

CHAPTER 155
MOTOR VEHICLES

H. F. 243

AN ACT to amend section five thousand and one hundredth (5001.01), code, 1939, by amending sub-section 19 defining "where a vehicle is kept", by amending sub-section 23 defining "authorized emergency vehicles", by amending sub-section 40 defining "chauffeur"; to amend section five thousand one and two hundredths (5001.02), code, 1939, so as to exempt from registration any vehicle propelled by electric power obtained from overhead trolley wires, but not operated on rails; to amend sections five thousand one and three hundredths (5001.03), five thousand one and twelve hundredths (5001.12), five thousand one and thirteen hundredths (5001.13), five thousand one and twenty-seven hundredths (5001.27), five thousand two and one hundredth (5002.01), five thousand two and two hundredths (5002.02), five thousand two and three hundredths (5002.03), five thousand two and five hundredths (5002.05), five thousand two and six hundredths (5002.06), five thousand two and seven hundredths (5002.07), five thousand two and eight hundredths (5002.08), five thousand three and four hundredths (5003.04), five thousand eight and three hundredths (5008.03), five thousand eight and twenty-seven hundredths (5008.27), five thousand nine and one hundredth (5009.01), five thousand ten and seven hundredths (5010.07), and five thousand ten and eight hundredths (5010.08), code, 1939, by changing the term "motor vehicle" in each of such sections to "vehicle"; to amend section five thousand one and four hundredths (5001.04), code, 1939, relating to application for registration of a vehicle; to amend section five thousand one and ten hundredths (5001.10), code, 1939, relating to use of "registration applied for" cards; to amend section five thousand one and fifteen hundredths (5001.15), code, 1939, relating to files of the motor vehicle department; to amend section five thousand one and twenty-five hundredths (5001.25), code, 1939, relating to change of address or name of applicant for registration; to amend section five thousand two and five hundredths (5002.05), code, 1939, relating to dealer transfers; to amend section five thousand five and four hundredths (5005.04), code, 1939, so as to permit registered motor vehicle dealers to secure a waiver of the unpaid second installment of the current annual registration fee on all used trucks, truck tractors, road tractors, trailers and semi-trailers held by them for sale or trade, by listing the same on or before July fifth of each year with the county treasurer and the motor vehicle department and to further permit the re-registration of any such vehicle under the provisions of section five thousand eight and two hundredths (5008.02) at such time as a dealer ceases to hold any such vehicle for sale or trade; to amend section five thousand thirty-four and eleven hundredths (5034.11), code, 1939, relating to spot lamps on motor vehicles; to amend section five thousand thirty-four and fifty-six hundredths (5034.56), code, 1939, by providing that every motor vehicle transporting flammables shall carry red reflectors or red electric lanterns at night and that during daylight hours every truck shall carry not less than three red flags; to amend section five thousand thirty-four and fifty-seven hundredths (5034.57), code, 1939, so as to permit the use of reflectors by vehicles used for transportation of flammable liquids or gases; to amend section five thousand thirty-four and fifty-eight hundredths (5034.58), code, 1939, relating to the transportation of explosives by motor truck.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Sub-section nineteen (19) of Section five thousand
- 2 and one hundredth (5000.01), Code, 1939, is hereby amended by
- 3 striking the words "it be different from that of the residence of the
- 4 owner" in lines three (3) and four (4), and insert in lieu thereof
- 5 the words "said owner is a non-resident of the State".
- 6 Sub-section twenty-three (23) of Section five thousand and one
- 7 hundredth (5000.01), Code, 1939, is hereby amended by striking
- 8 from line three (3) thereof the words "and such" and by adding
- 9 after the word "departments" in line four (4) thereof the words
- 10 "and such privately owned ambulances, rescue or disaster vehicles".
- 11 Sub-section forty (40) of Section Five Thousand and one hun-

12 dredth (5000.01), Code, 1939, is hereby amended by changing the
13 period (.) at the end of the sub-section to a semicolon (;) and
14 adding thereto the following:
15 "provided however that a salesman or peddler driving a passenger
16 car, light delivery truck, panel delivery truck or pickup truck shall
17 not be deemed a chauffeur, and provided further that a person or
18 an employee of such person operating a vehicle exclusively in
19 connection with the business or farming operations of such person
20 shall not be deemed a chauffeur."

1 SEC. 2. Section five thousand one and two hundredths (5001.02),
2 Code, 1939, is hereby amended by adding thereto a new sub-section
3 as follows:

4 "6. Any vehicle which is propelled by electric power obtained from
5 overhead trolley wires, but not operated upon rails."

1 SEC. 3. Section five thousand one and three hundredths (5001.03),
2 Code, 1939, is hereby amended by striking from lines one (1) and
3 eighteen (18) thereof the word "motor".

1 SEC. 4. Section five thousand one and four hundredths (5001.04),
2 Code, 1939, is hereby amended by inserting after the comma (,)
3 following the word "residence" in line four (4) thereof the fol-
4 lowing: "or to the department, if a non-resident,".

1 SEC. 5. Section five thousand one and ten hundredths (5001.10),
2 Code, 1939, is hereby amended by adding after the comma (,) following
3 the word "provided" in line four (4) thereof the following: "and
4 receipt issued showing fee paid,".

1 SEC. 6. Section five thousand one and twelve hundredths (5001.12),
2 Code, 1939, is hereby amended by striking the word "motor" from
3 line two (2) thereof.

1 SEC. 7. Section five thousand one and thirteen hundredths
2 (5001.13), Code, 1939, is hereby amended by striking from line one
3 (1) the word "motor".

1 SEC. 8. Section five thousand one and fifteen hundredths (5001.15),
2 Code, 1939, is hereby amended by striking from lines three (3) and
3 four (4) thereof the words "using for such files the duplicate reg-
4 istration receipts,".

