

FEB 24 2006
Place On Calendar

HOUSE FILE 2525
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 665)

Passed House, Date 3-6-06 Passed Senate, Date 4-10-06
Vote: Ayes 99 Nays 0 Vote: Ayes 50 Nays 0
Approved April 20, 2006

A BILL FOR

1 An Act relating to policies and duties of the state department of
2 transportation, including placement of official signs on
3 primary highways, inspection of bridges, administrative
4 duties, motor vehicle registration and titling, driver
5 licensing, licensing and regulation of vehicle-related
6 businesses, vehicle braking requirements, vehicle length
7 restrictions, proof of financial responsibility requirements,
8 and persons with disabilities parking permits, and including
9 effective dates.

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

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HF 2525

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DIVISION I
HIGHWAYS

Section 1. Section 306C.11, subsection 4, Code 2005, is amended to read as follows:

4. Official and directional signs and notices which shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, and recreational attractions ~~and-municipal-recognition-signs,~~ which. The signs and notices shall conform with rules promulgated by the department, provided that such rules shall be consistent with national standards promulgated pursuant to 23 U.S.C. § 131(c).

Sec. 2. Section 306C.12, Code 2005, is amended to read as follows:

306C.12 NONE VISIBLE FROM HIGHWAY.

An advertising device shall not be constructed or reconstructed beyond the adjacent area in unincorporated areas of the state if it is visible from the main-traveled way of any interstate or primary highway except for advertising devices permitted in section 306C.11, subsections 1 and 2 ~~and municipal-recognition-signs-erected-by-any-city.~~ Any advertising device permitted beyond an adjacent area in unincorporated areas of the state shall be subject to the applicable permit provisions of section 306C.18.

Sec. 3. Section 306C.18, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The owner of every advertising device regulated by this chapter, except signs and advertising devices excepted by section 306C.11, subsections 1, 2, and 5, and official signs erected by public officers or agencies, shall be required to make application to the department for a permit.

Sec. 4. NEW SECTION. 314.18 RESPONSIBILITY FOR BRIDGE INSPECTION.

The department, counties, cities, and other public entities shall be responsible for the safety inspection and evaluation

1 of all highway bridges under their jurisdiction which are
2 located on public roads, in accordance with the national
3 bridge inspection standards. These responsibilities include
4 inspection policies and procedures, inspections, reports, load
5 ratings, quality control and quality assurance, maintaining a
6 bridge inventory, and other requirements of the national
7 bridge inspection standards.

8 DIVISION II

9 DEPARTMENT ADMINISTRATION

10 Sec. 5. Section 307.12, Code Supplement 2005, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 5A. Present the department's proposed
13 budget to the commission prior to December 31 of each year.

14 DIVISION III

15 MOTOR VEHICLE REGULATION

16 Sec. 6. Section 321.1, subsection 40, paragraphs b and c,
17 Code Supplement 2005, are amended to read as follows:

18 b. "Motorized bicycle" ~~or "motor-bicycle"~~ means a motor
19 vehicle having a saddle or a seat for the use of a rider, and
20 designed to travel on not more than three wheels in contact
21 with the ground, ~~with an engine having a displacement no~~
22 ~~greater than fifty cubic centimeters~~ and not capable of
23 operating at a speed in excess of thirty miles per hour on
24 level ground unassisted by human power.

25 c. "Bicycle" means ~~a~~ either of the following:

26 (1) A device having two wheels and having at least one
27 saddle or seat for the use of a rider which is propelled by
28 human power.

29 (2) A device having two or three wheels with fully
30 operable pedals and an electric motor of less than seven
31 hundred fifty watts (one horsepower), whose maximum speed on a
32 paved level surface, when powered solely by such a motor while
33 ridden, is less than twenty miles per hour.

34 Sec. 7. Section 321.1, subsection 86, Code Supplement
35 2005, is amended by striking the subsection.

1 Sec. 8. Section 321.18, subsection 8, Code 2005, is
2 amended to read as follows:

3 8. Any mobile home or manufactured home and any temporary
4 undercarriage used solely for transporting manufactured homes,
5 modular homes, or other portable buildings used or intended to
6 be used for human occupancy.

7 Sec. 9. Section 321.20, subsection 1, Code Supplement
8 2005, is amended to read as follows:

9 1. The full legal name; social security number or Iowa
10 driver's license number or Iowa nonoperator's identification
11 card number; date of birth; bona fide residence; and mailing
12 address of the owner and of the lessee if the vehicle is being
13 leased. If the owner or lessee is a firm, association, or
14 corporation, the application shall contain the bona fide
15 business address and federal employer identification number of
16 the owner or lessee. Up to three owners' names may be listed
17 on the application. If the vehicle is a leased vehicle, the
18 application shall state whether the notice of registration
19 renewal shall be sent to the lessor or to the lessee and
20 whether the lessor or the lessee shall receive the
21 registration fee refund, if any. Information relating to the
22 lessee of a vehicle shall not be required on an application
23 for registration and a certificate of title for a vehicle with
24 a gross vehicle weight rating of ten thousand pounds or more.

25 Sec. 10. Section 321.30, Code 2005, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 15. Unless otherwise provided for in this
28 chapter, the department or the county treasurer shall refuse
29 registration and issuance of a certificate of title unless the
30 vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt.
31 567 certifying that the vehicle meets federal motor vehicle
32 safety standards.

33 Sec. 11. Section 321.42, subsection 1, Code Supplement
34 2005, is amended to read as follows:

35 1. If a registration card, plate, or pair of plates is

1 lost or becomes illegible, the owner shall immediately apply
2 for replacement. The fee for a replacement registration card
3 shall be three dollars. The fee for a replacement plate or
4 pair of plates shall be five dollars. When the owner has
5 furnished information required by the department and paid the
6 proper fee, a duplicate, substitute, or new registration card,
7 plate, or pair of plates may be issued. The county treasurer
8 or the department may waive the fee for a replacement plate if
9 the plate is lost during a documented accident.

10 Sec. 12. Section 321.46, subsection 5, Code Supplement
11 2005, is amended to read as follows:

12 5. The seller or transferor may file an affidavit on forms
13 prescribed and provided by the department with the county
14 treasurer of the county where the vehicle is registered
15 certifying the sale or transfer of ownership of the vehicle
16 and the assignment and delivery of the certificate of title
17 for the vehicle. Upon receipt of the affidavit, the county
18 treasurer shall file the affidavit with the copy of the
19 registration receipt for the vehicle on file in the
20 treasurer's office and on that day the treasurer shall forward
21 ~~copies of the affidavit to the department and to the county~~
22 ~~treasurer of the county of residence of the purchaser or~~
23 ~~transferee~~ note receipt of the affidavit in the vehicle
24 registration and titling system. Upon filing the affidavit,
25 it shall be presumed that the seller or transferor has
26 assigned and delivered the certificate of title for the
27 vehicle. For a leased vehicle, the lessor licensed pursuant
28 to chapter 321F or the lessee may file an affidavit as
29 provided in this subsection certifying that the lease has
30 expired or been terminated and the date that the leased
31 vehicle was surrendered to the lessor.

32 Sec. 13. Section 321.46, subsection 7, Code Supplement
33 2005, is amended to read as follows:

34 7. If a motor vehicle is leased and the lessee purchases
35 the vehicle upon termination of the lease, the lessor shall,

1 upon claim by the lessee with the lessor within fifteen thirty
2 days of the purchase, assign the registration fee credit and
3 registration plates for the leased motor vehicle to the
4 lessee. Credit shall be applied as provided in subsection 3.
5 Sec. 14. Section 321.52, subsection 4, paragraphs b and d,
6 Code Supplement 2005, are amended to read as follows:
7 b. When a wrecked or salvage vehicle has been repaired,
8 the owner may apply for a regular certificate of title by
9 paying the appropriate fees and surrendering the salvage
10 certificate of title and a properly executed salvage theft
11 examination certificate. A motor vehicle with a gross vehicle
12 weight rating of thirty thousand pounds or more is not subject
13 to the salvage theft examination otherwise required under
14 paragraph "c", and the owner of such vehicle is not required
15 to submit a salvage theft examination certificate. The county
16 treasurer shall issue a regular certificate of title which
17 shall bear a designation stamped or printed on the face of the
18 title and stamped and printed on the registration receipt
19 indicating that the vehicle was previously titled on a salvage
20 certificate of title in a form approved by the department.
21 This designation shall be included on every Iowa certificate
22 of title and registration receipt issued thereafter for the
23 vehicle. The stamped designation shall be in black and shall
24 be in letters no bigger than sixteen point type and located on
25 the center of the right side of the registration receipt.
26 However, if ownership of a stolen vehicle has been transferred
27 to an insurer organized under the laws of this state or
28 admitted to do business in this state, or if the transfer was
29 the result of a settlement with the owner of the vehicle
30 arising from damage to or the unrecovered theft of the
31 vehicle, and if the insurer certifies to the county treasurer
32 on a form approved by the department that the insurance
33 company has received one or more written estimates which state
34 that the retail cost of repairs including labor, parts, and
35 other materials of all damage to the vehicle is less than

1 three thousand dollars, the county treasurer shall issue to
2 the insurance company the regular certificate of title and
3 registration receipt without this designation.

4 d. For purposes of this subsection, a "wrecked or salvage
5 vehicle" means a damaged motor vehicle subject to registration
6 ~~and having a gross vehicle weight rating of less than thirty~~
7 ~~thousand pounds,~~ for which the cost of repair exceeds fifty
8 percent of the fair market value of the vehicle, as determined
9 in accordance with rules adopted by the department, before it
10 became damaged.

11 Sec. 15. Section 321.57, subsection 1, Code 2005, is
12 amended to read as follows:

13 1. A dealer owning any vehicle of a type otherwise
14 required to be registered under this chapter may operate or
15 move the vehicle upon the highways solely for purposes of
16 transporting, testing, demonstrating, or selling the vehicle
17 without registering the vehicle, upon condition that the
18 vehicle display in the manner prescribed in sections 321.37
19 and 321.38 a special plate issued to the owner as provided in
20 sections 321.58 to through 321.62. ~~Additionally, a new-car~~
21 ~~dealer or a used-car~~ A dealer may operate or move upon the
22 highways a ~~new or used car or trailer~~ vehicle owned by the
23 dealer for either private or business purposes without
24 registering it if the ~~new or used car or trailer~~ vehicle is in
25 the dealer's inventory and is continuously offered for sale at
26 retail, and there is displayed on it a special plate issued to
27 the dealer as provided in sections 321.58 to through 321.62.
28 A dealer may operate or move upon the highways an unregistered
29 vehicle owned by a lessor licensed pursuant to chapter 321F
30 solely for the purpose of delivering the vehicle to the owner
31 or transporting the vehicle to or from an auction if there is
32 displayed on the vehicle a special plate issued to the dealer
33 as provided in sections 321.58 through 321.62.

34 Sec. 16. Section 321.109, subsection 1, Code Supplement
35 2005, is amended to read as follows:

S.F. _____

H.F. _____

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1 1. a. The annual fee for all motor vehicles including
2 vehicles designated by manufacturers as station wagons, and
3 1993 and subsequent model years for multipurpose vehicles,
4 except motor trucks, motor homes, ambulances, hearses,
5 motorcycles, ~~motor~~ motorized bicycles, and 1992 and older
6 model years for multipurpose vehicles, shall be equal to one
7 percent of the value as fixed by the department plus forty
8 cents for each one hundred pounds or fraction thereof of
9 weight of vehicle, as fixed by the department. The weight of
10 a motor vehicle, fixed by the department for registration
11 purposes, shall include the weight of a battery, heater,
12 bumpers, spare tire, and wheel. Provided, however, that for
13 any new vehicle purchased in this state by a nonresident for
14 removal to the nonresident's state of residence the purchaser
15 may make application to the county treasurer in the county of
16 purchase for a transit plate for which a fee of ten dollars
17 shall be paid. And provided, however, that for any used
18 vehicle held by a registered dealer and not currently
19 registered in this state, or for any vehicle held by an
20 individual and currently registered in this state, when
21 purchased in this state by a nonresident for removal to the
22 nonresident's state of residence, the purchaser may make
23 application to the county treasurer in the county of purchase
24 for a transit plate for which a fee of three dollars shall be
25 paid. The county treasurer shall issue a nontransferable
26 certificate of registration for which no refund shall be
27 allowed; and the transit plates shall be void thirty days
28 after issuance. Such purchaser may apply for a certificate of
29 title by surrendering the manufacturer's or importer's
30 certificate or certificate of title, duly assigned as provided
31 in this chapter. In this event, the treasurer in the county
32 of purchase shall, when satisfied with the genuineness and
33 regularity of the application, and upon payment of a fee of
34 ten dollars, issue a certificate of title in the name and
35 address of the nonresident purchaser delivering the same title

1 to the ~~person entitled to the title as provided in this~~
2 ~~chapter owner.~~ If there is a security interest noted on the
3 title, the county treasurer shall mail to the secured party an
4 acknowledgment of the notation of the security interest. The
5 county treasurer shall not release a security interest that
6 has been noted on a title issued to a nonresident purchaser as
7 provided in this paragraph. The application requirements of
8 section 321.20 apply to a title issued as provided in this
9 subsection, except that a natural person who applies for a
10 certificate of title shall provide either the person's social
11 security number, passport number, or driver's license number,
12 whether the license was issued by this state, another state,
13 or another country. The provisions of this subsection
14 relating to multipurpose vehicles are effective January 1,
15 1993, for all 1993 and subsequent model years. The annual
16 registration fee for multipurpose vehicles that are 1992 model
17 years and older shall be in accordance with section 321.124.

18 b. The annual registration fee for a multipurpose vehicle
19 with permanently installed equipment manufactured for and
20 necessary to assist a person with a disability who is either
21 the owner or a member of the owner's household in entry and
22 exit of the vehicle or for a multipurpose vehicle if the
23 vehicle's owner or a member of the vehicle owner's household
24 uses a wheelchair as the only means of mobility shall be sixty
25 dollars. For purposes of this ~~unnumbered~~ paragraph, "uses a
26 wheelchair" does not include use of a wheelchair due to a
27 temporary injury or medical condition.

28 Sec. 17. Section 321.115, subsection 2, Code 2005, is
29 amended to read as follows:

30 2. The sale of a motor vehicle twenty years old or older
31 which is primarily of value as a collector's item and not as
32 transportation is not subject to chapter 322 and any person
33 may sell such a vehicle at retail ~~or-wholesale~~ without a
34 license as required under chapter 322.

35 Sec. 18. Section 321.126, Code Supplement 2005, is amended

1 by adding the following new subsection:

2 NEW SUBSECTION. 6A. If the vehicle was leased and an
3 affidavit was filed by the lessor or the lessee as provided in
4 section 321.46, the lessor or the lessee, as applicable, may
5 make a claim for a refund with the county treasurer of the
6 county where the vehicle was registered within six months of
7 the vehicle's surrender to the lessor. The refund shall be
8 paid to either the lessor or the lessee, as specified on the
9 application for title and registration pursuant to section
10 321.20.

11 Sec. 19. Section 321.176A, subsection 1, Code Supplement
12 2005, is amended to read as follows:

13 1. A farmer or a person working for a farmer while
14 operating a commercial motor vehicle owned controlled by the
15 farmer within one hundred fifty air miles of the farmer's farm
16 to transport the farmer's own agricultural products, farm
17 machinery, or farm supplies to or from the farm. The
18 exemption provided in this subsection shall apply to farmers
19 who assist each other through an exchange of services and
20 shall include operation of a commercial motor vehicle between
21 the farms of the farmers who are exchanging services.

22 Sec. 20. Section 321.180, subsection 1, paragraph a,
23 unnumbered paragraph 1, Code 2005, is amended to read as
24 follows:

25 A person who is at least eighteen years of age and who,
26 except for the person's lack of instruction in operating a
27 motor vehicle, would be qualified to obtain a driver's
28 license, shall, upon meeting the requirements of section
29 321.186 other than a driving demonstration, and upon paying
30 the required fee, be issued an instruction permit by the
31 department. Subject to the limitations in this subsection, an
32 instruction permit entitles the permittee, while having the
33 permit in the permittee's immediate possession, to operate a
34 motor vehicle, other than a commercial motor vehicle or as a
35 chauffeur or a motor vehicle with a gross vehicle weight

1 rating of sixteen thousand one or more pounds, upon the
2 highways for a period not to exceed ~~two~~ four years from the
3 licensee's birthday anniversary in the year of issuance. If
4 the applicant for an instruction permit holds a driver's
5 license issued in this state valid for the operation of a
6 motorized bicycle or a motorcycle, the instruction permit
7 shall be valid for such operation without the need of an
8 accompanying person.

