

was sentenced the number of days so served. The clerk of the district court shall forward a copy of the certification of the days served to the warden.

Sec. 19. Section 906.5, subsection 1, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The board shall establish and implement a plan by which the board systematically reviews the status of each person who has been committed to the custody of the director of the Iowa department of corrections and considers the person's prospects for parole or work release. The board at least annually shall review the status of a person other than a class "A" felon, a class "B" felon serving a sentence of more than twenty-five years, or a felon serving an offense punishable under section 902.9, subsection 0A, or a felon serving a mandatory minimum sentence other than a class "A" felon, and provide the person with notice of the board's parole or work release decision.

Approved April 6, 1999

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## CHAPTER 13

### TRANSPORTATION — MISCELLANEOUS PROVISIONS

S.F. 203

**AN ACT** relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescision of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

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

Section 1. Section 321.1, subsection 32, unnumbered paragraph 3, Code 1999, is amended to read as follows:

Notwithstanding the other provisions of this subsection any vehicle covered ~~thereby by this subsection~~, if it otherwise qualifies, may be ~~registered as special mobile equipment, or operated or moved under the provisions of sections 321.57 to 321.63, if the person in whose name such vehicle is to be registered or to whom a special plate or plates are to be issued elects to do so as special mobile equipment~~ and under such circumstances the provisions of this subsection shall not be applicable to such vehicle, nor shall such vehicle be required to comply with the provisions of sections 321.384 ~~to 321.420 through 321.423~~, when such vehicle is moved during daylight hours, provided however, the provisions of section 321.383 shall remain applicable to such vehicle.

Sec. 2. Section 321.1, subsection 69, paragraph c, Code 1999, is amended to read as follows:

c. Operated by a municipally or privately owned urban transit company or a regional transit system as defined in section 324A.1 for the transportation of children as part of or in addition to their regularly scheduled service; or

Sec. 3. Section 321.1, subsection 76, Code 1999, is amended to read as follows:

76. "Special truck" means a motor truck or truck tractor not used for hire with a gross weight registration of six through thirty-two tons used by a person engaged in farming to transport commodities produced only by the owner, or to transport commodities purchased by the owner for use in the owner's own farming operation or occasional use for charitable purposes. "Special truck" also means a motor truck or truck tractor not used for hire with a gross weight registration of six through thirty-two tons used by a person engaged in farming who assists another person engaged in farming through an exchange of services. A "special truck" does not include a truck tractor operated more than ~~seventy-five hundred~~ fifteen thousand miles annually.

Sec. 4. Section 321.23, subsection 3, Code 1999, is amended to read as follows:

3. In the event an applicant for registration of a foreign vehicle for which a certificate of title has been issued is able to furnish evidence of being the registered owner of the vehicle to the county treasurer of the owner's residence, although unable to surrender such certificate of title, the county treasurer may issue a registration receipt and plates upon receipt of the required registration fee but shall not issue a certificate of title thereto. Upon surrender of the certificate of title from the foreign state, the county treasurer shall issue a certificate of title to the owner, or person entitled thereto, of such vehicle as provided in this chapter. The owner of a vehicle registered under this subsection shall not be required to obtain a certificate of title in this state and may transfer ownership of the vehicle to a motor vehicle dealer licensed under chapter 322 if, at the time of the transfer, the certificate of title is held by a secured party and the dealer has forwarded to the secured party the sum necessary to discharge the security interest pursuant to section 321.48, subsection 1.

Sec. 5. Section 321.25, unnumbered paragraph 1, Code 1999, is amended to read as follows:

A vehicle may be operated upon the highways of this state without registration plates for a period of ~~thirty~~ forty-five days after the date of delivery of the vehicle to the purchaser from a dealer if a card bearing the words "registration applied for" is attached on the rear of the vehicle. The card shall have plainly stamped or stenciled the registration number of the dealer from whom the vehicle was purchased and the date of delivery of the vehicle. In addition, a dealer licensed to sell new motor vehicles may attach the card to a new motor vehicle delivered by the dealer to the purchaser even if the vehicle was purchased from an out-of-state dealer and the card shall bear the registration number of the dealer that delivered the vehicle. A dealer shall not issue a card to a person known to the dealer to be in possession of registration plates which may be attached to the vehicle. A dealer shall not issue a card unless an application for registration and certificate of title has been made by the purchaser and a receipt issued to the purchaser of the vehicle showing the fee paid by the person making the application. Dealers' records shall indicate the agency to which the fee is sent and the date the fee is sent. The dealer shall forward the application by the purchaser to the county treasurer or state office within fifteen calendar days from the date of delivery of the vehicle. However, if the vehicle is subject to a security interest and has been offered for sale pursuant to section 321.48, subsection 1, the dealer shall forward the application by the purchaser to the county treasurer or state office within ~~twenty-two~~ thirty calendar days from the date of the delivery of the vehicle to the purchaser.

Sec. 6. Section 321.42, Code 1999, is amended to read as follows:

321.42 LOST OR DAMAGED CERTIFICATES, CARDS, AND PLATES.

1. 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.

2. a. 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 owner or lienholder of a motor vehicle

may also apply for a certified copy of the original certificate of title as a replacement for the original certificate of title upon surrender of the original certificate of title with the application. 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 ten dollars.

b. After five days, the department or county treasurer shall issue a certified copy to the applicant at the applicant's most recent address, however, the five-day waiting period does not apply to an applicant who has surrendered the original certificate of title to the department or county treasurer. 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.

c. If a security interest noted on the face of an original certificate of title was released by the lienholder on a separate form pursuant to section 321.50, subsection 4, and the signature of the lienholder, or the person executing the release on behalf of the lienholder, is notarized, but the lienholder has not delivered the original certificate to the appropriate party as provided in section 321.50, subsection 4, the owner may apply for and receive a replacement certificate of title without the released security interest noted thereon. The lienholder shall return the original certificate of title to the department or to the treasurer of the county where the title was issued.

d. 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 the new purchaser or transferee 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.

3. 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. 7. Section 321.48, subsection 1, unnumbered paragraph 2, Code 1999, is amended to read as follows:

A dealer licensed pursuant to chapter 322 or chapter 322C who has acquired a vehicle for resale which is subject to a security interest as provided in section 321.50 and who has forwarded to the secured party the sum necessary to discharge the security interest may offer the vehicle for sale prior to the receipt from the county treasurer of the certificate of title for the vehicle with the lien discharged for a period of not more than ~~twenty two~~ thirty days from the date the vehicle was acquired and the provisions of section 321.104, subsection 2 shall not apply.

Sec. 8. Section 321.49, subsection 1, Code 1999, is amended to read as follows:

1. Except as provided in section 321.52, if an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of the transferee within ~~fifteen~~ thirty days of the date of assignment or transfer of title, or within ~~twenty two~~ thirty days of the date of delivery to the purchaser if the vehicle is subject to a security interest and was offered for sale pursuant to section 321.48, subsection 1, a penalty of ten dollars shall accrue against the applicant, and no registration card or certificate of title shall be issued to the applicant for the vehicle until the penalty is paid.

Sec. 9. Section 321.50, subsection 4, unnumbered paragraph 3, Code 1999, is amended to read as follows:

~~However, when~~ When a security interest is discharged for a vehicle with a gross vehicle weight rating of sixteen thousand pounds or more, the lienholder shall note the cancellation of ~~a~~ the security interest on the face of the title and may note the cancellation of the security interest on a form prescribed by the department and deliver a copy of the form in lieu of the title to the department or to the treasurer of the county in which the title was issued. The department or county treasurer shall note the release of the security interest upon the statewide computer system and the county's records. A copy of the form, if used, shall be attached to the title by the lienholder and shall be evidence of the release of the security interest. The lienholder shall deliver the title to the first lienholder, or if there is no such person, to the person as designated by the owner, or if there is no such person designated, to the owner.