1 SEC. 9. Section five thousand one and twenty-five hundredths
2 (5001.25), Code, 1939, is hereby amended by striking from lines
3 six (6) and seven (7) thereof the word "department" and inserting
4 in lieu thereof the following: "county treasurer of the county in
5 which the registration of said vehicle is of record". Further amend
6 said section by striking from line thirteen (13) thereof the word
7 "department" and inserting in lieu thereof the following: "county
8 treasurer of the county in which the registration of said vehicle
9 is of record".

1 SEC. 10. Section five thousand one and twenty-seven hundredths
2 (5001.27), Code, 1939, is hereby amended by striking from lines
3 three (3) and eight (8) the word "motor".

1 SEC. 11. Section five thousand two and one hundredth (5002.01),
2 Code, 1939, is hereby amended by striking from line two (2) the
3 word "motor".

1 SEC. 12. Section five thousand two and two hundredths (5002.02),
2 Code, 1939, is hereby amended by striking from lines two (2) and
3 five (5) the word "motor".

1 SEC. 13. Section five thousand two and three hundredths (5002.03),
2 Code, 1939, is hereby amended by striking from line six (6) thereof
3 the word "motor".

1 SEC. 14. Section five thousand two and five hundredths (5002.05),
2 Code, 1939, is hereby amended by striking from line two (2) thereof
3 the word "motor" and from lines three (3) and four (4) thereof
4 the words "of all motor vehicles" and adding after the word "dealers"
5 in line five (5) the words "of all vehicles subject to registration".

1 SEC. 15. Section five thousand two and six hundredths (5002.06),
2 Code, 1939, is hereby amended by striking from line two (2) thereof
3 the word "motor" and by inserting after the word "vehicle" in line
4 two (2) the words "subject to registration".

1 SEC. 16. Section five thousand two and seven hundredths
2 (5002.07), Code, 1939, is hereby amended by striking from line one
3 (1) thereof the word "motor".

1 SEC. 17. Section five thousand two and eight hundredths
2 (5002.08), Code, 1939, is hereby amended by striking from line one
3 (1) thereof the word "motor".

1 SEC. 18. Section five thousand three and four hundredths
2 (5003.04) Code, 1939, is hereby amended by striking from lines
3 three (3) and seven (7) thereof the word "motor". Said section
4 is further amended by striking the word "who" in line twelve (12)
5 thereof and inserting after the word "department" in said line
6 twelve (12) the following: ", on forms provided by the department.
7 The department".

1 SEC. 19. Section five thousand five and four hundredths (5005.04),
2 Code, 1939, is hereby amended by adding a new paragraph as fol-
3 lows: "Dealers registered under the provisions of this chapter
4 shall, on or before July 5 of each year, furnish the county treasurer
5 and the department with a list of all repossessed used trucks, truck
6 tractors, road tractors, trailers and semi-trailers held by them for
7 sale or trade, and on which the second installment of the current
8 annual registration fee has not been paid, and the payment of the
9 second installment shall then be waived, subject to the re-registration
10 of such vehicle under the provisions of Section 5008.02 at such time
11 as a dealer ceases to hold any such vehicle for sale or trade."

1 SEC. 20. Section five thousand eight and three hundredths
2 (5008.03), Code, 1939, is hereby amended by striking from line five
3 (5) thereof the word "motor".

1 SEC. 21. Section five thousand eight and twenty-seven hundredths
2 (5008.27), Code, 1939, is hereby amended by striking from line three
3 (3) thereof the word "motor".

1 SEC. 22. Section five thousand nine and one hundredth (5009.01),
2 Code, 1939, is hereby amended by striking from line three (3) thereof
3 the word "motor".

1 SEC. 23. Section five thousand ten and seven hundredths (5010.07),
2 Code, 1939, is hereby amended by striking from line three (3)
3 thereof the word "motor".

1 SEC. 24. Section five thousand ten and eight hundredths
2 (5010.08), Code, 1939, is hereby amended by striking from lines
3 four (4) and six (6) thereof the word "motor".

1 SEC. 25. Section five thousand thirty-four and eleven hundredths
2 (5034.11), Code, 1939, is hereby amended by striking from lines
3 one (1) and two (2) the following: ", except a private passenger
4 vehicle,".

1 SEC. 26. Section five thousand thirty-four and fifty-six hundredths
2 (5034.56), Code, 1939, is hereby amended by striking the word
3 "may" in line twelve (12) and inserting in lieu thereof the word
4 "shall" and by inserting after the word "reflectors" in line twelve (12)
5 the words "or red electric lanterns". Said section is further amended
6 by striking the period (.) in line thirteen (13) and inserting in lieu
7 thereof the following: ", and during daylight hours every truck
8 shall carry a sufficient number of red flags, not less than three."
9 Further amend said section by inserting after the word "truck" in
10 line two (2) thereof, the words "or truck tractor".

1 SEC. 27. Section five thousand thirty-four and fifty-seven hun-
2 dredths (5034.57), Code, 1939, is hereby amended by adding after
3 the word "lanterns" in line thirty (30) the words "or reflectors".
4 Further amend said section by inserting a comma (,) after the word
5 "truck" in line two thereof, and inserting after such comma (,)
6 the word* "or a truck tractor, a trailer, or a semitrailer, drawn by
7 a motor truck, or a truck tractor".

1 SEC. 28. Section five thousand thirty-four and fifty-eight hun-
2 dredths (5034.58), Code, 1939, is hereby amended by inserting after
3 the word "truck" in line two (2) thereof, the words "or truck
4 tractor".

Approved April 15, 1943.

*Note: In accordance with enrolled bill.