

4 A bona fide commercial fisherman, licensed and operating under
 5 an owner's certificate for commercial fishing gear issued pursuant to
 6 section one hundred ten point one (110.1) of the Code shall be en-
 7 titled to receive a motor fuel tax refund under this section.

Approved May 1, 1970.

CHAPTER 1162

HORTICULTURAL PRODUCTS AND LIVESTOCK

H. F. 1016

AN ACT relating to the transportation of agricultural and horticultural products and livestock.

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

1 SECTION 1. Section three hundred twenty-five point two (325.2),
 2 subsection one (1), Code 1966, is hereby amended by inserting in line
 3 three (3) after the word "carrier" the words ", except that any carrier
 4 transporting livestock or unprocessed agricultural or horticultural
 5 products shall be exempt from tariff-filing requirements and the issu-
 6 ance of freight receipts if such carrier does not transport any other
 7 property for compensation".

Approved March 13, 1970.

CHAPTER 1163

MOTOR VEHICLE REGISTRATION FEES

H. F. 1

AN ACT relating to motor vehicle registration fees and to the negotiation and execution of reciprocal, proration, and other agreements or declarations for fleet owners of commercial vehicles engaged in interstate commerce.

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

1 SECTION 1. Chapter three hundred twenty-six (326), Code 1966,
 2 is hereby repealed and the following enacted in lieu thereof:

1 SEC. 2. It is the policy of this state to promote and encourage
 2 the fullest possible use of its highway system by authorizing the
 3 negotiation and execution of motor vehicle reciprocal or proportional
 4 registration agreements, arrangements and declarations with other
 5 jurisdictions with respect to vehicles registered in this and such
 6 other jurisdictions, thus contributing to the economic and social de-
 7 velopment and growth of this state.

1 SEC. 3. As used in this Act, unless the context otherwise requires:

- 2 1. "Board" means the Iowa reciprocity board created in section
- 3 four (4) of this Act.
- 4 2. "Executive secretary" means the person appointed by the board

5 pursuant to section five (5) of this Act.

6 3. "Commercial vehicle" means any vehicle which is operated in
7 interstate commerce or combined intrastate and interstate commerce
8 and used for the transportation of persons for hire, compensation or
9 profit, or designed or used primarily for the transportation of
10 property.

11 4. "Jurisdiction" means any county, state, territory, federal dis-
12 trict, foreign country, or political subdivision thereof.

13 5. "Proportional registration" or "proration" means division and
14 distribution of registration fees imposed on commercial vehicles be-
15 tween two or more jurisdictions in accordance with a formula based
16 on miles traveled by such vehicles.

17 6. "Base state" with respect to commercial vehicles subject to
18 proportional registration means the state from which the vehicle is
19 most frequently dispatched, garaged, serviced, maintained, operated,
20 or otherwise controlled, or also in the case of a fleet vehicle the state
21 to which allocated for registration under statutory requirements.

22 7. "Fleet" means two or more commercial vehicles at least one of
23 which is a motor vehicle.

24 8. "Total fleet miles" means the mileage generated by any truck
25 or truck tractor which was part of a prorate fleet during the fiscal
26 year period of September first through August thirty-first preceding
27 the year for which proportional registration is sought. Total fleet
28 mileage to be reported for any truck or truck tractor which was
29 deleted from or added to the prorate fleet during the fiscal year re-
30 porting period shall be only those miles generated by such truck or
31 truck tractor while the vehicle was part of the prorated fleet during
32 such fiscal year reporting period. "Total fleet miles" in relation to
33 trailers or semitrailers which are part of a prorate fleet means the
34 mileage generated by the power units of the fleet; provided, however,
35 that if such trailers or semitrailers were towed during the fiscal year
36 reporting period by the power units which collectively were pro-
37 portionally registered by the same fleet owner during the fiscal year
38 reporting period as part of two or more fleets, "total fleet miles" in
39 relation to such trailers or semitrailers means the total mileage
40 generated by the several power fleets during the fiscal year reporting
41 period even though some of the power units did not actually travel
42 a portion of their total miles in contracting states where the propor-
43 tional registration of such trailers or semitrailers is sought.

