

CHAPTER 1144**MOTOR VEHICLE CITATIONS, HOSPITAL LIEN DOCKET,
AND CLERK OF COURT DUTIES***H.F. 2775*

AN ACT relating to the judicial branch including the assessment of court fees and costs.

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

Section 1. Section 321.20B, subsection 4, paragraph a, subparagraph (2), Code 2005, is amended to read as follows:

(2) Issue a citation to the driver. ~~If a citation is issued, the citation shall be issued under this subparagraph unless the driver has been previously charged and cited for a violation of subsection 1. A citation which is issued and subsequently dismissed shall be disregarded for purposes of determining if the driver has been previously charged and cited.~~

Sec. 2. Section 321.20B, subsection 4, paragraph c, Code 2005, is amended to read as follows:

c. An owner or driver cited for a violation of subsection 1, who produces to the clerk of court prior to the date of the ~~individual's~~ person's court appearance as indicated on the citation proof that financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, shall not be convicted of such violation and the citation issued shall be dismissed by the court. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 3. Section 321.20B, subsection 5, paragraph b, Code 2005, is amended to read as follows:

b. Issue a citation. An owner or driver who produces to the clerk of court prior to the date of the ~~individual's~~ person's court appearance as indicated on the citation proof that the financial liability coverage was in effect for the motor vehicle at the time the person was stopped and cited, or if the driver is not the owner of the motor vehicle, proof that liability coverage was in effect for the driver with respect to the motor vehicle being driven at the time the driver was stopped and cited in the same manner as if the motor vehicle were owned by the driver, shall be given a receipt indicating that proof was provided, and the citation issued shall be dismissed by the court. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 4. Section 321.174, subsection 3, Code 2005, is amended to read as follows:

3. A licensee shall have the licensee's driver's license in immediate possession at all times when operating a motor vehicle and shall display the same, upon demand of a judicial magistrate, district associate judge, district judge, peace officer, or examiner of the department. However, a person charged with violating this subsection shall not be convicted and the citation shall be dismissed by the court if the person produces to the clerk of the district court, prior to the licensee's court date indicated on the citation, a driver's license issued to that person and valid for the vehicle operated at the time of the person's arrest or at the time the person was charged with a violation of this section. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 5. Section 327B.1, subsection 7, Code Supplement 2005, is amended by striking the subsection and inserting in lieu thereof the following:

7. A motor carrier owner or driver charged with failure to have proper evidence of interstate authority shall not be convicted of such violation and the citation shall be dismissed by the court if the person produces to the clerk of court prior to the date of such person's court appearance as indicated on the citation, proof of interstate authority issued to that person and valid

at the time the person was charged with the violation under this section. Upon dismissal, the court or clerk of court shall assess the costs of the action against the defendant named on the citation.

Sec. 6. Section 582.4, Code 2005, is amended to read as follows:

582.4 LIEN BOOK DOCKET — FEES.

Every clerk of the district court shall, ~~at the expense of the county, provide a suitable well-bound book to be called the~~ maintain a hospital lien docket in which, upon the filing of any lien claim under the provisions of this chapter, the clerk shall enter the name of the injured person, the date of the accident, and the name of the hospital or other institution making the claim. The clerk shall make a proper index of the same in the name of the injured person and the clerk shall collect a fee of ten dollars in the amount provided for in section 602.8105 for filing each lien claim.

Sec. 7. Section 602.8105, subsection 1, Code Supplement 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. g. For filing and docketing a transcript of the judgment in a civil case, fifty dollars.

Sec. 8. Section 602.8105, subsection 2, paragraph b, Code Supplement 2005, is amended to read as follows:

b. For filing and entering ~~an agricultural supply dealer's lien and any other statutory lien,~~ twenty dollars.

Sec. 9. Section 631.6, subsection 1, paragraph c, Code 2005, is amended to read as follows:

c. Postage charged for the mailing of original notice shall be ~~eight~~ ten dollars.

Approved May 30, 2006

CHAPTER 1145

WATER QUALITY REGULATION

S.F. 2363

AN ACT relating to water quality standards.

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

Section 1. Section 455B.173, subsection 2, unnumbered paragraph 1, Code 2005, is amended to read as follows:

Establish, modify, or repeal water quality standards, pretreatment standards and effluent standards, in accordance with the provisions of this chapter. The effluent standards may provide for maintaining the existing quality of the water of the state that is a navigable water of the United States under the federal Water Pollution Control Act where the quality thereof exceeds the requirements of the water quality standards.

Sec. 2. WATER QUALITY STANDARDS. The general assembly makes the following findings:

1. The federal Water Pollution Control Act provides that the state is responsible for implementation of the federal Act in a manner that the state deems most appropriate.