applicant for registration of a foreign
20 vehicle for which a certificate of title has been issued is
21 able to furnish evidence of being the registered owner of the
22 vehicle to the any county treasurer ~~of the owner's residence~~,
23 although unable to surrender such certificate of title, the
24 county treasurer may issue a registration receipt and plates
25 upon receipt of the required annual registration fee and the
26 fee for new registration but shall not issue a certificate of
27 title thereto. Upon surrender of the certificate of title
28 from the foreign state, the county treasurer shall issue a
29 certificate of title to the owner, or person entitled thereto,
30 of such vehicle as provided in [this chapter](#). The owner
31 of a vehicle registered under [this subsection](#) shall not be
32 required to obtain a certificate of title in this state and may
33 transfer ownership of the vehicle to a motor vehicle dealer
34 licensed under [chapter 322](#) if, at the time of the transfer,
35 the certificate of title is held by a secured party and the

1 dealer has forwarded to the secured party the sum necessary to
2 discharge the security interest pursuant to section 321.48,
3 subsection 1.

4 4. A vehicle which does not meet the equipment requirements
5 of [this chapter](#) due to the particular use for which it is
6 designed or intended, may be registered by the department
7 upon payment of appropriate fees and after inspection and
8 certification by the department that the vehicle is not
9 in an unsafe condition. A person is not required to have
10 a certificate of title to register a vehicle under this
11 subsection. If the owner elects to have a certificate of
12 title issued for the vehicle, a fee of ~~twenty~~ twenty-five
13 dollars shall be paid by the person making the application
14 upon issuance of a certificate of title. If the department's
15 inspection reveals that the vehicle may be safely operated only
16 under certain conditions or on certain types of roadways, the
17 department may restrict the registration to limit operation of
18 the vehicle to the appropriate conditions or roadways. This
19 subsection does not apply to snowmobiles as defined in section
20 321G.1. [Section 321.382](#) does not apply to a vehicle registered
21 under [this subsection](#) which is operated exclusively by a person
22 with a disability who has obtained a persons with disabilities
23 parking permit as provided in [section 321L.2](#), if the persons
24 with disabilities parking permit is carried in or on the
25 vehicle and shown to a peace officer on request.

26 Sec. 5. Section 321.34, subsection 1, Code 2020, is amended
27 to read as follows:

28 1. *Plates issued.* The county treasurer upon receiving
29 application, accompanied by proper fee, for registration of a
30 vehicle shall issue to the owner one registration plate for
31 a motorcycle, motorized bicycle, autocycle, truck tractor,
32 trailer, or semitrailer and two registration plates for every
33 other motor vehicle. The registration plates, including
34 special registration plates, shall be assigned to the owner of
35 a vehicle. When the owner of a registered vehicle transfers

1 or assigns ownership of the vehicle to another person, the
2 owner shall remove the registration plates from the vehicle.
3 The owner shall forward the plates to ~~the~~ any county treasurer
4 ~~where the vehicle is registered~~ or the owner may have the
5 plates assigned to another vehicle within thirty days after
6 transfer, upon payment of the fees required by law. The
7 owner shall immediately affix registration plates retained
8 by the owner to another vehicle owned or acquired by the
9 owner, providing the owner complies with [section 321.46](#). The
10 department shall adopt rules providing for the assignment of
11 registration plates to the transferee of a vehicle for which a
12 credit is allowed under [section 321.46, subsection 6](#).

13 Sec. 6. Section 321.40, subsection 1, Code 2020, is amended
14 to read as follows:

15 1. Application for renewal for a vehicle registered under
16 this chapter shall be made on or after the first day of the
17 month prior to the month of expiration of registration and up
18 to and including the last day of the month following the month
19 of expiration of registration. The application for renewal
20 shall be submitted to the county treasurer of the county of
21 the owner's residence; or if a nonresident, to the county
22 treasurer of the county where the primary users of the vehicle
23 are located; or if a lessor of the vehicle pursuant to chapter
24 321F which has a gross vehicle weight of less than ten thousand
25 pounds, to the county treasurer of the county of the lessee's
26 residence; or if a firm, association, or corporation with
27 vehicles in multiple counties, to the county treasurer of the
28 county where the primary user of the vehicle is located. The
29 registration shall be renewed upon payment of the appropriate
30 annual registration fee. Application for renewal for a vehicle
31 registered under [chapter 326](#) shall be made on or after the
32 first day of the month prior to the month of expiration of
33 registration and up to and including the last day of the month
34 of expiration of registration.