44 9. "Instate miles" means the mileage generated within this state
45 by commercial vehicles in the fleet subject to proportional registra-
46 tion; except that, with respect to fleet vehicles based in Iowa, "in-
47 state miles" shall also include all mileage traveled by such vehicles
48 in states with whom Iowa has a proportional registration agreement
49 but with whom the owner elects not to apportion registration fees
50 and mileage traveled by such vehicles under reciprocity obtained by
51 virtue of Iowa registration.

52 10. "Preceding year" means a period of twelve consecutive months
53 fixed by the board, which period shall be within the sixteen months
54 immediately preceding the commencement of the registration year
55 for which proportional registration is sought.

56 11. "Trip" for purposes of section twenty-four (24) of this Act
57 means:

58 a. A one-way movement from one point originating outside this
59 state and destined to another point outside this state.

60 b. A round trip movement between two points within this state.

61 c. A round trip movement originating in this state or destined
62 for a point within this state.

63 12. "Broker" for purposes of section twenty-four (24) of this Act
64 means any person who, as principal or agent, sells or offers for sale
65 any transportation, or negotiates for, or holds himself out for solici-
66 tation, advertisement, or otherwise as one who sells, provides, fur-
67 nishes, contracts, or arranges for such transportation. The term
68 "broker" shall not include motor carriers and employees or agents
69 thereof.

70 13. The words "vehicle," "motor vehicle," "motor truck," "truck
71 tractor," "road tractor," "trailer," "semitrailer," "trailer coach,"
72 "combination" or "combination of vehicles," "gross weight," "person,"
73 "owner," "nonresident," "street" or "highway", and "auxiliary axle"
74 shall have the meanings ascribed in section three hundred twenty-one
75 point one (321.1) of the Code.

76 14. "Compact miles" means the total miles a fleet operates in this
77 state and in all states with whom Iowa has an apportionment regis-
78 tration agreement and with whom the fleet owner has or will register
79 vehicles on an apportioned registration basis.

1 SEC. 4. The Iowa reciprocity board, hereinafter referred to as
2 the board, is hereby established and shall consist of three members,
3 one of whom shall be a member of the state highway commission, one
4 member of the state commerce commission, and the commissioner of
5 public safety. Each member of the board may appoint from the officials
6 of his department a deputy member who shall, in the absence of such
7 member, act as a member of the board. Such deputy member shall
8 have the full powers, authority, and responsibility of a board member.
9 The duties of board members or their deputies shall be in addition to
10 their regular duties, but they shall receive no additional compensation
11 except actual and necessary expenses incurred in the performance
12 of their official duties as board members.

1 SEC. 5. The board shall appoint a full-time executive secretary
2 who shall serve at the pleasure of the board. Other employees deemed
3 necessary to administer this Act shall be employed or retain current
4 employment in compliance with chapter ninety-five (95), Acts of the
5 Sixty-second General Assembly. All salaries and expenses incurred in
6 the administration of this Act shall be paid from moneys credited to
7 the state general fund under section three hundred twenty-one point
8 one hundred forty-five (321.145), subsection one (1), of the Code.
9 The board may call upon the staff facilities and personnel of the de-
10 partment of public safety, the state highway commission, and the
11 state commerce commssion for assistance in performing its functions.
12 The attorney general or his designee shall provide legal counsel and
13 assistance to the board.

1 SEC. 6. The board may enter into reciprocity agreements with
2 the duly authorized representatives of any jurisdiction exempting

3 nonresidents of this state using the highways of this state from the
4 registration requirements of chapter three hundred twenty-one (321)
5 of the Code and payment of any fees to this state with such condi-
6 tions, restrictions, and privileges or lack of same as the board deems
7 advisable.

1 SEC. 7. The board may, pursuant to section six (6) of this Act,
2 provide for proportional registration between this state and other
3 jurisdictions of fleets of commercial vehicles owned by residents or
4 nonresidents engaged in interstate commerce or simultaneously en-
5 gaged in interstate and intrastate commerce. The owners of fleets
6 of commercial vehicles subject to proportional registration under
7 apportionment agreements negotiated by the board shall file a sworn
8 statement with the board which shall contain the following informa-
9 tion and such other information as the board may require:

10 1. Total fleet miles for the preceding year.

11 2. Instate miles for the preceding year.

12 3. A description and identification of each vehicle which is part
13 of the fleet for which proportional registration is sought.

