

CHAPTER 108
TRANSPORTATION OF PEOPLE

S. F. 492

AN ACT relating to transportation of persons.

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

Section 1. Section 321.225, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. An urban transit company, as defined in section 321.19, subsection 2, shall be exempt from this section where service of peak hour loads require split shifts for drivers. A driver for an urban transit company shall not drive for more than twelve hours in any twenty-four hour period and a driver which operates a vehicle on a split shift shall have not less than one hour off between shifts.

Sec. 2. Section 321.372, subsection 1, unnumbered paragraph 1, Code 1981, is amended to read as follows:

The driver of any a school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils, turn on flashing warning lamps at a distance of not less than three hundred feet nor more than five hundred feet from the point where the pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils the driver of the bus shall bring the bus to a stop, turn off the amber flashing warning lamps, turn on the red flashing warning lamps, and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off all flashing warning lamps, retract the stop arm and proceed on the route. Except to the extent that reduced visibility is caused by fog, snow, or other weather conditions, a school bus shall not stop to ~~load--or--unload~~ receive or discharge pupils unless there is at least three hundred feet of unobstructed vision in each direction. However, the driver of a school bus is not required to use flashing warning lamps and the stop arm when receiving or discharging pupils at a designated loading and unloading zone at a school attendance center or at extracurricular or educational activity locations where students exiting the bus do not have to cross the street or highway.

Sec. 3. Section 321.372, subsection 1, Code 1981, is amended by inserting after unnumbered paragraph 1 the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If a school district contracts with an urban transit system to transport children to and from a public or private school, the school bus which is provided by the urban transit system shall not be required to be equipped with flashing warning lights and a stop arm. If the school bus provided by an urban transit system is equipped with flashing warning lights and a stop arm, the driver of the school bus shall use the flashing warning light and stop arm as required by law.

Sec. 4. Section 324.57, subsection 9, Code 1981, is amended to read as follows:

9. An "Iowa urban transit system" is a system whereby motor buses are operated primarily upon the streets of cities for the transportation of passengers for an established fare and which accepts passengers who present themselves for transportation without discrimination up to the limit of the capacity of each motor bus. "Iowa urban transit system" also includes motor buses operated upon the streets of adjoining cities, whether interstate or intrastate, for the transportation of passengers without discrimination up to the limit of the capacity of the motor bus. Privately chartered bus services, motor carriers and interurban carriers subject to the jurisdiction of the ~~Iowa~~ Iowa state department of transportation, school bus services and taxicabs shall not be construed to be an urban transit system nor a part of any such system.

Sec. 5. Section 325.6, subsection 1, Code 1981, is amended to read as follows:

1. It is ~~hereby-declared~~ unlawful for any motor carrier, except a person operating a motor vehicle in a carpool or vanpool, to transport over a regular route or between fixed termini any person or property, for compensation, from any point or place in the state ~~of-Iowa~~ to another point or place in ~~said~~ the state irrespective of the route, highway or highways traversed, including the crossing of any state line of the state ~~of-Iowa~~, or the ticket or bill of lading issued and used for such transportation, without first having obtained from the board a certificate declaring that public convenience and necessity require such operation. An Iowa urban transit system, as defined in section 324.57, subsection 9, may operate within the metropolitan area which it serves and between its service area and another city which is located not more than ten miles from its service area without obtaining a certificate of public convenience and necessity if the other city is not served by another carrier operating under a certificate of public convenience and necessity. ~~No~~ A carrier of passengers shall ~~not~~ operate as a charter carrier in this state unless ~~already-possessed-of~~ it possesses a certificate of convenience and necessity as a common carrier of passengers and operating in this state as such common carrier or possesses a certificate of convenience and necessity to engage in the business of a charter carrier.

Sec. 6. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Hawk Eye, a newspaper published in Burlington, Iowa, and in The Bulletin-Journal, a newspaper published in Independence, Iowa.

Approved May 14, 1981

I hereby certify that the foregoing Act, Senate File 492, was published in The Hawk Eye, Burlington, Iowa on May 20, 1981 and in The Bulletin-Journal, Independence, Iowa on May 21, 1981.

MARY JANE ODELL, *Secretary of State*