35 Sec. 7. Section 321.42, subsection 2, paragraphs a, c, and

1 d, Code 2020, are amended to read as follows:

2 a. If a certificate of title is lost or destroyed, the
3 owner or lienholder shall apply for a replacement copy of the
4 original certificate of title. The owner or lienholder of a
5 motor vehicle may also apply for a replacement copy of the
6 original certificate of title upon surrender of the original
7 certificate of title with the application. The application
8 shall be made to the department or any county treasurer ~~who~~
9 ~~issued the original certificate of title~~. The application
10 shall be signed by the owner or lienholder and accompanied by a
11 fee of ~~twenty~~ twenty-five dollars.

12 c. If a security interest noted on the face of an original
13 certificate of title was released by the lienholder on a
14 separate form pursuant to [section 321.50, subsection 5](#), and
15 the signature of the lienholder, or the person executing the
16 release on behalf of the lienholder, is notarized, but the
17 lienholder has not delivered the original certificate to the
18 appropriate party as provided in [section 321.50, subsection 5](#),
19 the owner may apply for and receive a replacement certificate
20 of title without the released security interest noted thereon.
21 The lienholder shall return the original certificate of title
22 to the department or to ~~the~~ any county treasurer ~~of the county~~
23 ~~where the title was issued~~.

24 d. A new purchaser or transferee is entitled to receive
25 an original title upon presenting the assigned replacement
26 copy to ~~the~~ any county treasurer ~~of the county where the new~~
27 ~~purchaser or transferee resides~~. At the time of purchase, a
28 purchaser may require the seller to indemnify the purchaser and
29 all future purchasers of the vehicle against any loss which
30 may be suffered due to claims on the original certificate. A
31 person recovering an original certificate of title for which
32 a replacement has been issued shall surrender the original
33 certificate to the county treasurer or the department.

34 Sec. 8. Section 321.46, subsections 1, 2, and 5, Code 2020,
35 are amended to read as follows:

1 1. The transferee shall, within thirty calendar days after
2 purchase or transfer, apply for and obtain from ~~the any county~~
3 ~~treasurer of the person's residence, or if a nonresident, the~~
4 ~~county treasurer of the county where the primary users of the~~
5 ~~vehicle are located or the county where all other vehicles~~
6 ~~owned by the nonresident are registered, or in the case of a~~
7 ~~mobile home or manufactured home, the county treasurer of the~~
8 ~~county where the mobile home or manufactured home is located,~~
9 ~~or if a firm, association, or corporation with vehicles in~~
10 ~~multiple counties, the transferee may apply for and obtain~~
11 ~~from the county treasurer of the county where the primary~~
12 ~~user of the vehicle is located, a new registration and a new~~
13 ~~certificate of title for the vehicle, except as provided in~~
14 ~~section 321.25, 321.48, or 322G.12, or when the transferee~~
15 ~~obtains the vehicle pursuant to section 321.52, subsection 2,~~
16 ~~paragraph "b". In the case of a mobile home or manufactured~~
17 ~~home, the transferee shall, within thirty calendar days after~~
18 ~~purchase or transfer, apply for and obtain from the county~~
19 ~~treasurer of the county where the mobile home or manufactured~~
20 ~~home is located a new registration and a new certificate of~~
21 ~~title.~~ The transferee shall present with the application the
22 certificate of title endorsed and assigned by the previous
23 owner and shall indicate the name of the county in which the
24 vehicle was last registered and the registration expiration
25 date.

26 2. Upon filing the application for a new registration and
27 a new title, the applicant shall pay a title fee of ~~twenty~~
28 twenty-five dollars, an annual registration fee prorated for
29 the remaining unexpired months of the registration year, and
30 a fee for new registration if applicable. A manufacturer
31 applying for a certificate of title pursuant to section 322G.12
32 shall pay a title fee of ~~ten~~ fifteen dollars. However, a
33 title fee shall not be charged to a manufactured or mobile
34 home retailer applying for a certificate of title for a used
35 mobile home or manufactured home, titled in Iowa, as required

1 under [section 321.45, subsection 4](#). The county treasurer, if
2 satisfied of the genuineness and regularity of the application,
3 and in the case of a mobile home or manufactured home, that
4 taxes are not owing under [chapter 435](#), and that applicant has
5 complied with all the requirements of [this chapter](#), shall issue
6 a new certificate of title and, except for a mobile home,
7 manufactured home, or a vehicle returned to and accepted by a
8 manufacturer as described in [section 322G.12](#), a registration
9 card to the purchaser or transferee, shall cancel the prior
10 registration for the vehicle, and shall forward the necessary
11 copies to the department on the date of issuance, as prescribed
12 in [section 321.24](#). Mobile homes or manufactured homes titled
13 under [chapter 448](#) that have been subject under [section 446.18](#)
14 to a public bidder sale in a county shall be titled in the
15 county's name, with no fee, and the county treasurer shall
16 issue the title.