Sec. 10. Section 321.166, subsections 1 and 4, Code 1999, are amended to read as follows:

1. Registration plates shall be of metal and of a size not to exceed six inches by twelve inches, except that the size of plates issued for use on motorized bicycles, motorcycles, motorcycle trailers, and trailers with an empty weight of two thousand pounds or less, ~~and special mobile equipment~~ shall be established by the department.

Trailers with empty weights of two thousand pounds or less may, upon request, be licensed with regular-sized license plates.

4. The registration plate number, except on motorized bicycle, motorcycle, motorcycle trailer, and trailers with an empty weight of two thousand pounds or less, ~~and special mobile equipment registration plates~~, shall be of sufficient size to be readable from a distance of one hundred feet during daylight.

Sec. 11. Section 321.178, subsection 1, unnumbered paragraphs 2 and 3, Code 1999, are amended to read as follows:

To be qualified as a classroom ~~or laboratory~~ driver education instructor, a person shall have satisfied the educational requirements for a teaching license at the elementary or secondary level and hold a valid license to teach driver education in the public schools of this state.

Every public school district in Iowa shall offer or make available to all students residing in the school district or Iowa students attending a nonpublic school in the district an approved course in driver education. The courses may be offered at sites other than at the public school, including nonpublic school facilities within the public school districts. An approved course offered during the summer months, on Saturdays, after regular school hours during the regular terms or partly in one term or summer vacation period and partly in the succeeding term or summer vacation period, as the case may be, shall satisfy the requirements of this section to the same extent as an approved course offered during the regular school hours of the school term. A student who successfully completes and obtains certification in an approved course in driver education or an approved course in motorcycle education may, upon proof of such fact, be excused from any field test which the student would otherwise be required to take in demonstrating the student's ability to operate a motor vehicle. A student shall not be excused from any field test if a parent, guardian, or instructor requests that a test be administered. Street or highway driving instruction may be provided by a person qualified as a classroom driver education instructor or a person certified by the department of transportation and authorized by the board of educational examiners. A final field test prior to a student's completion of an approved course shall be administered by a person qualified as a classroom driver education instructor. The department of transportation shall adopt rules pursuant to chapter 17A to provide for certification of persons qualified to provide street or highway driving instruction ~~and for administering requested field tests. The board of educational examiners shall adopt rules pursuant to chapter 17A to provide for authorization of persons certified by the department of transportation to provide street or highway driving instruction.~~

Sec. 12. Section 321.180B, subsection 2, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The department may issue an intermediate driver's license to a person sixteen or seventeen years of age who possesses an instruction permit issued under subsection 1 or a comparable instruction permit issued by another state for a minimum of six months, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the permittee has accumulated a total of twenty hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the permittee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the permittee, and whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and conviction free continuously for, the six-month period immediately preceding the application for an intermediate license. An applicant for an intermediate license must meet the requirements of section 321.186, including satisfactory completion of driver education as required in section 321.178, and payment of the required license fee before an intermediate license will be issued. A person issued an intermediate license must limit the number of passengers in the motor vehicle when the intermediate licensee is operating the motor vehicle to the number of passenger safety belts.

Sec. 13. Section 321.180B, subsection 4, Code 1999, is amended to read as follows:

4. FULL DRIVER'S LICENSE. A full driver's license may be issued to a person seventeen years of age who possesses an intermediate license issued under subsection 2 or a comparable intermediate license issued by another state for a minimum of twelve months, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the intermediate licensee has accumulated a total of ten hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the licensee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the licensee, whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and conviction free continuously for, the twelve-month period immediately preceding the application for a full driver's license, and who has paid the required fee.

Sec. 14. Section 321.189, subsection 2, paragraphs b and c, Code 1999, are amended to read as follows:

b. A commercial driver's license shall include the licensee's address as required under federal regulations ~~and the licensee's social security number~~, and the words "commercial driver's license" or "CDL" shall appear prominently on the face of the license. If the applicant is a nonresident, the license must conspicuously display the word "nonresident".

c. The department shall advise an applicant that the applicant for a driver's license ~~other than a commercial driver's license~~ may request a number other than a social security number as the driver's license number.

