

10 or charges shall be required. The commission shall issue such permit
 11 when the applicant has paid all fees required by this chapter, and
 12 complied with the provisions of section three hundred twenty-seven
 13 point fifteen (327.15) relating to insurance protection. The holder
 14 of such permit shall in all cases comply with the safety rules and regu-
 15 lations provided for by this chapter and shall pay all annual permit
 16 fees required of other contract carriers and such permits shall, after
 17 due hearing, be subject to revocation for violation thereof.

1 SEC. 4. This Act being deemed of immediate importance shall be
 2 in force and effect from and after its passage and publication in The
 3 Lockridge Times, a newspaper published at Lockridge, Iowa, and in
 4 The Fayette County Union, a newspaper published at West Union,
 5 Iowa.

Approved May 29, 1957.

I hereby certify that the foregoing Act, House File 469, was published in The Lock-
 ridge Times, Lockridge, Iowa, June 6, 1957, and in The Fayette County Union, West
 Union, Iowa, June 6, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 171

MOTOR CARRIERS OF LIQUID PRODUCTS

S. F. 167

AN ACT relating to the control and regulation of motor carriers of liquid products in
 bulk and to amend section three hundred twenty-one point four hundred twenty-
 three (321.423), Code 1954.

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

1 SECTION 1. Definitions of words and phrases. The following words
 2 and phrases, when used in this Act, will for the purpose of this Act,
 3 have the following meanings respectively ascribed to them.
 4 1. "Liquid transport carrier" shall mean any person engaged in
 5 the transportation, for compensation, of liquid products in bulk upon
 6 any highway in this state.
 7 2. "Person" shall mean any individual, association, partnership,
 8 firm or corporation.
 9 3. "Vehicle" shall mean any self-propelled vehicle, any trailer,
 10 semi-trailer, or other device used in connection therewith not operated
 11 upon fixed rails or tracks, equipped with one or more cargo tanks, or
 12 between fixed termini or over a regular route and used for the trans-
 13 portation of liquid products in bulk.
 14 4. "Transportation for compensation" shall, in addition to all pub-
 15 lic transportation, also include transportation primarily for others
 16 by a person, not a distributor licensed under chapter three hundred
 17 twenty-four* (324), even though as an incident thereto he buys the
 18 liquids at the point where the transportation originates and sells it at
 19 a delivered price at destination and, except as otherwise provided,
 20 shall include transportation for others by a distributor licensed under
 21 chapter three hundred twenty-four* (324), or liquid products not

*Words supplied by editor, §3.1.

22 owned by the distributor.

23 5. "Commission" shall mean the Iowa state commerce commission.

1 SEC. 2. Except as otherwise provided, it is hereby declared un-
2 lawful for any liquid transport carrier to transport liquid products in
3 bulk, for compensation from any point or place in the state of Iowa
4 to another point or place in said state without first having obtained
5 from the commission a certificate declaring that public convenience
6 and necessity require such operation.

1 SEC. 3. The provisions of sections three hundred twenty-five point
2 seven* (325.7) to section three hundred twenty-five point twenty-
3 four* (325.24), inclusive, Code 1954, insofar as applicable are hereby
4 extended to include Liquid Transport Carriers in relation to hearing
5 on an application for the aforesaid certificate of convenience and
6 necessity.

1 SEC. 4. Whenever any person shall file with the commission an
2 application for authority to sell, transfer, lease or assign a certificate
3 of convenience and necessity issued under the provisions of this Act,
4 the commission shall fix a date for hearing thereon and cause a
5 notice addressed to the citizens of each county through or in which
6 the proposed service will be rendered to be published in some news-
7 paper or general circulation in each such county, once each week for
8 two consecutive weeks, and shall notify each liquid transport carrier
9 holding a certificate, issued by the commission, to transport over, in,
10 or through the area described in the application, by mailing notice of
11 the hearing to each such carrier at least ten days before the date fixed
12 for hearing, and the provisions of chapter three hundred twenty-five*
13 (325), Code 1954, inclusive of this Act shall, insofar as appropriate
14 be applicable to the said hearing.

1 SEC. 5. No certificate shall be issued until and after an applicant
2 shall have filed with the commission an insurance policy, policies,
3 surety bond or certificate of insurance, in form to be approved by
4 the commission, issued by some company, association, reciprocal or
5 interinsurance exchange or other insurer authorized to do business
6 in this state.