17 5. The seller or transferor may file an affidavit on
18 forms prescribed and provided by the department with ~~the~~ any
19 county treasurer ~~of the county where the vehicle is registered~~
20 certifying the sale or transfer of ownership of the vehicle
21 and the assignment and delivery of the certificate of title
22 for the vehicle. Upon receipt of the affidavit, the county
23 treasurer shall file the affidavit with the copy of the
24 registration receipt for the vehicle on file in the treasurer's
25 office and on that day the treasurer shall note receipt of the
26 affidavit in the vehicle registration and titling system. Upon
27 filing the affidavit, it shall be presumed that the seller or
28 transferor has assigned and delivered the certificate of title
29 for the vehicle. For a leased vehicle, the lessor licensed
30 pursuant to [chapter 321F](#) or the lessee may file an affidavit
31 as provided in [this subsection](#) certifying that the lease has
32 expired or been terminated and the date that the leased vehicle
33 was surrendered to the lessor.

34 Sec. 9. Section 321.47, subsections 1 and 3, Code 2020, are
35 amended to read as follows:

1 1. If ownership of a vehicle is transferred by operation of
2 law upon inheritance, devise or bequest, dissolution decree,
3 order in bankruptcy, insolvency, replevin, foreclosure or
4 execution sale, abandoned vehicle sale, or when the engine of a
5 motor vehicle is replaced by another engine, or a vehicle is
6 sold or transferred to satisfy an artisan's lien as provided
7 in [chapter 577](#), a landlord's lien as provided in [chapter 570](#),
8 a self-service storage facility lien as provided in section
9 578A.7, a storage lien as provided in [chapter 579](#), a judgment
10 in an action for abandonment of a manufactured or mobile home
11 as provided in [chapter 555B](#), upon presentation of an affidavit
12 relating to the disposition of a valueless mobile, modular, or
13 manufactured home as provided in [chapter 555C](#), or repossession
14 is had upon default in performance of the terms of a security
15 agreement, ~~the any county treasurer in the transferee's county~~
16 ~~of residence~~ or, in the case of a mobile home or manufactured
17 home, the county treasurer of the county where the mobile home
18 or manufactured home is located, upon the surrender of the
19 prior certificate of title or the manufacturer's or importer's
20 certificate, or when that is not possible, upon presentation
21 of satisfactory proof to the county treasurer of ownership
22 and right of possession to the vehicle and upon payment of a
23 fee of ~~twenty~~ twenty-five dollars and the presentation of an
24 application for registration and certificate of title, may
25 issue to the applicant a registration card for the vehicle
26 and a certificate of title to the vehicle. A person entitled
27 to ownership of a vehicle under a decree of dissolution shall
28 surrender a reproduction of a certified copy of the dissolution
29 and upon fulfilling the other requirements of [this chapter](#) is
30 entitled to a certificate of title and registration receipt
31 issued in the person's name.

32 3. Whenever ownership of a vehicle is transferred under the
33 provisions of [this section](#), the registration plates shall be
34 removed and forwarded to ~~the any county treasurer of the county~~
35 ~~where the vehicle is registered~~ or to the department if the

1 vehicle is owned by a nonresident. Upon transfer the vehicle
2 shall not be operated upon the highways of this state until the
3 person entitled to possession of the vehicle applies for and
4 obtains registration for the vehicle.

5 Sec. 10. Section 321.48, subsection 2, Code 2020, is amended
6 to read as follows:

7 2. A foreign registered vehicle purchased or otherwise
8 acquired by a dealer for the purpose of resale shall be issued
9 a certificate of title for the vehicle by ~~the~~ any county
10 treasurer ~~of the dealer's residence~~ upon proper application as
11 provided in this chapter and upon payment of a fee of five ten
12 dollars and the dealer is exempt from the payment of any and
13 all registration fees for the vehicle. The application for
14 certificate of title shall be made within thirty days after
15 the vehicle comes within the border of the state. However, a
16 dealer acquiring a vehicle registered in another state which
17 permits Iowa dealers to reassign that state's certificates
18 of title shall not be required to obtain a new registration
19 or a new certificate of title and upon transferring title or
20 interest to another person shall execute an assignment upon the
21 certificate of title for the vehicle to the person to whom the
22 transfer is made and deliver the assigned certificate of title
23 to the person.