Sec. 15. NEW SECTION. 321.377 REGIONAL TRANSIT SYSTEM TRANSPORTATION.

A vehicle operated by a regional transit system as defined in section 324A.1 may only provide school transportation services pursuant to rules adopted by the state department of transportation in consultation with the department of education.

Sec. 16. NEW SECTION. 321.404A LIGHT-RESTRICTING DEVICES PROHIBITED.

1. A person shall not operate a motor vehicle, motorcycle, or motorized bicycle on the highways of this state if it is equipped with a device that restricts the light output of a head lamp required under section 321.385 or 321.386, a rear lamp required under section 321.387, a signal lamp or signal device required under section 321.404, or a directional signal device as described in section 321.317.

2. A person who violates this section shall be subject to a scheduled fine under section 805.8, subsection 2, paragraph "d".

Sec. 17. Section 321.449, unnumbered paragraphs 2 and 4, Code 1999, are amended to read as follows:

Rules adopted under this section concerning driver qualifications, hours of service, and recordkeeping requirements do not apply to the operators of public utility trucks, trucks hauling gravel, construction trucks and equipment, trucks moving implements of husbandry, and special trucks, other than a truck tractor, operating intrastate. Trucks Except as otherwise provided in this section, trucks for hire on construction projects are not exempt from this section.

Notwithstanding other provisions of this section, rules adopted under this section for drivers of commercial vehicles shall not apply to a driver of a commercial vehicle who is engaged exclusively in intrastate commerce, when the commercial vehicle's gross vehicle weight rating is 26,000 pounds or less, unless the vehicle is used to transport hazardous materials requiring a placard or if the vehicle is designed to transport more than fifteen passengers, including the driver. For the purpose of complying with the hours of service recordkeeping requirements under 49 C.F.R. § 395.1(e)(5), a driver's report of daily beginning and ending on-duty time submitted to the motor carrier at the end of each work week shall be considered acceptable motor carrier time records. In addition, rules adopted under this section shall not apply to a driver for a farm operation as defined in section 352.2, or for an agricultural interest when the commercial vehicle is operated between the farm as defined in section 352.2 and another farm, between the farm and a market for farm products, or between the farm and an agribusiness location. A driver or a driver-salesperson for a private carrier, who is not for hire and who is engaged exclusively in intrastate commerce, may drive twelve hours, be on duty sixteen hours in a twenty-four hour period and be on duty seventy hours in seven consecutive days or eighty hours in eight consecutive days. For-hire drivers who are engaged exclusively in intrastate commerce and who operate trucks and truck-tractors exclusively for the movement of construction materials and equipment to and from construction projects may also drive twelve hours, be on duty sixteen hours in a twenty-four-hour period, and be on duty seventy hours in seven consecutive days or eighty hours in eight consecutive days. A driver-salesperson means as defined in 49 C.F.R. § 395.2, adopted as of a specific date by the department by rule.

Sec. 18. Section 321.453, Code 1999, is amended to read as follows:

321.453 EXCEPTIONS.

The provisions of this chapter governing size, weight, and load, and the permit requirements of chapter 321E do not apply to fire apparatus; road maintenance equipment owned by or, under lease to, or used in the performance of a contract with any state or local authority; implements of husbandry temporarily moved upon a highway; implements of husbandry moved from farm site to farm site or between the retail seller and a farm purchaser; implements of husbandry moved between any site and the site of an agricultural exposition or a fair administered pursuant to chapter 173 or 174; indivisible implements of husbandry temporarily moved between the place of manufacture and a retail seller or a farm purchaser; implements of husbandry received and moved by a retail seller of implements of husbandry in exchange for a purchased implement; or implements of husbandry moved for repairs, except on any part of the interstate highway system. A vehicle, carrying an implement of husbandry, which is exempted from the permit requirements under this section shall be equipped with an amber flashing light under section 321.423, shall be equipped with warning flags on that portion of the vehicle which protrudes into oncoming traffic, and shall only operate from thirty minutes prior to sunrise to thirty minutes following sunset. The one hundred-mile distance restriction contained in the definition of implement of husbandry in section 321.1 does not apply to this section.