14 The dollar amount of registration fees due this state for each fleet
15 subject to proportional registration shall be computed as follows:

16 1. Divide total fleet miles during the preceding year into instate
17 miles during the preceding year to determine the percentage of total
18 fleet mileage allocable to this state.

19 2. Determine the sum total amount necessary to register each and
20 every vehicle in the fleet based on the annual registration fees pre-
21 scribed in chapter three hundred twenty-one (321) of the Code.

22 3. Multiply the percentage obtained under subsection one (1) of
23 this section by the sum total obtained under subsection two (2) of
24 this section.

25 4. The product so obtained under subsection three (3) of this sec-
26 tion shall be the amount payable by the owner for proportional regis-
27 tration of the fleet for the registration year. Payment of registration
28 fees shall be made in accordance with law.

1 SEC. 8. Notwithstanding any other law to the contrary, and as
2 an alternative to the procedure set out in section seven (7) of this
3 Act, the board may enter into agreements providing for proportional
4 registration between this state and other jurisdictions of fleets of
5 commercial vehicles owned by residents or nonresidents engaged in
6 interstate commerce or simultaneously engaged in interstate and
7 intrastate commerce on the basis of compact miles.

8 The Iowa prorata percent will be computed by dividing the Iowa
9 miles by the compact miles as defined in section three (3) of this Act.
10 If the composite percentage paid by the Iowa resident to each of
11 the states a party to an apportioned registration agreement with
12 Iowa for apportioned registrations is less than one hundred percent,
13 the Iowa reciprocity board will redetermine the registration fees due
14 the state of Iowa to bring the composite percent to one hundred
15 percent. If the composite percent paid by the nonresident fleet
16 operator to each of the states a party to an apportioned registration
17 agreement with Iowa for apportioned registration fees on vehicles
18 base plated in Iowa is less than one hundred percent, the Iowa

19 reciprocity board will redetermine the registration fees due the state
20 of Iowa to bring the composite percent to one hundred percent on
21 such Iowa base plated vehicles.

1 SEC. 9. When instate and total fleet or compact mileage cannot
2 be computed for a particular fleet on the basis of actual operation
3 during the preceding year, estimated mileage shall be accepted for
4 the fleets' first prorated application. Estimated mileage shall be based
5 on the proposed operation of the fleet during the entire year for
6 which proportional registration is sought. The applicant shall sub-
7 stantiate the estimate by submitting details of his proposed operation
8 including, but not limited to, type of operation, its location, routes,
9 and frequency of operation.

1 SEC. 10. The registrations of individual vehicles shall not be
2 subject to proportional registration with this state. The same fleet,
3 consisting of the same vehicles in each state, shall be proportionally
4 registered in each state with which the fleet is prorated; and every
5 one of the vehicles shall be included in the fleet in each state. Fail-
6 ure to comply with these requirements shall constitute grounds for
7 cancellation of proration privileges.

1 SEC. 11. The minimum fee for each vehicle registered with this
2 state under an apportionment agreement shall not be less than ten
3 dollars for each truck or truck tractor and two dollars for each
4 trailer. In addition to proportional registration fees, the board shall
5 collect the amounts of fees due as hereinafter provided for the
6 issuance of plates, stickers, or other identification of all vehicles sub-
7 ject to proportional registration.

1 SEC. 12. Vehicles acquired by a fleet owner after the commence-
2 ment of the registration year and subsequently added to the fleet
3 shall be prorated by applying the mileage percentage used in the
4 original application for such fleet for such registration period to
5 registration fees due under chapter three hundred twenty-one (321)
6 of the Code but in no case less than that required by section eleven
7 (11) of this Act. A supplemental report shall be filed with the board
8 not later than ten days after such addition to the fleet.

1 SEC. 13. Fleet owners who delete commercial vehicles displaying
2 Iowa base plates from the fleet after the commencement of the regis-
3 tration year shall be allowed to transfer registration credit to a
4 replacement vehicle in accordance with the provisions of this section.
5 Iowa shall allow credit for non-Iowa based deleted vehicles only if
6 the state designated by the fleet owner as the base state of the
7 deleted vehicle permits transfer of registration credit to the replace-
8 ment vehicle. The fleet owner shall notify the board not later than
9 ten days after such deletion and replacement. Allowance of credit
10 for deleted vehicles shall be subject to the following conditions:

11 1. No additional registration fee shall be assessed on a replacement
12 vehicle upon which the registration fee would have been the same as
13 that for the deleted vehicle. The fee for reissuance of registration cre-
14 dentials or for transfer of credentials shall be seven dollars.

