

MAR 2 2005
TRANSPORTATION

HOUSE FILE 524
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WESSEL-KROESCHELL, and MAY

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

A BILL FOR

1 An Act relating to litter control, increasing the fines for
2 scheduled violations, and appropriating funds to counties and
3 the keep Iowa beautiful fund.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 524

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1 Section 1. Section 314.28, unnumbered paragraph 1, Code
2 2005, is amended to read as follows:

3 A keep Iowa beautiful fund is created in the office of the
4 treasurer of state. The fund is composed of moneys
5 appropriated or available to and obtained or accepted by the
6 treasurer of state for deposit in the fund. The fund shall
7 include moneys transferred to the fund as provided in section
8 422.12A and moneys remitted by the state court administrator
9 from scheduled fines pursuant to section 602.8108, subsection
10 9. All interest earned on moneys in the fund shall be
11 credited to and remain in the fund. Section 8.33 does not
12 apply to moneys in the fund.

13 Sec. 2. Section 321.253, Code 2005, is amended to read as
14 follows:

15 321.253 DEPARTMENT TO ERECT SIGNS.

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

23 2. The department shall post signs informing motorists
24 that the scheduled fine for committing a moving traffic
25 violation in a road work zone is doubled.

26 3. The department shall post signs along all interstate
27 and primary highways in the state informing motorists of the
28 fine for littering in violation of section 321.369 or 321.370.

29 Sec. 3. NEW SECTION. 350.13 HIGHWAY LITTER PREVENTION
30 AND CONTROL FUND.

31 The board of supervisors of each county shall establish a
32 highway litter prevention and control fund for the county.
33 The fund shall consist of moneys remitted by the state court
34 administrator pursuant to section 602.8108, subsection 9. The
35 moneys in the fund shall be appropriated to the county

1 conservation board to be used for programs and projects
2 coordinated by the county conservation board that do at least
3 one of the following:

4 1. Promote public awareness of problems associated with
5 litter, including but not limited to, the economic costs of
6 cleanup, environmental damage, and safety issues.

7 2. Encourage preemptive efforts to control litter.

8 3. Facilitate the cleanup of litter along primary or
9 secondary road rights-of-way within the county.

10 Sec. 4. Section 602.8108, subsection 2, Code 2005, is
11 amended to read as follows:

12 2. Except as otherwise provided, the clerk of the district
13 court shall report and submit to the state court
14 administrator, not later than the fifteenth day of each month,
15 the fines and fees received during the preceding calendar
16 month. Except as provided in subsections 3, 4, 5, 7, and 8,
17 and 9, the state court administrator shall deposit the amounts
18 received with the treasurer of state for deposit in the
19 general fund of the state. The state court administrator
20 shall report to the legislative services agency within thirty
21 days of the beginning of each fiscal quarter the amount
22 received during the previous quarter in the account
23 established under this section.

24 Sec. 5. Section 602.8108, Code 2005, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 9. The state court administrator shall
27 remit fifty percent of moneys collected from fines for
28 scheduled violations pursuant to section 805.8A, subsection
29 14, paragraph "d", to the treasurer of state for deposit in
30 the keep Iowa beautiful fund and the remainder to the county
31 where the citation was issued for deposit in the county's
32 highway litter prevention and control fund.

33 Sec. 6. Section 805.8A, subsection 14, paragraph d, Code
34 2005, is amended to read as follows:

35 d. LITTER AND DEBRIS VIOLATIONS. For violations under

1 sections 321.369 and 321.370, the scheduled fine is ~~thirty-~~
2 five one hundred dollars.

3 Sec. 7. Section 805.8B, subsection 6, paragraph b, Code
4 2005, is amended to read as follows:

5 b. For violations under sections 461A.40, ~~461A.43,~~
6 461A.46, and 461A.49, the scheduled fine is fifteen dollars.

7 Sec. 8. Section 805.8B, subsection 6, Code 2005, is
8 amended by adding the following new paragraph:

9 NEW PARAGRAPH. e. For violations of section 461A.43, the
10 scheduled fine is thirty dollars.

11 EXPLANATION

12 This bill increases the scheduled fine for littering in
13 state parks and preserves from \$15 to \$30. The fine for
14 littering on a highway or leaving destructive or injurious
15 material on a highway is increased from \$35 to \$100. The
16 state department of transportation is required to post signs
17 along all interstate and primary highways informing motorists
18 of the fine for littering on the highway.

19 The bill requires the county board of supervisors in each
20 county to establish a litter prevention and control fund.
21 Moneys in the fund are to be appropriated for programs and
22 projects coordinated by the county conservation board that
23 promote public awareness of problems associated with litter,
24 encourage prevention efforts, or facilitate litter cleanup
25 along primary or secondary roads in the county.

26 The bill directs the state court administrator to remit
27 half of scheduled fines collected from highway littering
28 violations to the county where the citation was issued for
29 deposit in the highway litter prevention and control fund and
30 the remaining half to the treasurer of state for deposit in
31 the keep Iowa beautiful fund administered by the state
32 department of transportation.

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