

CHAPTER 1124**TRANSPORTATION REGULATION, FIRE FIGHTER APPLICANTS,
AND PETROLEUM UNDERGROUND STORAGE TANK FUND BONDS***H.F. 2651*

AN ACT relating to policies for the administration of highways and the regulation of motor vehicles and to deposits made by a county to the secondary road fund, physical ability tests required for fire fighter applicants, and certain obligations guaranteed by highway funds including matters concerning utility facility relocation due to highway construction, the bid threshold for emergency highway repairs, providing for new collegiate motor vehicle registration plates and providing fees, the fee for replacement of special dealer registration plates, antique motor vehicle registration fees, used motor vehicle dealer education requirements, penalties for speeding violations committed in road work zones, access to persons with disabilities parking spaces for certain disabled veterans, and permits and fees for the movement of certain oversize or overweight vehicles, drinking driver courses offered at state correctional facilities, establishment of benefited secondary road services districts, and the defeasance of petroleum underground storage tank fund bonds, and providing an effective date.

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

Section 1. **NEW SECTION.** 306.47 UTILITY FACILITIES RELOCATION POLICY.

It is the policy of the general assembly that a proactive, cooperative coordination between the department, local governments, private and public utility companies, and other affected parties is the most effective way to minimize costs, eliminate the need for utilities to relocate facilities, limit disruption of utility services related to federal, state, or local highway construction projects, and limit the potential need for relocation of utility facilities.

All potentially affected parties shall be invited to participate in development meetings at the design phase of a highway construction project to review plans, understand goals and objectives of the proposed project, and discuss options that would limit the impact of the construction on utility facilities and thereby minimize or even eliminate costs associated with utility facility relocation. All jurisdictions and other interested parties shall cooperate to discuss strategies and policies to utilize the Iowa one call system in the development of a highway construction project. Failure of the affected parties to respond or participate during the design phase shall not in any way affect the ability of the federal, state, or local agency to proceed with design and construction.

Sec. 2. Section 313.10, subsection 3, Code 2007, is amended to read as follows:

3. The necessary work can be done for less than ~~five hundred thousand~~ one million dollars.

Sec. 3. **NEW SECTION.** 314.29 DICK DRAKE WAY.

The highway currently known as the industrial connector in Muscatine shall be renamed "Dick Drake Way" in honor of Richard Drake, who served for thirty-six years as a member of the general assembly of the state of Iowa.

Sec. 4. Section 321.34, subsection 7, paragraph a, Code Supplement 2007, is amended to read as follows:

a. Upon application and payment of the proper fees, the director may issue to the owner of a motor vehicle subject to registration under section 321.109, subsection 1, motor truck, motor home, multipurpose vehicle, trailer over two thousand pounds, or travel trailer registered in this state, collegiate registration plates created pursuant to this subsection. Upon receipt of the collegiate registration plates, the applicant shall surrender the regular registration plates to the county treasurer.

Sec. 5. Section 321.34, Code Supplement 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. COLLEGIATE PLATES — PRIVATE FOUR-YEAR COLLEGES AND UNIVERSITIES.

a. Upon application by a private four-year college or university located in this state and payment of the initial set-up costs for establishing the collegiate plate, the department, in consultation with the college or university, may design a special collegiate registration plate displaying the colors associated with the college or university.

b. Upon application and payment of the proper fees, the director may issue to the owner of a motor vehicle subject to registration under section 321.109, subsection 1, motor truck, motor home, multipurpose vehicle, trailer over two thousand pounds, or travel trailer registered in this state, collegiate registration plates created pursuant to this subsection. The fee for the issuance of collegiate registration plates is twenty-five dollars, which fee is in addition to the regular annual registration fee for the vehicle. An applicant may obtain a personalized collegiate registration plate upon payment of the additional fee for a personalized plate as provided in subsection 5 in addition to the collegiate plate fee and the regular registration fee. The county treasurer shall validate collegiate registration plates issued under this subsection in the same manner as regular registration plates, upon payment of five dollars in addition to the regular annual registration fee. Upon receipt of the collegiate registration plates, the applicant shall surrender the regular registration plates to the county treasurer.

c. A personalized collegiate registration plate shall not be issued if its combination of alphanumeric characters are identical to those contained on a current personalized registration plate issued under subsection 5. However, the owner of a motor vehicle who has a personalized registration plate issued for the motor vehicle may, after proper application and payment of fees, be issued a collegiate registration plate containing the same alphanumeric characters as those on the personalized plate. Upon receipt of the collegiate registration plates, the owner shall surrender the personalized registration plates to the county treasurer.

