

1 SEC. 2. Section three hundred twenty-seven point nine (327.9),
 2 Code 1958, is hereby amended by inserting following the word "dol-
 3 lars" in line six (6) the following: "provided, however, that the fee
 4 herein provided shall not be imposed on any tractor or truck-tractor".

1 SEC. 3. For the purposes of this Act the terms "tractor or truck-
 2 tractor" shall mean every self-propelled vehicle designed and used
 3 primarily for drawing other vehicles and not so constructed as to
 4 carry a load other than a part of the weight of the vehicle and load
 5 so drawn.

Approved May 6, 1959.

CHAPTER 250

MOTOR VEHICLE REGISTRATION RECIPROCITY

S. F. 237

AN ACT relating to reciprocity and apportionment of motor vehicle registrations and to the compensation tax on certain motor vehicles.

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

1 SECTION 1. A board, to be known as the Iowa reciprocity board, is
 2 hereby established to be located at the seat of government. The board
 3 shall have three members who shall be: A member of the state high-
 4 way commission; a member of the state commerce commission; and
 5 the commissioner of public safety. Each member of the board may
 6 appoint from the officials of his department a deputy member who
 7 shall, in the absence of such member, act as a member of the board
 8 with full powers, authority and responsibility of such members. The
 9 duties of the members of the board and their deputies shall be in addi-
 10 tion to their regular duties; and they shall receive no additional com-
 11 pensation except that they be allowed their actual and necessary ex-
 12 penses incurred in the performance of their official duties. A full time
 13 executive secretary shall be appointed by the board. The salary of
 14 such secretary and the necessary office personnel shall be set by the
 15 board. Adequate office space and facilities shall be provided for the
 16 said secretary. Such secretary's salary, necessary office operating ex-
 17 penses and, in addition, expenses incurred by the board in the ad-
 18 ministration of their official duties shall be paid out of the moneys
 19 credited to the general fund by subsection one (1) of section three
 20 hundred twenty-one point one hundred forty-five (321.145) of the
 21 Code. In addition, the board may call upon the staff, facilities, and
 22 personnel of the public safety department, the state highway commis-
 23 sion, and the state commerce commission for assistance in perform-
 24 ing its functions. The attorney general or any assistant attorney gen-
 25 eral designated by him shall give legal counsel and assistance to the
 26 reciprocity board.

1 SEC. 2. The Iowa reciprocity board shall have authority to make
 2 reciprocity agreements with the duly authorized representative of
 3 any county, state, territory, federal district, foreign country, or po-
 4 litical subdivision thereof, exempting nonresidents of this state using

5 the highways of this state from the registration requirements of chap-
6 ter three hundred twenty-one (321) and payment of any fees to this
7 state with such conditions, restrictions, and privileges or lack of them
8 as such board may deem advisable. Such agreements may provide for
9 the denial of reciprocal privileges to one or more particular non-
10 residents at any time if in the opinion of the board such nonresidents
11 should not be granted exemption privileges provided, however, the
12 contracting state of such nonresident consents thereto.

13 Notwithstanding any provisions of Iowa statutes to the contrary or
14 inconsistent herewith, such agreements may provide with respect to
15 resident or nonresident owners of fleets of two or more (commercial)
16 vehicles which are engaged in interstate commerce, or simultaneously
17 engaged in interstate and intrastate commerce, that the registrations
18 of such fleets can be apportioned between this state and other states
19 in which such fleets operate.

20 The percentage of miles such fleets operate in this state as related
21 to the total miles such fleets operate in all states, shall be used by the
22 reciprocity board to determine the amount of registration computed
23 on a dollar basis. Mileage proportions for fleets not operated in this
24 state during the preceding year will be determined by the reciprocity
25 board upon the sworn application of the applicant on forms to be sup-
26 plied by the reciprocity board which will show the operations of the
27 preceding year in other states and the estimated operation in Iowa;
28 or, if no operations were conducted the previous year, a full state-
29 ment of the proposed method of operation. As used in this section,
30 the term "preceding year" shall mean a period of twelve (12) con-
31 secutive months fixed by the reciprocity board, which period shall be
32 within the sixteen (16) months immediately preceding the commence-
33 ment of the registration year for which registration is sought. The
34 apportioned registration fee computed on a dollar basis is equal to the
35 amount obtained by applying the proportion of in-state fleet miles to
36 total fleet miles to the fees which would otherwise be required for
37 total fleet registration in this state and shall mean a percentage of the
38 annual fee on each vehicle of an apportioned fleet, plus the amount of
39 the fees due as hereinafter provided for the issuance of plates, stick-
40 ers, or other identification for all the vehicles registered in accordance
41 with this Act. The proportional registration provision of this Act
42 shall apply to vehicles added to a fleet during the registration year
43 and operated in this state in interstate commerce.

44 When a nonresident fleet owner has registered his vehicles on an
45 apportionment basis, his vehicles shall be considered fully registered
46 insofar as interstate commerce is concerned. The privileges granted
47 to a nonresident pursuant to this Act shall permit the operation of a
48 vehicle which is simultaneously engaged in interstate movements and
49 intrastate commerce provided, as to intrastate commerce, he has
50 intrastate authority or rights granted by the Iowa state commerce
51 commission. Each vehicle of a fleet registered by a resident of Iowa
52 on a dollar apportionment basis shall be considered as fully registered
53 for interstate commerce and intrastate commerce.

