

Sec. 3. Section 426B.5, subsection 2, paragraph i, unnumbered paragraph 1, Code Supplement 2007, is amended to read as follows:

~~A county may apply for preapproval for risk pool assistance. A county may submit a preapproval application beginning on July 1 for the fiscal year of submission and the risk pool board shall notify the county of the risk pool board's decision concerning the application within forty-five days of receiving the application. Whether for a preapproval or regular application, risk~~ Risk pool assistance shall only be made available to address one or more of the following circumstances:

Sec. 4. Section 426B.5, subsection 2, paragraph j, Code Supplement 2007, is amended to read as follows:

j. Subject to the amount available and obligated from the risk pool for a fiscal year, the department of human services shall annually calculate the amount of moneys due to eligible counties in accordance with the board's decisions and that amount is appropriated from the risk pool to the department for payment of the moneys due. The department shall authorize the issuance of warrants payable to the county treasurer for the amounts due and the warrants shall be issued on or before the close of the fiscal year January 1.

Approved April 8, 2008

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## CHAPTER 1044

### SPECIALTY VEHICLE TITLES AND REGISTRATION

*H.F. 2452*

**AN ACT** relating to vehicle titles and registration plates for specialty vehicles, and providing a penalty and an effective date.

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

Section 1. Section 321.1, subsection 59, Code 2007, is amended to read as follows:

59. "Reconstructed vehicle" means every vehicle of a type required to be registered ~~hereunder~~ under this chapter materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used. "Reconstructed vehicle" does not include a street rod or replica vehicle.

Sec. 2. Section 321.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 61. "Replica vehicle" means any completed motor vehicle other than a motorcycle or motorized bicycle with a gross vehicle weight rating of less than ten thousand pounds consisting of a body, frame, and other essential parts, assembled as a reproduction of a vehicle originally manufactured by a generally recognized manufacturer of motor vehicles with the substitution or addition of essential parts to update the vehicle for purposes of safety, performance, or reliability. For purposes of vehicle registration, the model year of a replica vehicle shall be the same as the model year of the motor vehicle that it is designed to resemble.

Sec. 3. Section 321.1, subsection 74, Code 2007, is amended to read as follows:

74. "Specially constructed vehicle" means every vehicle of a type required to be registered ~~hereunder~~ under this chapter not originally constructed under a distinctive name, make, mod-

el, or type by a generally recognized manufacturer of vehicles and not materially altered from its original construction. A “specially constructed vehicle” does not include a street rod or replica vehicle.

Sec. 4. Section 321.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 78A. “Street rod” means any car or motor truck with a gross vehicle weight rating of less than ten thousand pounds required to be registered under this chapter, manufactured by a generally recognized manufacturer of motor vehicles prior to the year 1949, which may contain a body or frame not manufactured by the original manufacturer, or any motor vehicle designed and manufactured to resemble a motor vehicle manufactured prior to the year 1949. For purposes of vehicle registration, the model year of a street rod shall be the same as the model year of the motor vehicle that it is designed to resemble.

Sec. 5. Section 321.23, subsection 1, Code 2007, is amended to read as follows:

1. a. If the vehicle to be registered is a specially constructed vehicle, reconstructed vehicle, street rod, replica vehicle, or foreign vehicle, such fact shall be stated in the application. A fee of ten dollars shall be paid by the person making the application upon issuance of a certificate of title by the county treasurer. For a specially constructed vehicle, ~~or reconstructed motor vehicle, street rod, or replica vehicle~~ subject to registration, the application shall be accompanied by a statement from the department authorizing the motor vehicle to be titled and registered in this state.

b. The department shall cause a physical inspection to be made of all specially constructed vehicles, ~~or reconstructed motor vehicles, street rods, and replica vehicles~~ upon application for a certificate of title by the owner, to determine whether the motor vehicle complies with the definition of specially constructed ~~motor vehicle, or reconstructed motor vehicle, street rod, or replica vehicle~~ in this chapter and to determine that the integral component parts are properly identified and that the rightful ownership is established before issuing the owner the authority to have the motor vehicle registered and titled. The purpose of the physical inspection under this section is not to determine whether the motor vehicle is in a condition safe to operate.