Sec. 6. Section 321.42, subsection 1, Code 2007, is amended to read as follows:

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 is~~ three dollars. The fee for a replacement plate or pair of plates ~~shall be other than a replacement of a special plate issued pursuant to section 321.60 is five dollars. The fee for replacement of a special plate issued pursuant to section 321.60 is forty 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. The county treasurer or the department may waive the fee for a replacement plate if the plate is lost during a documented accident.

Sec. 7. Section 321.166, subsection 5, Code 2007,¹ is amended to read as follows:

5. There shall be a marked contrast between the color of the registration plates and the data which is required to be displayed on the registration plates. When a new series of registration plates is issued to replace a current series, the new registration plates shall be of a distinctively different color from the series which is replaced, except for collegiate registration plates issued under section 321.34, subsection 7 or 7A.

Sec. 8. Section 321.253, Code 2007, is amended to read as follows:

321.253 DEPARTMENT TO ERECT SIGNS.

1. The department shall place and maintain such traffic-control devices, conforming to its manual and specifications, upon all primary highways as it ~~shall deem~~ deems necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic. Whenever practical, ~~said the~~ devices or signs shall be purchased from the director of the Iowa department of corrections.

2. The department shall post signs informing motorists of the penalties for speeding in a

¹ According to enrolled Act; the phrase "Code Supplement 2007" probably intended

road work zone and that the scheduled fine for committing a any other moving traffic violation in a road work zone is doubled.

Sec. 9. Section 321E.1, Code 2007, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT AND LOCAL AUTHORITIES.

1. The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads which exceed the maximum dimensions and weights specified in sections 321.452 to through 321.466, but not to exceed the limitations imposed in this section and sections 321E.1 to 321E.2 through 321E.15 except as provided in section 321E.29.

2. Vehicles permitted to transport indivisible loads may exceed do any of the following:

a. Exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load.

b. Move indivisible special mobile equipment which does not otherwise exceed the maximum dimensions and weights specified in sections 321.452 through 321.466 if the vehicle has an overall width not to exceed nine feet and all other conditions of the vehicle's permit are met.

3. Permits issued may be single-trip, multi-trip, or annual permits. Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by a peace officer or an authorized agent of a permit granting authority.

4. When in the judgment of the issuing authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons for denial endorsed on the application. Permits shall designate the days when and routes upon which loads and construction machinery may be moved within a county on other than primary roads.

5. Local authorities may allow persons requesting permits under this chapter to do so by means of a telephone or facsimile machine, authorizing payment for the permits to be made upon receipt of an invoice sent to the persons by the local authorities.

Sec. 10. Section 321E.7, subsection 4, Code Supplement 2007, is amended to read as follows:

4. Notwithstanding subsections 1 and 2, a self-propelled implement of husbandry traveling under a permit issued pursuant to section 321E.8A may exceed the maximum axle loads prescribed under section 321.463 only when operated on a noninterstate highway in a county covered under the permit, provided the weight on any one axle does not exceed twenty-five thousand pounds, and provided the current and valid permit is carried in the vehicle. For purposes of this subsection, "noninterstate highway" does not include a bridge. However, a vehicle traveling under a permit issued pursuant to section 321E.8A is not exempt from posted weight limitations on bridges.

Sec. 11. Section 321E.8, Code 2007, is amended by adding the following new subsection:

NEWSUBSECTION. 3. Notwithstanding any other provision of law to the contrary, cranes exceeding the maximum gross weight on any axle as prescribed in section 321.463 and used in the construction of alternative energy facilities may be moved with approval from the permit issuing authority.