24 Sec. 11. Section 321.49, subsection 1, Code 2020, is amended
25 to read as follows:

26 1. Except as provided in section 321.52, if an application
27 for transfer of registration and certificate of title is not
28 submitted to ~~the~~ any county treasurer ~~of the residence of~~
29 ~~the transferee~~ within thirty days of the date of assignment
30 or transfer of title, or within thirty days of the date of
31 delivery to the purchaser if the vehicle is subject to a
32 security interest and was offered for sale pursuant to section
33 321.48, subsection 1, a penalty of ten dollars shall accrue
34 against the applicant, and no registration card or certificate
35 of title shall be issued to the applicant for the vehicle until

1 the penalty is paid.

2 Sec. 12. Section 321.50, subsection 1, Code 2020, is amended
3 to read as follows:

4 1. A security interest in a vehicle subject to registration
5 under the laws of this state ~~or a mobile home or manufactured~~
6 ~~home~~, except trailers whose empty weight is two thousand
7 pounds or less, and except new or used vehicles held by a
8 dealer or manufacturer as inventory for sale, is perfected by
9 the delivery to the any county treasurer ~~of the county where~~
10 ~~the certificate of title was issued or, in the case of a new~~
11 ~~certificate, to the county treasurer where the certificate will~~
12 ~~be issued~~, of an application for certificate of title which
13 lists the security interest, or an application for notation
14 of security interest signed by the owner or by one owner of
15 a vehicle owned jointly by more than one person, or signed
16 through electronic means as determined by the department, or a
17 certificate of title from another jurisdiction which shows the
18 security interest, and payment of a fee of ~~ten~~ fifteen dollars
19 for each security interest shown. The security interest in a
20 mobile home or manufactured home is perfected by the delivery
21 to the county treasurer of the county where the certificate
22 of title was issued or, in the case of a new certificate, to
23 the county treasurer where the certificate will be issued,
24 of an application for certificate of title which lists the
25 security interest, or an application for notation of security
26 interest signed by the owner or by one owner when owned jointly
27 by more than one person, or signed through electronic means
28 as determined by the department, or a certificate of title
29 from another jurisdiction which shows the security interest,
30 and payment of a fee of fifteen dollars for each security
31 interest shown. The department shall require the federal
32 employer identification number of a secured party who is a
33 firm, association, or corporation or, if a natural person,
34 the social security number. Upon delivery of the application
35 and payment of the fee, the county treasurer shall note the

1 date of delivery on the application. If the delivery is by
2 electronic means and the time is electronically recorded on the
3 application along with the date, the time shall be included
4 with the date on all subsequent documents and records where the
5 date of perfection is required under [this chapter](#). The date
6 of delivery shall be the date of perfection of the security
7 interest in the vehicle, regardless of the date the security
8 interest is noted on the certificate of title. Up to three
9 security interests may be perfected against a vehicle and shown
10 on an Iowa certificate of title. If the owner or secured party
11 is in possession of the certificate of title, it must also be
12 delivered at this time. If a vehicle is subject to a security
13 interest when brought into this state, the validity of the
14 security interest and the date of perfection is determined by
15 section 554.9303. Delivery as provided in [this subsection](#)
16 constitutes perfection of a security interest on a certificate
17 of title for purposes of [this chapter](#) and [chapter 554](#).

18 Sec. 13. Section 321.50, subsection 5, paragraphs a and c,
19 Code 2020, are amended to read as follows:

20 *a.* When a security interest is discharged, the holder
21 shall note a cancellation of the security interest on the
22 face of the certificate of title over the holder's signature
23 or may note the cancellation of the security interest on a
24 separate, notarized release form or letter. The holder shall
25 deliver the certificate of title and the form or letter, if
26 applicable, to the any county treasurer ~~where the title was~~
27 ~~issued~~. In the case of a security interest that has been
28 delivered by electronic means, the holder shall notify the
29 department or the county treasurer, in a manner prescribed
30 by the department, of the release of the security interest.
31 The county treasurer shall immediately note the cancellation
32 of the security interest on the face of the certificate of
33 title, if applicable, and in the county records system. The
34 county treasurer shall on the same day deliver the certificate
35 of title, if applicable, and the separate, notarized release

1 form or letter, if applicable, to the then first secured party
2 or, if there is no such person, to the person as directed by
3 the owner, in writing, on a form prescribed by the department
4 or, if there is no person designated, then to the owner. The
5 cancellation of the security interest shall be noted on the
6 certificate of title by the county treasurer without charge.
7 The holder of a security interest discharged by payment who
8 fails to release the security interest within fifteen days
9 after being requested in writing to do so shall forfeit to the
10 person making the payment the sum of twenty-five dollars.