9 Sec. 21. Section 321.180, subsection 2, Code 2005, is
10 amended to read as follows:

11 2. A person who holds a class A, B, C, or D driver's
12 license, upon meeting each of the following requirements,
13 shall be eligible to apply for a commercial driver's
14 instruction permit valid for the operation of a commercial
15 motor vehicle, except a vehicle transporting hazardous
16 materials requiring placarding, when the permittee is
17 accompanied by a person properly licensed to operate a
18 commercial motor vehicle and actually occupying a seat beside
19 the permittee. An applicant must be at least eighteen years
20 of age and qualified to obtain a valid commercial driver's
21 license including the requirements of section 321.188 other
22 than the knowledge examination and driving skills tests. The
23 commercial driver's instruction permit shall be valid for a
24 period not to exceed six months. A commercial driver's
25 instruction permit may be renewed only once in any two-year
26 period. If the applicant for a commercial driver's
27 instruction permit holds a driver's license issued in this
28 state valid for the operation of a commercial or noncommercial
29 vehicle, the commercial driver's instruction permit shall be
30 valid for such operation without the need of an accompanying
31 person.

32 Sec. 22. Section 321.180B, subsection 1, unnumbered
33 paragraph 1, Code 2005, is amended to read as follows:

34 The department may issue an instruction permit to an
35 applicant between the ages of fourteen and eighteen years if

1 the applicant meets the requirements of sections 321.184 and
2 321.186, other than a driving demonstration, and pays the
3 required fee. An instruction permit issued under this section
4 shall be valid for a period not to exceed ~~two~~ four years from
5 the licensee's birthday anniversary in the year of issuance.
6 A motorcycle instruction permit issued under this section is
7 not renewable.

8 Sec. 23. Section 321.180B, subsection 2, unnumbered
9 paragraph 1, Code 2005, is amended to read as follows:

10 The department may issue an intermediate driver's license
11 to a person sixteen or seventeen years of age who possesses an
12 instruction permit issued under subsection 1 or a comparable
13 instruction permit issued by another state for a minimum of
14 six months immediately preceding application, and who presents
15 an affidavit signed by a parent or guardian on a form to be
16 provided by the department that the permittee has accumulated
17 a total of twenty hours of street or highway driving of which
18 two hours were conducted after sunset and before sunrise and
19 the street or highway driving was with the permittee's parent,
20 guardian, instructor, a person certified by the department, or
21 a person at least twenty-five years of age who had written
22 permission from a parent or guardian to accompany the
23 permittee, and whose driving privileges have not been
24 suspended, revoked, or barred under this chapter or chapter
25 321J during, and who has been accident and **conviction**
26 violation free continuously for, the six-month period
27 immediately preceding the application for an intermediate
28 license. An applicant for an intermediate license must meet
29 the requirements of section 321.186, including satisfactory
30 completion of driver education as required in section 321.178,
31 and payment of the required license fee before an intermediate
32 license will be issued. A person issued an intermediate
33 license must limit the number of passengers in the motor
34 vehicle when the intermediate licensee is operating the motor
35 vehicle to the number of passenger safety belts.

1 Sec. 24. Section 321.180B, subsections 3 and 4, Code 2005,
2 are amended to read as follows:

3 3. REMEDIAL DRIVER IMPROVEMENT ACTION OR -- SUSPENSION OF
4 PERMIT, OR INTERMEDIATE LICENSE, OR FULL LICENSE. A person
5 who has been issued an instruction permit, or an intermediate
6 license, or a full driver's license under this section, upon
7 conviction of a moving traffic violation or involvement in a
8 motor vehicle accident which occurred during the term of the
9 instruction permit or intermediate license, shall be subject
10 to remedial driver improvement action or suspension of the
11 permit or current license. A person possessing an instruction
12 permit who has been convicted of a moving traffic violation or
13 has been involved in an accident shall not be issued an
14 intermediate license until the person has completed the
15 remedial driver improvement action and has been accident and
16 ~~conviction~~ violation free continuously for the six-month
17 period immediately preceding the application for the
18 intermediate license. A person possessing an intermediate
19 license who has been convicted of a moving traffic violation
20 or has been involved in an accident shall not be issued a full
21 driver's license until the person has completed the remedial
22 driver improvement action and has been accident and ~~conviction~~
23 violation free continuously for the twelve-month period
24 immediately preceding the application for a full driver's
25 license.

26 4. FULL DRIVER'S LICENSE. A full driver's license may be
27 issued to a person seventeen years of age who possesses an
28 intermediate license issued under subsection 2 or a comparable
29 intermediate license issued by another state for a minimum of
30 twelve months immediately preceding application, and who
31 presents an affidavit signed by a parent or guardian on a form
32 to be provided by the department that the intermediate
33 licensee has accumulated a total of ten hours of street or
34 highway driving of which two hours were conducted after sunset
35 and before sunrise and the street or highway driving was with

1 the licensee's parent, guardian, instructor, a person
2 certified by the department, or a person at least twenty-five
3 years of age who had written permission from a parent or
4 guardian to accompany the licensee, whose driving privileges
5 have not been suspended, revoked, or barred under this chapter
6 or chapter 321J during, and who has been accident and
7 ~~conviction~~ violation free continuously for, the twelve-month
8 period immediately preceding the application for a full
9 driver's license, and who has paid the required fee.

10 Sec. 25. Section 321.188, subsection 1, Code 2005, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. f. Identify all states where the applicant
13 has been licensed to drive any type of motor vehicle during
14 the previous ten years.

15 Sec. 26. Section 321.189, subsection 2, paragraph c, Code
16 2005, is amended to read as follows:

17 c. The department shall assign an applicant for a driver's
18 license a distinguishing driver's license number other than
19 the applicant's social security number, ~~unless the applicant~~
20 ~~requests that the applicant's social security number be so~~
21 ~~assigned.~~

22 Sec. 27. Section 321.190, subsection 1, paragraph a, Code
23 2005, is amended to read as follows:

24 a. The department shall, upon application and payment of
25 the required fee, issue to an applicant a nonoperator's
26 identification card. To be valid the card shall bear a
27 distinguishing number other than a social security number
28 assigned to the card holder, the full name, date of birth,
29 sex, residence address, a physical description and a colored
30 photograph of the card holder, the usual signature of the card
31 holder, and such other information as the department may
32 require by rule. An applicant for a nonoperator's
33 identification card shall apply for the card in the manner
34 provided in section 321.182, subsections 1 through 3. The
35 card shall be issued to the applicant at the time of

1 application pursuant to procedures established by rule. An
2 applicant for a nonoperator's identification card who is
3 required by 50 U.S.C. app. § 451 et seq. to register with the
4 United States selective service system shall be registered by
5 the department with the selective service system as provided
6 in section 321.183.

7 Sec. 28. Section 321.208, subsection 2, paragraph d, Code
8 Supplement 2005, is amended to read as follows:

9 d. A felony or aggravated misdemeanor involving the use of
10 a ~~commercial~~ motor vehicle other than an offense involving
11 manufacturing, distributing, or dispensing a controlled
12 substance.

13 Sec. 29. Section 321.430, subsection 3, Code 2005, is
14 amended to read as follows:

15 3. Every trailer, or semitrailer, or travel trailer of a
16 gross weight of three thousand pounds or more, ~~and every~~
17 ~~trailer-coach-or-travel-trailer-of-a-gross-weight-of-three~~
18 ~~thousand-pounds-or-more-intended-for-use-for-human-habitation,~~
19 ~~when-operated-on-the-highways-of-this-state,~~ shall be equipped
20 with brakes adequate to control the movement of and to stop
21 and hold such vehicle, ~~and so designed as to be applied by the~~
22 ~~driver-of-the-towing-motor-vehicle-from-its-cab,~~ when operated
23 on the highways of this state. Every trailer, semitrailer, or
24 travel trailer with a gross weight of three thousand pounds or
25 more shall be equipped with a separate, auxiliary means of
26 applying the brakes on the trailer, semitrailer, or travel
27 trailer from the cab of the towing vehicle, or with self-
28 actuating brakes, and shall also be equipped with a weight
29 equalizing hitch with a sway control. Every semitrailer,
30 ~~travel-trailer, or trailer-coach-of-a-gross-weight-of-three~~
31 ~~thousand-pounds-or-more-shall-be-equipped-with-a-separate,~~
32 ~~auxiliary-means-of-applying-the-brakes-on-the-semitrailer,~~
33 ~~travel-trailer, or trailer-coach-from-the-cab-of-the-towing~~
34 ~~vehicle.~~ Trailers or semitrailers with a truck or truck
35 tractor need only comply with the brake requirements.

1 Sec. 30. Section 321.457, subsection 1, Code Supplement
2 2005, is amended to read as follows:

3 1. A combination of four vehicles is not allowed on the
4 highways of this state, except for power units saddle mounted
5 on other power units which shall be restricted to a maximum
6 overall length of ~~seventy-five~~ ninety-seven feet.

7 Sec. 31. Section 321.457, subsection 2, Code Supplement
8 2005, is amended by adding the following new paragraph:

9 NEW PARAGRAPH. m. Notwithstanding any other provision of
10 this chapter, and to the extent allowed under federal law, the
11 maximum length of a towaway trailer transporter combination
12 operated on the highways of this state is eighty-five feet.
13 For purposes of this paragraph, "towaway trailer transporter
14 combination" means a combination of vehicles consisting of a
15 towing vehicle and two unladen trailers or unladen
16 semitrailers in which the trailers or semitrailers constitute
17 inventory property of the manufacturer intended for sale and
18 which are being transported from a trailer manufacturer to a
19 trailer distributor or authorized trailer dealer.

20 Sec. 32. Section 321A.5, subsection 1, Code 2005, is
21 amended to read as follows:

22 1. The department shall, immediately or within sixty days
23 after the receipt of a report of a motor vehicle accident
24 within this state which has resulted in bodily injury or death
25 or damage to the property of any one person in ~~excess the~~
26 amount of one thousand dollars or more, suspend the license of
27 each operator and all registrations of each owner of a motor
28 vehicle in any manner involved in the accident, and if the
29 operator is a nonresident the privilege of operating a motor
30 vehicle within this state, and if the owner is a nonresident
31 the privilege of the use within this state of any motor
32 vehicle owned by the owner, unless the operator or owner or
33 both shall deposit security in a sum which shall be sufficient
34 in the judgment of the department to satisfy any judgment or
35 judgments for damages resulting from the accident as may be

1 recovered against the operator or owner; provided notice of
2 the suspension shall be sent by the department to the operator
3 and owner not less than ten days prior to the effective date
4 of the suspension and shall state the amount required as
5 security.

6 Sec. 33. Section 321L.2, subsection 1, paragraph a,
7 unnumbered paragraph 1, Code Supplement 2005, is amended to
8 read as follows:

9 A resident of the state with a disability desiring a
10 persons with disabilities parking permit shall apply to the
11 department upon an application form furnished by the
12 department providing the applicant's full legal name, address,
13 date of birth, and social security number or Iowa driver's
14 license number or Iowa nonoperator's identification card
15 number, and shall also provide a statement from a physician
16 licensed under chapter 148, 149, 150, or 150A, a physician
17 assistant licensed under chapter 148C, an advanced registered
18 nurse practitioner licensed under chapter 152, or a
19 chiropractor licensed under chapter 151, or a physician,
20 physician assistant, nurse practitioner, or chiropractor
21 licensed to practice in a contiguous state, written on the
22 physician's, physician assistant's, nurse practitioner's, or
23 chiropractor's stationery, stating the nature of the
24 applicant's disability and such additional information as
25 required by rules adopted by the department under section
26 321L.8. If the person is applying for a temporary persons
27 with disabilities parking permit, the physician's, physician
28 assistant's, nurse practitioner's, or chiropractor's statement
29 shall state the period of time during which the person is
30 expected to be disabled and the period of time for which the
31 permit should be issued, not to exceed six months.

32 Sec. 34. Section 322.3, subsection 14, paragraph d, Code
33 2005, is amended to read as follows:

34 d. A manufacturer of motor homes, as defined in section
35 321.1, ~~or-a-manufacturer-of-school-buses,--as-defined-in~~

1 ~~section-321-17~~ from owning an interest in, operating, or
2 controlling a motor vehicle dealer of the motor homes or
3 ~~school-buses~~ manufactured by that manufacturer or from being
4 licensed as a motor vehicle dealer only of the motor homes or
5 ~~school-buses~~ manufactured by that manufacturer.

6 Sec. 35. Section 322.5, subsection 2, paragraph b, Code
7 Supplement 2005, is amended to read as follows:

8 b. An application for a temporary permit under this
9 subsection shall be made upon a form provided by the
10 department and shall be accompanied by a ten dollar permit
11 fee. The department may issue a temporary permit for a period
12 not to exceed fourteen days. The department may issue
13 multiple consecutive temporary permits.

14 Sec. 36. Section 322.27A, unnumbered paragraph 1, Code
15 2005, is amended to read as follows:

16 A person shall not engage in business as a wholesaler of
17 new motor vehicles in this state without a license as provided
18 in this chapter.

19 Sec. 37. Section 322.29, subsection 2, paragraph c, Code
20 2005, is amended by striking the paragraph.

21 Sec. 38. Section 322B.3, subsection 4, Code 2005, is
22 amended to read as follows:

23 4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.

24 Manufactured or mobile home retailers, in addition to selling
25 homes at their principal place of business and lots, may, upon
26 receipt of a temporary permit approved by the department,
27 display and offer new manufactured homes for sale and
28 negotiate sales of new manufactured homes at fairs, shows, and
29 exhibitions. Application for temporary permits shall be made
30 upon forms provided by the department and shall be accompanied
31 by a ten dollar permit fee. Temporary permits shall be issued
32 for a period not to exceed fourteen days. The department may
33 issue multiple consecutive temporary permits.

34 Sec. 39. Section 322C.3, subsection 9, Code 2005, is
35 amended to read as follows:

1 9. A travel trailer dealer may display new travel trailers
2 at fairs, shows, and exhibitions on any day of the week as
3 provided in this subsection. Travel trailer dealers, in
4 addition to selling travel trailers at their principal place
5 of business and lots, may, upon receipt of a temporary permit
6 approved by the department, display and offer new travel
7 trailers for sale and negotiate sales of new travel trailers
8 at fairs, shows, and exhibitions. Application for temporary
9 permits shall be made upon forms provided by the department
10 and shall be accompanied by a ten dollar permit fee.
11 Temporary permits shall be issued for a period not to exceed
12 fourteen days. The department may issue multiple consecutive
13 temporary permits.

14 Sec. 40. Section 326.2, subsection 14, Code 2005, is
15 amended to read as follows:

16 14. The words "vehicle," "motor vehicle," "motor truck,"
17 "truck tractor," "road tractor," "trailer," "semitrailer,"
18 "trailer-coach," "combination" or "combination of vehicles,"
19 "gross weight," "person," "owner," "nonresident," "street" or
20 "highway," and "auxiliary axle" shall have the meanings
21 ascribed in section 321.1.

22 Sec. 41. EFFECTIVE DATE. The section of this division
23 that amends section 321.1, subsection 40; the section that
24 enacts section 321.30, subsection 15; and the provision
25 changing the term "motor bicycles" to "motorized bicycles" in
26 the section that amends section 321.109, subsection 1, being
27 deemed of immediate importance, take effect upon enactment.

28 DIVISION IV

29 VEHICLE BUSINESS LICENSING

30 Sec. 42. Section 321.58, Code 2005, is amended to read as
31 follows:

32 321.58 APPLICATION.

33 All dealers, transporters, new motor vehicle wholesalers
34 licensed under chapter 322, and manufactured or mobile home
35 retailers licensed under chapter 322B, upon payment of a fee

1 of seventy dollars for two-years, ~~one-hundred-forty-dollars~~
2 ~~for-four-years, or two-hundred-ten-dollars-for-six-years~~ a
3 two-year period or part thereof, may make application to the
4 department upon the appropriate form for a certificate
5 containing a general distinguishing number and for one or more
6 special plates as appropriate to various types of vehicles
7 subject to registration. The applicant shall also submit
8 proof of the applicant's status as a bona fide transporter,
9 new motor vehicle wholesaler licensed under chapter 322,
10 manufactured or mobile home retailer licensed under chapter
11 322B, or dealer, as reasonably required by the department.
12 Dealers in new vehicles shall furnish satisfactory evidence of
13 a valid franchise with the manufacturer of the vehicles
14 authorizing the dealership.

15 Sec. 43. Section 321.60, Code 2005, is amended to read as
16 follows:

17 321.60 ISSUANCE OF SPECIAL PLATES.

18 The department shall also issue special plates as applied
19 for, which shall display the general distinguishing number
20 assigned to the applicant. Each plate so issued shall also
21 contain a number or symbol identifying the plate and
22 distinguishing it from every other plate bearing the same
23 general distinguishing number. The fee for each special plate
24 is forty dollars for two-years, ~~eighty-dollars-for-four-years,~~
25 ~~or one-hundred-twenty-dollars-for-six-years~~ a two-year period
26 or part thereof.

27 ~~Special-plates-may-be-validated-in-the-same-manner-as~~
28 ~~regular-registration-plates-under-this-chapter.~~

29 Sec. 44. Section 321.61, Code 2005, is amended to read as
30 follows:

31 321.61 EXPIRATION OF SPECIAL PLATES.

