

House Study Bill 615 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON THOMPSON)

A BILL FOR

- 1 An Act relating to Gadsden flag special registration plates.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.34, Code 2024, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 11E. *Gadsden flag plates.*

4 a. Upon application and payment of the proper fees, the
5 director may issue Gadsden flag plates to the owner of a
6 motor vehicle subject to registration under section 321.109,
7 subsection 1, autocycle, motor truck, motor home, multipurpose
8 vehicle, motorcycle, trailer, or travel trailer.

9 b. Gadsden flag plates shall be designed by the department.
10 The background shall be yellow at the top and bottom, with the
11 color fading into white in the center. The plate's numbers
12 and letters shall be black. The left side of the plate shall
13 depict a black and white rattlesnake coiled on green grass.
14 The image depicting the coiled rattlesnake shall be at least
15 three inches tall and two inches wide. The phrase "Don't Tread
16 on Me" shall appear at the bottom of the plate.

17 c. The special Gadsden flag fee for letter-number designated
18 Gadsden flag plates is thirty-five dollars. An applicant may
19 obtain personalized Gadsden flag plates upon payment of the
20 fee for personalized plates as provided in subsection 5, which
21 is in addition to the special Gadsden flag fee. Personalized
22 plates authorized by this subsection shall be limited to no
23 more than five numerals, letters, or combinations of numerals
24 and letters.

25 d. The fees collected by the director under this subsection
26 shall be paid monthly to the treasurer of state and deposited
27 in the road use tax fund. The treasurer of state shall
28 transfer monthly from the statutory allocations fund created
29 under section 321.145, subsection 2, to the general fund of the
30 state the amount of the special fees collected in the previous
31 month for Gadsden flag plates. Such moneys are appropriated to
32 the department of public safety to distribute in the form of
33 grants to provide education and training on the right to keep
34 and bear arms protected under the Constitution of the United
35 States and the Constitution of the State of Iowa. In the

1 awarding of grants, the department of public safety shall give
2 first consideration to any official state association of the
3 national rifle association and similar nonprofit organizations.
4 Notwithstanding section 8.33, moneys appropriated under this
5 subsection shall not revert to the general fund of the state.

6 *e.* Upon receipt of the special registration plates, the
7 applicant shall surrender the current registration plates to
8 the county treasurer. The county treasurer shall validate
9 the special registration plates in the same manner as regular
10 registration plates are validated under this section. The
11 annual special Gadsden flag fee for letter-number designated
12 plates is ten dollars which shall be paid in addition to
13 the regular annual registration fee. The annual fee for
14 personalized Gadsden flag plates is five dollars which shall be
15 paid in addition to the annual special Gadsden flag fee and the
16 regular annual registration fee. The annual special Gadsden
17 flag fee shall be credited as provided under paragraph “*d*”.

18 *f.* The department shall not condition the issuance of
19 Gadsden flag plates on the receipt of any number of orders for
20 Gadsden flag plates.

21 Sec. 2. Section 321.166, subsections 2 and 9, Code 2024, are
22 amended to read as follows:

23 2. Every registration plate or pair of plates shall display
24 a registration plate number which shall consist of alphabetical
25 or numerical characters or a combination thereof and the name
26 of this state, which may be abbreviated. Every registration
27 plate issued by the county treasurer shall display the name
28 of the county, including any plate issued pursuant to section
29 321.34, except Pearl Harbor and purple heart registration
30 plates issued prior to January 1, 1997; and collegiate, fire
31 fighter, ~~and~~ medal of honor, and Gadsden flag registration
32 plates. Special truck registration plates shall display the
33 word “special”. The department may adopt rules to implement
34 this subsection.

35 9. Special registration plates issued pursuant to section

1 321.34, other than gold star, medal of honor, collegiate, fire
2 fighter, natural resources, blackout, ~~and~~ flying our colors,
3 and Gadsden flag registration plates, shall be consistent with
4 the design and color of regular registration plates but shall
5 provide a space on a portion of the plate for the purpose of
6 allowing the placement of a distinguishing processed emblem or
7 an organization decal. Special registration plates shall also
8 comply with the requirements for regular registration plates
9 as provided in this section to the extent the requirements are
10 consistent with the section authorizing a particular special
11 vehicle registration plate.

12 EXPLANATION

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

15 This bill authorizes the department of transportation (DOT)
16 to design and issue Gadsden flag special registration plates.
17 The bill requires the plate's background to be yellow at the
18 top and bottom, with the color fading into white in the center.
19 The plate's numbers and letters must be black. The left side
20 of the plate must contain the image of a rattlesnake in black
21 and white coiled on green grass. The phrase "Don't Tread on
22 Me" must appear at the bottom of the plate.

23 The bill provides that the special Gadsden flag fee for
24 letter-number designated Gadsden flag plates is \$35. An
25 applicant may obtain personalized Gadsden flag plates upon
26 payment of the \$25 fee for personalized plates set forth under
27 current law, which is in addition to the special Gadsden flag
28 fee. Personalized Gadsden flag plates are limited to five
29 numerals and letters. The annual special Gadsden flag fee for
30 letter-number designated plates is \$10, which is in addition
31 to the regular annual registration fee. The annual fee for
32 personalized Gadsden flag plates is \$5, which is in addition
33 to the annual special Gadsden flag fee and the regular annual
34 registration fee.

35 The fees collected by the DOT must be paid monthly to the

1 treasurer of state and deposited in the road use tax fund. The
2 treasurer of state must transfer monthly from the statutory
3 allocations fund to the general fund of the state the amount
4 of the special fees collected in the previous month for the
5 Gadsden flag plates. Such moneys are appropriated to the
6 department of public safety (DPS) to distribute in the form of
7 grants to provide education and training on the right to keep
8 and bear arms. In the awarding of grants, DPS must give first
9 consideration to any official state association of the national
10 rifle association and similar nonprofit organizations.

11 The bill prohibits the DOT from conditioning the issuance of
12 Gadsden flag plates on the receipt of any number of orders for
13 Gadsden flag plates.

14 Gadsden flag plates are exempt from the general requirements
15 to display the name of the county that issues the plates and to
16 be consistent with the design and color of regular registration
17 plates.

18 Under current law, nonprofit organizations are authorized
19 to apply to the DOT for approval to issue a decal of the
20 organization's own design to be displayed on special
21 registration plates with space reserved for an organizational
22 decal. The nonprofit organization may charge a fee and retain
23 any payment received for the organizational decal. Code
24 section 321.34(13) sets forth the application process and
25 certain limitations for nonprofit organizations and decal
26 designs.