11 c. When a security interest is discharged, the lienholder
12 shall note the cancellation of the security interest on the
13 face of the title and, if applicable, may note the cancellation
14 of the security interest on a form prescribed by the department
15 and deliver a copy of the form in lieu of the title to the
16 department or to the any county treasurer ~~of the county in~~
17 ~~which the title was issued~~. The form may be delivered by
18 electronic means. The department or county treasurer shall
19 note the release of the security interest upon the statewide
20 computer system and the county's records. A copy of the form,
21 if used, shall be attached to the title by the lienholder, if
22 the title is held by the lienholder, and shall be evidence of
23 the release of the security interest. If the title is held
24 by the lienholder, the lienholder shall deliver the title to
25 the first lienholder, or if there is no such person, to the
26 person as designated by the owner, or if there is no such
27 person designated, to the owner. If a certificate of title
28 has not been issued, upon release of a security interest, the
29 lienholder shall notify the department or the county treasurer,
30 in a manner prescribed by the department, of the release of the
31 security interest.

32 Sec. 14. Section 321.52, subsection 2, paragraph a, Code
33 2020, is amended to read as follows:

34 a. The purchaser or transferee of a motor vehicle subject to
35 registration for which a certificate of title is issued which

1 is sold for scrap or junk shall surrender the certificate of
2 title, properly endorsed and signed by the previous owner, to
3 ~~the any county treasurer of the county of residence of the~~
4 ~~transferee~~, and shall apply for a junking certificate from the
5 county treasurer, within thirty days after assignment of the
6 certificate of title, except when the vehicle is disposed of
7 pursuant to paragraph "b". The county treasurer shall issue
8 to such person without fee a junking certificate. A junking
9 certificate shall authorize the holder to possess, transport,
10 or transfer by endorsement the ownership of the junked vehicle.
11 A certificate of title shall not again be issued for the
12 vehicle subsequent to the issuance of a junking certificate
13 except as provided in [subsection 3](#). The county treasurer shall
14 cancel the record of the vehicle. The junking certificate
15 shall be printed on the registration receipt form and shall be
16 imprinted with the words "junking certificate", as prescribed
17 by the department. A space for transfer by endorsement
18 shall be on the junking certificate. A separate form for the
19 notation of the transfer of component parts shall be attached
20 to the junking certificate when the certificate is issued.

21 Sec. 15. Section 321.52, subsection 4, paragraphs a and b,
22 Code 2020, are amended to read as follows:

23 a. Notwithstanding any other provision of law to the
24 contrary, an insurer may apply for and be issued a salvage
25 certificate of title for a motor vehicle without surrendering
26 the certificate of title or manufacturer's or importer's
27 statement of origin properly assigned if ownership of the
28 vehicle was transferred, or will transfer, to the insurer
29 pursuant to a settlement with the previous owner of the vehicle
30 arising from circumstances involving damage to the vehicle,
31 and at least thirty days have expired since the effective
32 date of such settlement. To obtain a salvage certificate
33 of title pursuant to this paragraph "a", the insurer shall
34 submit an application for a salvage certificate of title to
35 ~~the any county treasurer of the county in which the vehicle~~

1 ~~is stored by or on behalf of the insurer.~~ The application
2 shall be accompanied by an affidavit from the insurer in
3 which the insurer certifies it has made at least two written
4 attempts to obtain a properly assigned certificate of title
5 or manufacturer's or importer's statement of origin for the
6 vehicle by contacting the previous owner of the vehicle and all
7 lienholders of record by certified mail or a similar service
8 that provides proof of service using a return receipt, and
9 has been unable to obtain the title or statement of origin.
10 The failure of a previous owner or lienholder to provide a
11 properly assigned certificate of title or manufacturer's or
12 importer's statement of origin shall be deemed to be a waiver
13 by the previous owner or lienholder of all rights, title,
14 claim, and interest in the vehicle. The application shall also
15 be accompanied by the application fee required under paragraph
16 "b", and proof of payment of the total amount of the settlement
17 by the insurer to the previous owner of the vehicle. Upon
18 receiving an application that complies with this paragraph "a",
19 the county treasurer shall issue a salvage certificate of title
20 to the insurer which shall be free and clear of all liens and
21 claims of ownership and shall bear the word "SALVAGE" stamped
22 or printed on the face of the title in a manner prescribed by
23 the department.