32 A special plate shall expire at midnight on ~~the-last-day-of~~
33 ~~the-last-month-of-the-dealer's-license-expiration-period,~~ and
34 ~~upon-application-and-payment-of-the-fee-the-department-shall~~
35 ~~validate-the-special-plate-in-the-same-manner-as-regular~~

1 ~~registration-plates~~ December 31 of even-numbered years. A
2 person shall not be considered to be driving a vehicle with an
3 expired registration for one month following the expiration
4 date of the special plate.

5 Sec. 45. Section 321F.4, Code 2005, is amended to read as
6 follows:

7 321F.4 FEES AND EXPIRATION.

8 1. The license fee for a license to engage in the business
9 of leasing vehicles in this state is thirty dollars for a two-
10 year ~~license, sixty dollars for a four-year license, and~~
11 ~~ninety dollars for a six-year license~~ period or part thereof,
12 to be paid at the time the application for a license is filed.
13 If the application is denied, the amount of the fee shall be
14 refunded to the applicant.

15 2. A license ~~is valid for two years, four years, or six~~
16 ~~years and expires on the last day of the last month of the~~
17 ~~two-year, four-year, or six-year period, as applicable~~
18 December 31 of even-numbered years. A licensee shall have the
19 month of expiration and the month after the month of
20 expiration to renew the license. A person who fails to renew
21 a license by the end of this time period and desires to hold a
22 license shall file a new license application and pay the
23 required fee.

24 Sec. 46. Section 321H.4, subsection 2, unnumbered
25 paragraph 1, Code 2005, is amended to read as follows:

26 Application for a license as an authorized vehicle recycler
27 shall be made to the department on forms provided by the
28 department. The application shall be accompanied by a fee of
29 seventy dollars for a two-year ~~license, one hundred forty~~
30 ~~dollars for a four-year license, or two hundred ten dollars~~
31 ~~for a six-year license~~ period or part thereof. The license
32 shall be approved or disapproved within thirty days after
33 application for the license. A license ~~is valid for two~~
34 ~~years, four years, or six years and expires on the last day of~~
35 ~~the last month of the two-year, four-year, or six-year period,~~

1 ~~as-applicable~~ December 31 of even-numbered years. A licensee
2 shall have the month of expiration and the month after the
3 month of expiration to renew the license. A person who fails
4 to renew a license by the end of this time period and desires
5 to hold a license shall file a new license application and pay
6 the required fee. A separate license shall be obtained for
7 each county in which an applicant conducts operations.

8 Sec. 47. Section 322.5, subsection 1, unnumbered paragraph
9 1, Code Supplement 2005, is amended to read as follows:

10 The license fee for a motor vehicle dealer for a two-year
11 period or part thereof is the sum of seventy dollars ~~for a~~
12 ~~two-year-license, one-hundred-forty-dollars-for-a-four-year~~
13 ~~license, or two-hundred-ten-dollars-for-a-six-year-license~~ for
14 the licensee's principal place of business in each city or
15 township and an additional twenty dollars for ~~two-years, forty~~
16 ~~dollars-for-four-years, or sixty-dollars-for-six-years~~ a two-
17 year period or part thereof for each car lot which is in the
18 city or township in which the principal place of business is
19 located and which is not adjacent to that place, to be paid to
20 the department at the time a license is applied for. In case
21 the application is denied, the department shall refund the
22 amount of the fee to the applicant. For the purposes of this
23 section "adjacent" means that the principal place of business
24 and each additional lot are adjoining parcels of property.

25 Sec. 48. Section 322.7, subsection 3, Code 2005, is
26 amended to read as follows:

27 3. The license of a motor vehicle dealer is valid for a
28 ~~two-year, four-year, or six-year-time~~ period and expires,
29 unless revoked or suspended, ~~on the last day of the last month~~
30 ~~of the two-year, four-year, or six-year-period, as-applicable~~
31 December 31 of even-numbered years.

32 Sec. 49. Section 322.29, subsection 1, Code 2005, is
33 amended to read as follows:

34 1. Application for license shall be made to the department
35 by a manufacturer, distributor, or wholesaler, in a form and

1 containing information as the department requires and shall be
2 accompanied by the required license fee. The license shall be
3 granted or refused within thirty days after application, ~~and~~
4 ~~shall expire.~~ A license expires, unless sooner revoked or
5 suspended, on December 31 of ~~the calendar year for which it is~~
6 granted even-numbered years. A licensee shall have the month
7 of ~~December of the calendar year for which the license was~~
8 ~~granted and the following month of January~~ expiration and the
9 month after the month of expiration to renew the license. A
10 person who fails to renew a license by the end of this time
11 period and desires to hold a license shall file a new license
12 application and pay the required fee.

13 Sec. 50. Section 322.29, subsection 2, unnumbered
14 paragraph 1, Code 2005, is amended to read as follows:

15 License fees for each ~~calendar year,~~ two-year period or
16 ~~part thereof,~~ shall be are as follows ~~effective January 1,~~
17 ~~1998:~~

18 Sec. 51. Section 322.29, subsection 2, paragraphs a and b,
19 Code 2005, are amended to read as follows:

20 a. For a motor vehicle manufacturer, ~~thirty-five~~ seventy
21 dollars.

22 b. For a new motor vehicle distributor or wholesaler,
23 twenty forty dollars.

24 Sec. 52. Section 322B.3, subsection 2, Code 2005, is
25 amended to read as follows:

26 2. LICENSE FEES. The license fee for a manufactured or
27 mobile home retailer is seventy dollars for a two-year
28 ~~license,~~ ~~one-hundred-forty-dollars-for-a-four-year-license,~~ ~~or~~
29 ~~two-hundred-ten-dollars-for-a-six-year-license~~ period or part
30 thereof. If the application is denied, the department shall
31 refund the fee. Fees and funds accruing from the
32 administration of this chapter shall be accounted for and paid
33 by the department to the treasurer of state monthly for
34 deposit in the road use tax fund of the state.

35 Sec. 53. Section 322B.4, Code 2005, is amended to read as

1 follows:

2 322B.4 LICENSE APPLICATION AND FEES.

3 Upon application and payment of a thirty-five seventy
4 dollar fee for a two-year period or part thereof, a person may
5 be licensed as a manufacturer or distributor of manufactured
6 or mobile homes. The application shall be in the form and
7 shall contain information as the department prescribes. The
8 license shall be granted or refused within thirty days after
9 application. The license expires, unless sooner revoked or
10 suspended by the department, on December 31 of ~~the calendar~~
11 ~~year-for-which-the-license-was-granted~~ even-numbered years. A
12 licensee shall have the month of ~~December-of-the-calendar-year~~
13 ~~for-which-the-license-was-granted-and-the-following-month-of~~
14 January expiration and the month after the month of expiration
15 to renew the license. A person who fails to renew a license
16 by the end of this time period and desires to hold a license
17 shall file a new license application and pay the required fee.

18 Sec. 54. Section 322C.4, subsection 1, unnumbered
19 paragraph 1, Code 2005, is amended to read as follows:

20 Upon application and payment of a fee, a person may be
21 licensed as a travel trailer dealer. The license fee is
22 ~~seventy dollars for a two-year license, one-hundred-forty~~
23 ~~dollars-for-a-four-year-license, or two-hundred-ten-dollars~~
24 ~~for-a-six-year-license~~ period or part thereof. The person
25 shall pay an additional fee of twenty dollars for ~~two-years,~~
26 ~~forty-dollars-for-four-years, or sixty-dollars-for-six-years~~ a
27 two-year period or part thereof for each travel trailer lot in
28 addition to the principal place of business unless the lot is
29 adjacent to the principal place of business. For purposes of
30 this subsection, "adjacent" means that the principal place of
31 business and each additional lot are adjoining parcels of
32 property. The applicant shall file in the office of the
33 department a verified application for license as a travel
34 trailer dealer in the form the department prescribes, which
35 shall include the following:

1 Sec. 55. Section 322C.4, subsection 2, Code 2005, is
2 amended to read as follows:

3 2. The license shall be granted or refused within thirty
4 days after application. A license is valid for a two-year,
5 ~~four-year, or six-year~~ period and expires, unless revoked or
6 suspended by the department, ~~on the last day of the last month~~
7 ~~of the two-year, four-year, or six-year period, as applicable~~
8 December 31 of even-numbered years. A licensee shall have the
9 month of expiration and the month after the month of
10 expiration to renew the license. A person who fails to renew
11 a license by the end of this time period and desires to hold a
12 license shall file a new license application and pay the
13 required fee. A separate license shall be obtained for each
14 county in which an applicant does business as a travel trailer
15 dealer.

16 Sec. 56. Section 322C.9, Code 2005, is amended to read as
17 follows:

18 322C.9 LICENSE APPLICATION AND FEES.

19 Upon application and payment of a ~~thirty-five-dollar-fee~~
20 seventy dollar fee for a two-year period or part thereof, a
21 person may be licensed as a manufacturer or distributor of
22 travel trailers. The application shall be in the form and
23 shall contain information as the department prescribes. The
24 license shall be granted or refused within thirty days after
25 application. The license expires, unless sooner revoked or
26 suspended by the department, on December 31 ~~of the calendar~~
27 year for which the license was granted of even-numbered years.
28 A licensee shall have the month of ~~December of the calendar~~
29 year for which the license was granted and the following month
30 of January expiration and the month after the month of
31 expiration to renew the license. A person who fails to renew
32 a license by the end of this time period and desires to hold a
33 license shall file a new license application and pay the
34 required fee.

35 Sec. 57. EFFECTIVE DATE AND DISPOSITION OF EXCESS FEES.

1 1. This division of this Act takes effect January 1, 2007.

2 2. Due to the transition to two-year licensing periods
3 provided for in this division of this Act, the state
4 department of transportation shall provide a credit for excess
5 license fees paid pursuant to section 321F.4, 321H.4, 322.5,
6 322.29, 322B.3, 322B.4, 322C.4, or 322C.9 by any licensee
7 prior to January 1, 2007. The department shall also provide a
8 credit for excess fees paid by a vehicle dealer, transporter,
9 or manufacturer for a distinguishing number and special plates
10 pursuant to section 321.58 or 321.60 prior to January 1, 2007.

11

EXPLANATION

12 This bill amends Code provisions relating to administrative
13 duties of the state department of transportation,
14 administration of highways, and regulation of motor vehicles.

15 Division I of the bill concerns the administration of
16 highways. The bill removes restrictions on the placement of
17 official signs within an adjacent area or in the right-of-way
18 of a primary highway. The erection of such official signage
19 by a public officer or agency will no longer require a permit
20 from the department.

21 The bill requires the department, counties, cities, and
22 other public entities having jurisdiction over public roads to
23 each be responsible for safety inspection and evaluation of
24 highway bridges under the entity's jurisdiction pursuant to
25 the national bridge inspection standards.

26 Division II of the bill requires the director of
27 transportation to present the department's proposed budget to
28 the state transportation commission before December 31 each
29 year.

30 Division III of the bill concerns the regulation of motor
31 vehicles.

32 The bill strikes the definition and use of the term
33 "trailer coach" from Code chapters 321 and 326.

34 The bill amends the definitions of "motorized bicycle" and
35 "bicycle" in Code section 321.1 to specify that a device with

1 pedals and a one-horsepower electric motor is a bicycle,
2 rather than a motorized bicycle, for purposes of motor vehicle
3 regulation. The bill deletes the defined term "motor bicycle"
4 from the Code in favor of the term "motorized bicycle". The
5 bill provides a clarification in Code section 321.30 that only
6 vehicles certified and labeled as meeting federal motor
7 vehicle safety standards are eligible for registration and
8 titling in this state. These provisions relating to bicycles
9 and motorized bicycles are effect upon enactment of the bill.

10 The bill amends Code section 321.18 to exempt temporary
11 undercarriages used solely to transport manufactured and
12 modular homes from vehicle registration requirements.

13 The bill amends Code section 321.42 to provide that when a
14 motor vehicle registration plate is lost during a documented
15 accident, the county treasurer or the department may waive the
16 \$5 fee for a replacement plate.

17 The bill amends Code section 321.20, 321.46, and 321.126 to
18 allow registration fee refunds to be made to lessees who have
19 surrendered their vehicles upon termination of a lease. In
20 addition, the bill provides that a lessee who purchases a
21 vehicle upon termination of the lease has 30 days to claim a
22 registration fee credit and assignment of the registration
23 plates from the lessor. Currently, the deadline for filing
24 such a claim is 15 days from the date of purchase. The bill
25 amends Code section 321.57 to allow a dealer that leases
26 vehicles to transport such vehicles for delivery to an owner
27 or to auction using special dealer registration plates.

28 Code section 321.52 is amended to exempt salvage vehicles
29 with a gross vehicle weight rating of 30,000 pounds or more
30 from the salvage theft examination and certificate required
31 for regular titling after the vehicle has been repaired.

32 Code section 321.176A is amended to exempt from commercial
33 driver licensing requirements farmers and persons working for
34 a farmer when operating a commercial motor vehicle controlled
35 by the farmer within 150 miles of the farm. Current law

1 requires that the commercial motor vehicle be owned by the
2 farmer.

3 The bill amends Code sections 321.180 and 321.180B to
4 extend the period of validity of driver instruction permits
5 from two years to four years for both minor and adult
6 permittees.

7 The bill revises the standard for a clean driving record
8 under the graduated driver licensing provisions by focusing on
9 violations, rather than convictions. The bill requires that a
10 permittee be accident and violation free for six months
11 immediately preceding application for an intermediate license
12 and that an intermediate licensee be accident and violation
13 free during the 12-month period preceding application for a
14 full license. The same standards apply to a person who is in
15 a remedial phase of the graduated licensing program. The bill
16 broadens the scope of the remedial driver improvement and
17 sanction provisions to include persons who have been issued a
18 full driver's license at age 17.

19 The bill prohibits a person who has been issued a
20 commercial driver's instruction permit from operating a
21 commercial vehicle transporting certain hazardous materials.
22 The amendment to Code section 321.188 requires a person who
23 applies for issuance, renewal, or upgrading of a commercial
24 driver's license to identify all states where the applicant
25 has been licensed to drive during the previous 10 years.

26 The bill amends Code sections 321.189 and 321.190 to
27 expressly prohibit the use of a social security number as the
28 distinguishing number on a driver's license or nonoperator's
29 identification card. Currently, the social security number
30 can be used at the option of the licensee or card holder.

31 Code section 321.208 is amended to correct language
32 relating to commercial driver's license sanctions mandated by
33 federal law providing that if a person is found by conviction
34 or final administrative action to have committed a felony or
35 aggravated misdemeanor involving the use of any motor vehicle

1 while the person held a commercial driver's license, other
2 than an offense involving manufacturing, distributing, or
3 dispensing a controlled substance, the person is disqualified
4 from operating a commercial motor vehicle for one year.

5 Code section 321.430 is amended to clarify that a trailer,
6 semitrailer, or travel trailer with a gross weight of 3,000
7 pounds or more must be equipped with either a separate,
8 auxiliary means of applying the brakes from the cab of the
9 towing vehicle or with self-actuating brakes.

10 Code section 321.457 is amended to increase the maximum
11 length allowed for a combination of four vehicles consisting
12 of power units saddle mounted on other power units to 97 feet,
13 from the current maximum of 75 feet. In addition, the bill
14 provides a maximum length of 85 feet for a towaway trailer
15 transporter combination, which is a combination of vehicles
16 consisting of a towing vehicle and two unladen trailers or
17 semitrailers that are inventory property of a manufacturer and
18 being transported by the manufacturer to a distributor or
19 dealer. Currently, Iowa law allows a maximum overall length of
20 75 feet for such a combination of vehicles. The extension of
21 the maximum length for towaway trailer transporter
22 combinations is subject to the passage of federal law that
23 would permit the 85-foot limit.

24 Code section 321A.5 is amended to provide that property
25 damage of \$1,000 or more sustained in a motor vehicle accident
26 triggers the security requirements under the motor vehicle
27 financial responsibility law. Under current law, the damage
28 amount must be in excess of \$1,000. This amendment makes the
29 damage amount consistent with the amount requiring submission
30 of an accident report under Code section 321.266.

31 Code section 321L.2 is amended to modify the application
32 requirements for a persons with disabilities parking permit by
33 requiring the applicant's Iowa driver's license or
34 nonoperator's identification card number, or the applicant's
35 social security number, which is currently required.

1 The bill removes an obsolete reference to licensed school
2 bus manufacturers in Code section 322.2 relating to motor
3 vehicle dealer regulation.

4 Code sections 322.5, 322B.3, and 322C.3 are amended to
5 allow the department to issue multiple consecutive temporary
6 permits to motor vehicle manufacturers, distributors, and
7 dealers, manufactured and mobile home retailers, and travel
8 trailer dealers to do business at fairs, shows, and
9 exhibitions. Each permit is issued for 14 days for a fee of
10 \$10.

11 Code sections 322.27A and 322.29 are amended to eliminate
12 licensing requirements for used motor vehicle distributors and
13 wholesalers.