54 Notwithstanding anything hereinbefore stated, the reciprocity
55 board shall have authority to negotiate apportionment agreements on
56 either a vehicle or a dollar basis. In apportionment on a vehicle basis,
57 a sufficient number of vehicles shall be registered to produce total fee

58 payments not less than an amount obtained by applying the propor-
59 tion of in-state fleet miles to total fleet miles to the fees which would
60 otherwise be required for total fleet registration in this state.

1 SEC. 3. The board shall require fleet owners to submit under oath
2 such information as the board deems necessary for the proper carry-
3 ing out of the provisions of this Act, and the board's determination
4 of the amount of dollar registration or vehicle registration apportion-
5 ment shall be final. Information furnished under this Act shall be
6 forwarded to the executive secretary of the board by each fleet owner
7 not later than the September 1 preceding each registration year.

8 Registrations under any apportionment agreement or arrangement
9 shall be issued only by the department of public safety.

10 If the fees for such apportioned registration are not paid to each
11 contracting state, district, possession or territory of the United States
12 or the foreign province, state, or country entitled thereto within a
13 reasonable time as shall be determined by the board, the board shall
14 redetermine fees due this state; and, if the additional fees due this
15 state are not paid by the owner within twenty (20) days after the
16 mailing to him of a notice by certified mail of the additional fees due,
17 the registration in this state shall be canceled; and, in addition, the
18 additional fees due for registration in this state shall be a debt due
19 to the state of Iowa. In the event of additions to or deletions from a
20 fleet, a supplemental report shall be filed with the board not later than
21 thirty (30) days after such addition or deletion.

1 SEC. 4. Any owner complying with and being granted apportioned
2 or proportional registration shall preserve the records on which the
3 application is made for a period of four (4) full years following the
4 year upon which said application is based. Upon request of the board,
5 the owner agrees to make such records available to the board at the
6 office of the executive secretary of the board for audit as to accuracy
7 of computation and payments; or, if the owner does not produce such
8 records when requested to do so, the owner must pay the costs of an
9 audit by a duly appointed representative of the board at the home
10 office of the owner. The board may enter into agreements with author-
11 ized agencies of other contracting states for joint audits of any such
12 owner.

1 SEC. 5. Any nonresident registered vehicle or nonresident regis-
2 tered motor vehicle shall be subject to all laws, rules and regulations
3 governing the operation of such vehicles on the highways of this
4 state; and the violations of such laws, rules, or regulations shall be
5 ground for denial of reciprocal privileges. The registration number
6 plates, sticker, or other identification assigned and furnished to any
7 foreign registered vehicle or motor vehicle for the current registra-
8 tion year by another state where the same is registered shall be dis-
9 played on such vehicle or motor vehicle substantially as provided in
10 chapter three hundred twenty-one (321) for vehicles registered pur-
11 suant to the provisions hereof. In addition, the department of public
12 safety shall charge and collect an additional fee of one dollar (\$1.00)
13 for each plate, sticker, or other identification furnished for each ve-
14 hicle registered in accordance with the provisions of this Act. The
15 same fee shall be charged for issuance of duplicate plates, stickers or

16 other identification as required. The fee charged for the original or
 17 duplicate plate, sticker or other identification shall be credited to the
 18 road use tax fund.

1 SEC. 6. The board may, notwithstanding any provision of the Code
 2 to the contrary, enter into reciprocity or apportionment agreements
 3 which extend the benefits thereof to leased vehicles on the basis of the
 4 residence of the lessee.

1 SEC. 7. Chapter three hundred twenty-six (326), Code 1958, is
 2 hereby repealed.

1 SEC. 8. Section three hundred twenty-one point fifty-six (321.56),
 2 Code 1958, is hereby repealed.

1 SEC. 9. Section three hundred twenty-one point fifty-three
 2 (321.53), Code 1958, is amended by striking from line two (2) the
 3 words and figures, "to 321.56, inclusive" and inserting in lieu there-
 4 of the following; "and three hundred twenty-one point fifty-five
 5 (321.55)".

1 SEC. 10. Section three hundred twenty-seven point ten (327.10),
 2 Code 1958, is amended by striking from lines one (1) and two (2)
 3 the words, "under the provisions of section 321.56" and inserting in
 4 lieu thereof the words, "by law".

1 SEC. 11. Section three hundred twelve point one (312.1), Code
 2 1958, is amended by striking all of subsection three (3).

1 SEC. 12. Section four hundred seventeen point fifty-four (417.54),
 2 Code 1958, is amended by adding to line six (6) of subsection four
 3 (4) before the figures "321.145" the word "and" and by striking all
 4 of line seven (7) of said subsection.

Approved February 26, 1959.

CHAPTER 251

LIQUID TRANSPORT CARRIERS

H. F. 363

AN ACT relating to liquid transport carriers.

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

1 SECTION 1. Section three hundred twenty-seven A point fourteen
 2 (327A.14), Code 1958, is hereby amended by inserting following the
 3 word "assigned" in line twelve (12) thereof, the following: "to any
 4 person engaged directly or indirectly in the transportation for hire of
 5 liquid products in bulk or freight in interstate commerce or in intra-
 6 state commerce, in this or any other state, or the District of Columbia,
 7 or to any person engaged in the leasing of equipment for such pur-
 8 poses".

1 SEC. 2. Section three hundred twenty-seven A point fourteen
 2 (327A.14), Code 1958, is hereby further amended by inserting follow-