24 *b.* A vehicle rebuilder or a person engaged in the business
25 of buying, selling, or exchanging vehicles of a type required
26 to be registered in this state, upon acquisition of a wrecked
27 or salvage vehicle, shall surrender the certificate of
28 title or manufacturer's or importer's statement of origin
29 properly assigned, together with an application for a salvage
30 certificate of title, to the any county treasurer ~~of the county~~
31 ~~of residence of the purchaser or transferee~~ within thirty days
32 after the date of assignment of the certificate of title for
33 the wrecked or salvage motor vehicle. **This subsection** applies
34 only to vehicles with a fair market value of five hundred
35 dollars or more, based on the value before the vehicle became

1 wrecked or salvage. Upon payment of a fee of ~~ten~~ fifteen
2 dollars, the county treasurer shall issue a salvage certificate
3 of title which shall bear the word "SALVAGE" stamped or
4 printed on the face of the title in a manner prescribed by the
5 department. A salvage certificate of title may be assigned
6 to an educational institution, a new motor vehicle dealer
7 licensed under [chapter 322](#), a person engaged in the business
8 of purchasing bodies, parts of bodies, frames or component
9 parts of vehicles for sale as scrap metal, a salvage pool, or
10 an authorized vehicle recycler licensed under [chapter 321H](#). An
11 authorized vehicle recycler licensed under [chapter 321H](#) or a
12 new motor vehicle dealer licensed under [chapter 322](#) may assign
13 or reassign an Iowa salvage certificate of title or a salvage
14 certificate of title from another state to any person, and the
15 provisions of [section 321.24, subsection 5](#), requiring issuance
16 of an Iowa salvage certificate of title shall not apply. A
17 vehicle on which ownership has transferred to an insurer of
18 the vehicle as a result of a settlement with the owner of the
19 vehicle arising out of damage to, or unrecovered theft of, the
20 vehicle shall be deemed to be a wrecked or salvage vehicle
21 and the insurer shall comply with [this subsection](#) to obtain a
22 salvage certificate of title within thirty days after the date
23 of assignment of the certificate of title of the vehicle.

24 Sec. 16. Section 321.105A, subsection 2, unnumbered
25 paragraph 1, Code 2020, is amended to read as follows:

26 In addition to the annual registration fee required under
27 section 321.105, a "fee for new registration" is imposed in
28 the amount of five dollars plus five percent of the purchase
29 price for each vehicle subject to registration. The fee for
30 new registration shall be paid by the owner of the vehicle to
31 the county treasurer at the time application is made for a new
32 registration and certificate of title, if applicable. A new
33 registration receipt shall not be issued until the fee has been
34 paid. The county treasurer or the department of transportation
35 shall require every applicant for a new registration receipt

1 for a vehicle subject to registration to supply information as
2 the county treasurer or the director deems necessary as to the
3 time of purchase, the purchase price, and other information
4 relative to the purchase of the vehicle. On or before the
5 tenth day of each month, the county treasurer or the department
6 of transportation shall remit to the department of revenue the
7 amount of the fees for new registration collected during the
8 preceding month.

9 Sec. 17. Section 321.105A, subsection 3, paragraph a, Code
10 2020, is amended to read as follows:

11 a. A fee for new registration is imposed in an amount equal
12 to five dollars plus five percent of the leased price for each
13 vehicle subject to registration with a gross vehicle weight
14 rating of less than sixteen thousand pounds which is leased
15 by a lessor licensed pursuant to [chapter 321F](#) for a period of
16 twelve months or more. The fee for new registration shall
17 be paid by the owner of the vehicle to the county treasurer
18 from whom the registration receipt or certificate of title is
19 obtained. A registration receipt for a vehicle subject to
20 registration or issuance of a certificate of title shall not
21 be issued until the fee for new registration is paid in the
22 initial instance.