14 Division IV of the bill concerns the licensing of motor
15 vehicle dealers, manufacturers, distributors, and wholesalers;
16 authorized vehicle recyclers; persons engaged in the business
17 of leasing vehicles; manufactured or mobile home retailers and
18 manufacturers; and travel trailer dealers, manufacturers, and
19 distributors. The bill provides that effective January 1,
20 2007, licenses for these entities would all be issued for two-
21 year periods that begin on January 1 of odd-numbered years and
22 end on December 31 of even-numbered years. Currently, some
23 licenses are issued for two, four, or six years, and some are
24 issued for one year. License fees are not changed, but the
25 fees would be collected in two-year increments. The two-year
26 period would also apply to the fees for distinguishing numbers
27 and special registration plates issued to vehicle dealers,
28 transporters, and manufacturers. Licensees who have paid fees
29 based on longer licensing periods prior to January 1, 2007,
30 would be credited for the excess fees.

31
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35

HOUSE FILE 2525

S-5109

1 Amend House File 2525, as passed by the House, as
2 follows:
3 1. Page 25, by inserting after line 10 the
4 following:

5 "DIVISION V
6 RAILROADS

7 Sec. ____ . CLOSE-CLEARANCE CONDITIONS NEAR RAILROAD
8 TRACKS -- RULES. The state department of
9 transportation shall adopt rules regulating close-
10 clearance conditions on or near railroad tracks. The
11 rules shall include requirements and standards for the
12 installation of close-clearance warning devices."

13 2. Title page, line 4, by inserting after the
14 word "duties," the following: "regulation of
15 railroads,".

16 3. By renumbering as necessary.

By DICK L. DEARDEN

S-5109 FILED MARCH 21, 2006

HOUSE FILE 2525

S-5141

1 Amend House File 2525, as passed by the House, as
2 follows:

3 1. Page 2, line 9, by inserting after the word
4 "ADMINISTRATION" the following: "AND DUTIES".

5 2. Page 2, by inserting after line 13, the
6 following:

7 "Sec. ____ . Section 307.14, Code 2005, is amended
8 by adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. The map shall include
10 the location of every public or private lake in the
11 state with ten or more residential properties
12 adjoining the lake."

13 3. By renumbering as necessary.

By NANCY BOETTGER

S-5141 FILED MARCH 29, 2006

*Ch. Huser
Arnold
Resmussen
Huseman
Cohoon*

Introduced By
HF 2525

HSB 665
TRANSPORTATION

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON ARNOLD)

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

A BILL FOR

1 An Act relating to policies and duties of the state department of
2 transportation, including placement of official signs on
3 primary highways, inspection of bridges, administrative
4 duties, motor vehicle registration and titling, driver
5 licensing, licensing and regulation of vehicle-related
6 businesses, vehicle braking requirements, vehicle length
7 restrictions, proof of financial responsibility requirements,
8 and persons with disabilities parking permits.

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

- 10
- 11
- 12
- 13
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- 22

DIVISION I

HIGHWAYS

1
2
3 Section 1. Section 306C.11, subsection 4, Code 2005, is
4 amended to read as follows:

5 4. Official and directional signs and notices which shall
6 include, but not be limited to, signs and notices pertaining
7 to natural wonders, scenic and historic attractions, and
8 recreational attractions ~~and-municipal-recognition-signs,~~
9 which. The signs and notices shall conform with rules
10 promulgated by the department, provided that such rules shall
11 be consistent with national standards promulgated pursuant to
12 23 U.S.C. § 131(c).

13 Sec. 2. Section 306C.12, Code 2005, is amended to read as
14 follows:

15 306C.12 NONE VISIBLE FROM HIGHWAY.

16 An advertising device shall not be constructed or
17 reconstructed beyond the adjacent area in unincorporated areas
18 of the state if it is visible from the main-traveled way of
19 any interstate or primary highway except for advertising
20 devices permitted in section 306C.11, subsections 1 and 2, ~~and~~
21 ~~municipal-recognition-signs-erected-by-any-city.~~ Any
22 advertising device permitted beyond an adjacent area in
23 unincorporated areas of the state shall be subject to the
24 applicable permit provisions of section 306C.18.

25 Sec. 3. Section 306C.18, unnumbered paragraph 1, Code
26 2005, is amended to read as follows:

27 The owner of every advertising device regulated by this
28 chapter, except signs and advertising devices excepted by
29 section 306C.11, subsections 1, 2, and 5, and official signs
30 erected by public officers or agencies, shall be required to
31 make application to the department for a permit.

32 Sec. 4. NEW SECTION. 314.18 RESPONSIBILITY FOR BRIDGE
33 INSPECTION.

34 The department, counties, cities, and other public entities
35 shall be responsible for the safety inspection and evaluation

1 of all highway bridges under their jurisdiction which are
2 located on public roads, in accordance with the national
3 bridge inspection standards. These responsibilities include
4 inspection policies and procedures, inspections, reports, load
5 ratings, quality control and quality assurance, maintaining a
6 bridge inventory, and other requirements of the national
7 bridge inspection standards.

8 DIVISION II

9 DEPARTMENT ADMINISTRATION

10 Sec. 5. Section 307.12, Code Supplement 2005, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 5A. Present the department's proposed
13 budget to the commission prior to December 31 of each year.

14 DIVISION III

15 MOTOR VEHICLE REGULATION

16 Sec. 6. Section 321.1, subsection 40, paragraphs b and c,
17 Code Supplement 2005, are amended to read as follows:

18 b. "Motorized bicycle" ~~or "motor-bicycle"~~ means a motor
19 vehicle having a saddle or a seat for the use of a rider, and
20 designed to travel on not more than three wheels in contact
21 with the ground, ~~with an engine having a displacement no~~
22 ~~greater than fifty cubic centimeters~~ and not capable of
23 operating at a speed in excess of thirty miles per hour on
24 level ground unassisted by human power.

25 c. "Bicycle" means a either of the following:

26 (1) A device having two wheels and having at least one
27 saddle or seat for the use of a rider which is propelled by
28 human power.

29 (2) A device having two or three wheels with fully
30 operable pedals and an electric motor of less than seven
31 hundred fifty watts (one horsepower), whose maximum speed on a
32 paved level surface, when powered solely by such a motor while
33 ridden, is less than twenty miles per hour.

34 Sec. 7. Section 321.1, subsection 86, Code Supplement
35 2005, is amended by striking the subsection.

S.F. _____ H.F. _____

1 Sec. 8. Section 321.18, subsection 8, Code 2005, is
2 amended to read as follows:

3 8. Any mobile home or manufactured home and any temporary
4 undercarriage used solely for transporting manufactured homes,
5 modular homes, or other portable buildings used or intended to
6 be used for human occupancy.

7 Sec. 9. Section 321.20, subsection 1, Code Supplement
8 2005, is amended to read as follows:

9 1. The full legal name; social security number or Iowa
10 driver's license number or Iowa nonoperator's identification
11 card number; date of birth; bona fide residence; and mailing
12 address of the owner and of the lessee if the vehicle is being
13 leased. If the owner or lessee is a firm, association, or
14 corporation, the application shall contain the bona fide
15 business address and federal employer identification number of
16 the owner or lessee. Up to three owners' names may be listed
17 on the application. If the vehicle is a leased vehicle, the
18 application shall state whether the notice of registration
19 renewal shall be sent to the lessor or to the lessee and
20 whether the lessor or the lessee shall receive the
21 registration fee refund, if any. Information relating to the
22 lessee of a vehicle shall not be required on an application
23 for registration and a certificate of title for a vehicle with
24 a gross vehicle weight rating of ten thousand pounds or more.

25 Sec. 10. Section 321.30, Code 2005, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 15. Unless otherwise provided for in this
28 chapter, the department or the county treasurer shall refuse
29 registration and issuance of a certificate of title unless the
30 vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt.
31 567 certifying that the vehicle meets federal motor vehicle
32 safety standards.

33 Sec. 11. Section 321.42, subsection 1, Code Supplement
34 2005, is amended to read as follows:

35 1. If a registration card, plate, or pair of plates is

1 lost or becomes illegible, the owner shall immediately apply
2 for replacement. The fee for a replacement registration card
3 shall be three dollars. The fee for a replacement plate or
4 pair of plates shall be five dollars. When the owner has
5 furnished information required by the department and paid the
6 proper fee, a duplicate, substitute, or new registration card,
7 plate, or pair of plates may be issued. The county treasurer
8 or the department may waive the fee for a replacement plate if
9 the plate is lost during a documented accident.

10 Sec. 12. Section 321.46, subsection 5, Code Supplement
11 2005, is amended to read as follows:

12 5. The seller or transferor may file an affidavit on forms
13 prescribed and provided by the department with the county
14 treasurer of the county where the vehicle is registered
15 certifying the sale or transfer of ownership of the vehicle
16 and the assignment and delivery of the certificate of title
17 for the vehicle. Upon receipt of the affidavit, the county
18 treasurer shall file the affidavit with the copy of the
19 registration receipt for the vehicle on file in the
20 treasurer's office and on that day the treasurer shall forward
21 ~~copies of the affidavit to the department and to the county~~
22 ~~treasurer of the county of residence of the purchaser or~~
23 ~~transferee~~ note receipt of the affidavit in the vehicle
24 registration and titling system. Upon filing the affidavit,
25 it shall be presumed that the seller or transferor has
26 assigned and delivered the certificate of title for the
27 vehicle. For a leased vehicle, the lessor licensed pursuant
28 to chapter 321F or the lessee may file an affidavit as
29 provided in this subsection certifying that the lease has
30 expired or been terminated and the date that the leased
31 vehicle was surrendered to the lessor.

32 Sec. 13. Section 321.46, subsection 7, Code Supplement
33 2005, is amended to read as follows:

34 7. If a motor vehicle is leased and the lessee purchases
35 the vehicle upon termination of the lease, the lessor shall,

1 upon claim by the lessee with the lessor within fifteen thirty
2 days of the purchase, assign the registration fee credit and
3 registration plates for the leased motor vehicle to the
4 lessee. Credit shall be applied as provided in subsection 3.

5 Sec. 14. Section 321.52, subsection 4, paragraphs b and d,
6 Code Supplement 2005, are amended to read as follows:

7 b. When a wrecked or salvage vehicle has been repaired,
8 the owner may apply for a regular certificate of title by
9 paying the appropriate fees and surrendering the salvage
10 certificate of title and a properly executed salvage theft
11 examination certificate. A motor vehicle with a gross vehicle
12 weight rating of thirty thousand pounds or more is not subject
13 to the salvage theft examination otherwise required under
14 paragraph "c", and the owner of such vehicle is not required
15 to submit a salvage theft examination certificate. The county
16 treasurer shall issue a regular certificate of title which
17 shall bear a designation stamped or printed on the face of the
18 title and stamped and printed on the registration receipt
19 indicating that the vehicle was previously titled on a salvage
20 certificate of title in a form approved by the department.
21 This designation shall be included on every Iowa certificate
22 of title and registration receipt issued thereafter for the
23 vehicle. The stamped designation shall be in black and shall
24 be in letters no bigger than sixteen point type and located on
25 the center of the right side of the registration receipt.
26 However, if ownership of a stolen vehicle has been transferred
27 to an insurer organized under the laws of this state or
28 admitted to do business in this state, or if the transfer was
29 the result of a settlement with the owner of the vehicle
30 arising from damage to or the unrecovered theft of the
31 vehicle, and if the insurer certifies to the county treasurer
32 on a form approved by the department that the insurance
33 company has received one or more written estimates which state
34 that the retail cost of repairs including labor, parts, and
35 other materials of all damage to the vehicle is less than

1 three thousand dollars, the county treasurer shall issue to
2 the insurance company the regular certificate of title and
3 registration receipt without this designation.

4 d. For purposes of this subsection, a "wrecked or salvage
5 vehicle" means a damaged motor vehicle subject to registration
6 ~~and-having-a-gross-vehicle-weight-rating-of-less-than-thirty~~
7 ~~thousand-pounds,~~ for which the cost of repair exceeds fifty
8 percent of the fair market value of the vehicle, as determined
9 in accordance with rules adopted by the department, before it
10 became damaged.

11 Sec. 15. Section 321.57, subsection 1, Code 2005, is
12 amended to read as follows:

13 1. A dealer owning any vehicle of a type otherwise
14 required to be registered under this chapter may operate or
15 move the vehicle upon the highways solely for purposes of
16 transporting, testing, demonstrating, or selling the vehicle
17 without registering the vehicle, upon condition that the
18 vehicle display in the manner prescribed in sections 321.37
19 and 321.38 a special plate issued to the owner as provided in
20 sections 321.58 to through 321.62. ~~Additionally, a new-car~~
21 ~~dealer-or-a-used-car~~ A dealer may operate or move upon the
22 highways a new-or-used-car-or-trailer vehicle owned by the
23 dealer for either private or business purposes without
24 registering it if the new-or-used-car-or-trailer vehicle is in
25 the dealer's inventory and is continuously offered for sale at
26 retail, and there is displayed on it a special plate issued to
27 the dealer as provided in sections 321.58 to through 321.62.
28 A dealer may operate or move upon the highways an unregistered
29 vehicle owned by a lessor licensed pursuant to chapter 321F
30 solely for the purpose of delivering the vehicle to the owner
31 or transporting the vehicle to or from an auction if there is
32 displayed on the vehicle a special plate issued to the dealer
33 as provided in sections 321.58 through 321.62.

34 Sec. 16. Section 321.109, subsection 1, Code Supplement
35 2005, is amended to read as follows:

1 1. a. The annual fee for all motor vehicles including
2 vehicles designated by manufacturers as station wagons, and
3 1993 and subsequent model years for multipurpose vehicles,
4 except motor trucks, motor homes, ambulances, hearses,
5 motorcycles, ~~motor~~ motorized bicycles, and 1992 and older
6 model years for multipurpose vehicles, shall be equal to one
7 percent of the value as fixed by the department plus forty
8 cents for each one hundred pounds or fraction thereof of
9 weight of vehicle, as fixed by the department. The weight of
10 a motor vehicle, fixed by the department for registration
11 purposes, shall include the weight of a battery, heater,
12 bumpers, spare tire, and wheel. Provided, however, that for
13 any new vehicle purchased in this state by a nonresident for
14 removal to the nonresident's state of residence the purchaser
15 may make application to the county treasurer in the county of
16 purchase for a transit plate for which a fee of ten dollars
17 shall be paid. And provided, however, that for any used
18 vehicle held by a registered dealer and not currently
19 registered in this state, or for any vehicle held by an
20 individual and currently registered in this state, when
21 purchased in this state by a nonresident for removal to the
22 nonresident's state of residence, the purchaser may make
23 application to the county treasurer in the county of purchase
24 for a transit plate for which a fee of three dollars shall be
25 paid. The county treasurer shall issue a nontransferable
26 certificate of registration for which no refund shall be
27 allowed; and the transit plates shall be void thirty days
28 after issuance. Such purchaser may apply for a certificate of
29 title by surrendering the manufacturer's or importer's
30 certificate or certificate of title, duly assigned as provided
31 in this chapter. In this event, the treasurer in the county
32 of purchase shall, when satisfied with the genuineness and
33 regularity of the application, and upon payment of a fee of
34 ten dollars, issue a certificate of title in the name and
35 address of the nonresident purchaser delivering the same title

1 to the ~~person-entitled-to-the-title-as-provided-in-this~~
2 ~~chapter owner~~. If there is a security interest noted on the
3 title, the county treasurer shall mail to the secured party an
4 acknowledgment of the notation of the security interest. The
5 county treasurer shall not release a security interest that
6 has been noted on a title issued to a nonresident purchaser as
7 provided in this paragraph. The application requirements of
8 section 321.20 apply to a title issued as provided in this
9 subsection, except that a natural person who applies for a
10 certificate of title shall provide either the person's social
11 security number, passport number, or driver's license number,
12 whether the license was issued by this state, another state,
13 or another country. The provisions of this subsection
14 relating to multipurpose vehicles are effective January 1,
15 1993, for all 1993 and subsequent model years. The annual
16 registration fee for multipurpose vehicles that are 1992 model
17 years and older shall be in accordance with section 321.124.

18 b. The annual registration fee for a multipurpose vehicle
19 with permanently installed equipment manufactured for and
20 necessary to assist a person with a disability who is either
21 the owner or a member of the owner's household in entry and
22 exit of the vehicle or for a multipurpose vehicle if the
23 vehicle's owner or a member of the vehicle owner's household
24 uses a wheelchair as the only means of mobility shall be sixty
25 dollars. For purposes of this ~~unnumbered~~ paragraph, "uses a
26 wheelchair" does not include use of a wheelchair due to a
27 temporary injury or medical condition.

28 Sec. 17. Section 321.115, subsection 2, Code 2005, is
29 amended to read as follows:

30 2. The sale of a motor vehicle twenty years old or older
31 which is primarily of value as a collector's item and not as
32 transportation is not subject to chapter 322 and any person
33 may sell such a vehicle at retail ~~or-wholesale~~ without a
34 license as required under chapter 322.