15 2. No deletion shall be made nor credit allowed toward registration
16 of a replacement vehicle unless the vehicle to be removed from service

17 has been sold, junked, repossessed, foreclosed by mechanic's lien, title
18 transferred by operation of law, or cancellation or expiration of a
19 lease arrangement. The deleted vehicle shall have been disposed of on
20 or before the date the replacement vehicle was acquired or in the pos-
21 session of the applicant.

22 3. If a leased vehicle is to be deleted from the fleet and unexpired
23 registration fees applied to the replacement vehicle, the lessee shall
24 certify to the board that any unexpired registration fees paid by the
25 lessor to the lessee have been refunded to the lessor prior to the date
26 of the supplemental application requesting credit for registration fees
27 paid on the deleted vehicle.

1 Sec. 14. The board shall require fleet owners to submit under
2 oath any information deemed necessary to carry out the provisions of
3 this Act. Information furnished under this Act shall be forwarded to
4 the executive secretary of the board by each fleet owner no later than
5 November first preceding each registration year.

1 Sec. 15. The board shall obtain registration plates and receipts to
2 be issued pursuant to apportionment agreements or arrangements
3 authorized under this Act from the department of public safety in
4 accordance with law. The board shall then issue such registration
5 plates and receipts pursuant to apportionment agreements or ar-
6 rangements authorized under this Act.

1 Sec. 16. If the composite percentage apportioned by an owner on
2 a fleet of vehicles based in Iowa to each of the states with which Iowa
3 has an apportionment agreement is more than one hundred percent
4 percentagewise, the fleet owner may file a claim with the board for a
5 refund of registration fees paid in excess of one hundred percent per-
6 centagewise. The claim for such refund shall be filed on or after
7 December first of the year for which refund is requested, and the fleet
8 owner shall furnish satisfactory evidence of the alleged overpayment.
9 The board shall prescribe and provide suitable forms requisite or
10 deemed necessary to process such claims and insure that claims are
11 paid to fleet owners who have complied with proportional registration
12 requirements. The fleet owner may elect to apply any such refund to
13 proportional registration fees payable the next registration year in
14 lieu of any refund payable under this section. The state of Iowa shall
15 not be liable for claims filed after December first of the following
16 year.

1 SEC. 17. If the fees for such proportional registration are not
2 paid to each contracting jurisdiction entitled thereto on the basis of
3 the proportional registration application and supporting documents
4 filed with the board by the fleet owner within a reasonable amount of
5 time as determined by the board, the board shall redetermine fees
6 due this state. If any additional fees due this state are not paid by
7 the fleet owner within twenty days after the mailing to the owner of
8 a notice by certified mail of the additional fees due, such owner's
9 registration in this state shall be cancelled. In addition, the fees due
10 for registration in this state shall be a debt due to the state of Iowa.

1 SEC. 18. Resident fleet owners shall be required to list Iowa as
2 the base state for all commercial vehicles which qualify under the

3 term "base state" as defined in this Act, and Iowa base plates shall
4 be displayed on all such commercial vehicles. Nonresident fleet owners
5 subject to proportional registration shall display Iowa base plates if
6 the commercial vehicle qualifies as an Iowa based vehicle as defined
7 in this Act.

1 SEC. 19. When a nonresident fleet owner has registered vehicles
2 on a prorated basis, the vehicles shall be considered fully registered
3 insofar as interstate commerce is concerned. The privileges granted
4 to a nonresident pursuant to this Act shall permit the operation of a
5 vehicle which is simultaneously engaged in interstate movements and
6 intrastate commerce, provided that the owner has intrastate authority
7 or rights granted by the Iowa state commerce commission. Each
8 vehicle upon which an Iowa base plate is required to be displayed
9 under this Act shall be considered fully registered for both interstate
10 commerce and intrastate commerce.