7 The minimum limit of liability of any policy or surety bond shall,
8 for each vehicle thereby covered, be as follows:

10 1. To cover the assured's legal liability as a liquid transport car-
11 rier for bodily injury or death resulting therefrom as a result of any
12 one accident or other cause, one hundred thousand dollars for any
13 recovery by one person, and subject to said limit for one person, one
14 hundred thousand dollars, for more than one person.

15 2. To cover the assured's legal liability as a liquid transport carrier
16 for damages to or destruction of any property other than that of or
17 in charge of the assured, as a result of any one accident or other cause
18 one hundred thousand dollars.

19 3. To cover the assured's legal liability as a liquid transport carrier
20 for loss of or damage to property in the possession or custody of the
21 assured while for the purpose of or being transported, except prop-
22 erty of the assured as a result of any one accident or other cause ten
23 thousand dollars. Such insurance policy, policies, surety bond, or

*Words supplied by editor, §3.1.

23 certificate of insurance shall bind the obligators thereunder to make
 24 compensation for injuries to persons, excluding injury to or death of
 25 the applicant's employees while engaged in the course of their employ-
 26 ment and loss to or damage to property resulting from the operation
 27 of such liquid transport carrier and for which such liquid transport
 28 carrier would be legally liable. Such insurance policy, policies, surety
 29 bond, or certificate of insurance shall also provide that any person,
 30 firm, association or corporation having a right of action against such
 31 liquid transport carrier for injuries to persons or loss of or damage to
 32 property, when service cannot be obtained on the liquid transport car-
 33 rier within this state, may bring action for recovery directly upon
 34 such insurance policy, policies, surety bond, or certificate of insurance
 35 and against such insurance company, association, reciprocal or inter-
 36 insurance exchange or other insurer or bonding company. Except as
 37 required in this Act and in chapter three hundred twenty-five* (325)
 38 and except for ordinary registration of motor vehicles, no other or
 39 additional policies, bonds or certificates shall be required by any city,
 40 town or other agency of this state for any liquid transport vehicle.

1 SEC. 6. Every vehicle operated by a liquid transport carrier and
 2 all parts thereof shall comply with all of the provisions of chapter
 3 three hundred twenty-one* (321) applicable thereto and shall be
 4 maintained in a safe and sanitary condition at all times, and shall be
 5 at all times subject to inspection by the members of the department
 6 of public safety.

1 SEC. 7. Every driver employed by a liquid transport carrier shall
 2 be at least twenty-one years of age; in good physical condition; of
 3 good moral character; shall be fully competent to operate the vehicle
 4 under his charge, and shall hold a regular chauffeur's license from the
 5 department of public safety.

1 SEC. 8. There shall be attached to each vehicle such distinctive
 2 markings or tags as shall be prescribed by the commission.

1 SEC. 9. For violation of any of the provisions of this Act or of
 2 any rule or regulation promulgated hereunder by any liquid transport
 3 carrier, the commission may revoke and cancel the certificate of such
 4 liquid transport carrier. In the event of any flagrant and persistent
 5 violation of safety laws or regulations by the holder of a certificate
 6 or his agent, upon the request of the commissioner of public safety,
 7 the state commerce commission shall suspend such certificate of neces-
 8 sity until the safety laws or regulations prescribed by the department
 9 of public safety are complied with or the commission may revoke the
 10 certificate at its discretion.

1 SEC. 10. No person shall operate a vehicle on the highways of this
 2 state when operation of such vehicle would result in more than twelve
 3 hours of continuous driving operation by such person.

1 SEC. 11. No person shall operate a vehicle on the highways of
 2 this state for a period of eight hours following twelve consecutive
 3 driving hours of operation of any vehicle.

1 SEC. 12. Every liquid transport carrier shall keep or cause to be
 2 kept a record accurately setting forth the hours of vehicle operation

*Words supplied by editor, §3.1.

3 of each person operating a vehicle or vehicles owned or leased by such
4 carrier. The commissioner of public safety or the commission may
5 require any liquid transport carrier to submit such records for in-
6 spection.