Sec. 12. Section 321E.8A, subsection 1, Code Supplement 2007, is amended to read as follows:

1. A self-propelled implement of husbandry equipped with flotation tires that is designed to be loaded and operated in the field and used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals, and that, as

newly manufactured, exceeds the axle weight limits under section 321.463 when unloaded, may be operated on noninterstate highways, ~~excluding bridges~~, in a county pursuant to a permit issued by the department for travel within the county, provided the vehicle does not violate posted weight limitations on bridges. Prior to issuing a permit, the department shall collect a fee of six hundred dollars for each county in which the vehicle will be operated during the period of the permit beginning July 1 and ending June 30, provided that a permit shall not be issued for a vehicle for operation in more than ten counties and the total amount of fees collected for a vehicle for the period of the permit shall not exceed three thousand five hundred dollars. Moneys collected by the department on behalf of the counties in which the vehicle will be operated shall be allotted equally to those counties and deposited in the secondary road funds of those counties. A vehicle for which a permit is issued under this section shall be assigned a permit number that shall be displayed on the door of the vehicle in numbers that contrast sharply in color with the background on which the number is placed, be readily legible during daylight hours from a distance of fifty feet when the vehicle is stationary, and be maintained in a manner that retains the legibility. Only vehicles originally purchased or ordered prior to February 1, 2007, are eligible for a permit. New permits shall not be issued on or after July 1, 2007; however, a permit issued for a vehicle under this section prior to July 1, 2007, may be renewed for that vehicle annually upon payment of the appropriate county fees.

Sec. 13. Section 321E.9, subsection 3, Code 2007, is amended to read as follows:

3. Cranes, exceeding the maximum gross weight on any axle as prescribed in section 321.463, but not exceeding twenty-four thousand pounds, may be moved in accordance with rules adopted pursuant to chapter 17A. Notwithstanding any other provision of law to the contrary, cranes exceeding the maximum gross weight on any axle as prescribed in section 321.463 and used in the construction of alternative energy facilities may be moved with approval from the permit issuing authority.

Sec. 14. NEW SECTION. 321E.9B SPECIAL ALTERNATIVE ENERGY MULTITRIP PERMIT.

Subject to the discretion and judgment provided for in section 321E.1, a multitrip permit shall be issued for operation of vehicles in accordance with the following provisions:

1. Vehicles with an indivisible load having an overall length not to exceed two hundred twenty-five feet, an overall width not to exceed sixteen feet, a height not to exceed sixteen feet, and a total gross weight not to exceed two hundred fifty-six thousand pounds may be moved on highways specified by the permitting authority to an alternative energy construction site or staging area for alternative energy transportation, provided the gross weight on any one axle shall not exceed twenty thousand pounds.

2. The special alternative energy multitrip permit shall not exceed twelve months in duration.

3. The permitting authority shall have discretion to include restrictions and require special considerations, such as responsibility for protection or repair of the roadway and bridges, prior to issuance of the permit.

Sec. 15. Section 321E.14, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The department or local authorities issuing permits shall charge a fee of twenty-five dollars for an annual permit issued under section 321E.8, subsection 1, a fee of three hundred dollars for an annual permit issued under section 321E.8, subsection 2, a fee of two hundred dollars for a ~~multi-trip~~ multitrip permit issued under section 321E.9A, a fee of six hundred dollars for a special alternative energy multitrip permit issued under section 321E.9B, and a fee of ten dollars for a single-trip permit, and shall determine charges for special permits issued pursuant to section 321E.29 by rules adopted pursuant to chapter 17A. Fees for the movement of buildings, parts of buildings, or unusual vehicles or loads may be increased to cover the costs of inspections by the issuing authority. A fee not to exceed two hundred fifty dollars per day or a

prorated fraction of that fee per person and car for escort service may be charged when requested or when required under this chapter. Proration of escort fees between state and local authorities when more than one governmental authority provides or is required to provide escort for a movement during the period of a day shall be determined by rule under section 321E.15. The department and local authorities may charge a permit applicant for the cost of trimming trees and removal and replacement of natural obstructions or official signs and signals or other public or private property required to be removed during the movement of a vehicle and load. In addition to the fees provided in this section, the annual fee for a permit for special mobile equipment, as defined in section 321.1, subsection 75, operated pursuant to section 321E.7, subsection 3, with a combined gross weight up to and including eighty thousand pounds shall be twenty-five dollars and for a combined gross weight exceeding eighty thousand pounds, fifty dollars.