35 Sec. 18. Section 321.126, Code Supplement 2005, is amended

1 by adding the following new subsection:

2 NEW SUBSECTION. 6A. If the vehicle was leased and an
3 affidavit was filed by the lessor or the lessee as provided in
4 section 321.46, the lessor or the lessee, as applicable, may
5 make a claim for a refund with the county treasurer of the
6 county where the vehicle was registered within six months of
7 the vehicle's surrender to the lessor. The refund shall be
8 paid to either the lessor or the lessee, as specified on the
9 application for title and registration pursuant to section
10 321.20.

11 Sec. 19. Section 321.176A, subsection 1, Code Supplement
12 2005, is amended to read as follows:

13 1. A farmer or a person working for a farmer while
14 operating a commercial motor vehicle owned controlled by the
15 farmer within one hundred fifty air miles of the farmer's farm
16 to transport the farmer's own agricultural products, farm
17 machinery, or farm supplies to or from the farm. The
18 exemption provided in this subsection shall apply to farmers
19 who assist each other through an exchange of services and
20 shall include operation of a commercial motor vehicle between
21 the farms of the farmers who are exchanging services.

22 Sec. 20. Section 321.180, subsection 1, paragraph a,
23 unnumbered paragraph 1, Code 2005, is amended to read as
24 follows:

25 A person who is at least eighteen years of age and who,
26 except for the person's lack of instruction in operating a
27 motor vehicle, would be qualified to obtain a driver's
28 license, shall, upon meeting the requirements of section
29 321.186 other than a driving demonstration, and upon paying
30 the required fee, be issued an instruction permit by the
31 department. Subject to the limitations in this subsection, an
32 instruction permit entitles the permittee, while having the
33 permit in the permittee's immediate possession, to operate a
34 motor vehicle, other than a commercial motor vehicle or as a
35 chauffeur or a motor vehicle with a gross vehicle weight

1 rating of sixteen thousand one or more pounds, upon the
2 highways for a period not to exceed two four years from the
3 licensee's birthday anniversary in the year of issuance. If
4 the applicant for an instruction permit holds a driver's
5 license issued in this state valid for the operation of a
6 motorized bicycle or a motorcycle, the instruction permit
7 shall be valid for such operation without the need of an
8 accompanying person.

9 Sec. 21. Section 321.180, subsection 2, Code 2005, is
10 amended to read as follows:

11 2. A person who holds a class A, B, C, or D driver's
12 license, upon meeting each of the following requirements,
13 shall be eligible to apply for a commercial driver's
14 instruction permit valid for the operation of a commercial
15 motor vehicle, except a vehicle transporting hazardous
16 materials requiring placarding, when the permittee is
17 accompanied by a person properly licensed to operate a
18 commercial motor vehicle and actually occupying a seat beside
19 the permittee. An applicant must be at least eighteen years
20 of age and qualified to obtain a valid commercial driver's
21 license including the requirements of section 321.188 other
22 than the knowledge examination and driving skills tests. The
23 commercial driver's instruction permit shall be valid for a
24 period not to exceed six months. A commercial driver's
25 instruction permit may be renewed only once in any two-year
26 period. If the applicant for a commercial driver's
27 instruction permit holds a driver's license issued in this
28 state valid for the operation of a commercial or noncommercial
29 vehicle, the commercial driver's instruction permit shall be
30 valid for such operation without the need of an accompanying
31 person.

32 Sec. 22. Section 321.180B, subsection 1, unnumbered
33 paragraph 1, Code 2005, is amended to read as follows:

34 The department may issue an instruction permit to an
35 applicant between the ages of fourteen and eighteen years if

1 the applicant meets the requirements of sections 321.184 and
2 321.186, other than a driving demonstration, and pays the
3 required fee. An instruction permit issued under this section
4 shall be valid for a period not to exceed two four years from
5 the licensee's birthday anniversary in the year of issuance.
6 A motorcycle instruction permit issued under this section is
7 not renewable.

8 Sec. 23. Section 321.180B, subsection 2, unnumbered
9 paragraph 1, Code 2005, is amended to read as follows:

10 The department may issue an intermediate driver's license
11 to a person sixteen or seventeen years of age who possesses an
12 instruction permit issued under subsection 1 or a comparable
13 instruction permit issued by another state for a minimum of
14 six months immediately preceding application, and who presents
15 an affidavit signed by a parent or guardian on a form to be
16 provided by the department that the permittee has accumulated
17 a total of twenty hours of street or highway driving of which
18 two hours were conducted after sunset and before sunrise and
19 the street or highway driving was with the permittee's parent,
20 guardian, instructor, a person certified by the department, or
21 a person at least twenty-five years of age who had written
22 permission from a parent or guardian to accompany the
23 permittee, and whose driving privileges have not been
24 suspended, revoked, or barred under this chapter or chapter
25 321J during, and who has been accident and ~~conviction~~
26 violation free continuously for, the six-month period
27 immediately preceding the application for an intermediate
28 license. An applicant for an intermediate license must meet
29 the requirements of section 321.186, including satisfactory
30 completion of driver education as required in section 321.178,
31 and payment of the required license fee before an intermediate
32 license will be issued. A person issued an intermediate
33 license must limit the number of passengers in the motor
34 vehicle when the intermediate licensee is operating the motor
35 vehicle to the number of passenger safety belts.

1 Sec. 24. Section 321.180B, subsections 3 and 4, Code 2005,
2 are amended to read as follows:

3 3. REMEDIAL DRIVER IMPROVEMENT ACTION OR -- SUSPENSION OF
4 PERMIT, OR INTERMEDIATE LICENSE, OR FULL LICENSE. A person
5 who has been issued an instruction permit, ~~or~~ an intermediate
6 license, or a full driver's license under this section, upon
7 conviction of a moving traffic violation or involvement in a
8 motor vehicle accident which occurred during the term of the
9 instruction permit or intermediate license, shall be subject
10 to remedial driver improvement action or suspension of the
11 permit or current license. A person possessing an instruction
12 permit who has been convicted of a moving traffic violation or
13 has been involved in an accident shall not be issued an
14 intermediate license until the person has completed the
15 remedial driver improvement action and has been accident and
16 conviction violation free continuously for the six-month
17 period immediately preceding the application for the
18 intermediate license. A person possessing an intermediate
19 license who has been convicted of a moving traffic violation
20 or has been involved in an accident shall not be issued a full
21 driver's license until the person has completed the remedial
22 driver improvement action and has been accident and ~~conviction~~
23 violation free continuously for the twelve-month period
24 immediately preceding the application for a full driver's
25 license.

26 4. FULL DRIVER'S LICENSE. A full driver's license may be
27 issued to a person seventeen years of age who possesses an
28 intermediate license issued under subsection 2 or a comparable
29 intermediate license issued by another state for a minimum of
30 twelve months immediately preceding application, and who
31 presents an affidavit signed by a parent or guardian on a form
32 to be provided by the department that the intermediate
33 licensee has accumulated a total of ten hours of street or
34 highway driving of which two hours were conducted after sunset
35 and before sunrise and the street or highway driving was with

1 the licensee's parent, guardian, instructor, a person
2 certified by the department, or a person at least twenty-five
3 years of age who had written permission from a parent or
4 guardian to accompany the licensee, whose driving privileges
5 have not been suspended, revoked, or barred under this chapter
6 or chapter 321J during, and who has been accident and
7 conviction violation free continuously for, the twelve-month
8 period immediately preceding the application for a full
9 driver's license, and who has paid the required fee.

10 Sec. 25. Section 321.188, subsection 1, Code 2005, is
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. f. Identify all states where the applicant
13 has been licensed to drive any type of motor vehicle during
14 the previous ten years.

15 Sec. 26. Section 321.189, subsection 2, paragraph c, Code
16 2005, is amended to read as follows:

17 c. The department shall assign an applicant for a driver's
18 license a distinguishing driver's license number other than
19 the applicant's social security number, ~~unless the applicant~~
20 ~~requests that the applicant's social security number be so~~
21 assigned.

22 Sec. 27. Section 321.190, subsection 1, paragraph a, Code
23 2005, is amended to read as follows:

24 a. The department shall, upon application and payment of
25 the required fee, issue to an applicant a nonoperator's
26 identification card. To be valid the card shall bear a
27 distinguishing number other than a social security number
28 assigned to the card holder, the full name, date of birth,
29 sex, residence address, a physical description and a colored
30 photograph of the card holder, the usual signature of the card
31 holder, and such other information as the department may
32 require by rule. An applicant for a nonoperator's
33 identification card shall apply for the card in the manner
34 provided in section 321.182, subsections 1 through 3. The
35 card shall be issued to the applicant at the time of

1 application pursuant to procedures established by rule. An
2 applicant for a nonoperator's identification card who is
3 required by 50 U.S.C. app. § 451 et seq. to register with the
4 United States selective service system shall be registered by
5 the department with the selective service system as provided
6 in section 321.183.

7 Sec. 28. Section 321.208, subsection 2, paragraph d, Code
8 Supplement 2005, is amended to read as follows:

9 d. A felony or aggravated misdemeanor involving the use of
10 a ~~commercial~~ motor vehicle other than an offense involving
11 manufacturing, distributing, or dispensing a controlled
12 substance.

13 Sec. 29. Section 321.430, subsection 3, Code 2005, is
14 amended to read as follows:

15 3. Every trailer, or semitrailer, or travel trailer of a
16 gross weight of three thousand pounds or more, ~~and every~~
17 ~~trailer-coach-or-travel-trailer-of-a-gross-weight-of-three~~
18 ~~thousand-pounds-or-more-intended-for-use-for-human-habitation,~~
19 ~~when-operated-on-the-highways-of-this-state,~~ shall be equipped
20 with brakes adequate to control the movement of and to stop
21 and hold such vehicle, ~~and so designed as to be applied by the~~
22 ~~driver-of-the-towing-motor-vehicle-from-its-cab,~~ when operated
23 on the highways of this state. Every trailer, semitrailer, or
24 travel trailer with a gross weight of three thousand pounds or
25 more shall be equipped with a separate, auxiliary means of
26 applying the brakes on the trailer, semitrailer, or travel
27 trailer from the cab of the towing vehicle, or with self-
28 actuating brakes, and shall also be equipped with a weight
29 equalizing hitch with a sway control. ~~Every semitrailer,~~
30 ~~travel-trailer, or trailer-coach-of-a-gross-weight-of-three~~
31 ~~thousand-pounds-or-more-shall-be-equipped-with-a-separate,~~
32 ~~auxiliary-means-of-applying-the-brakes-on-the-semitrailer,~~
33 ~~travel-trailer, or trailer-coach-from-the-cab-of-the-towing~~
34 ~~vehicle.~~ Trailers or semitrailers with a truck or truck
35 tractor need only comply with the brake requirements.

1 Sec. 30. Section 321.457, subsection 1, Code Supplement
2 2005, is amended to read as follows:

3 1. A combination of four vehicles is not allowed on the
4 highways of this state, except for power units saddle mounted
5 on other power units which shall be restricted to a maximum
6 overall length of seventy-five ninety-seven feet.

7 Sec. 31. Section 321.457, subsection 2, Code Supplement
8 2005, is amended by adding the following new paragraph:

9 NEW PARAGRAPH. m. Notwithstanding any other provision of
10 this chapter, and to the extent allowed under federal law, the
11 maximum length of a towaway trailer transporter combination
12 operated on the highways of this state is eighty-five feet.
13 For purposes of this paragraph, "towaway trailer transporter
14 combination" means a combination of vehicles consisting of a
15 towing vehicle and two unladen trailers or unladen
16 semitrailers in which the trailers or semitrailers constitute
17 inventory property of the manufacturer intended for sale and
18 which are being transported from a trailer manufacturer to a
19 trailer distributor or authorized trailer dealer.

20 Sec. 32. Section 321A.5, subsection 1, Code 2005, is
21 amended to read as follows:

22 1. The department shall, immediately or within sixty days
23 after the receipt of a report of a motor vehicle accident
24 within this state which has resulted in bodily injury or death
25 or damage to the property of any one person in excess the
26 amount of one thousand dollars or more, suspend the license of
27 each operator and all registrations of each owner of a motor
28 vehicle in any manner involved in the accident, and if the
29 operator is a nonresident the privilege of operating a motor
30 vehicle within this state, and if the owner is a nonresident
31 the privilege of the use within this state of any motor
32 vehicle owned by the owner, unless the operator or owner or
33 both shall deposit security in a sum which shall be sufficient
34 in the judgment of the department to satisfy any judgment or
35 judgments for damages resulting from the accident as may be

1 recovered against the operator or owner; provided notice of
2 the suspension shall be sent by the department to the operator
3 and owner not less than ten days prior to the effective date
4 of the suspension and shall state the amount required as
5 security.

6 Sec. 33. Section 321L.2, subsection 1, paragraph a,
7 unnumbered paragraph 1, Code Supplement 2005, is amended to
8 read as follows:

9 A resident of the state with a disability desiring a
10 persons with disabilities parking permit shall apply to the
11 department upon an application form furnished by the
12 department providing the applicant's full legal name, address,
13 date of birth, and social security number or Iowa driver's
14 license number or Iowa nonoperator's identification card
15 number, and shall also provide a statement from a physician
16 licensed under chapter 148, 149, 150, or 150A, a physician
17 assistant licensed under chapter 148C, an advanced registered
18 nurse practitioner licensed under chapter 152, or a
19 chiropractor licensed under chapter 151, or a physician,
20 physician assistant, nurse practitioner, or chiropractor
21 licensed to practice in a contiguous state, written on the
22 physician's, physician assistant's, nurse practitioner's, or
23 chiropractor's stationery, stating the nature of the
24 applicant's disability and such additional information as
25 required by rules adopted by the department under section
26 321L.8. If the person is applying for a temporary persons
27 with disabilities parking permit, the physician's, physician
28 assistant's, nurse practitioner's, or chiropractor's statement
29 shall state the period of time during which the person is
30 expected to be disabled and the period of time for which the
31 permit should be issued, not to exceed six months.

32 Sec. 34. Section 322.3, subsection 14, paragraph d, Code
33 2005, is amended to read as follows:

34 d. A manufacturer of motor homes, as defined in section
35 ~~321.1, or a manufacturer of school buses, as defined in~~

1 ~~section-321-17~~, from owning an interest in, operating, or
2 controlling a motor vehicle dealer of the motor homes or
3 ~~school-buses~~ manufactured by that manufacturer or from being
4 licensed as a motor vehicle dealer only of the motor homes or
5 ~~school-buses~~ manufactured by that manufacturer.

6 Sec. 35. Section 322.5, subsection 2, paragraph b, Code
7 Supplement 2005, is amended to read as follows:

8 b. An application for a temporary permit under this
9 subsection shall be made upon a form provided by the
10 department and shall be accompanied by a ten dollar permit
11 fee. The department may issue a temporary permit for a period
12 not to exceed fourteen days. The department may issue
13 multiple consecutive temporary permits.

14 Sec. 36. Section 322.27A, unnumbered paragraph 1, Code
15 2005, is amended to read as follows:

16 A person shall not engage in business as a wholesaler of
17 new motor vehicles in this state without a license as provided
18 in this chapter.

19 Sec. 37. Section 322.29, subsection 2, paragraph c, Code
20 2005, is amended by striking the paragraph.

21 Sec. 38. Section 322B.3, subsection 4, Code 2005, is
22 amended to read as follows:

23 4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.

24 Manufactured or mobile home retailers, in addition to selling
25 homes at their principal place of business and lots, may, upon
26 receipt of a temporary permit approved by the department,
27 display and offer new manufactured homes for sale and
28 negotiate sales of new manufactured homes at fairs, shows, and
29 exhibitions. Application for temporary permits shall be made
30 upon forms provided by the department and shall be accompanied
31 by a ten dollar permit fee. Temporary permits shall be issued
32 for a period not to exceed fourteen days. The department may
33 issue multiple consecutive temporary permits.

34 Sec. 39. Section 322C.3, subsection 9, Code 2005, is
35 amended to read as follows:

1 9. A travel trailer dealer may display new travel trailers
2 at fairs, shows, and exhibitions on any day of the week as
3 provided in this subsection. Travel trailer dealers, in
4 addition to selling travel trailers at their principal place
5 of business and lots, may, upon receipt of a temporary permit
6 approved by the department, display and offer new travel
7 trailers for sale and negotiate sales of new travel trailers
8 at fairs, shows, and exhibitions. Application for temporary
9 permits shall be made upon forms provided by the department
10 and shall be accompanied by a ten dollar permit fee.
11 Temporary permits shall be issued for a period not to exceed
12 fourteen days. The department may issue multiple consecutive
13 temporary permits.

14 Sec. 40. Section 326.2, subsection 14, Code 2005, is
15 amended to read as follows:

16 14. The words "vehicle," "motor vehicle," "motor truck,"
17 "truck tractor," "road tractor," "trailer," "semitrailer,"
18 "~~trailer-coach~~," "combination" or "combination of vehicles,"
19 "gross weight," "person," "owner," "nonresident," "street" or
20 "highway," and "auxiliary axle" shall have the meanings
21 ascribed in section 321.1.

22 DIVISION IV

23 VEHICLE BUSINESS LICENSING

24 Sec. 41. Section 321.58, Code 2005, is amended to read as
25 follows:

26 321.58 APPLICATION.

