

CHAPTER 131**MOTOR VEHICLE FINANCIAL RESPONSIBILITY
— SPECIAL MOBILE EQUIPMENT***H.F. 870*

AN ACT relating to the applicability of motor vehicle financial responsibility provisions to special mobile equipment and providing an effective date.

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

Section 1. Section 321A.1, subsections 3 and 5, Code 2005, are amended to read as follows:

3. **JUDGMENT.** A judgment which has become final by expiration without appeal during the time within which an appeal might have been perfected, or a judgment if an appeal from the judgment has been perfected, which has not been stayed by the execution, filing and approval of a bond as provided in rule of appellate procedure 6.7(1), or a judgment which has become final by affirmation on appeal, rendered by a court of competent jurisdiction of a state or of the United States, upon a cause of action arising out of the ownership, maintenance, or use of a motor vehicle, as defined in this section, for damages, including damages for care and loss of services, because of bodily injury to or death of a person, or for damages because of injury to or destruction of property, including the loss of use of property, or upon a cause of action on an agreement of settlement for such damages.

5. **MOTOR VEHICLE.** “Motor vehicle” means every vehicle which is self-propelled, but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires, ~~but~~ and not operated upon rails. The term “car” or “automobile” shall be synonymous with the term “motor vehicle”. “Motor vehicle” does not include special mobile equipment as defined in this section.

Sec. 2. Section 321A.1, Code 2005, is amended by adding the following new subsection:
NEW SUBSECTION. 12A. **SPECIAL MOBILE EQUIPMENT.** “Special mobile equipment” means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including road construction or maintenance machinery, ditch-digging apparatus, and implements of husbandry as defined in section 321.1, subsection 32. This description does not exclude other vehicles which are within the general terms of this subsection.

Sec. 3. Section 321A.6, Code 2005, is amended by adding the following new subsection:
NEW SUBSECTION. 5. To the operator or owner of special mobile equipment.

Sec. 4. **IMPLEMENTATION.** The department may adopt rules pursuant to chapter 17A as necessary to implement and administer this Act.

Sec. 5. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 12, 2005