

has been maintained to the level required for roads classified as area service B.

Approved June 13, 1981

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CHAPTER 101  
VOLUNTEER FIREFIGHTERS NOT CHAUFFEURS

S. F. 557

AN ACT to provide that a volunteer firefighter shall not be classified as a chauffeur when operating fire apparatus.

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

Section 1. Section 321.1, subsection 43, unnumbered paragraph 1, Code 1981, is amended to read as follows:

"Chauffeur" means any person who operates a motor vehicle, including a school bus, in the transportation of persons, ~~including school buses,~~ for wages, compensation or hire, or any person who operates a truck tractor, road tractor or any motor truck which is required to be registered at a gross weight classification exceeding five tons, or any such motor vehicle exempt from registration which would be within ~~such~~ the gross weight classification if not so exempt except when ~~such~~ the operation by the owner or operator is occasional and merely incidental to ~~his~~ the owner or operator's principal business or is by a volunteer firefighter operating fire apparatus.

Approved June 16, 1981

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CHAPTER 102  
MOTOR VEHICLE REGISTRATION REPLACEMENTS

H. F. 740

AN ACT to increase the fee for a duplicate registration card, plate, or pair of plates and the form of restricted certificates of title.

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

Section 1. Section 321.42, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

321.42 LOST OR DAMAGED CERTIFICATES, CARDS, AND PLATES. If a registration card, plate, or pair of plates is lost or becomes illegible, the

owner shall immediately apply for replacement. The fee for a replacement registration card shall be three dollars. The fee for a replacement plate or pair of plates shall be five dollars. When the owner has furnished information required by the department and paid the proper fee, a duplicate, substitute, or new registration card, plate, or pair of plates may be issued.

If a certificate of title is lost or destroyed, the owner or lienholder shall apply for a certified copy of the original certificate of title. The application shall be made to the department or county treasurer who issued the original certificate of title. The application shall be signed by the owner or lienholder and accompanied by a fee of five dollars. After five days, the department or county treasurer shall issue a certified copy to the applicant at the applicant's most recent address. The certified copy shall be clearly marked "duplicate" and shall be identical to the original, including notation of liens or encumbrances. When a certified copy has been issued, the previous certificate is void. A new purchaser or transferee is entitled to receive an original title upon presenting the assigned duplicate copy to the treasurer of the county where he or she resides. At the time of purchase, a purchaser may require the seller to indemnify the purchaser and all future purchasers of the vehicle against any loss which may be suffered due to claims on the original certificate. A person recovering an original certificate of title for which a duplicate has been issued shall surrender the original certificate to the county treasurer or the department.

If a county treasurer mails vehicle registration documents which become lost or are damaged in transit through the United States postal service, the person to whom the documents were being sent may apply for reissuance without cost. The application shall be made with the county treasurer who originally issued the documents not less than twenty days from the date the documents were placed with the United States postal service. If the original documents are received after reissuance of duplicates, the original documents shall be surrendered to the county treasurer within five days of the time they are received.

Sec. 2. Section 321.51, subsection 4, Code 1981, is amended to read as follows:

4. Except as provided in section 321.52, the county treasurer of the county of residence of the transferee upon receipt of the application for a new certificate of title, the appropriate fee, and the affidavit as provided in subsection 2 ~~of this section~~, and when satisfied as to the genuineness and regularity of the application, shall issue a restricted certificate of title to the applicant but shall not issue registration plates or a registration card. A restricted certificate of title shall be coded in the manner prescribed by the department and shall be red in color and shall have conspicuously imprinted thereon in bold print, in a manner prescribed by the department, the words "RESTRICTED CERTIFICATE OF TITLE--CANNOT BE REGISTERED AND OPERATED ON THE HIGHWAYS WITHOUT A VALID APPROVED CERTIFICATE OF INSPECTION EXCEPT AS PROVIDED IN SECTION 321.51 OF THE CODE OF IOWA." A county treasurer may also issue a restricted certificate of title which is not red in color but shall have the words "RED TITLE" in bold letters and the words "RESTRICTED--CANNOT BE REGISTERED WITHOUT A VALID APPROVED CERTIFICATE

OF INSPECTION" stamped on the face of the title in red ink. At ~~such~~ the time as the transferee surrenders a valid approved certificate of inspection and the restricted certificate of title to the county treasurer of the county of residence, the county treasurer, upon payment of the appropriate fees, shall issue a certificate of title that is not restricted for the vehicle and shall also issue a registration card and registration plates to the applicant if the applicant is not in possession of registration plates which may be attached to the vehicle, however, if the registration fee for the vehicle has been paid for the current year, the county treasurer shall issue a registration card and registration plates to the applicant if the applicant is not in possession of registration plates which may be attached to the vehicle upon payment of an additional registration fee of five dollars. A vehicle with a restricted certificate of title shall not have a registration plate attached to the vehicle.

Sec. 3. Section 321.52, subsection 4, unnumbered paragraph 1, Code 1981, is amended to read as follows:

A vehicle rebuilder or a motor vehicle dealer licensed under chapter 322, upon acquisition of a wrecked or salvage vehicle, shall surrender the certificate of title and registration receipt or manufacturer's or importer's statement of origin properly assigned, together with an application for a salvage certificate of title to the county treasurer of the county of residence of the purchaser or transferee within fourteen days after the date of assignment of the certificate of title for the wrecked or salvage motor vehicle. ~~The provisions of this~~ This subsection shall apply ~~applies~~ only to vehicles with a fair market value of five hundred dollars or more, based on the value before the vehicle became wrecked or salvage. Upon payment of a fee of two dollars, the county treasurer shall issue a salvage certificate of title which shall ~~be of a distinctive color and bear the words "SALVAGE CERTIFICATE OF TITLE"~~ bear the word "SALVAGE" stamped on the face of the title in bold letters and coded in a manner prescribed by the department. A salvage certificate of title may be assigned to any person. Notwithstanding any other provisions in this section a vehicle on which ownership has transferred to an insurer of ~~such~~ the vehicle, as a result of a settlement with the owner of the vehicle arising out of damage to, or unrecovered theft of the vehicle, shall be deemed to be a wrecked or salvage vehicle and the insurer shall comply with ~~the provisions of~~ this subsection to obtain a salvage certificate of title within fourteen days after the date of assignment of the certificate of title of the vehicle. Any owner, except an insurer of vehicles, who transfers a wrecked or salvage vehicle with a fair market value less than five hundred dollars, based on the value before it became wrecked or salvage, shall comply with ~~the provisions of~~ section 321.51.

Approved April 28, 1981