Sec. 16. Section 321J.22, subsections 2, 4, and 5, Code 2007, are amended to read as follows:

2. a. The course provided according to this section shall be offered on a regular basis at each community college as defined in section 260C.2, or by substance abuse treatment programs licensed under chapter 125, or may be offered at a state correctional facility listed in section 904.102. However, a community college shall not be required to offer the course if a substance abuse treatment program licensed under chapter 125 offers the course within the merged area served by the community college.

b. Enrollment in the courses is not limited to persons ordered to enroll, attend, and successfully complete the course required under sections 321J.2 and 321J.17, subsection 2. However, any person under age eighteen who is required to attend the courses for violation of section 321J.2 or 321J.17 must attend a course offered by a substance abuse treatment program licensed under chapter 125.

c. The course required by this section shall be:

(1) Taught by a community college under the supervision of the department of education or by a substance abuse treatment program licensed under chapter 125, and may be offered at a state correctional facility.

(2) Approved by the department of education, in consultation with the community colleges, and substance abuse treatment programs licensed under chapter 125, the department of public health, and the department of corrections.

d. The department of education shall establish reasonable fees to defray the expense of obtaining classroom space, instructor salaries, and class materials for courses offered both by community colleges and by substance abuse treatment programs licensed under chapter 125, or for classes offered at a state correctional facility, and for administrative expenses incurred by the department of education in implementing subsection 5 on behalf of in-state and out-of-state offenders.

e. A person shall not be denied enrollment in a course by reason of the person's indigency.

4. The department of education, and substance abuse treatment programs licensed under chapter 125, and state correctional facilities shall prepare for their respective courses a list of the locations of the courses taught under this section, the dates and times taught, the procedure for enrollment, and the schedule of course fees. The list shall be kept current and a copy of the list shall be sent to each court having jurisdiction over offenses provided in this chapter.

5. The department of education, and substance abuse treatment programs licensed under chapter 125, and state correctional facilities shall maintain enrollment, attendance, successful and unsuccessful completion data for their respective courses on the persons ordered to enroll, attend, and successfully complete a course for drinking drivers. This data shall be forwarded to the court by both the department of education, and substance abuse treatment programs licensed under chapter 125, and the department of corrections.

Sec. 17. Section 321L.2, Code 2007, is amended by adding the following new subsection: NEW SUBSECTION. 5. A seriously disabled veteran who has been provided with an auto-

mobile or other vehicle by the United States government under the provisions of 38 U.S.C. § 1901 et seq. (1970) is not required to apply for a disabilities parking permit² under this section unless the veteran has been issued special registration plates or personalized plates for the vehicle. The regular registration plates issued for the disabled veteran's vehicle without fee pursuant to section 321.105 entitle the disabled veteran to all of the rights and privileges associated with persons with disabilities parking permits under this chapter.

Sec. 18. Section 322.7A, subsection 2, Code Supplement 2007, is amended to read as follows:

2. A person seeking renewal of a used motor vehicle dealer license shall complete a minimum of five hours of continuing education program courses over a two-year period pursuant to this section prior to submitting an application for license renewal. However, an applicant for renewal of a used motor vehicle dealer license who has met the prelicensing education requirement under subsection 1 within the preceding ~~twelve~~ twenty-four months is exempt from the continuing education requirement for license renewal.

Sec. 19. Section 331.382, subsection 8, unnumbered paragraph 2, Code 2007, is amended to read as follows:

However, the board may assume and exercise the powers and duties of a governing body under chapter 357, 357A, 357B, 358 or chapter 468, subchapter III, if a governing body established under one of those chapters has insufficient membership to perform its powers and duties, and the board, upon petition of the number of property owners within a proposed district and filing of a bond as provided in section 357A.2, may establish a service district within the unincorporated area of the county and exercise within the district the powers and duties granted in chapter 357, 357A, 357B, 357C, 357I, 358, 359, 384, division IV, or chapter 468, subchapter III.