1 SEC. 13. All vehicles or combination of vehicles shall be equipped
2 with direction signal devices of a type complying with the provisions
3 of section three hundred twenty-one point three hundred seventeen*
4 (321.317) relating to such devices and whenever, during hours of
5 darkness, any vehicle is disabled or for any other reason may pre-
6 sent a vehicular traffic hazard requiring unusual care in approaching,
7 overtaking or passing the operator of such vehicle shall display such
8 directional signals on such vehicle or combination of vehicles in simul-
9 taneous operation. The provisions of this section shall not be con-
10 strued to be in lieu of the provisions of sections three hundred twenty-
11 one point four hundred forty-seven* (321.447) and three hundred
12 twenty-one point four hundred forty-eight* (321.448) and the provi-
13 sions of the said sections shall be fully applicable as provided therein.

1 SEC. 14. Section three hundred twenty-one point four hundred
2 twenty-three (321.423), Code 1954, is hereby amended by inserting
3 before the word "Flashing" in line one (1) of subsection one (1)
4 thereof, the following: "Except as otherwise provided".

1 SEC. 15. Any liquid transport carrier actively and continuously
2 engaged in business as such between the first day of December, 1956,
3 and the fourteenth day of January, 1957 shall be issued a certificate
4 of convenience and necessity covering all points in this state to all
5 other points in this state, and all routes and areas in this state, pro-
6 vided that application therefor shall be made within sixty (60) days
7 after the effective date of this Act. No rights so granted may be sold,
8 leased, transferred or assigned, except such rights as are actively
9 being exercised at the time of sale, lease, transfer or assignment.
10 Before any rights may be sold, leased, transferred or assigned, appli-
11 cation therefor shall be filed with the commission, which shall fix a
12 date for hearing thereon, and the provisions of section four (4) of
13 this Act shall be applicable thereto.

1 SEC. 16. Sections 1 through 15 inclusive of this Act shall not
2 apply to (1) transportation in bulk by vehicle having a total cargo
3 tank shell capacity of 2,000 gallons or less, (2) transportation by a
4 distributor licensed under chapter three hundred twenty-four* (324)
5 incidental to and in the regular course of his business as a distributor
6 of petroleum products, or (3) reciprocal exchange between distribu-
7 tors licensed under chapter three hundred twenty-four* (324) of
8 transportation pursuant to an exchange of products between distrib-
9 utors so licensed.

1 SEC. 17. The provisions of this Act shall not apply to the transpor-
2 tation of dairy products.

1 SEC. 18. This Act being deemed of immediate importance shall be
2 in full force and effect from and after publication in the Lone Tree
3 Reporter, a newspaper published at Lone Tree, Iowa, and in The

*Words supplied by editor, §3.1.

4 Williamsburg Journal-Tribune, a newspaper published at Williams-
5 burg, Iowa.

Approved May 2, 1957.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of section 3.9, Code of Iowa, 1954, The Williamsburg Journal-Tribune, Williamsburg, Iowa, being nonexistent, the Journal-Tribune, a newspaper published in Williamsburg, Iowa, is designated to publish the foregoing Act, Senate File 167.

MELVIN D. SYNHORST, *Secretary of State.*

I hereby certify that the foregoing Act, Senate File 167, was published in the Journal-Tribune, Williamsburg, Iowa, May 9, 1957, and in the Lone Tree Reporter, Lone Tree, Iowa, May 16, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 172

AIRPORT COMMISSIONS

H. F. 399

AN ACT to amend sections three hundred thirty point seventeen (330.17) and three hundred thirty point nineteen (330.19), Code 1954, relating to airport commissions in cities and towns.

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

1 SECTION 1. Section three hundred thirty point seventeen (330.17),
2 Code 1954, is amended by adding to said section the following:
3 "Whenever an airport, or airports, of any city or town has been
4 placed under the management and control of an airport commission,
5 upon petition of ten percent of the number of qualified electors who
6 voted at the last city election the council of any such city or town
7 shall, at a city election if one is to be held within sixty (60) days from
8 the filing of said petition or at a special election called for such pur-
9 pose, submit to the voters the question as to whether the management
10 and control of such airport, or airports, shall be continued in the air-
11 port commission, and if a majority of the votes cast upon said propo-
12 sition at the election shall be against the continuance of such airport
13 commission, said commission shall stand abolished sixty (60) days
14 from and after the date of such election, and the power to maintain
15 and operate such airport, or airports, as provided in this chapter, shall
16 revert to such city or town."

1 SEC. 2. Section three hundred thirty point nineteen (330.19), Code
2 1954, is amended by adding after the word "place" in line four (4) the
3 following: "(or continue)".

Approved April 30, 1957.