27 All dealers, transporters, new motor vehicle wholesalers
28 licensed under chapter 322, and manufactured or mobile home
29 retailers licensed under chapter 322B, upon payment of a fee
30 of seventy dollars for ~~two-years, one-hundred-forty-dollars~~
31 ~~for-four-years, or-two-hundred-ten-dollars-for-six-years~~ a
32 two-year period or part thereof, may make application to the
33 department upon the appropriate form for a certificate
34 containing a general distinguishing number and for one or more
35 special plates as appropriate to various types of vehicles

1 subject to registration. The applicant shall also submit
2 proof of the applicant's status as a bona fide transporter,
3 new motor vehicle wholesaler licensed under chapter 322,
4 manufactured or mobile home retailer licensed under chapter
5 322B, or dealer, as reasonably required by the department.
6 Dealers in new vehicles shall furnish satisfactory evidence of
7 a valid franchise with the manufacturer of the vehicles
8 authorizing the dealership.

9 Sec. 42. Section 321.60, Code 2005, is amended to read as
10 follows:

11 321.60 ISSUANCE OF SPECIAL PLATES.

12 The department shall also issue special plates as applied
13 for, which shall display the general distinguishing number
14 assigned to the applicant. Each plate so issued shall also
15 contain a number or symbol identifying the plate and
16 distinguishing it from every other plate bearing the same
17 general distinguishing number. The fee for each special plate
18 is forty dollars for ~~two-years, eighty-dollars-for-four-years,~~
19 ~~or-one-hundred-twenty-dollars-for-six-years~~ a two-year period
20 or part thereof.

21 ~~Special-plates-may-be-validated-in-the-same-manner-as~~
22 ~~regular-registration-plates-under-this-chapter.~~

23 Sec. 43. Section 321.61, Code 2005, is amended to read as
24 follows:

25 321.61 EXPIRATION OF SPECIAL PLATES.

26 A special plate shall expire at midnight on ~~the-last-day-of~~
27 ~~the-last-month-of-the-dealer's-license-expiration-period,~~ and
28 ~~upon-application-and-payment-of-the-fee-the-department-shall~~
29 ~~validate-the-special-plate-in-the-same-manner-as-regular~~
30 ~~registration-plates~~ December 31 of even-numbered years. A
31 person shall not be considered to be driving a vehicle with an
32 expired registration for one month following the expiration
33 date of the special plate.

34 Sec. 44. Section 321F.4, Code 2005, is amended to read as
35 follows:

1 321F.4 FEES AND EXPIRATION.

2 1. The license fee for a license to engage in the business
3 of leasing vehicles in this state is thirty dollars for a two-
4 year ~~license, sixty dollars for a four-year license, and~~
5 ninety dollars for a six-year license period or part thereof,
6 to be paid at the time the application for a license is filed.
7 If the application is denied, the amount of the fee shall be
8 refunded to the applicant.

9 2. A license ~~is valid for two years, four years, or six~~
10 ~~years and expires on the last day of the last month of the~~
11 ~~two-year, four-year, or six-year period, as applicable~~
12 December 31 of even-numbered years. A licensee shall have the
13 month of expiration and the month after the month of
14 expiration to renew the license. A person who fails to renew
15 a license by the end of this time period and desires to hold a
16 license shall file a new license application and pay the
17 required fee.

18 Sec. 45. Section 321H.4, subsection 2, unnumbered
19 paragraph 1, Code 2005, is amended to read as follows:

20 Application for a license as an authorized vehicle recycler
21 shall be made to the department on forms provided by the
22 department. The application shall be accompanied by a fee of
23 seventy dollars for a two-year ~~license, one hundred forty~~
24 ~~dollars for a four-year license, or two hundred ten dollars~~
25 for a six-year license period or part thereof. The license
26 shall be approved or disapproved within thirty days after
27 application for the license. A license ~~is valid for two~~
28 ~~years, four years, or six years and expires on the last day of~~
29 ~~the last month of the two-year, four-year, or six-year period,~~
30 as applicable December 31 of even-numbered years. A licensee
31 shall have the month of expiration and the month after the
32 month of expiration to renew the license. A person who fails
33 to renew a license by the end of this time period and desires
34 to hold a license shall file a new license application and pay
35 the required fee. A separate license shall be obtained for

1 each county in which an applicant conducts operations.

2 Sec. 46. Section 322.5, subsection 1, unnumbered paragraph
3 1, Code Supplement 2005, is amended to read as follows:

4 The license fee for a motor vehicle dealer for a two-year
5 period or part thereof is the sum of seventy dollars ~~for a~~
6 ~~two-year-license, one-hundred-forty-dollars-for-a-four-year~~
7 ~~license, or two-hundred-ten-dollars-for-a-six-year-license~~ for
8 the licensee's principal place of business in each city or
9 township and an additional twenty dollars for ~~two-years, forty~~
10 ~~dollars-for-four-years, or sixty-dollars-for-six-years~~ a two-
11 year period or part thereof for each car lot which is in the
12 city or township in which the principal place of business is
13 located and which is not adjacent to that place, to be paid to
14 the department at the time a license is applied for. In case
15 the application is denied, the department shall refund the
16 amount of the fee to the applicant. For the purposes of this
17 section "adjacent" means that the principal place of business
18 and each additional lot are adjoining parcels of property.

19 Sec. 47. Section 322.7, subsection 3, Code 2005, is
20 amended to read as follows:

21 3. The license of a motor vehicle dealer is valid for a
22 ~~two-year, four-year, or six-year-time~~ period and expires,
23 unless revoked or suspended, ~~on the last day of the last month~~
24 ~~of the two-year, four-year, or six-year-period, as applicable~~
25 December 31 of even-numbered years.

26 Sec. 48. Section 322.29, subsection 1, Code 2005, is
27 amended to read as follows:

28 1. Application for license shall be made to the department
29 by a manufacturer, distributor, or wholesaler, in a form and
30 containing information as the department requires and shall be
31 accompanied by the required license fee. The license shall be
32 granted or refused within thirty days after application, ~~and~~
33 ~~shall expire.~~ A license expires, unless sooner revoked or
34 suspended, on December 31 of ~~the calendar year for which it is~~
35 granted even-numbered years. A licensee shall have the month

1 of ~~December of the calendar year for which the license was~~
2 ~~granted and the following month of January~~ expiration and the
3 month after the month of expiration to renew the license. A
4 person who fails to renew a license by the end of this time
5 period and desires to hold a license shall file a new license
6 application and pay the required fee.

7 Sec. 49. Section 322.29, subsection 2, unnumbered
8 paragraph 1, Code 2005, is amended to read as follows:

9 License fees for each ~~calendar year~~, two-year period or
10 ~~part thereof~~, are as follows effective ~~January 1,~~
11 ~~1998:~~

12 Sec. 50. Section 322.29, subsection 2, paragraphs a and b,
13 Code 2005, are amended to read as follows:

14 a. For a motor vehicle manufacturer, ~~thirty-five~~ seventy
15 dollars.

16 b. For a new motor vehicle distributor or wholesaler,
17 ~~twenty~~ forty dollars.

18 Sec. 51. Section 322B.3, subsection 2, Code 2005, is
19 amended to read as follows:

20 2. LICENSE FEES. The license fee for a manufactured or
21 mobile home retailer is ~~seventy dollars for a two-year~~
22 ~~license~~, ~~one-hundred-forty dollars for a four-year license~~, ~~or~~
23 ~~two-hundred-ten dollars for a six-year license~~ period or part
24 thereof. If the application is denied, the department shall
25 refund the fee. Fees and funds accruing from the
26 administration of this chapter shall be accounted for and paid
27 by the department to the treasurer of state monthly for
28 deposit in the road use tax fund of the state.

29 Sec. 52. Section 322B.4, Code 2005, is amended to read as
30 follows:

31 322B.4 LICENSE APPLICATION AND FEES.

32 Upon application and payment of a ~~thirty-five~~ seventy
33 dollar fee for a two-year period or part thereof, a person may
34 be licensed as a manufacturer or distributor of manufactured
35 or mobile homes. The application shall be in the form and

1 shall contain information as the department prescribes. The
2 license shall be granted or refused within thirty days after
3 application. The license expires, unless sooner revoked or
4 suspended by the department, on December 31 of ~~the calendar~~
5 ~~year-for-which-the-license-was-granted~~ even-numbered years. A
6 licensee shall have the month of ~~December-of-the-calendar-year~~
7 ~~for-which-the-license-was-granted-and-the-following-month-of~~
8 January expiration and the month after the month of expiration
9 to renew the license. A person who fails to renew a license
10 by the end of this time period and desires to hold a license
11 shall file a new license application and pay the required fee.

12 Sec. 53. Section 322C.4, subsection 1, unnumbered
13 paragraph 1, Code 2005, is amended to read as follows:

14 Upon application and payment of a fee, a person may be
15 licensed as a travel trailer dealer. The license fee is
16 seventy dollars for a two-year license, ~~one-hundred-forty~~
17 ~~dollars-for-a-four-year-license, or two-hundred-ten-dollars~~
18 ~~for-a-six-year-license~~ period or part thereof. The person
19 shall pay an additional fee of twenty dollars for two-years,
20 ~~forty-dollars-for-four-years, or sixty-dollars-for-six-years~~ a
21 two-year period or part thereof for each travel trailer lot in
22 addition to the principal place of business unless the lot is
23 adjacent to the principal place of business. For purposes of
24 this subsection, "adjacent" means that the principal place of
25 business and each additional lot are adjoining parcels of
26 property. The applicant shall file in the office of the
27 department a verified application for license as a travel
28 trailer dealer in the form the department prescribes, which
29 shall include the following:

30 Sec. 54. Section 322C.4, subsection 2, Code 2005, is
31 amended to read as follows:

32 2. The license shall be granted or refused within thirty
33 days after application. A license is valid for a two-year,
34 ~~four-year, or six-year~~ period and expires, unless revoked or
35 suspended by the department, on ~~the last day of the last month~~

1 ~~of-the-two-year, four-year, or six-year period, as applicable~~
2 December 31 of even-numbered years. A licensee shall have the
3 month of expiration and the month after the month of
4 expiration to renew the license. A person who fails to renew
5 a license by the end of this time period and desires to hold a
6 license shall file a new license application and pay the
7 required fee. A separate license shall be obtained for each
8 county in which an applicant does business as a travel trailer
9 dealer.

10 Sec. 55. Section 322C.9, Code 2005, is amended to read as
11 follows:

12 322C.9 LICENSE APPLICATION AND FEES.

13 Upon application and payment of a ~~thirty-five-dollar-fee~~
14 seventy dollar fee for a two-year period or part thereof, a
15 person may be licensed as a manufacturer or distributor of
16 travel trailers. The application shall be in the form and
17 shall contain information as the department prescribes. The
18 license shall be granted or refused within thirty days after
19 application. The license expires, unless sooner revoked or
20 suspended by the department, on December 31 ~~of-the-calendar~~
21 year-for-which-the-license-was-granted of even-numbered years.
22 A licensee shall have the month of ~~December-of-the-calendar~~
23 year-for-which-the-license-was-granted-and-the-following-month
24 of-January expiration and the month after the month of
25 expiration to renew the license. A person who fails to renew
26 a license by the end of this time period and desires to hold a
27 license shall file a new license application and pay the
28 required fee.

29 Sec. 56. EFFECTIVE DATE AND DISPOSITION OF EXCESS FEES.

30 1. This division of this Act takes effect January 1, 2007.

31 2. Due to the transition to two-year licensing periods
32 provided for in this division of this Act, the state
33 department of transportation shall provide a credit for excess
34 license fees paid pursuant to section 321F.4, 321H.4, 322.5,
35 322.29, 322B.3, 322B.4, 322C.4, or 322C.9 by any licensee

1 prior to January 1, 2007. The department shall also provide a
2 credit for excess fees paid by a vehicle dealer, transporter,
3 or manufacturer for a distinguishing number and special plates
4 pursuant to section 321.58 or 321.60 prior to January 1, 2007.

5 EXPLANATION

6 This bill amends Code provisions relating to administrative
7 duties of the state department of transportation,
8 administration of highways, and regulation of motor vehicles.

9 Division I of the bill concerns the administration of
10 highways. The bill removes restrictions on the placement of
11 official signs within an adjacent area or in the right-of-way
12 of a primary highway. The erection of such official signage
13 by a public officer or agency will no longer require a permit
14 from the department.

15 The bill requires the department, counties, cities, and
16 other public entities having jurisdiction over public roads to
17 each be responsible for safety inspection and evaluation of
18 highway bridges under the entity's jurisdiction pursuant to
19 the national bridge inspection standards.

20 Division II of the bill requires the director of
21 transportation to present the department's proposed budget to
22 the state transportation commission before December 31 each
23 year.

24 Division III of the bill concerns the regulation of motor
25 vehicles.

26 The bill strikes the definition and use of the term
27 "trailer coach" from Code chapters 321 and 326.

28 The bill amends the definitions of "motorized bicycle" and
29 "bicycle" in Code section 321.1 to specify that a device with
30 pedals and a one-horsepower electric motor is a bicycle,
31 rather than a motorized bicycle, for purposes of motor vehicle
32 regulation. The bill deletes the defined term "motor bicycle"
33 from the Code in favor of the term "motorized bicycle". The
34 bill provides a clarification in Code section 321.30 that only
35 vehicles certified and labeled as meeting federal motor

1 vehicle safety standards are eligible for registration and
2 titling in this state.

3 The bill amends Code section 321.18 to exempt temporary
4 undercarriages used solely to transport manufactured and
5 modular homes from vehicle registration requirements.

6 The bill amends Code section 321.42 to provide that when a
7 motor vehicle registration plate is lost during a documented
8 accident, the county treasurer or the department may waive the
9 \$5 fee for a replacement plate.

10 The bill amends Code section 321.20, 321.46, and 321.126 to
11 allow registration fee refunds to be made to lessees who have
12 surrendered their vehicles upon termination of a lease. In
13 addition, the bill provides that a lessee who purchases a
14 vehicle upon termination of the lease has 30 days to claim a
15 registration fee credit and assignment of the registration
16 plates from the lessor. Currently, the deadline for filing
17 such a claim is 15 days from the date of purchase. The bill
18 amends Code section 321.57 to allow a dealer that leases
19 vehicles to transport such vehicles for delivery to an owner
20 or to auction using special dealer registration plates.

21 Code section 321.52 is amended to exempt salvage vehicles
22 with a gross vehicle weight rating of 30,000 pounds or more
23 from the salvage theft examination and certificate required
24 for regular titling after the vehicle has been repaired.

25 Code section 321.176A is amended to exempt from commercial
26 driver licensing requirements farmers and persons working for
27 a farmer when operating a commercial motor vehicle controlled
28 by the farmer within 150 miles of the farm. Current law
29 requires that the commercial motor vehicle be owned by the
30 farmer.

31 The bill amends Code sections 321.180 and 321.180B to
32 extend the period of validity of driver instruction permits
33 from two years to four years for both minor and adult
34 permittees.

35 The bill revises the standard for a clean driving record

1 under the graduated driver licensing provisions by focusing on
2 violations, rather than convictions. The bill requires that a
3 permittee be accident and violation free for six months
4 immediately preceding application for an intermediate license
5 and that an intermediate licensee be accident and violation
6 free during the 12-month period preceding application for a
7 full license. The same standards apply to a person who is in
8 a remedial phase of the graduated licensing program. The bill
9 broadens the scope of the remedial driver improvement and
10 sanction provisions to include persons who have been issued a
11 full driver's license at age 17.

12 The bill prohibits a person who has been issued a
13 commercial driver's instruction permit from operating a
14 commercial vehicle transporting certain hazardous materials.
15 The amendment to Code section 321.188 requires a person who
16 applies for issuance, renewal, or upgrading of a commercial
17 driver's license to identify all states where the applicant
18 has been licensed to drive during the previous 10 years.

19 The bill amends Code sections 321.189 and 321.190 to
20 expressly prohibit the use of a social security number as the
21 distinguishing number on a driver's license or nonoperator's
22 identification card. Currently, the social security number
23 can be used at the option of the licensee or card holder.

24 Code section 321.208 is amended to correct language
25 relating to commercial driver's license sanctions mandated by
26 federal law providing that if a person is found by conviction
27 or final administrative action to have committed a felony or
28 aggravated misdemeanor involving the use of any motor vehicle
29 while the person held a commercial driver's license, other
30 than an offense involving manufacturing, distributing, or
31 dispensing a controlled substance, the person is disqualified
32 from operating a commercial motor vehicle for one year.

33 Code section 321.430 is amended to clarify that a trailer,
34 semitrailer, or travel trailer with a gross weight of 3,000
35 pounds or more must be equipped with either a separate,

1 auxiliary means of applying the brakes from the cab of the
2 towing vehicle or with self-actuating brakes.