Sec. 20. Section 331.429, subsection 1, paragraphs a and b, Code 2007, are amended to read as follows:

a. Transfers from the general fund not to exceed in any year the dollar equivalent of a tax of sixteen and seven-eighths cents per thousand dollars of assessed value on all taxable property in the county multiplied by the ratio of current taxes actually collected and apportioned for the general basic levy to the total general basic levy for the current year, and an amount equivalent to the moneys derived by the general fund from military service tax credits under chapter 426A, manufactured or mobile home taxes under section 435.22, and delinquent taxes for prior years collected and apportioned to the general basic fund in the current year, multiplied by the ratio of sixteen and seven-eighths cents to three dollars and fifty cents. The limit on transfers in this paragraph applies only to property tax revenue and is not a limit on transfers of revenue generated from sources other than property taxes.

b. Transfers from the rural services fund not to exceed in any year the dollar equivalent of a tax of three dollars and three-eighths cents per thousand dollars of assessed value on all taxable property not located within the corporate limits of a city in the county multiplied by the ratio of current taxes actually collected and apportioned for the rural services basic levy to the total rural services basic levy for the current year and an amount equivalent to the moneys derived by the rural services fund from military service tax credits under chapter 426A, manufactured or mobile home taxes under section 435.22, and delinquent taxes for prior years collected and apportioned to the rural services basic fund in the current year, multiplied by the ratio of three dollars and three-eighths cents to three dollars and ninety-five cents. The limit on transfers in this paragraph applies only to property tax revenue and is not a limit on transfers of revenue generated from sources other than property taxes.

Sec. 21. NEW SECTION. 357I.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the board of supervisors of a county.

² According to enrolled Act; the phrase "persons with disabilities parking permit" probably intended

2. "Book", "list", "record", or "schedule" kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.
3. "District" means a benefited secondary road services district.
4. "Trustee" means a trustee of a district.

Sec. 22. NEW SECTION. 357I.2 PETITION FOR PUBLIC HEARING.

1. The board shall, on the petition of twenty-five percent of the resident property owners in a proposed district if the assessed valuation of the property owned by the petitioners represents at least twenty-five percent of the total assessed value of the proposed district, hold a public hearing concerning the establishment of a proposed district. The petition shall include a statement containing the following information:

- a. The need for secondary road services.
- b. The district to be served.
- c. The approximate number of families in the district.
- d. A general description of the secondary road services to be provided in the district by the county.

2. The board may require a bond of the petitioners conditioned for the payment of all costs and expenses incurred in the proceedings in case the district is not established.

3. If part or all of the proposed district lies within two miles of the boundaries of a city, the board shall send a copy of the petition to each such city before scheduling the public hearing on the petition. A city that receives a copy of the petition may require that any road or street improvements and associated drainage improvements constructed within the district after establishment of the district be constructed in compliance with requirements for such improvements then in effect within the city. The city shall notify the board of the city's response to the petition within thirty days of receiving the petition. If the city wants requirements for road or street improvements and associated drainage improvements then in effect within the city to apply within the district, the requirements shall be included in the resolution of the board establishing the district and shall be incorporated into the plans and specifications for the improvements prepared by the district engineer or county engineer. The plans and specifications shall be subject to approval by the board and by the city council of each affected city, which approval must occur before commencement of construction. If costs for construction of improvements according to a city's standards exceed the costs for such construction according to county standards, the petitioner shall pay the difference in the costs.

Sec. 23. NEW SECTION. 357I.3 LIMITATION ON AREA AND PROPERTY COMPRISING DISTRICT.

1. A district is limited to property within a residential subdivision that was in existence prior to January 1, 2007, and that has received county road services pursuant to an agreement between the county and residents of the subdivision prior to July 1, 2008.

2. Subject to the limitations in subsection 1, a district may include all or parts of the unincorporated areas of one township and any unincorporated areas of adjoining townships or parts of adjoining townships.

Sec. 24. NEW SECTION. 357I.4 TIME OF HEARING.

The public hearing required in section 357I.2 shall be held within thirty days of the presentation of the petition. Notice of hearing shall be given by publication in two successive issues of any newspaper of general circulation within the district. The last publication shall be not less than one week before the proposed hearing.

Sec. 25. NEW SECTION. 357I.5 ACTION BY BOARD.

After, and within ten days of, the hearing, the board shall either establish the district by resolution or disallow the petition.

Sec. 26. NEW SECTION. 357I.6 ENGINEER.

1. When the board establishes a district, the board shall appoint a competent disinterested civil engineer, who shall prepare a preliminary plat showing:

- a. The proper design in general outline of the district.
 - b. The lots and parcels of land within the proposed district as they appear on the county auditor's plat books with the names of the owners.
 - c. The assessed valuation of the lots and parcels.
2. The compensation of the engineer on the preliminary investigation shall be determined by the board. The engineer shall file a report with the county auditor within thirty days of appointment. The board may extend the time upon good cause shown.

