

House File 2439 - Introduced

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BY BEHN

A BILL FOR

1 An Act relating to specially constructed motorcycles.

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

1 Section 1. Section 321.1, subsection 76, Code 2026, is
2 amended to read as follows:

3 76. *"Specially constructed vehicle"* means every vehicle
4 of a type required to be registered under **this chapter** not
5 originally constructed under a distinctive name, make, model,
6 or type by a generally recognized manufacturer of vehicles
7 and not materially altered from its original construction.
8 *"Specially constructed vehicle"* includes a motorcycle assembled
9 by a person who is not a manufacturer if the assembled
10 motorcycle does not comply with the certification label
11 requirement under 49 C.F.R. pt. 567, regardless of whether
12 the motorcycle is constructed under a distinctive name, make,
13 model, or type. *"Specially constructed vehicle"* does not
14 include a street rod, replica vehicle, or glider kit vehicle.

15 EXPLANATION

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

18 This bill defines "specially constructed vehicle" to
19 include a motorcycle assembled by a person who is not a vehicle
20 manufacturer if the assembled motorcycle does not comply
21 with the certification label requirement under 49 C.F.R. pt.
22 567, regardless of whether the motorcycle is constructed
23 under a distinctive name, make, model, or type. Federal
24 regulations generally require manufacturers of motor vehicles
25 to permanently affix to each vehicle a certification label in
26 such a manner that it cannot be removed without destroying
27 or defacing it. A certification label is intended to assist
28 a consumer in determining which of the federal motor vehicle
29 safety standards (49 C.F.R. pt. 571), bumper standards (49
30 C.F.R. pt. 581), and federal theft prevention standards (49
31 C.F.R. pt. 541) are applicable to the vehicle.

32 Under current law, a person who registers a specially
33 constructed vehicle must state the fact that the vehicle is
34 specially constructed in the application. The application fee
35 is \$30. The application must be accompanied by a statement

1 from the department of transportation (DOT) authorizing
2 the motor vehicle to be titled and registered. A physical
3 inspection of all specially constructed vehicles must be made
4 so the DOT can determine whether the motor vehicle complies
5 with the definition of "specially constructed vehicle" and
6 to determine that the integral component parts are properly
7 identified and that the rightful ownership is established
8 before the owner can register and title the motor vehicle. The
9 purpose of the physical inspection is not to determine whether
10 the motor vehicle is in a condition safe to operate. Upon
11 completion of every specially constructed vehicle, the owner
12 is required to certify on a form prescribed by the DOT that
13 the vehicle is in compliance with all equipment specifications
14 required under Code chapter 321 (motor vehicles and law of the
15 road).

16 If a vehicle does not meet the equipment requirements of
17 Code chapter 321 due to the particular use for which it is
18 designed or intended, the vehicle may be registered by the
19 DOT upon payment of appropriate fees and after inspection and
20 certification by the DOT that the vehicle is not in an unsafe
21 condition.