

13 a. If the person against whose interest the tax lien applies is a
 14 corporation or a partnership whose principal executive office is in
 15 this state, as these entities are defined in the internal revenue laws of
 16 the United States, in the office of the secretary of state.

17 b. In all other cases, in the office of the recorder of the county
 18 where the taxpayer resides at the time of filing of the notice of lien.

19 3. *In the event a lien encumbers a vehicle for which a certificate of*
 20 *title is required under the provisions of chapter 321, a security interest*
 21 *in such vehicle is perfected by the delivery of federal notice of attach-*
 22 *ment to the county treasurer of the county where the certificate of*
 23 *title was issued and it shall take priority according to the order of time*
 24 *in which the same is placed on the certificate of title for the vehicle*
 25 *to which said lien applies by the county treasurer and as provided in*
 26 *sections 321.45 and 321.50. The county treasurer shall note such lien*
 27 *without fee.*

Approved April 29, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes.
 However, see Editor's note, page iii.

CHAPTER 177

MOTOR VEHICLE REGISTRATION PLATES

S. F. 433

AN ACT to provide for annual validation of motor vehicle registration plates.

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

1 SECTION 1. Section three hundred twenty-one point thirty-four
 2 (321.34), unnumbered paragraph three (3), Code 1971, is amended
 3 as follows:

4 In lieu of issuing new registration plates each year for a vehicle
 5 renewing registration, the department may reassign the registration
 6 plates previously issued to such vehicle and may adopt and prescribe
 7 [a distinctive type of emblem] *an annual validation sticker* indicating
 8 payment of registration fee, which [emblem shall be displayed in the
 9 upper right hand corner of the windshield of the vehicle for which it
 10 is issued or it may prescribe corner plates to] *annual validation*
 11 *sticker shall be attached to said registration plates bearing the numer-*
 12 *als indicating the year for which the original plates are validated.*

Approved May 27, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes.
 However, see Editor's note, page iii.

CHAPTER 178

MOTOR VEHICLE ODOMETERS

S. F. 250

AN ACT relating to the changing and regulation of mileage measurements contained on motor vehicle odometers and providing penalties for violating the Act.

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

1 SECTION 1. Chapter three hundred twenty-one (321), Code 1971,
 2 is amended by adding the following new section:

- 3 "1. For the purposes of this section the following words and
4 phrases shall have the meanings respectively ascribed to them:
5 a. 'Intent and purpose of this section' is and shall mean to achieve
6 the end that odometers of motor vehicles shall at all times correctly
7 show the true mileage that the motor vehicle has been driven.
8 b. 'True mileage' is the mileage driven by the motor vehicle as
9 registered by the odometer within the manufacturer's designed toler-
10 ance.
- 11 2. No person shall knowingly tamper with, adjust, alter, change,
12 set back, disconnect or fail to connect the odometer of any motor
13 vehicle, or cause any of the foregoing to occur to an odometer of a
14 motor vehicle, so as to reflect a lower mileage than the true mileage
15 driven by the motor vehicle.
- 16 3. No person shall conspire with any other person to evade the
17 intent and purpose of this section.
- 18 4. No person shall with the intent to defraud operate a motor
19 vehicle on any street or highway knowing that the odometer of the
20 motor vehicle is disconnected or nonfunctional.
- 21 5. No person shall advertise for sale, sell, use or install on any
22 part of a motor vehicle or on any odometer in a motor vehicle any
23 device which causes the odometer to register any mileage other than
24 the true mileage.
- 25 6. In the event any odometer is repaired or replaced, the reading
26 of the repaired or replaced odometer shall be set at the reading of
27 the odometer repaired or replaced immediately prior to repair or
28 replacement, and the adjustment shall not be deemed a violation of
29 any provision of this section.
- 30 7. No certificate of title shall be issued for a motor vehicle which
31 was equipped with an odometer by the manufacturer unless the state-
32 ment required in subsection eight (8) of this section has been fur-
33 nished by the transferor. However a certificate of title may be
34 issued for a motor vehicle to a person who moves into this state if
35 such person acquired ownership of the motor vehicle prior to moving
36 to this state.
- 37 8. Except where a transfer is made by operation of law as set out
38 in section three hundred twenty-one point forty-seven (321.47) of
39 the Code, the transferor of any motor vehicle of a model year sub-
40 sequent to the model year 1968, which was equipped with an odom-
41 eter by the manufacturer, shall provide to the buyer a statement
42 signed by the transferor which shall set forth the mileage on the
43 odometer at the time of transfer and which shall state that to the
44 transferor's best knowledge the belief it is the true mileage. If the
45 transferor has knowledge that the mileage shown on the odometer
46 is not the true mileage traveled by the motor vehicle, he shall so
47 indicate on the statement and he shall state the true mileage to his
48 best knowledge and belief. The statement required in this subsection
49 and in subsection nine (9) of this section shall be on the application
50 for certificate of title or on a form prescribed and provided by the
51 department and shall be submitted with the application for certificate
52 of title. The new certificate of title issued in the name of the buyer
53 shall have the mileage recorded on the face thereof.
- 54 9. Any nonresident of the state furnishing a statement required
55 by subsection eight (8) shall also include in that statement a clause

56 consenting to jurisdiction of the department of public safety in any
57 hearing held under the provisions of this section.