3 Code section 321.457 is amended to increase the maximum
4 length allowed for a combination of four vehicles consisting
5 of power units saddle mounted on other power units to 97 feet,
6 from the current maximum of 75 feet. In addition, the bill
7 provides a maximum length of 85 feet for a towaway trailer
8 transporter combination, which is a combination of vehicles
9 consisting of a towing vehicle and two unladen trailers or
10 semitrailers that are inventory property of a manufacturer and
11 being transported by the manufacturer to a distributor or
12 dealer. Currently, Iowa law allows a maximum overall length of
13 75 feet for such a combination of vehicles. The extension of
14 the maximum length for towaway trailer transporter
15 combinations is subject to the passage of federal law that
16 would permit the 85-foot limit.

17 Code section 321A.5 is amended to provide that property
18 damage of \$1,000 or more sustained in a motor vehicle accident
19 triggers the security requirements under the motor vehicle
20 financial responsibility law. Under current law, the damage
21 amount must be in excess of \$1,000. This amendment makes the
22 damage amount consistent with the amount requiring submission
23 of an accident report under Code section 321.266.

24 Code section 321L.2 is amended to modify the application
25 requirements for a persons with disabilities parking permit by
26 requiring the applicant's Iowa driver's license or
27 nonoperator's identification card number, or the applicant's
28 social security number, which is currently required.

29 The bill removes an obsolete reference to licensed school
30 bus manufacturers in Code section 322.2 relating to motor
31 vehicle dealer regulation.

32 Code sections 322.5, 322B.3, and 322C.3 are amended to
33 allow the department to issue multiple consecutive temporary
34 permits to motor vehicle manufacturers, distributors, and
35 dealers, manufactured and mobile home retailers, and travel

1 trailer dealers to do business at fairs, shows, and
2 exhibitions. Each permit is issued for 14 days for a fee of
3 \$10.

4 Code sections 322.27A and 322.29 are amended to eliminate
5 licensing requirements for used motor vehicle distributors and
6 wholesalers.

7 Division IV of the bill concerns the licensing of motor
8 vehicle dealers, manufacturers, distributors, and wholesalers;
9 authorized vehicle recyclers; persons engaged in the business
10 of leasing vehicles; manufactured or mobile home retailers and
11 manufacturers; and travel trailer dealers, manufacturers, and
12 distributors. The bill provides that effective January 1,
13 2007, licenses for these entities would all be issued for two-
14 year periods that begin on January 1 of odd-numbered years and
15 end on December 31 of even-numbered years. Currently, some
16 licenses are issued for two, four, or six years, and some are
17 issued for one year. License fees are not changed, but the
18 fees would be collected in two-year increments. The two-year
19 period would also apply to the fees for distinguishing numbers
20 and special registration plates issued to vehicle dealers,
21 transporters, and manufacturers. Licensees who have paid fees
22 based on longer licensing periods prior to January 1, 2007,
23 would be credited for the excess fees.

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HOUSE FILE 2525

AN ACT

RELATING TO POLICIES AND DUTIES OF THE STATE DEPARTMENT OF TRANSPORTATION, INCLUDING PLACEMENT OF OFFICIAL SIGNS ON PRIMARY HIGHWAYS, INSPECTION OF BRIDGES, ADMINISTRATIVE DUTIES, MOTOR VEHICLE REGISTRATION AND TITLING, DRIVER LICENSING, LICENSING AND REGULATION OF VEHICLE-RELATED BUSINESSES, VEHICLE BRAKING REQUIREMENTS, VEHICLE LENGTH RESTRICTIONS, PROOF OF FINANCIAL RESPONSIBILITY REQUIREMENTS, AND PERSONS WITH DISABILITIES PARKING PERMITS, AND INCLUDING EFFECTIVE DATES.

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

DIVISION I
HIGHWAYS

Section 1. Section 306C.11, subsection 4, Code 2005, is amended to read as follows:

4. Official and directional signs and notices which shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, and recreational attractions ~~and municipal-recognition-signs,~~ which. The signs and notices shall conform with rules promulgated by the department, provided that such rules shall be consistent with national standards promulgated pursuant to 23 U.S.C. § 131(c).

Sec. 2. Section 306C.12, Code 2005, is amended to read as follows:

306C.12 NONE VISIBLE FROM HIGHWAY.

An advertising device shall not be constructed or reconstructed beyond the adjacent area in unincorporated areas of the state if it is visible from the main-traveled way of any interstate or primary highway except for advertising devices permitted in section 306C.11, subsections 1 and 2, ~~and~~

~~municipal-recognition-signs-erected-by-any-city.~~ Any advertising device permitted beyond an adjacent area in unincorporated areas of the state shall be subject to the applicable permit provisions of section 306C.18.

Sec. 3. Section 306C.18, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The owner of every advertising device regulated by this chapter, except signs and advertising devices excepted by section 306C.11, subsections 1, 2, and 5, and official signs erected by public officers or agencies, shall be required to make application to the department for a permit.

Sec. 4. NEW SECTION. 314.18 RESPONSIBILITY FOR BRIDGE INSPECTION.

The department, counties, cities, and other public entities shall be responsible for the safety inspection and evaluation of all highway bridges under their jurisdiction which are located on public roads, in accordance with the national bridge inspection standards. These responsibilities include inspection policies and procedures, inspections, reports, load ratings, quality control and quality assurance, maintaining a bridge inventory, and other requirements of the national bridge inspection standards.

DIVISION II
DEPARTMENT ADMINISTRATION

Sec. 5. Section 307.12, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. Present the department's proposed budget to the commission prior to December 31 of each year.

DIVISION III
MOTOR VEHICLE REGULATION

Sec. 6. Section 321.1, subsection 40, paragraphs b and c, Code Supplement 2005, are amended to read as follows:

b. "Motorized bicycle" ~~or "motor-bicycle"~~ means a motor vehicle having a saddle or a seat for the use of a rider, and designed to travel on not more than three wheels in contact with the ground, ~~with an engine having a displacement no~~

greater-than-fifty-cubic-centimeters and not capable of operating at a speed in excess of thirty miles per hour on level ground unassisted by human power.

c. "Bicycle" means a either of the following:

(1) A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power.

(2) A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour.

Sec. 7. Section 321.1, subsection 86, Code Supplement 2005, is amended by striking the subsection.

Sec. 8. Section 321.18, subsection 8, Code 2005, is amended to read as follows:

8. Any mobile home or manufactured home and any temporary undercarriage used solely for transporting manufactured homes, modular homes, or other portable buildings used or intended to be used for human occupancy.

Sec. 9. Section 321.20, subsection 1, Code Supplement 2005, is amended to read as follows:

1. The full legal name; social security number or Iowa driver's license number or Iowa nonoperator's identification card number; date of birth; bona fide residence; and mailing address of the owner and of the lessee if the vehicle is being leased. If the owner or lessee is a firm, association, or corporation, the application shall contain the bona fide business address and federal employer identification number of the owner or lessee. Up to three owners' names may be listed on the application. If the vehicle is a leased vehicle, the application shall state whether the notice of registration renewal shall be sent to the lessor or to the lessee and whether the lessor or the lessee shall receive the registration fee refund, if any. Information relating to the lessee of a vehicle shall not be required on an application

for registration and a certificate of title for a vehicle with a gross vehicle weight rating of ten thousand pounds or more.

Sec. 10. Section 321.30, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 15. Unless otherwise provided for in this chapter, the department or the county treasurer shall refuse registration and issuance of a certificate of title unless the vehicle bears a manufacturer's label pursuant to 49 C.F.R. pt. 567 certifying that the vehicle meets federal motor vehicle safety standards.

Sec. 11. Section 321.42, subsection 1, Code Supplement 2005, 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 three dollars. The fee for a replacement plate or pair of plates shall be five 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. 12. Section 321.46, subsection 5, Code Supplement 2005, is amended to read as follows:

5. The seller or transferor may file an affidavit on forms prescribed and provided by the department with the county treasurer of the county where the vehicle is registered certifying the sale or transfer of ownership of the vehicle and the assignment and delivery of the certificate of title for the vehicle. Upon receipt of the affidavit, the county treasurer shall file the affidavit with the copy of the registration receipt for the vehicle on file in the treasurer's office and on that day the treasurer shall ~~forward copies of the affidavit to the department and to the county treasurer of the county of residence of the purchaser or transferee~~ note receipt of the affidavit in the vehicle

registration and titling system. Upon filing the affidavit, it shall be presumed that the seller or transferor has assigned and delivered the certificate of title for the vehicle. For a leased vehicle, the lessor licensed pursuant to chapter 321F or the lessee may file an affidavit as provided in this subsection certifying that the lease has expired or been terminated and the date that the leased vehicle was surrendered to the lessor.

Sec. 13. Section 321.46, subsection 7, Code Supplement 2005, is amended to read as follows:

7. If a motor vehicle is leased and the lessee purchases the vehicle upon termination of the lease, the lessor shall, upon claim by the lessee with the lessor within fifteen thirty days of the purchase, assign the registration fee credit and registration plates for the leased motor vehicle to the lessee. Credit shall be applied as provided in subsection 3.

Sec. 14. Section 321.52, subsection 4, paragraphs b and d, Code Supplement 2005, are amended to read as follows:

b. When a wrecked or salvage vehicle has been repaired, the owner may apply for a regular certificate of title by paying the appropriate fees and surrendering the salvage certificate of title and a properly executed salvage theft examination certificate. A motor vehicle with a gross vehicle weight rating of thirty thousand pounds or more is not subject to the salvage theft examination otherwise required under paragraph "c", and the owner of such vehicle is not required to submit a salvage theft examination certificate. The county treasurer shall issue a regular certificate of title which shall bear a designation stamped or printed on the face of the title and stamped and printed on the registration receipt indicating that the vehicle was previously titled on a salvage certificate of title in a form approved by the department. This designation shall be included on every Iowa certificate of title and registration receipt issued thereafter for the vehicle. The stamped designation shall be in black and shall be in letters no bigger than sixteen point type and located on

the center of the right side of the registration receipt. However, if ownership of a stolen vehicle has been transferred to an insurer organized under the laws of this state or admitted to do business in this state, or if the transfer was the result of a settlement with the owner of the vehicle arising from damage to or the unrecovered theft of the vehicle, and if the insurer certifies to the county treasurer on a form approved by the department that the insurance company has received one or more written estimates which state that the retail cost of repairs including labor, parts, and other materials of all damage to the vehicle is less than three thousand dollars, the county treasurer shall issue to the insurance company the regular certificate of title and registration receipt without this designation.

d. For purposes of this subsection, a "wrecked or salvage vehicle" means a damaged motor vehicle subject to registration ~~and having a gross vehicle weight rating of less than thirty thousand pounds,~~ for which the cost of repair exceeds fifty percent of the fair market value of the vehicle, as determined in accordance with rules adopted by the department, before it became damaged.

Sec. 15. Section 321.57, subsection 1, Code 2005, is amended to read as follows:

1. A dealer owning any vehicle of a type otherwise required to be registered under this chapter may operate or move the vehicle upon the highways solely for purposes of transporting, testing, demonstrating, or selling the vehicle without registering the vehicle, upon condition that the vehicle display in the manner prescribed in sections 321.37 and 321.38 a special plate issued to the owner as provided in sections 321.58 to through 321.62. ~~Additionally, a new-car dealer or a used-car~~ A dealer may operate or move upon the highways a ~~new-or-used-car-or-trailer~~ vehicle owned by the dealer for either private or business purposes without registering it if the ~~new-or-used-car-or-trailer~~ vehicle is in the dealer's inventory and is continuously offered for sale at

retail, and there is displayed on it a special plate issued to the dealer as provided in sections 321.58 to through 321.62.

A dealer may operate or move upon the highways an unregistered vehicle owned by a lessor licensed pursuant to chapter 321F solely for the purpose of delivering the vehicle to the owner or transporting the vehicle to or from an auction if there is displayed on the vehicle a special plate issued to the dealer as provided in sections 321.58 through 321.62.

Sec. 16. Section 321.109, subsection 1, Code Supplement 2005, is amended to read as follows:

1. a. The annual fee for all motor vehicles including vehicles designated by manufacturers as station wagons, and 1993 and subsequent model years for multipurpose vehicles, except motor trucks, motor homes, ambulances, hearses, motorcycles, meter motorized bicycles, and 1992 and older model years for multipurpose vehicles, shall be equal to one percent of the value as fixed by the department plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the department. The weight of a motor vehicle, fixed by the department for registration purposes, shall include the weight of a battery, heater, bumpers, spare tire, and wheel. Provided, however, that for any new vehicle purchased in this state by a nonresident for removal to the nonresident's state of residence the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of ten dollars shall be paid. And provided, however, that for any used vehicle held by a registered dealer and not currently registered in this state, or for any vehicle held by an individual and currently registered in this state, when purchased in this state by a nonresident for removal to the nonresident's state of residence, the purchaser may make application to the county treasurer in the county of purchase for a transit plate for which a fee of three dollars shall be paid. The county treasurer shall issue a nontransferable certificate of registration for which no refund shall be

allowed; and the transit plates shall be void thirty days after issuance. Such purchaser may apply for a certificate of title by surrendering the manufacturer's or importer's certificate or certificate of title, duly assigned as provided in this chapter. In this event, the treasurer in the county of purchase shall, when satisfied with the genuineness and regularity of the application, and upon payment of a fee of ten dollars, issue a certificate of title in the name and address of the nonresident purchaser delivering the same title to the person entitled to the title as provided in this chapter owner. If there is a security interest noted on the title, the county treasurer shall mail to the secured party an acknowledgment of the notation of the security interest. The county treasurer shall not release a security interest that has been noted on a title issued to a nonresident purchaser as provided in this paragraph. The application requirements of section 321.20 apply to a title issued as provided in this subsection, except that a natural person who applies for a certificate of title shall provide either the person's social security number, passport number, or driver's license number, whether the license was issued by this state, another state, or another country. The provisions of this subsection relating to multipurpose vehicles are effective January 1, 1993, for all 1993 and subsequent model years. The annual registration fee for multipurpose vehicles that are 1992 model years and older shall be in accordance with section 321.124.

b. The annual registration fee for a multipurpose vehicle with permanently installed equipment manufactured for and necessary to assist a person with a disability who is either the owner or a member of the owner's household in entry and exit of the vehicle or for a multipurpose vehicle if the vehicle's owner or a member of the vehicle owner's household uses a wheelchair as the only means of mobility shall be sixty dollars. For purposes of this unnumbered paragraph, "uses a wheelchair" does not include use of a wheelchair due to a temporary injury or medical condition.

Sec. 17. Section 321.115, subsection 2, Code 2005, is amended to read as follows:

2. The sale of a motor vehicle twenty years old or older which is primarily of value as a collector's item and not as transportation is not subject to chapter 322 and any person may sell such a vehicle at retail or ~~wholesale~~ without a license as required under chapter 322.

Sec. 18. Section 321.126, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. If the vehicle was leased and an affidavit was filed by the lessor or the lessee as provided in section 321.46, the lessor or the lessee, as applicable, may make a claim for a refund with the county treasurer of the county where the vehicle was registered within six months of the vehicle's surrender to the lessor. The refund shall be paid to either the lessor or the lessee, as specified on the application for title and registration pursuant to section 321.20.

Sec. 19. Section 321.176A, subsection 1, Code Supplement 2005, is amended to read as follows:

1. A farmer or a person working for a farmer while operating a commercial motor vehicle ~~owned~~ controlled by the farmer within one hundred fifty air miles of the farmer's farm to transport the farmer's own agricultural products, farm machinery, or farm supplies to or from the farm. The exemption provided in this subsection shall apply to farmers who assist each other through an exchange of services and shall include operation of a commercial motor vehicle between the farms of the farmers who are exchanging services.

Sec. 20. Section 321.180, subsection 1, paragraph a, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A person who is at least eighteen years of age and who, except for the person's lack of instruction in operating a motor vehicle, would be qualified to obtain a driver's license, shall, upon meeting the requirements of section

321.186 other than a driving demonstration, and upon paying the required fee, be issued an instruction permit by the department. Subject to the limitations in this subsection, an instruction permit entitles the permittee, while having the permit in the permittee's immediate possession, to operate a motor vehicle, other than a commercial motor vehicle or as a chauffeur or a motor vehicle with a gross vehicle weight rating of sixteen thousand one or more pounds, upon the highways for a period not to exceed ~~two~~ four years from the licensee's birthday anniversary in the year of issuance. If the applicant for an instruction permit holds a driver's license issued in this state valid for the operation of a motorized bicycle or a motorcycle, the instruction permit shall be valid for such operation without the need of an accompanying person.

Sec. 21. Section 321.180, subsection 2, Code 2005, is amended to read as follows:

2. A person who holds a class A, B, C, or D driver's license, upon meeting each of the following requirements, shall be eligible to apply for a commercial driver's instruction permit valid for the operation of a commercial motor vehicle, except a vehicle transporting hazardous materials requiring placarding, when the permittee is accompanied by a person properly licensed to operate a commercial motor vehicle and actually occupying a seat beside the permittee. An applicant must be at least eighteen years of age and qualified to obtain a valid commercial driver's license including the requirements of section 321.188 other than the knowledge examination and driving skills tests. The commercial driver's instruction permit shall be valid for a period not to exceed six months. A commercial driver's instruction permit may be renewed only once in any two-year period. If the applicant for a commercial driver's instruction permit holds a driver's license issued in this state valid for the operation of a commercial or noncommercial vehicle, the commercial driver's instruction permit shall be

valid for such operation without the need of an accompanying person.