Sec. 27. NEW SECTION. 357I.7 HEARING ON ENGINEER'S REPORT.

After the engineer's report is filed, the board shall give notice, as provided in section 357I.4, of a public hearing to be held concerning the engineer's preliminary plat.

Sec. 28. NEW SECTION. 357I.8 ELECTION ON PROPOSED LEVY AND CANDIDATES FOR TRUSTEES.

When a preliminary plat has been approved by the board, an election shall be held within the district within sixty days to approve or disapprove the levy of a tax not to exceed in any fiscal year one dollar per thousand dollars of assessed value on all the taxable property within the district and to choose candidates for the offices of trustees of the district. Notice of the election, including the time and place of holding the election, shall be given as provided in section 357I.4. The vote shall be by ballot which shall state clearly the proposition to be voted upon and any registered voter residing within the district at the time of the election may vote. It is not mandatory for the county commissioner of elections to conduct elections held pursuant to this chapter, but the elections shall be conducted in accordance with chapter 49 where not in conflict with this chapter. Judges shall be appointed to serve without pay by the board from among the registered voters of the district to be in charge of the election. The proposition is approved if sixty percent of those voting on the proposition vote in favor of it.

Sec. 29. NEW SECTION. 357I.9 TRUSTEES — TERM AND QUALIFICATION.

At the election, the names of up to three candidates for trustee shall be written in by the voters on blank ballots without formal nomination and the board shall appoint three from among the five receiving the highest number of votes as trustees for the district. One trustee shall be appointed to serve for one year, one for two years, and one for three years. The trustees and their successors must be residents of the district and shall give bond in the amount required by the board, the premium of which shall be paid by the district. Vacancies shall be filled by election, but if there are no candidates for a trustee office, the vacancy may be filled by appointment by the board. The term of succeeding trustees shall be three years.

Sec. 30. NEW SECTION. 357I.10 TRUSTEES' POWERS.

The trustees may contract only with the county to provide road services including road paving, reconstruction, or maintenance, according to the county's standards for such services, on roads within the district and on any road outside the district that provides a direct route between the subdivision comprising the district and the nearest paved street or highway, other than roads identified under section 357I.2, subsection 3, and may certify for levy an annual tax as provided in section 357I.8. The trustees may purchase materials incidental to the administrative functions of the trustees and perform all other acts necessary to properly maintain and operate the district. The trustees are allowed necessary expenses in the discharge of their duties, but they shall not receive a salary.

Sec. 31. NEW SECTION. 357I.10A REVENUES EXCLUDED FROM COUNTY GENERAL FUND TRANSFERS.

The amount of revenue collected from the tax levied pursuant to section 357I.8 shall not be included in the calculation of property tax revenues transferred to the secondary road fund annually under section 331.429.

Sec. 32. NEW SECTION. 357I.11 BONDS IN ANTICIPATION OF REVENUE.

A district may anticipate the collection of taxes by the levy authorized in this chapter, and

to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments with the rate of interest not exceeding that permitted by chapter 74A. An indebtedness shall not be incurred under this chapter until authorized by an election. The election shall be held and notice given in the same manner as provided in section 357I.8, and the same sixty percent vote shall be necessary to authorize indebtedness. Both propositions may be submitted to the voters at the same election.

Sec. 33. NEW SECTION. 357I.12 DISSOLUTION OF DISTRICT.

Upon petition of thirty-five percent of the resident eligible electors, the board may dissolve a district and dispose of any remaining property, the proceeds of which shall first be applied against outstanding obligations and any balance shall be applied to tax credit of property owners of the district. However, if the district is annexed, the board of supervisors may transfer the remaining property and balance to the city which annexed the territory. The board shall continue to levy a tax after dissolution of a district, of not to exceed twenty-seven cents per thousand dollars of assessed value on all the taxable property of the district, until all outstanding obligations of the district are paid.

Sec. 34. NEW SECTION. 357I.13 INCORPORATION OF DISTRICT LAND.