58 10. In the event any person for himself or as agent for a trans-
59 feror makes a false statement under the provisions of this section,
60 a statement of such person or the transferor or any other person
61 acting as agent of the transferor shall not be accepted in connection
62 with any application for a certificate of title for a period of at least
63 twenty days but not more than one year as provided in an order
64 entered by the department after hearing thereon as hereinafter
65 provided.

66 11. In the event any person shall conspire with another to effect
67 a transfer of title by any plan of evasion of the intent and purpose
68 of this section, a statement of such person or of the transferor or
69 of any other person acting as agent for the transferor shall not be
70 accepted in connection with any application for certificate of title
71 for a period of at least twenty days but not more than one year as
72 provided in an order entered by the department after hearing thereon
73 as provided in this section.

74 12. An Iowa licensed motor vehicle dealer shall not have in his
75 possession as inventory for sale any used motor vehicle acquired by
76 the dealer after the effective date of this Act for which he does not
77 have in his possession a statement from his transferor as provided
78 in subsections eight (8) and nine (9) of this section unless a cer-
79 tificate of title has been issued for such vehicle in the name of the
80 dealer.

81 13. In the event that the department determines that a hearing
82 should be held under the provisions of this section, the department
83 shall give written notices of the time and place of hearing to the
84 transferor at the transferor's address as shown in the application
85 for transfer of title and to all other persons to whom the department
86 directs, which notice shall be sent by certified or registered mail.

87 14. Upon hearing the department shall determine whether there
88 has been a violation of any provision of this section, and if the
89 department finds that any person whom it has notified of the hear-
90 ing is guilty of a violation of any provision of this section, the
91 department may enter an order denying the right of any such person
92 to file a statement under subsection eight (8) of this section for a
93 period of at least twenty days but not more than one year as deemed
94 appropriate by the department under the facts and circumstances of
95 the case. Upon entry of such order, the department shall send
96 copies of the order to the county treasurer of the counties of this
97 state as the department determines should be so notified.

98 15. A transferee of a motor vehicle reassigning the certificate of
99 title to such motor vehicle pursuant to the provisions of subsection
100 one (1) of section three hundred twenty-one point forty-eight
101 (321.48) of the Code shall not be guilty of a violation of this section
102 if such transferee has in his possession the statement signed by his
103 transferor as required by subsection eight (8) of this section and if
104 he has no knowledge that the statement is false and that he has no
105 knowledge that the odometer does not reflect the true mileage of
106 such motor vehicle.

107 16. Any person who violates the provisions of this section shall
108 be punished by a fine of not less than four hundred dollars and not

109 more than one thousand dollars or by imprisonment in the county
 110 jail for a period not to exceed ninety days, or punished by both such
 111 fine and imprisonment.”

Approved April 10, 1971.

CHAPTER 179

MOTOR VEHICLE ODOMETERS

S. F. 571

AN ACT relating to the effective date of the act regulating motor vehicle odometers.

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

1 SECTION 1. Senate file 250, Acts of the Sixty-fourth General
 2 Assembly, First Session, is amended by adding the following new sec-
 3 tion:

4 “SEC. 2. This Act shall take effect January 1, 1972.”

Approved June 30, 1971.

CHAPTER 180

DRIVERS LICENSES OF MILITARY VETERANS

H. F. 479

AN ACT relating to the extension of operators' and chauffeurs' licenses for persons separated from military service.

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

1 SECTION 1. Section three hundred twenty-one point one hundred
 2 ninety-eight (321.198), Code 1971, is amended as follows:

3 **321.198 Military service exception.** The effective date of a valid
 4 operator's license and of a valid chauffeur's license to the extent that
 5 it permits the operation of a motor vehicle as an operator, issued
 6 under the laws of this state, held by any person at the time of enter-
 7 ing the military service of the United States or of the state of Iowa
 8 notwithstanding the expiration of such license according to its terms,
 9 is hereby extended without fee until six months following the [dis-
 10 charge] *initial separation from active duty* of such person from the
 11 military service, provided such [discharge is honorable and such]
 12 person is not suffering from such physical disabilities as to impair his
 13 competency as an operator and provided further that such licensee
 14 shall upon demand of any peace officer furnish satisfactory evidence
 15 of his military service. However, no person entitled to the benefits
 16 of this section, charged with operating a motor vehicle without an
 17 operator's license, shall be convicted if he produces in court, within
 18 a reasonable time, a valid operator's or chauffeur's license thereto-
 19 fore issued to him along with evidence of his military service as
 20 above mentioned.

21 The department is hereby authorized to renew any operator's license
 22 falling within the provisions and limitations of the preceding para-