23 Sec. 18. Section 321.109, subsection 1, paragraph a, Code
24 2020, is amended to read as follows:

25 a. The annual fee for all motor vehicles including vehicles
26 designated by manufacturers as station wagons, 1993 and
27 subsequent model year multipurpose vehicles, and 2010 and
28 subsequent model year motor trucks with an unladen weight of
29 ten thousand pounds or less, except motor trucks registered
30 under [section 321.122](#), business-trade trucks, special trucks,
31 motor homes, motorsports recreational vehicles, ambulances,
32 hearses, autocycles, motorcycles, motorized bicycles, and 1992
33 and older model year multipurpose vehicles, shall be equal
34 to one percent of the value as fixed by the department plus
35 forty cents for each one hundred pounds or fraction thereof

1 of weight of vehicle, as fixed by the department. The weight
2 of a motor vehicle, fixed by the department for registration
3 purposes, shall include the weight of a battery, heater,
4 bumpers, spare tire, and wheel. Provided, however, that for
5 any new vehicle purchased in this state by a nonresident
6 for removal to the nonresident's state of residence the
7 purchaser may make application to ~~the~~ any county treasurer
8 ~~in the county of purchase~~ for a transit plate for which a
9 fee of ten dollars shall be paid. And provided, however,
10 that for any used vehicle held by a registered dealer and
11 not currently registered in this state, or for any vehicle
12 held by an individual and currently registered in this state,
13 when purchased in this state by a nonresident for removal
14 to the nonresident's state of residence, the purchaser may
15 make application to ~~the~~ any county treasurer ~~in the county~~
16 ~~of purchase~~ for a transit plate for which a fee of three
17 dollars shall be paid. The county treasurer shall issue a
18 nontransferable certificate of registration for which no
19 refund shall be allowed; and the transit plates shall be void
20 thirty days after issuance. Such purchaser may apply for a
21 certificate of title by surrendering the manufacturer's or
22 importer's certificate or certificate of title, duly assigned
23 as provided in [this chapter](#). In this event, the county
24 ~~treasurer in the county of purchase~~ shall, when satisfied
25 with the genuineness and regularity of the application, and
26 upon payment of a fee of ~~twenty~~ twenty-five dollars, issue a
27 certificate of title in the name and address of the nonresident
28 purchaser delivering the title to the owner. If there is a
29 security interest noted on the title, the county treasurer
30 shall mail to the secured party an acknowledgment of the
31 notation of the security interest. The county treasurer
32 shall not release a security interest that has been noted on
33 a title issued to a nonresident purchaser as provided in this
34 paragraph. The application requirements of [section 321.20](#)
35 apply to a title issued as provided in [this subsection](#), except

1 that a natural person who applies for a certificate of title
2 shall provide either the person's social security number,
3 passport number, or driver's license number, whether the
4 license was issued by this state, another state, or another
5 country. The provisions of [this subsection](#) relating to
6 multipurpose vehicles are effective for all 1993 and subsequent
7 model years. The annual registration fee for multipurpose
8 vehicles that are 1992 model years and older shall be in
9 accordance with [section 321.124](#).

10 Sec. 19. Section 321.109, subsection 3, Code 2020, is
11 amended to read as follows:

12 3. The owner of an unregistered motor vehicle or motor
13 vehicle for which the registration is delinquent may make
14 application to ~~the any county treasurer of the county of~~
15 ~~residence or, if the unregistered or delinquent motor vehicle~~
16 ~~is purchased by a nonresident of the state, to the county~~
17 ~~treasurer in the county of purchase,~~ for a temporary thirty-day
18 permit for a fee of twenty-five dollars. The permit shall
19 authorize the motor vehicle to be driven or towed upon the
20 highway, but shall not authorize a motor truck or truck tractor
21 to haul or tow a load. The permit fee shall not be considered a
22 registration fee or exempt the owner from payment of all other
23 fees, registration fees, and penalties due. If the annual
24 registration fee for the motor vehicle is delinquent, the
25 annual registration fee and penalty shall continue to accrue
26 until paid. The permit fee shall not be prorated, refunded, or
27 used as credit as provided under [section 321.46](#). The permit
28 shall be displayed in the upper left-hand corner of the rear
29 window of all motor vehicles, except motorcycles. Permits
30 issued for a motorcycle shall be attached to the rear of the
31 motorcycle.

32 Sec. 20. Section 321.152, subsection 1, paragraphs b, d, and
33 f, Code 2020, are amended to read as follows:

34 *b.* ~~Two~~ Seven dollars and fifty cents from each fee collected
35 for certificates of title.

