

3 "Any person operating a vehicle or other conveyance or machine  
 4 upon the paved portion of any hard surfaced highway, outside of the  
 5 incorporated limits of any city or town, at a slower rate of speed than  
 6 twenty-five miles per hour, when the conditions of traffic are such  
 7 that motor vehicles approaching from the rear are unable to pass,  
 8 and when overtaken by a faster moving motor vehicle proceeding in  
 9 the same direction, upon a signal, either by the sounding of a bell,  
 10 horn, or other signaling device, given by the overtaking vehicle, shall  
 11 cause his vehicle to be driven as soon as possible to the right on the  
 12 shoulder of the road so as to permit the overtaking vehicle to pass."

Senate File No. 150. Approved April 16, A. D. 1929.

## CHAPTER 129

### REGULATION OF MOTOR TRUCKS

AN ACT to provide for the supervision and regulation, by the board of railroad commissioners of this state, of all persons engaged in the public transportation of property for hire by motor vehicles not operating between fixed termini nor over a regular route and for the enforcement of this act and punishment for the violation of the provisions thereof and to provide for the levy and collection of a permit fee to be paid by such truck operators for the administration and enforcement of the provisions thereof.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. When used in this act.

2 1. The term "motor truck" shall mean any automobile, automobile  
 3 truck, or other self propelled vehicle, not operated upon fixed rails or  
 4 track, but principally used for the public transportation of freight  
 5 for compensation, not operating between fixed termini, nor over a  
 6 regular route.

7 2. The term "truck operator" shall mean any person operating  
 8 any motor truck or motor trucks upon any highway in this state.

9 3. The term "highway" shall mean every street, road, bridge, or  
 10 thoroughfare of any kind in this state.

11 4. The term "commission" shall mean the board of railroad com-  
 12 missioners of this state.

1 SEC. 2. The commission is hereby vested with power and authority  
 2 and it shall be its duty to:

3 1. Require a periodic inspection of the equipment of every truck  
 4 operator and said equipment shall be subject at all times to inspec-  
 5 tion by the commission or its duly authorized representatives.

6 2. Fix or approve the rates, charges, classifications, and rules and  
 7 regulations pertaining thereto, of each truck operator, after complaint  
 8 has been filed in accordance with rules established by the commission.

9 3. Regulate and supervise the service and safety of operation of  
 10 each truck operator.

11 4. Require the filing of annual and such other reports as it may  
 12 deem necessary.

13 5. Supervise and regulate truck operators in all other matters  
 14 affecting the relationship between such truck operators and the trav-  
 15 eling and shipping public.

1 SEC. 3. The commission shall also have power and authority by  
2 general or special order to prescribe rules and regulations applicable  
3 to any and all truck operators.

1 SEC. 4. All control, power, and authority over railroads and rail-  
2 road companies, motor vehicles and motor carriers now vested in the  
3 commission, in so far as the same are applicable, are hereby specifi-  
4 cally extended to include truck operators.

1 SEC. 5. All charges made by any truck operator for any service  
2 rendered or to be rendered in the public transportation of property,  
3 or in connection therewith, shall be just, reasonable and non-discrimi-  
4 nating, and every unjust, unreasonable, or discriminating charge for  
5 such service or any part thereof is prohibited and declared unlawful.

1 SEC. 6. It is hereby declared unlawful for any truck operator to  
2 operate or furnish public service within this state without first hav-  
3 ing obtained from the commission a permit as hereinafter defined.

1 SEC. 7. Before a permit shall be issued, the person seeking the  
2 same shall file an application therefor. All such applications shall  
3 be in writing, and in addition to other information required, shall  
4 contain the following:

5 1. The name of the individual, firm or corporation making the  
6 application.

7 2. The principal office or place of business of the applicant.

8 3. A general description of the territory in which the applicant  
9 proposes to operate and a general description of the service proposed  
10 to be rendered.

11 4. A complete description of the equipment which the applicant  
12 proposes to use in furnishing the service.

1 SEC. 8. Upon the filing of the application and if the applicant shall  
2 otherwise comply with the terms and conditions of this act, the com-  
3 mission shall issue to the applicant a permit as herein defined.

1 SEC. 9. No permit shall be issued nor continued in force until the  
2 holder thereof shall have paid to the commission for the administra-  
3 tion of this act an annual permit fee for each motor truck operated  
4 thereunder in the amount of five dollars (\$5.00).

1 SEC. 10. It shall be the duty of the commission to collect all permit  
2 fees provided in this act, and failure to pay any such permit fee within  
3 thirty days after the time the same shall become due shall be cause  
4 for revocation of the permit of the truck operator in arrears.

1 SEC. 11. The commission shall, on the last day of each month,  
2 remit to the treasurer of state all moneys collected under this act  
3 during such month.

1 SEC. 12. All moneys received under the provisions of this act or  
2 so much thereof as may be necessary shall be used for the administra-  
3 tion and enforcement of the provisions of this act and the regulation  
4 of truck operators, and shall be paid to the commission by warrant  
5 drawn from time to time by the auditor of state upon the treasurer

6 of state. Unexpended balances shall be credited to the general fund  
7 of the state.

1 SEC. 13. Permits issued hereunder shall be personal property and  
2 may be sold, transferred, leased or assigned under such reasonable  
3 rules and regulations as may be fixed by the commission.

