

**CHAPTER 1011****ELECTRONIC GIFT CARDS — FEES FOR DELAYED REDEMPTION***H.F. 2306*

**AN ACT** relating to fees charged for delayed redemption of electronic gift cards.

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

Section 1. Section 556.9, subsection 2, Code Supplement 2003, is amended to read as follows:

2. An issuer of a gift certificate shall not deduct from the face value of the gift certificate any charge imposed due to the failure of the owner of the gift certificate to present the gift certificate in a timely manner, unless a valid and enforceable written contract exists between the issuer and the owner of the gift certificate pursuant to which the issuer regularly imposes such charges and does not regularly reverse or otherwise cancel them. For purposes of this subsection, “gift certificate” means a merchandise certificate or electronic gift card conspicuously designated as a gift certificate or electronic gift card, and generally purchased by a buyer for use by a person other than the buyer.

Approved March 18, 2004

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**CHAPTER 1012****FIRST RESPONDER VACCINATION PROGRAM***H.F. 2343*

**AN ACT** providing for the establishment of a vaccination program for first responders, and providing an immediate effective date.

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

Section 1. NEW SECTION. 135.146 FIRST RESPONDER VACCINATION PROGRAM.

1. In the event that federal funding is received for administering vaccinations for first responders, the department shall offer a vaccination program for first responders who may be exposed to infectious diseases when deployed to disaster locations. For purposes of this section, “first responder” means state and local law enforcement personnel, fire department personnel, and emergency medical personnel who will be deployed to sites of bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and other disasters. The vaccinations shall include, but not be limited to, vaccinations for hepatitis B, diphtheria-tetanus,<sup>1</sup> influenza, and other vaccinations when recommended by the United States public health service and in accordance with federal emergency management agency policy. Immune globulin will be made available when necessary.

2. Participation in the vaccination program shall be voluntary, except for first responders who are classified as having occupational exposure to blood-borne pathogens as defined by the occupational safety and health administration standard contained in 29 C.F.R. § 1910.1030. First responders who are so classified shall be required to receive the vaccinations as described in subsection 1. A first responder shall be exempt from this requirement, however, when a written statement from a licensed physician is presented indicating that a

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<sup>1</sup> The phrase “diphtheria, tetanus” probably intended

vaccine is medically contraindicated for that person or the first responder signs a written statement that the administration of a vaccination conflicts with religious tenets.

3. The department shall establish first responder notification procedures regarding the existence of the program by rule, and shall develop, and distribute to first responders, educational materials on methods of preventing exposure to infectious diseases. In administering the program, the department may contract with county and local health departments, not-for-profit home health care agencies, hospitals, physicians, and military unit clinics.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 18, 2004

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## CHAPTER 1013

### MOTOR VEHICLE REGULATIONS AND STATE TRANSPORTATION DEPARTMENT DUTIES AND ACTIVITIES

S.F. 2070

**AN ACT** relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles, regulation of electric personal assistive mobility devices, and issuance of commercial driver's licenses, and providing effective dates.

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

Section 1. Section 321.1, subsection 20B, Code Supplement 2003, is amended to read as follows:

20B. "Electric personal assistive mobility device" means a self-balancing, ~~nontandem two-wheeled~~ device powered by an electric propulsion system that averages seven hundred fifty watts, ~~has two nontandem wheels,~~ and is designed to transport one person, with a maximum speed on a paved level surface of less than twenty miles per hour. The maximum speed shall be calculated based on operation of the device by a person who weighs one hundred seventy pounds when the device is powered solely by the electric propulsion system. For purposes of this chapter, "electric personal assistive mobility device" does not include an assistive device as defined in section 216E.1.

Sec. 2. Section 321.15, Code 2003, is amended to read as follows:

321.15 PUBLICATION OF LAW.

The department shall issue, ~~in pamphlet or electronic form,~~ in pamphlet form, such parts of this chapter ~~in pamphlet form,~~ together with such rules, instructions, and explanatory matter as may seem advisable. ~~Copies of such pamphlet~~ Such information shall be ~~given a wide distribution distributed~~ as determined by the department ~~shall determine~~ and a supply shall be furnished to each county treasurer.

Sec. 3. Section 321.20, Code Supplement 2003, is amended to read as follows:

321.20 APPLICATION FOR REGISTRATION AND CERTIFICATE OF TITLE.

Except as provided in this chapter, an owner of a vehicle subject to registration shall make application to the county treasurer, of the county of the owner's residence, or if a nonresident,