c. The owner of a specially constructed vehicle, ~~or reconstructed vehicle, street rod, or replica vehicle~~ shall apply for a certificate of title and registration for the vehicle at the county treasurer’s office within thirty days of the inspection. For a foreign vehicle which has been registered outside this state, the owner shall surrender to the treasurer all registration plates, registration cards, and certificates of title, or if the vehicle to be registered is from a nontitle state, the evidence of foreign registration and ownership as may be prescribed by the department except as provided in subsection 2.

d. Upon completion of every specially constructed vehicle, reconstructed vehicle, street rod, or replica vehicle, the owner shall certify on a form prescribed by the department that such vehicle is in compliance with all equipment specifications required under this chapter.

Sec. 6. NEW SECTION. 321.115A REPLICA VEHICLES AND STREET RODS — MODEL YEAR PLATES PERMITTED — PENALTY.

1. A motor vehicle may be registered as a replica vehicle or street rod upon payment of the fee provided for in section 321.109, 321.113, 321.122, or 321.124. The owner of a vehicle registered under this section may display registration plates from or representing the model year of the motor vehicle or the model year of the motor vehicle the registered vehicle is designed to resemble, furnished by the person and approved by the department, in lieu of the current and valid Iowa registration plates issued for the vehicle, provided that the current and valid Iowa registration plates and the registration card issued for the vehicle are simultaneously carried within the vehicle and are available for inspection to any peace officer upon the officer’s request.

2. Truck tractors and semitrailers registered under this section shall not be used to haul loads.

3. A person convicted of a violation of this section is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 2, paragraph "b".

Sec. 7. Section 805.8A, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. For violations under sections 321.17, 321.47, 321.55, 321.98, ~~and 321.115~~, and 321.115A, the scheduled fine is thirty dollars.

Sec. 8. EFFECTIVE DATE. This Act takes effect July 1, 2009.

Approved April 8, 2008

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## CHAPTER 1045

### COMMERCIAL AERIAL PESTICIDE APPLICATOR LICENSING — NONRESIDENTS

*H.F. 2551*

**AN ACT** providing requirements for a nonresident of this state engaged in the aerial application of pesticides, making penalties applicable, and providing an effective date.

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

Section 1. Section 206.6, subsection 1, unnumbered paragraph 2, Code 2007, is amended by striking the paragraph.

Sec. 2. Section 206.6, subsection 5, Code 2007, is amended to read as follows:

5. ISSUE COMMERCIAL APPLICATOR LICENSE. ~~If the~~

a. The secretary finds the shall approve an application and issue a commercial applicator license to the applicant as follows:

(1) The applicant is qualified as found by the secretary to apply pesticides in the classifications for which the applicant has applied and if the

(2) The applicant files the bonds or insurance must furnish to the department evidence of financial responsibility as required under section 206.13, and if the

(3) An applicant applying for a license to engage in aerial application of pesticides has met must meet all of the requirements of the federal aviation administration, the United States department of transportation, and any other applicable federal or state laws or regulations to operate the equipment described in the application, the. The secretary shall adopt by rule, additional requirements for issuing a license to a person who is a nonresident of this state engaged in the aerial application of pesticides, which may include but is not limited to conditions for the operation of the aircraft and the application of the pesticides under the supervision of a person who is a resident of this state and licensed as a commercial applicator under this section or as a pesticide dealer under section 206.8. The secretary shall not adopt rules concerning the operation of aircraft when not engaged in the commercial application of pesticides.

b. The secretary shall issue a commercial applicator license limited to the classifications for which the applicant is qualified, which shall expire at the end of the calendar year of issue unless it has been revoked or suspended prior thereto by the secretary for cause. The secretary may limit the license of the applicant to the use of certain pesticides, or to certain areas, or to