1 ~~d. Sixty percent~~ Eleven dollars of ~~all fees~~ each fee
2 collected for perfection of security interests.

3 ~~f. One-dollar~~ Six dollars from each fee for new registration
4 collected pursuant to [section 321.105A](#).

5 EXPLANATION

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

8 Under current law, only certain county treasurers are
9 allowed to do certain actions relating to motor vehicle
10 registration and titling. This bill provides that any county
11 treasurer can do any of the following: accept applications for
12 and issue registrations and certificates of title to owners
13 of vehicles, owners of commercial vehicles, owners of certain
14 foreign vehicles, owners of transferred vehicles, owners of
15 vehicles with a lost or damaged certificate of title, owners
16 of vehicles transferred by law, and nonresident purchasers
17 of vehicles; receive forwarded plates from the owner of a
18 registered vehicle who has transferred or assigned ownership
19 of the vehicle to another person; accept the return of an
20 original certificate of title from a lienholder; issue an
21 original certificate of title to a new purchaser or transferee
22 who presents an assigned replacement copy; receive affidavits
23 certifying the sale or transfer of ownership of a vehicle;
24 receive registration plates from a vehicle that has been
25 transferred by operation of law; issue certificates of title to
26 dealers in possession of foreign registered vehicles; receive
27 applications for the transfer of registration and certificates
28 of title; perfect security interests; accept certificates of
29 title, or other forms, noting that a security interest has
30 been discharged; receive certificates of title of vehicles
31 that have been sold for scrap or junk; accept applications for
32 salvage certificates of title; receive certificates of title of
33 a wrecked or salvage vehicle; and accept applications and issue
34 temporary permits for vehicles that are unregistered or have
35 delinquent registration.

1 The bill increases the following fees from \$20 to \$25:
2 applications for registration and issuance of a certificate
3 of title for a vehicle, applications for registration and
4 issuance of a certificate of title for a commercial vehicle,
5 applications for registration of a vehicle failing to meet
6 the equipment requirements of Code chapter 321, applications
7 for a replacement copy of an original certificate of title,
8 applications for a new registration and a new title upon
9 transfer, applications for registration and issuance of a
10 certificate of title for a vehicle transferred by operation of
11 law, and applications for certificate of title to a nonresident
12 purchaser.

13 The bill increases the following fees from \$10 to \$15:
14 applications by a manufacturer for a certificate of title
15 pursuant to Code section 322G.12, applications to perfect
16 a security interest in a vehicle by delivery to a county
17 treasurer, and applications for the issuance of a salvage
18 certificate of title.

19 The bill increases the fee for applications for certificates
20 of title by a dealer for a foreign registered vehicle from \$5
21 to \$10.

22 An application for renewal of registration for a vehicle
23 shall be submitted to the county treasurer of the county of the
24 owner's residence, or if a nonresident or a firm association or
25 corporation with vehicles in multiple counties, to the county
26 treasurer of the county where the primary users of the vehicle
27 are located, or if a lessor of the vehicle, to the county
28 treasurer of the county of the lessee's residence.

29 The bill amends Code section 321.20(2) by striking the
30 current date by which the department of transportation (DOT)
31 is required to develop and implement a program to allow for
32 electronic applications, titling, registering, and funds
33 transfers for vehicles subject to registration. The bill also
34 provides that where a transaction occurs under any program
35 ultimately developed by the DOT, any required documentation is

1 to be electronically submitted to the county treasurer of the
2 county of the owner's residence, or if a nonresident or a firm,
3 association, or corporation with vehicles in multiple counties,
4 to the county treasurer of the county where the primary users
5 of the vehicles are located, or if a lessor of the vehicle, to
6 the county treasurer of the county of the lessee's residence.

7 Current law provides that, in addition to the annual
8 registration fee, a fee for new registration is imposed
9 in the amount of 5 percent of the purchase price for each
10 vehicle subject to registration. The bill increases the fee
11 by providing that the fee for new registration is \$5 plus
12 5 percent of the purchase price of each vehicle subject to
13 registration. Furthermore, the bill increases the fee for
14 new registration of leased vehicles by imposing a \$5 fee in
15 addition to 5 percent of the leased price.

16 Lastly, the bill changes the amounts of certain fees a
17 county treasurer may retain for deposit in the county general
18 fund. The bill provides the treasurer may retain \$7.50 from
19 each fee collected for certificates of title, \$11 from each fee
20 collected for perfection of security interests, and \$6 from
21 each fee for new registration.