Sec. 19. Section 321A.17, Code 1999, is amended by adding the following new subsection:

**NEW SUBSECTION.** 8. This section does not apply to an individual whose administrative license revocation has been rescinded under section 321J.13, and who is otherwise under no obligation to furnish proof of financial responsibility.

Sec. 20. Section 321E.8, subsections 2 and 3, Code 1999, are amended to read as follows:

2. Vehicles with indivisible loads having an overall width not to exceed twelve feet five inches or mobile homes, including appurtenances, having an overall width not to exceed twelve feet five inches and an overall length not to exceed one hundred twenty feet zero inches may be moved on highways specified by the permitting authority for unlimited distances if the height of the vehicle and load does not exceed ~~fourteen~~ fifteen feet ~~zero~~ five inches and the total gross weight of the vehicle does not exceed one hundred thirty-six thousand pounds. The vehicle owner or operator shall verify with the permitting authority prior to movement of the load that highway conditions have not changed so as to prohibit movement of the vehicle. Any cost to repair damage to highways or highway structures shall be borne by the owner or operator of the vehicle causing the damage. Permitted vehicles under this subsection shall not be allowed to travel on any portion of the interstate highway system.

3. Vehicles with indivisible loads, including mobile homes and factory-built structures, having an overall width not to exceed sixteen feet zero inches and an overall length not to exceed one hundred twenty feet zero inches may be moved under an annual or all-systems permit and must have a route specified by the issuing authority prior to the movement. However, vehicles with indivisible loads, including mobile homes and factory-built structures, with an overall width not exceeding fourteen feet six inches may exceed fifty miles under an annual and all-systems permit when prior approval for trip routing is obtained from the issuing authority. ~~The A vehicle and load being moved according to this paragraph shall not exceed the fifteen feet five inches in height as prescribed in section 321.456 and shall not exceed the total gross weight as prescribed in section 321.463.~~

Sec. 21. Section 321E.12, Code 1999, is amended to read as follows:  
321E.12 REGISTRATION MUST BE CONSISTENT.

~~Any A~~ vehicle traveling under permit shall be properly registered for the gross weight of the vehicle and load. ~~Any A~~ person owning special mobile equipment ~~registered and in compliance with section 321.21,~~ may use a transport vehicle registered for the gross weight of the transport without a load. Vehicles, while being used for the transportation of buildings, except mobile homes and factory-built structures, may be registered for the combined gross weight of the vehicle and load on a single-trip basis. The fee is five cents per ton exceeding the weight registered under section 321.122 per mile of travel. Fees shall not be prorated for fractions of miles. This provision does not exempt these vehicles from any other provision of this chapter.

Sec. 22. Section 321J.13, Code 1999, is amended by adding the following new subsection:

**NEW SUBSECTION.** 6. a. The department shall grant a request for a hearing to rescind the revocation if the person whose motor vehicle license or operating privilege has been or is being revoked under section 321J.9 or 321J.12 submits a petition containing information relating to the discovery of new evidence that provides grounds for rescission of the revocation.

b. The person shall prevail at the hearing if, in the criminal action on the charge of violation of section 321J.2 or 321J.2A resulting from the same circumstances that resulted in the administrative revocation being challenged, the court held one of the following:

(1) That the peace officer did not have reasonable grounds to believe that a violation of section 321J.2 or 321J.2A had occurred to support a request for or to administer a chemical test.

(2) That the chemical test was otherwise inadmissible or invalid.

c. Such a holding by the court in the criminal action is binding on the department, and the department shall rescind the revocation.

Sec. 23. Section 322.5, Code 1999, is amended by adding the following new subsection:  
**NEW SUBSECTION.** 5. A manufacturer, distributor, or dealer may, upon receipt of a temporary permit approved by the department, display new ambulances, new fire vehicles, and new rescue vehicles for educational purposes only at vehicle shows and vehicle exhibitions conducted for the express purpose of educating fire and rescue personnel in new technology and techniques for fire fighting and rescue efforts. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten-dollar permit fee. Permits shall be issued for a single show or exhibition, not to exceed five consecutive days.