1 SEC. 14. No permit shall be issued until and after the applicant  
2 shall have filed with the commission an insurance policy, policies or  
3 surety bond, in form to be approved by the commission issued by  
4 some insurance carrier or bonding company authorized to do business  
5 in this state, in such amount as the commission may deem necessary  
6 to protect the interests of the public with due regard to the number  
7 of persons and amount of property involved, which insurance policy,  
8 policies or surety bond shall bind the obligors thereunder to make  
9 compensation for injuries to persons and loss of or damage to prop-  
10 erty resulting from the operation of such motor truck and for which  
11 such truck operator would be legally liable. Such insurance policy,  
12 policies or surety bond shall also provide that any person, firm, asso-  
13 ciation or corporation having a right of action against such truck  
14 operator for injuries to persons or loss of or damage to property, may  
15 bring action for recovery directly upon such insurance policy, policies  
16 or surety bond against such insurance carrier or bonding company  
17 when service cannot be obtained on the truck operator within this  
18 state. No other or additional policies or bond shall be required of  
19 any truck operator by any city, town or other agency in the state.

1 SEC. 15. For just cause, after due hearing, the commission may  
2 at any time alter, amend or revoke any permit issued.

1 SEC. 16. Every motor truck and all parts thereof shall be main-  
2 tained in a safe and sanitary condition at all times, and shall be at  
3 all times, subject to inspection by the commission and its duly author-  
4 ized representatives.

1 SEC. 17. Every person driving a motor truck as defined in this  
2 act shall be at least nineteen (19) years of age; in good physical con-  
3 dition; of good moral character; shall be fully competent to operate  
4 the motor truck under his charge and if not the owner of such motor  
5 truck shall hold a regular chauffeur's license from the state motor  
6 vehicle department.

1 SEC. 18. No part of the load carried on any motor truck shall be  
2 allowed to project more than six inches beyond the running board  
3 or measure more than eight feet wide over all.

1 SEC. 19. Types of reflective signals as may be approved by the  
2 commission shall be carried in addition to a tail light and in the same  
3 approximate position as a tail light on all motor trucks operated under  
4 the provisions of this act; and all motor trucks operated under the  
5 provisions of this act, the width of which, measuring at the widest  
6 point either of the vehicle or the load, is greater than seventy-two  
7 inches, must carry on each of the four corners of the body a glass  
8 reflector of a type to be approved by the commission so placed that  
9 the rays of light from an approaching motor vehicle either from the  
10 front or rear will reflect said light and clearly define the limits of said

11 body, provided however, that such reflectors when carried on the rear  
12 of said motor truck shall reflect a red ray of light and when carried  
13 on the front of said motor truck shall reflect a green ray of light.

1 SEC. 20. A type of rear vision mirror as may be approved by the  
2 commission shall be carried on the cab of all motor trucks operated  
3 under the provisions of this act and shall be placed in such a manner  
4 as to clearly reflect to the driver of such motor truck the vision of  
5 vehicles approaching said motor truck from the rear.

1 SEC. 21. Accidents arising from or in connection with the opera-  
2 tion of motor truck shall be reported to the commission in such detail  
3 and in such manner as the commission may require.

1 SEC. 22. There shall be attached to each motor truck such distinc-  
2 tive markings or tags as shall be prescribed by the commission.

1 SEC. 23. The commission shall promulgate such other safety rules  
2 and regulations as it may deem necessary to govern and control the  
3 operation of motor trucks upon the highways and the maintenance  
4 and inspection thereof.

1 SEC. 24. For violation by any truck operator of any provision of  
2 this act or of any rule or regulation promulgated thereunder, the  
3 commission may, in addition to other penalties herein provided, sus-  
4 pend or revoke and cancel the permit of such truck operator.

1 SEC. 25. Any person who is, on the date this act becomes effective,  
2 in good faith engaged in the business of operating within this state  
3 a motor truck or motor trucks as herein defined is hereby given a  
4 period of six months after this act becomes effective within which to  
5 file an application with the commission as in this act provided. The  
6 amount of permit fee to be paid by any person coming within the  
7 provisions of this section shall be computed as of the date this act  
8 becomes effective.

1 SEC. 26. Every owner, officer, agent, or employee of any truck  
2 operator, and every other person who violates or fails to comply with,  
3 or who procures, aids or abets in the violation of any provision of  
4 this act, or who fails to obey, observe, or comply with any order,  
5 decision, rule or regulation, direction, demand, or requirement or any  
6 part or provision thereof, of the commission, or who procures, aids  
7 or abets any corporation or person in his failure to obey, observe or  
8 comply with any such order, decision, rule, direction, demand, or regu-  
9 lation or any part or provision thereof, shall be guilty of a misde-  
10 meanor and upon conviction shall be punished by a fine not exceeding  
11 one thousand dollars or by imprisonment in the county jail not ex-  
12 ceeding one year, or by both such fine and imprisonment.

1 SEC. 27. Should any section of this act, or any part thereof, be  
2 held by any court of competent jurisdiction to be unconstitutional,  
3 such section or part thereof shall be deemed to be independent of and  
4 unrelated to any other section or part of this act, and such decision  
5 shall affect only the specific provision which it is held offends against  
6 the constitution, and shall not be held to be an inducement to the  
7 passage of any other section or provision of this act.

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