1 SEC. 20. Any owner complying with and granted proportional
2 registration privileges shall preserve the records upon which applica-
3 tions are made for a period of four full years following the year for
4 which the application was made. Upon request of the board, all fleet
5 owners shall make all such records available to the board at the
6 office of the executive secretary for audit as to accuracy of computa-
7 tion and payment. If the owner does not produce such records when
8 so requested, the owner shall pay the costs of an audit by a duly ap-
9 pointed representative of the board at the home office of the owner.
10 The board may enter into agreements with authorized agencies or
11 other contracting states for joint audits of any such owner.

1 SEC. 21. The board may, notwithstanding any provisions of the
2 Code to the contrary, enter into reciprocity or proportional registra-
3 tion agreements which extend the benefits thereof to leased vehicles
4 on the basis of the residence of the lessee.

1 SEC. 22. In the absence of an agreement with another jurisdiction,
2 the board may examine the laws and requirements of such jurisdiction
3 and declare the extent and nature of exemptions, benefits, and privi-
4 leges to be extended to vehicles or owners of vehicles properly regis-
5 tered or licensed in such other jurisdiction. The board shall consider
6 the interests of the state of Iowa and the citizens thereof, the inter-
7 ests of the other jurisdictions and the citizens thereof, and the bene-
8 fits which will accrue to the economy of the state of Iowa from the
9 uninterrupted flow of commerce in declarations made under this
10 section. Each declaration shall specify that the extent of exemptions,
11 benefits, and privileges is subject to revision without notice upon
12 adoption by the General Assembly of legislation in conflict with the
13 terms of any such declaration.

1 SEC. 23. Any nonresident registered vehicle shall be subject to
2 all laws, rules, and regulations governing the operation of such vehicle
3 on the highways of this state. The registration number plates, sticker,
4 or other identification assigned and furnished to any vehicle for the
5 current registration year by the state in which the vehicle is reg-
6 istered shall be displayed on such vehicle substantially as provided
7 in chapter three hundred twenty-one (321) of the Code for vehicles
8 registered pursuant to the provisions of this Act. In addition, the

9 board shall charge and collect an additional fee of one dollar for each
10 plate, and two dollars for each sticker, or other identification fur-
11 nished for each vehicle registered in accordance with the provisions
12 of this section or extended reciprocity in accordance with the provi-
13 sions of this section except that no charge shall be made for the initial
14 registration receipt or cab card issued for each vehicle registered
15 pursuant to an apportionment registration agreement. The same
16 fee shall be charged for issuance of duplicate plates, stickers or other
17 identification required and a fee of two dollars shall be charged for
18 each duplicate or replacement registration receipt or cab card.

1 SEC. 24. The board may issue a trip permit to an owner who has
2 registered a fleet of vehicles with this state on a prorated basis pur-
3 suant to this Act to permit a non-Iowa registered vehicle to operate
4 on the highways of this state in interstate commerce if that leased
5 vehicle, when operated by the lessor, would be entitled to reciprocity
6 in this state. If the vehicle operated on the trip basis is owned by
7 the prorate fleet owner or is, at the time of the trip, under lease to
8 the owner for thirty days duration or longer, the board may limit the
9 issuance of permits on a particular vehicle not registered in Iowa to
10 one round trip interstate on Iowa highways during each calendar
11 quarter. The board may also issue a trip permit to an Iowa fleet
12 owner or Iowa broker who has not registered vehicles on a prorated
13 basis pursuant to the provisions of this Act to permit a non-Iowa
14 registered vehicle to operate on the highways of this state in inter-
15 state commerce if that leased vehicle, when operated by the lessor,
16 would be entitled to reciprocity in this state. The board shall charge
17 and collect a fee of five dollars for each permit issued under this
18 section.

1 SEC. 25. The owner of any vehicle with a gross weight in excess
2 of twelve thousand pounds which is properly registered and licensed
3 in some other jurisdiction, not entitled to reciprocal privileges for
4 the use of Iowa highways, and operated in interstate commerce occa-
5 sionally on Iowa highways, may in lieu of payment of the annual
6 registration fee for such vehicle register the vehicle and obtain a
7 trip permit from the board authorizing a trip operation of such
8 vehicle on the highways of Iowa in interstate commerce for not to
9 exceed seventy-two hours. The fee for such trip permit shall be ten
10 dollars.