Sec. 24. Section 322.14, Code 1999, is amended by striking the section and inserting in lieu thereof the following:

**322.14 PENALTIES.**

1. A person who violates any of the provisions of this chapter for which a penalty is not specifically provided is guilty of a simple misdemeanor punishable by a fine of not less than two hundred fifty dollars nor more than one thousand five hundred dollars or by imprisonment not to exceed thirty days.

2. Notwithstanding subsection 1, if a provision of chapter 537 is applicable to a retail installment contract and a violation of that provision is subject to a penalty under chapter 537, that penalty shall apply in lieu of a penalty provided in this chapter.

Sec. 25. **NEW SECTION.** 322.21 REMAINING BALANCE ON TRADE VEHICLE.

The extension of credit by a retail seller to a retail buyer, pursuant to a retail installment contract, of the amount actually paid or to be paid by the retail seller to discharge a purchase money security interest, as defined in section 554.9107, on a motor vehicle traded in by the retail buyer shall not subject the retail seller to the provisions of chapter 536 or 536A.

Sec. 26. Section 805.8, subsection 2, paragraph d, Code 1999, is amended to read as follows:

d. For improper equipment under section 321.404A or section 321.438, subsection 2, the scheduled fine is fifteen dollars.

Sec. 27. **DRIVER'S EDUCATION CURRICULUM — STUDY.** The legislative council is requested to establish an interim study committee consisting of members of both political parties from throughout the state. The study may include but is not limited to driver's education curriculum, certification of persons by the department of transportation to provide street and highway driving instruction, costs to students and to schools, privatizing driver's education, expansion of behind-the-wheel training, and effects on insurance rates. The committee may consult with the department of transportation, department of education, board of educational examiners, parents, educators, insurance executives, and other persons with expertise or information relevant to the study of driver's education. The committee is directed to submit its findings, together with any recommendations, in a report to the general assembly which convenes in January 2000.

Sec. 28. Sections 309.42, 309.56, and 321.21, Code 1999, are repealed.

Sec. 29. **EFFECTIVE DATE.** The following sections of this Act, being deemed of immediate importance, take effect upon enactment:

1. Section 1, amending section 321.1, subsection 32.
2. Section 10, amending section 321.166.
3. Section 17, amending section 321.449.
4. Section 19, amending section 321A.17.

5. Section 20, amending section 321E.8.
6. Section 21, amending section 321E.12.
7. Section 22, amending section 321J.13.
8. Section 28, repealing sections 309.42, 309.56, and 321.1\*.

Approved April 7, 1999

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**CHAPTER 14**  
BALED SOLID WASTE DISPOSAL  
*H.F. 347*

**AN ACT** relating to rulemaking duties of the department of natural resources regarding baled solid waste.

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

Section 1. Section 455D.9A, Code 1999, is amended to read as follows:

455D.9A DISPOSAL OF BALED SOLID WASTE AT A SANITARY LANDFILL — PROHIBITED.

Beginning January 1, 1992, a person shall not dispose of baled solid waste at a sanitary landfill and a sanitary landfill shall not accept baled solid waste for final disposal. Solid waste which is baled on-site may be disposed of at the sanitary landfill. ~~The department shall develop rules which define baled solid waste and provide for the safe and proper method of disposal of such waste.~~

Approved April 7, 1999

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**CHAPTER 15**  
CONSUMER CREDIT TRANSACTIONS — FEES AND CHARGES  
*H.F. 443*

**AN ACT** relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions.

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

Section 1. Section 535.10, subsection 3, Code 1999, is amended to read as follows:

3. a. A lender may collect in connection with establishing or renewing a home equity line of credit the costs listed in section 535.8, subsection 2, paragraph "b", charges for insurance as described in section 537.2501, subsection 2, and a loan processing fee as agreed between the borrower and the lender, and annually may collect an account maintenance fee of not more than fifteen dollars. Fees collected under this subsection shall be disregarded for purposes of determining the maximum charge permitted by subsection 4.

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\* Section 321.21 probably intended