If part of a district is incorporated by a city and there are outstanding indebtedness obligations against the district, the city shall pay the outstanding obligations against the part of the district which is incorporated by the city.

Sec. 35. Section 321.115, subsection 1, as enacted in 2007 Iowa Acts, chapter 143, section 12, is amended to read as follows:

1. a. A motor vehicle twenty-five years old or older may be registered as an antique vehicle upon payment of ~~the annual registration fee~~ is the fee provided for in section 321.113, 321.122, or 321.124.

b. ~~The owner of a motor truck, truck tractor, road tractor, or motor home that is twenty-five years old or older who desires to use the vehicle exclusively for exhibition or educational purposes at state or county fairs, or at other places where the vehicle may be exhibited for entertainment or educational purposes, may register the vehicle as a "limited use" vehicle in accordance with sections 321.58 through 321.62. The "limited use" registration under this paragraph permits driving of the vehicle upon the public roads to and from state and county fairs or other places of entertainment or education for exhibition or educational purposes and to and from service stations for the purpose of receiving necessary maintenance, or for the purposes of transporting, testing, demonstrating, or selling the vehicle.~~

c. The owner of a motor vehicle registered under this subsection may display authentic Iowa registration plates from the model year of the motor vehicle, 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.

Sec. 36. Section 805.8A, subsection 14, paragraph i, Code 2007, is amended to read as follows:

i. ROAD WORK ZONE VIOLATIONS. The scheduled fine for any moving traffic violation under chapter 321, as provided in this section, shall be doubled if the violation occurs within any road work zone, as defined in section 321.1. However, notwithstanding subsection 5, the scheduled fine for violating the speed limit in a road work zone is as follows:

(1) One hundred fifty dollars for speed not more than ten miles per hour over the posted speed limit.

(2) Three hundred dollars for speed greater than ten but not more than twenty miles per hour over the posted speed limit.

(3) Five hundred dollars for speed greater than twenty but not more than twenty-five miles per hour over the posted speed limit.

(4) One thousand dollars for speed greater than twenty-five miles per hour over the posted speed limit.

Sec. 37. 2007 Iowa Acts, chapter 143, section 35, subsection 4, is amended to read as follows:

4. The sections of this Act amending sections 321.112 and 321.115 take effect ~~July 1, 2008~~ January 1, 2009.

Sec. 38. 2007 Iowa Acts, chapter 167, is repealed.

Sec. 39. COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BONDS — DEFEASANCE. The Iowa comprehensive petroleum underground storage tank fund board shall authorize the Iowa finance authority to defease all bonds issued pursuant to chapter 455G prior to June 30, 2008. The authority shall defease the bonds by June 30, 2008, from funds available in the Iowa comprehensive petroleum underground storage tank fund.

Sec. 40. EFFECTIVE DATE. The sections of this Act amending sections 321E.8, 321E.9, 321E.14, and 322.7A, the section enacting section 321E.9B, and the section repealing 2007 Iowa Acts, chapter 167, being deemed of immediate importance, take effect upon enactment.³

Sec. 41. CONTINGENT EFFECTIVENESS. The section of this Act relating to the defeasance of petroleum underground storage tank fund bonds takes effect only upon enactment of legislation striking section 423.43, subsection 1, paragraph “a”, Code Supplement 2007, by the Eighty-second General Assembly.⁴

Approved April 25, 2008

CHAPTER 1125

FORECLOSURE CONSULTANTS AND RECONVEYANCES

H.F. 2653

AN ACT relating to foreclosure consultants and foreclosure reconveyances, providing for criminal and civil penalties, and providing an effective date.

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

Section 1. NEW SECTION. 714E.1 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. “Business day” means any calendar day except Saturday, Sunday, or a public holiday including a holiday observed on a Monday.

2. “Contract” means an agreement, or a term in an agreement, between a foreclosure consultant and an owner for the rendition of a service.

3. a. “Foreclosure consultant” means a person who, directly or indirectly, makes a solicitation, representation, or offer to an owner to perform for compensation or who, for compensation, performs a service which the person in any manner represents will do any of the following:

(1) Stop or postpone a foreclosure, foreclosure sale, forfeiture, sheriff’s sale, or tax sale.

³ See chapter 1191, §136 herein

⁴ See chapter 1113, §45, 125; chapter 1134, §14 herein