1 SEC. 26. The board shall examine and determine the genuineness,
2 regularity, and legality of every application lawfully made pursuant
3 to this Act, and may in all cases make investigations as may be
4 deemed necessary or require additional information. The board
5 shall reject any such application if not satisfied of the genuineness,
6 regularity, or legality thereof of the truth of any statement contained
7 therein, or for any other reason, when authorized by law. The board
8 is hereby authorized to take possession of any indicia of proportional
9 registration or reciprocity upon expiration, revocation, cancellation,
10 or suspension thereof, or which is fictitious, or which has been un-
11 lawfully or erroneously issued.

12 The board may suspend or revoke the registration indicia of a
13 vehicle registered on a prorated basis in any one of the following
14 events:

15 1. When the board is satisfied that such registration indicia was
16 issued upon fraudulent application. Bona fide errors shall be cor-
17 rected within fifteen days after notification by the board.

18 2. When the board determines that the required fee has not been
19 paid and same is not paid upon reasonable notice and demand.

20 3. When the registration indicia is knowingly displayed on a vehicle
21 which is not in the prorated fleet of the registrant.

1 SEC. 27. The board shall prescribe and provide suitable forms of
2 application, registration receipts, and all other forms requisite or
3 deemed necessary to carry out the provisions of this Act.

1 SEC. 28. Operation of a commercial vehicle or vehicles in viola-
2 tion of the requirements of this Act, the motor vehicle registration
3 laws of this state, or the terms of any agreement negotiated by the
4 board pursuant to this Act may, after due notice and hearing, be
5 grounds for denial of reciprocal or proportional registration privileges
6 on the vehicle or vehicles of an owner so operated. Any owner denied
7 such reciprocal or proportional registration privileges shall be sub-
8 ject to payment of full annual Iowa registration fees on any such
9 vehicle operated on Iowa highways. In addition to denial of reciprocal
10 or proportional registration privileges, it shall be a misdemeanor,
11 unless such act is declared under Iowa law to be a felony, punishable
12 as provided in section three hundred twenty-one point four hundred
13 eighty-two (321.482) of the Code for any person to operate under
14 reciprocity or proportional registration in violation of any require-
15 ments of this Act.

1 SEC. 29. A fee shall be charged for copies of such records as may
2 be provided from the office of the board or the executive secretary.
3 Such fee shall be one dollar for the first page and fifty cents for each
4 additional page of copy received at any one time.

1 SEC. 30. All fees collected by the board pursuant to the provisions
2 of this Act shall be remitted to the treasurer of state for deposit in
3 the road use tax fund.

1 SEC. 31. All provisions of chapter three hundred twenty-one (321),
2 insofar as applicable, are hereby specifically extended to include
3 owners who register vehicles in this state on a proportional registra-
4 tion basis or who operate interstate on Iowa highways under reci-
5 procity.

1 SEC. 32. Whenever the reciprocity board has reason to believe
2 that a fleet owner has filed incorrect information with the reciprocity
3 board, department of public safety, or the department of revenue,
4 for the purpose of reducing the fleet owner's obligation for registra-
5 tion fees or fuel taxes, the reciprocity board may cancel the appor-
6 tioned registration privileges on all of the vehicles owned by such
7 person. Any person who has such privileges canceled shall be sub-
8 ject to the payment of the full annual registration fee for all vehicles
9 operated on the highways of this state for a period of at least five
10 years thereafter. The commissioner of public safety and the director
11 of revenue shall cooperate with the reciprocity board in ascertaining
12 the accuracy of all reports filed pertaining to registration fees and
13 motor fuel taxes.

14 Any person whose privileges are canceled may request an admin-
 15 istrative hearing of said action, and during the period pending the
 16 hearing the apportioned registration privileges shall be reinstated if
 17 the fleet owner posts security with the reciprocity board in an amount
 18 sufficient to pay such full annual fees if an adverse decision is rendered
 19 at the hearing. At such hearing the fleet owner shall have the burden
 20 of proof as to the accuracy of any report filed by the fleet owner with
 21 the reciprocity board, department of public safety, or the department
 22 of revenue. Any person aggrieved by a decision reached at the ad-
 23 ministrative hearing may appeal from such decision to the district
 24 court.

