

CHAPTER 1253
REGIONAL TRANSIT SYSTEMS
S.F. 2342

AN ACT relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems.

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

Section 1. Section 321.19, subsection 1, Code Supplement 1983, is amended to read as follows:

1. All vehicles owned or leased for a period of sixty days or more by the government and used in the transaction of official business by the representatives of foreign governments or by officers, boards, or departments of the government of the United States, and by the state, counties, municipalities and other political subdivisions of the state including vehicles used by an urban transit company operated by a municipality, regional transit system, and self-propelling vehicles used neither for the conveyance of persons for hire, pleasure, or business nor for the transportation of freight other than those used by an urban transit company operated by a municipality, regional transit system, and all fire trucks, providing they are not owned and operated for a pecuniary profit, are exempted from the payment of the fees imposed by this chapter, except as provided for urban transit companies in subsection 2, but are not exempt from the penalties provided in this chapter. The department shall furnish, on application, free of charge, distinguishing plates for vehicles thus exempted, which plates except plates on Iowa highway safety patrol vehicles shall bear the word "official," and the department shall keep a separate record. Registration plates issued for Iowa highway safety patrol vehicles, except unmarked patrol vehicles, shall bear two red stars on a yellow background, one before and one following the registration number on the plate which registration number shall be the officer's badge number. Registration plates issued for a county sheriff's patrol vehicles shall display one seven pointed gold star on a green background followed by the letter "S" and the call number of the vehicle. However, the director of general services or the director of transportation may order the issuance of regular registration plates for any exempted vehicle used by peace officers in the enforcement of the law and persons enforcing chapter 204 and other laws relating to controlled substances. For purposes of sale of exempted vehicles, the exempted governmental body, upon the sale of the exempted vehicle, may issue for in-transit purposes a pasteboard card bearing the words "Vehicle in Transit," the name of the official body from which the vehicle was purchased, together with the date of the purchase plainly marked in at least one-inch letters, and other information which may be required by the department. The in-transit card shall be valid for use only within forty-eight hours after the purchase date as indicated on the bill of sale which shall be carried by the driver.

Sec. 2. Section 321.19, subsection 2, unnumbered paragraph 2, Code Supplement 1983, is amended to read as follows:

Any person, firm, corporation, or company operating an urban transit system shall pay to the county treasurer annually as a registration fee for each bus, car, or vehicle used in the transportation of passengers, five dollars, which shall be paid into the city general fund. Any urban transit company operated by a municipality is not required to pay such registration fees. The ~~motor vehicle~~ department, in accordance with subsection 1, shall furnish distinguishing plates for vehicles used by urban transit companies operated by a municipality. No other provision of law providing for the payment of taxes, registration, or license fees for vehicles shall be applicable to any bus, car, or vehicle for the transportation of passengers owned and operated by any urban transit company.

Sec. 3. Section 321.19, Code Supplement 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3. "Regional transit system" means a public transit system serving one county or all or part of a multicounty area whose boundaries correspond to the same boundaries as those of the regional planning areas designated by the governor, except as agreed upon by the department. Each county board of supervisors within the region is responsible for determining the service and funding within its county. However, the administration and overhead support services for the overall regional transit system shall be consolidated into one existing or new agency to be mutually agreed upon by the participating members. Privately chartered bus services and uses other than providing services that are open and public on a shared ride basis shall not be construed to be a regional transit system.

Sec. 4. Section 321.22, Code 1983, is amended to read as follows:

321.22 URBAN AND REGIONAL TRANSIT EQUIPMENT PLATES.

1. An urban transit company or system having a franchise to operate in any city and any regional transit system may make application to the ~~motor vehicle~~ department, upon forms furnished by the department, for a certificate containing a distinguishing number and for one or more pairs of transit bus plates to be attached to the front and rear of buses owned or operated by the ~~urban~~ transit company or system.

2. The department shall issue to the applicant a certificate, or certificates, containing, but not limited to, the applicant's name and address, the distinguishing number assigned to the applicant, and such other information deemed necessary by the department for proper identification of the buses.

3. The department shall issue ~~urban~~ transit bus (license) plates as applied for, which shall have imprinted thereon the words "Urban Transit Bus," and the distinguishing number assigned to the applicant. The department shall issue the certificates and plates without fee.

4. Every ~~urban~~ transit bus plate issued ~~hereunder~~ shall expire at midnight on ~~the thirtieth day of June 30~~ of each year, and new plates or validation stickers for the ensuing year may be obtained upon proper application.

Sec. 5. Section 324.3, subsection 4, Code Supplement 1983, is amended to read as follows:

4. Motor fuel used in the operation of an Iowa urban transit system or regional transit system. Any fuel sold to an Iowa urban transit system or regional transit system which is used for any a purpose other than as specified in section 324.57, ~~subsection~~ subsections 9 and 11, shall is not be exempt from the tax.

Sec. 6. Section 324.35, unnumbered paragraphs 3 and 4, Code 1983, are amended to read as follows:

No tax is imposed under this division on special fuel used in the operation of an Iowa urban transit system or regional transit system, except that any special fuel sold to an Iowa urban transit system or regional transit system, which is used for any purpose other than as specified in section 324.57, ~~subsection~~ subsections 9 and 11, shall is not be exempt from the tax.

A tax shall not be imposed under this division and the provisions of sections 324.34, 324.36, and 324.38 shall be not be applicable if special fuel is sold to the state, any of its agencies, an Iowa urban transit system, regional transit system, or any political subdivision of the state when the special fuel is delivered into storage tanks, regardless of size, and all of the special fuel is used for public purposes.

Sec. 7. Section 324.57, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 11. "Regional transit system" means a public transit system serving one county or all or part of a multicounty area whose boundaries correspond to the same boundaries as those of the regional planning areas designated by the governor, except as agreed upon by the department. Each county board of supervisors within the region is responsible for determining the service and funding within its county. However, the administration and overhead support services for the overall regional transit system shall be consolidated into one existing or new agency to be mutually agreed upon by the participating members. Privately chartered bus services and uses other than providing services that are open and public on a shared ride basis shall not be construed to be a regional transit system.

Sec. 8. Section 325.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 10. "Regional transit system" means a public transit system serving one county or all or part of a multicounty area whose boundaries correspond to the same boundaries as those of the regional planning areas designated by the governor, except as agreed upon by the department. Each county board of supervisors within the region is responsible for determining the service and funding within its county. However, the administration and overhead support services for the overall regional transit system shall be consolidated into one existing or new agency to be mutually agreed upon by the participating members. Privately chartered bus services and uses other than providing services that are open and public on a shared ride basis shall not be construed to be a regional transit system.

Sec. 9. Section 325.6, subsection 3, Code 1983, is amended to read as follows:

3. A motor carrier regional transit system providing primarily passenger service for elderly, handicapped and other transportation of disadvantaged persons shall be as defined in section 601J.1 is exempt from certification requirements of this section if it satisfies each of the following requirements:

a. The motor carrier regional transit system is not a corporation organized for profit under the laws of Iowa or any other state or the motor carrier regional transit system is a governmental organization.

b. The motor carrier regional transit system receives any operating funds from federal, state or local government sources.

c. The motor carrier regional transit system does not duplicate a transportation service provided by a motor carrier regional transit system issued a certificate of convenience and necessity.

Each motor carrier regional transit system exempt under the provisions of this subsection shall obtain a permit from the department, which shall be nontransferable. Such carriers shall comply with all safety, insurance and other rules of the department pertaining to a publicly funded transit system.

Approved May 11, 1984