

FEB 11 2005
TRANSPORTATION

HOUSE FILE 294
BY MASCHER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing the fine for failure to yield to or exercise
2 due care to avoid colliding with a pedestrian.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 294

1 Section 1. Section 321.327, Code 2005, is amended to read
2 as follows:

3 321.327 PEDESTRIANS' RIGHT-OF-WAY.

4 1. Where If traffic-control signals are not in place or in
5 operation, the driver of a vehicle shall yield the right-of-
6 way, slowing down or stopping if need be to so yield, to a
7 pedestrian crossing the roadway within ~~any~~ a marked crosswalk
8 or within ~~any~~ an unmarked crosswalk at an intersection, except
9 as otherwise provided in this chapter.

10 2. A person convicted of a violation of this section is
11 guilty of a simple misdemeanor punishable as a scheduled
12 violation under section 805.8A, subsection 7, paragraph "b"
13 "c".

14 Sec. 2. Section 805.8A, subsection 7, paragraph b, Code
15 2005, is amended to read as follows:

16 b. For violations under sections 321.298, 321.307,
17 321.308, 321.313, 321.319, 321.320, 321.321, ~~321.327, 321.329,~~
18 and 321.333, the scheduled fine is thirty-five dollars.

19 Sec. 3. Section 805.8A, subsection 7, Code 2005, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. c. For violations under sections 321.327
22 and 321.329, the scheduled fine is one hundred dollars.

23 EXPLANATION

24 This bill increases the fine for failure to yield the
25 right-of-way to a pedestrian, failure to exercise due care to
26 avoid colliding with a pedestrian on a roadway, and failure to
27 yield the right-of-way to pedestrian maintenance or
28 construction workers when notified of their presence by a
29 flagman or warning sign from \$35 to \$100.

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