1 SEC. 33. If the laws of any other state or country impose any
 2 taxes, fees, charges, penalties, obligations, prohibitions, or limitations
 3 of any kind upon the vehicles of residents of Iowa, in addition to
 4 those imposed upon the vehicles of residents of such other state or
 5 country by the state of Iowa, the department may impose and collect
 6 fees and charges in the same amount and impose the same obliga-
 7 tions, prohibitions, or limitations upon the owner or operator of a
 8 vehicle registered in such other state or country.

1 SEC. 34. The board may promulgate any rules and regulations
 2 deemed necessary to carry out the provisions of this Act. Such rule-
 3 making authority shall be subject to the provisions of chapter seven-
 4 teen A (17A), Code 1966, as amended by Chapter ninety-two (92),
 5 Acts of the Sixty-second General Assembly.

1 SEC. 35. Chapter one hundred ninety-seven (197), section two
 2 (2), Acts of the Sixty-third General Assembly, First Session, which
 3 repealed and replaced section three hundred twenty-one point one
 4 hundred six (321.106), Code 1966, is hereby amended as follows:

5 1. By striking from line eleven (11) the word "Registration" and
 6 inserting in lieu thereof the words "Where there is a delinquency,
 7 registration".

8 2. By striking from line twelve (12) the words "prior to April
 9 first" and inserting in lieu thereof the words "after January thirty-
 10 first".

11 3.*By inserting in line thirteen (13) after the word "fee" the words
 12 ", plus penalties,".

1 SEC. 36. Section three hundred twenty-one point one hundred seven
 2 (321.107), Code 1966, is hereby amended by adding at the end thereof
 3 the following new paragraphs:

4 "No reduction in the registration fee shall be allowed by the Iowa
 5 reciprocity board until the applicant files satisfactory evidence to
 6 prove that there is no delinquency in registration.

7 If the applicant pays a penalty for any delinquent registration, the
 8 same penalty shall be assessed on the fees collected to increase the
 9 registered weight of the vehicle, if the increased weight is requested
 10 within forty-five days from the date the delinquent vehicle is regis-
 11 tered for that year."

1 SEC. 37. If any phrase, clause, subsection or section of this Act

*Amended by ch. 1142.

2 shall be declared unconstitutional or invalid by any court of competent
3 jurisdiction, it shall be conclusively presumed that the legislature
4 would have enacted this Act without the phrase, clause, subsection
5 or section so held unconstitutional or invalid; and the remainder of
6 this Act shall not be affected as a result of such part being held
7 unconstitutional or invalid.

Approved April 9, 1970.

CHAPTER 1164

MOTOR CARRIERS REGISTRATION DECALS

H. F. 760

AN ACT relating to annual registration decal or sticker fees for motor carriers in interstate commerce.

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

1 SECTION 1. Section three hundred twenty-seven B point one
2 (327B.1), Code 1966, is hereby amended by striking from lines thirty-
3 six (36) and thirty-seven (37) the words "twenty-five cents" and
4 inserting in lieu thereof the words "one dollar".

1 SEC. 2. This Act being deemed of immediate importance shall take
2 effect and be in full force from and after its final approval and publi-
3 cation in the Council Bluffs Nonpareil, a newspaper published in Coun-
4 cil Bluffs, Iowa, and in the Times-Democrat, a newspaper published in
5 Davenport, Iowa.

Approved March 4, 1970.

I hereby certify that the foregoing Act, House File 760, was published in the Council Bluffs Nonpareil, Council Bluffs, Iowa, March 9, 1970, and in the Times-Democrat, Davenport, Iowa, March 9, 1970.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 1165

COUNTY SUPERVISORS

H. F. 1154

AN ACT relating to terms of office of certain county supervisors.

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

1 SECTION 1. Chapter two hundred eighteen (218), Acts of the
2 Sixty-third General Assembly, First Session, is hereby amended as
3 follows:

4 1. By striking from section six (6), lines five (5) and six (6), the
5 words "except as provided in subsection two (2) of this section".

6 2. By striking from section six (6) all of lines ten (10) and eleven
7 (11) and the figures "1973." from line twelve (12).

1 SEC. 2. Section thirty-nine point eighteen (39.18), Code 1966, as
2 amended by chapter one hundred four (104), section one (1), Acts