Sec. 22. Section 321.180B, subsection 1, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The department may issue an instruction permit to an applicant between the ages of fourteen and eighteen years if the applicant meets the requirements of sections 321.184 and 321.186, other than a driving demonstration, and pays the required fee. An instruction permit issued under this section shall be valid for a period not to exceed two four years from the licensee's birthday anniversary in the year of issuance. A motorcycle instruction permit issued under this section is not renewable.

Sec. 23. Section 321.180B, subsection 2, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The department may issue an intermediate driver's license to a person sixteen or seventeen years of age who possesses an instruction permit issued under subsection 1 or a comparable instruction permit issued by another state for a minimum of six months immediately preceding application, and who presents an affidavit signed by a parent or guardian on a form to be provided by the department that the permittee has accumulated a total of twenty hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the permittee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the permittee, and whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and conviction violation free continuously for, the six-month period immediately preceding the application for an intermediate license. An applicant for an intermediate license must meet the requirements of section 321.186, including satisfactory completion of driver education as required in section 321.178,

and payment of the required license fee before an intermediate license will be issued. A person issued an intermediate license must limit the number of passengers in the motor vehicle when the intermediate licensee is operating the motor vehicle to the number of passenger safety belts.

Sec. 24. Section 321.180B, subsections 3 and 4, Code 2005, are amended to read as follows:

3. REMEDIAL DRIVER IMPROVEMENT ACTION OR -- SUSPENSION OF PERMIT, OR INTERMEDIATE LICENSE, OR FULL LICENSE. A person who has been issued an instruction permit, or an intermediate license, or a full driver's license under this section, upon conviction of a moving traffic violation or involvement in a motor vehicle accident which occurred during the term of the instruction permit or intermediate license, shall be subject to remedial driver improvement action or suspension of the permit or current license. A person possessing an instruction permit who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued an intermediate license until the person has completed the remedial driver improvement action and has been accident and conviction violation free continuously for the six-month period immediately preceding the application for the intermediate license. A person possessing an intermediate license who has been convicted of a moving traffic violation or has been involved in an accident shall not be issued a full driver's license until the person has completed the remedial driver improvement action and has been accident and conviction violation free continuously for the twelve-month period immediately preceding the application for a full driver's license.

4. FULL DRIVER'S LICENSE. A full driver's license may be issued to a person seventeen years of age who possesses an intermediate license issued under subsection 2 or a comparable intermediate license issued by another state for a minimum of twelve months immediately preceding application, and who presents an affidavit signed by a parent or guardian on a form

to be provided by the department that the intermediate licensee has accumulated a total of ten hours of street or highway driving of which two hours were conducted after sunset and before sunrise and the street or highway driving was with the licensee's parent, guardian, instructor, a person certified by the department, or a person at least twenty-five years of age who had written permission from a parent or guardian to accompany the licensee, whose driving privileges have not been suspended, revoked, or barred under this chapter or chapter 321J during, and who has been accident and conviction violation free continuously for, the twelve-month period immediately preceding the application for a full driver's license, and who has paid the required fee.

Sec. 25. Section 321.188, subsection 1, Code 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. Identify all states where the applicant has been licensed to drive any type of motor vehicle during the previous ten years.

Sec. 26. Section 321.189, subsection 2, paragraph c, Code 2005, is amended to read as follows:

c. The department shall assign an applicant for a driver's license a distinguishing driver's license number other than the applicant's social security number, ~~unless the applicant requests that the applicant's social security number be so assigned.~~

Sec. 27. Section 321.190, subsection 1, paragraph a, Code 2005, is amended to read as follows:

a. The department shall, upon application and payment of the required fee, issue to an applicant a nonoperator's identification card. To be valid the card shall bear a distinguishing number other than a social security number assigned to the card holder, the full name, date of birth, sex, residence address, a physical description and a colored photograph of the card holder, the usual signature of the card holder, and such other information as the department may require by rule. An applicant for a nonoperator's

identification card shall apply for the card in the manner provided in section 321.182, subsections 1 through 3. The card shall be issued to the applicant at the time of application pursuant to procedures established by rule. An applicant for a nonoperator's identification card who is required by 50 U.S.C. app. § 451 et seq. to register with the United States selective service system shall be registered by the department with the selective service system as provided in section 321.183.

Sec. 28. Section 321.208, subsection 2, paragraph d, Code Supplement 2005, is amended to read as follows:

d. A felony or aggravated misdemeanor involving the use of a ~~commercial~~ motor vehicle other than an offense involving manufacturing, distributing, or dispensing a controlled substance.

Sec. 29. Section 321.430, subsection 3, Code 2005, is amended to read as follows:

3. Every trailer, or semitrailer, or travel trailer of a gross weight of three thousand pounds or more, ~~and every trailer-coach-or-travel-trailer-of-a-gross-weight-of-three thousand-pounds-or-more-intended-for-use-for-human-habitation, when-operated-on-the-highways-of-this-state,~~ shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, ~~and-so-designed-as-to-be-applied-by-the driver-of-the-towing-motor-vehicle-from-its-cab,~~ when operated on the highways of this state. Every trailer, semitrailer, or travel trailer with a gross weight of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the brakes on the trailer, semitrailer, or travel trailer from the cab of the towing vehicle, or with self-actuating brakes, and shall also be equipped with a weight equalizing hitch with a sway control. Every semitrailer, travel-trailer, or-trailer-coach-of-a-gross-weight-of-three thousand-pounds-or-more-shall-be-equipped-with-a-separate, auxiliary-means-of-applying-the-brakes-on-the-semitrailer, travel-trailer, or-trailer-coach-from-the-cab-of-the-towing

~~vehicle.~~ Trailers or semitrailers with a truck or truck tractor need only comply with the brake requirements.

Sec. 30. Section 321.457, subsection 1, Code Supplement 2005, is amended to read as follows:

1. A combination of four vehicles is not allowed on the highways of this state, except for power units saddle mounted on other power units which shall be restricted to a maximum overall length of ~~seventy-five~~ ninety-seven feet.

Sec. 31. Section 321.457, subsection 2, Code Supplement 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. m. Notwithstanding any other provision of this chapter, and to the extent allowed under federal law, the maximum length of a towaway trailer transporter combination operated on the highways of this state is eighty-five feet. For purposes of this paragraph, "towaway trailer transporter combination" means a combination of vehicles consisting of a towing vehicle and two unladen trailers or unladen semitrailers in which the trailers or semitrailers constitute inventory property of the manufacturer intended for sale and which are being transported from a trailer manufacturer to a trailer distributor or authorized trailer dealer.

Sec. 32. Section 321A.5, subsection 1, Code 2005, is amended to read as follows:

1. The department shall, immediately or within sixty days after the receipt of a report of a motor vehicle accident within this state which has resulted in bodily injury or death or damage to the property of any one person in ~~excess the~~ amount of one thousand dollars or more, suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in the accident, and if the operator is a nonresident the privilege of operating a motor vehicle within this state, and if the owner is a nonresident the privilege of the use within this state of any motor vehicle owned by the owner, unless the operator or owner or both shall deposit security in a sum which shall be sufficient in the judgment of the department to satisfy any judgment or

judgments for damages resulting from the accident as may be recovered against the operator or owner; provided notice of the suspension shall be sent by the department to the operator and owner not less than ten days prior to the effective date of the suspension and shall state the amount required as security.

Sec. 33. Section 321L.2, subsection 1, paragraph a, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

A resident of the state with a disability desiring a persons with disabilities parking permit shall apply to the department upon an application form furnished by the department providing the applicant's full legal name, address, date of birth, and social security number or Iowa driver's license number or Iowa nonoperator's identification card number, and shall also provide a statement from a physician licensed under chapter 148, 149, 150, or 150A, a physician assistant licensed under chapter 148C, an advanced registered nurse practitioner licensed under chapter 152, or a chiropractor licensed under chapter 151, or a physician, physician assistant, nurse practitioner, or chiropractor licensed to practice in a contiguous state, written on the physician's, physician assistant's, nurse practitioner's, or chiropractor's stationery, stating the nature of the applicant's disability and such additional information as required by rules adopted by the department under section 321L.8. If the person is applying for a temporary persons with disabilities parking permit, the physician's, physician assistant's, nurse practitioner's, or chiropractor's statement shall state the period of time during which the person is expected to be disabled and the period of time for which the permit should be issued, not to exceed six months.

Sec. 34. Section 322.3, subsection 14, paragraph d, Code 2005, is amended to read as follows:

d. A manufacturer of motor homes, as defined in section 321.1, ~~or a manufacturer of school buses, as defined in~~

~~section 321.17~~ from owning an interest in, operating, or controlling a motor vehicle dealer of the motor homes ~~or school-buses~~ manufactured by that manufacturer or from being licensed as a motor vehicle dealer only of the motor homes ~~or school-buses~~ manufactured by that manufacturer.

Sec. 35. Section 322.5, subsection 2, paragraph b, Code Supplement 2005, is amended to read as follows:

b. An application for a temporary permit under this subsection shall be made upon a form provided by the department and shall be accompanied by a ten dollar permit fee. The department may issue a temporary permit for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

Sec. 36. Section 322.27A, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A person shall not engage in business as a wholesaler of new motor vehicles in this state without a license as provided in this chapter.

Sec. 37. Section 322.29, subsection 2, paragraph c, Code 2005, is amended by striking the paragraph.

Sec. 38. Section 322B.3, subsection 4, Code 2005, is amended to read as follows:

4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.

Manufactured or mobile home retailers, in addition to selling homes at their principal place of business and lots, may, upon receipt of a temporary permit approved by the department, display and offer new manufactured homes for sale and negotiate sales of new manufactured homes at fairs, shows, and exhibitions. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten dollar permit fee. Temporary permits shall be issued for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

Sec. 39. Section 322C.3, subsection 9, Code 2005, is amended to read as follows:

9. A travel trailer dealer may display new travel trailers at fairs, shows, and exhibitions on any day of the week as provided in this subsection. Travel trailer dealers, in addition to selling travel trailers at their principal place of business and lots, may, upon receipt of a temporary permit approved by the department, display and offer new travel trailers for sale and negotiate sales of new travel trailers at fairs, shows, and exhibitions. Application for temporary permits shall be made upon forms provided by the department and shall be accompanied by a ten dollar permit fee. Temporary permits shall be issued for a period not to exceed fourteen days. The department may issue multiple consecutive temporary permits.

Sec. 40. Section 326.2, subsection 14, Code 2005, is amended to read as follows:

14. The words "vehicle," "motor vehicle," "motor truck," "truck tractor," "road tractor," "trailer," "semitrailer," ~~"trailer-coach,"~~ "combination" or "combination of vehicles," "gross weight," "person," "owner," "nonresident," "street" or "highway," and "auxiliary axle" shall have the meanings ascribed in section 321.1.

Sec. 41. EFFECTIVE DATE. The section of this division that amends section 321.1, subsection 40; the section that enacts section 321.30, subsection 15; and the provision changing the term "motor bicycles" to "motorized bicycles" in the section that amends section 321.109, subsection 1, being deemed of immediate importance, take effect upon enactment.

DIVISION IV

VEHICLE BUSINESS LICENSING

Sec. 42. Section 321.58, Code 2005, is amended to read as follows:

321.58 APPLICATION.

All dealers, transporters, new motor vehicle wholesalers licensed under chapter 322, and manufactured or mobile home retailers licensed under chapter 322B, upon payment of a fee of seventy dollars for ~~two-years, one-hundred-forty-dollars~~

~~for four years, or two hundred ten dollars for six years a two-year period or part thereof,~~ may make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more special plates as appropriate to various types of vehicles subject to registration. The applicant shall also submit proof of the applicant's status as a bona fide transporter, new motor vehicle wholesaler licensed under chapter 322, manufactured or mobile home retailer licensed under chapter 322B, or dealer, as reasonably required by the department. Dealers in new vehicles shall furnish satisfactory evidence of a valid franchise with the manufacturer of the vehicles authorizing the dealership.

Sec. 43. Section 321.60, Code 2005, is amended to read as follows:

321.60 ISSUANCE OF SPECIAL PLATES.

The department shall also issue special plates as applied for, which shall display the general distinguishing number assigned to the applicant. Each plate so issued shall also contain a number or symbol identifying the plate and distinguishing it from every other plate bearing the same general distinguishing number. The fee for each special plate is forty dollars for ~~two years, eighty dollars for four years, or one hundred twenty dollars for six years~~ a two-year period or part thereof.

~~Special plates may be validated in the same manner as regular registration plates under this chapter.~~

Sec. 44. Section 321.61, Code 2005, is amended to read as follows:

321.61 EXPIRATION OF SPECIAL PLATES.

A special plate shall expire at midnight on ~~the last day of the last month of the dealer's license expiration period, and upon application and payment of the fee the department shall validate the special plate in the same manner as regular registration plates~~ December 31 of even-numbered years. A person shall not be considered to be driving a vehicle with an

expired registration for one month following the expiration date of the special plate.

Sec. 45. Section 321F.4, Code 2005, is amended to read as follows:

321F.4 FEES AND EXPIRATION.

1. The license fee for a license to engage in the business of leasing vehicles in this state is thirty dollars for a ~~two-year license, sixty dollars for a four-year license, and ninety dollars for a six-year license~~ period or part thereof, to be paid at the time the application for a license is filed. If the application is denied, the amount of the fee shall be refunded to the applicant.

2. A license ~~is valid for two years, four years, or six years and expires on the last day of the last month of the two-year, four-year, or six-year period, as applicable~~ December 31 of even-numbered years. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 46. Section 321H.4, subsection 2, unnumbered paragraph 1, Code 2005, is amended to read as follows:

Application for a license as an authorized vehicle recycler shall be made to the department on forms provided by the department. The application shall be accompanied by a fee of seventy dollars for a two-year license, ~~one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license~~ period or part thereof. The license shall be approved or disapproved within thirty days after application for the license. A license ~~is valid for two years, four years, or six years and expires on the last day of the last month of the two-year, four-year, or six-year period,~~ as applicable December 31 of even-numbered years. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails

to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee. A separate license shall be obtained for each county in which an applicant conducts operations.

Sec. 47. Section 322.5, subsection 1, unnumbered paragraph 1, Code Supplement 2005, is amended to read as follows:

The license fee for a motor vehicle dealer ~~for a two-year period or part thereof~~ is the sum of seventy dollars for a ~~two-year license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license~~ for the licensee's principal place of business in each city or township and an additional twenty dollars for ~~two years, forty dollars for four years, or sixty dollars for six years~~ a two-year period or part thereof for each car lot which is in the city or township in which the principal place of business is located and which is not adjacent to that place, to be paid to the department at the time a license is applied for. In case the application is denied, the department shall refund the amount of the fee to the applicant. For the purposes of this section "adjacent" means that the principal place of business and each additional lot are adjoining parcels of property.

Sec. 48. Section 322.7, subsection 3, Code 2005, is amended to read as follows:

3. The license of a motor vehicle dealer is valid for a ~~two-year, four-year, or six-year~~ time period and expires, unless revoked or suspended, ~~on the last day of the last month of the two-year, four-year, or six-year period, as applicable~~ December 31 of even-numbered years.

Sec. 49. Section 322.29, subsection 1, Code 2005, is amended to read as follows:

1. Application for license shall be made to the department by a manufacturer, distributor, or wholesaler, in a form and containing information as the department requires and shall be accompanied by the required license fee. The license shall be granted or refused within thirty days after application, ~~and shall expire.~~ A license expires, unless sooner revoked or

suspended, on December 31 of ~~the calendar year for which it is granted~~ even-numbered years. A licensee shall have the month of ~~December of the calendar year for which the license was granted and the following month of January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 50. Section 322.29, subsection 2, unnumbered paragraph 1, Code 2005, is amended to read as follows:

License fees for each ~~calendar year, two-year period~~ or part thereof, ~~shall be~~ are as follows ~~effective January 1, 1998:~~

Sec. 51. Section 322.29, subsection 2, paragraphs a and b, Code 2005, are amended to read as follows:

a. For a motor vehicle manufacturer, ~~thirty-five~~ seventy dollars.

b. For a new motor vehicle distributor or wholesaler, ~~twenty~~ forty dollars.

Sec. 52. Section 322B.3, subsection 2, Code 2005, is amended to read as follows:

2. LICENSE FEES. The license fee for a manufactured or mobile home retailer is ~~seventy dollars for a two-year license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license~~ period or part thereof. If the application is denied, the department shall refund the fee. Fees and funds accruing from the administration of this chapter shall be accounted for and paid by the department to the treasurer of state monthly for deposit in the road use tax fund of the state.

Sec. 53. Section 322B.4, Code 2005, is amended to read as follows:

322B.4 LICENSE APPLICATION AND FEES.

Upon application and payment of a ~~thirty-five~~ seventy dollar fee for a two-year period or part thereof, a person may be licensed as a manufacturer or distributor of manufactured

or mobile homes. The application shall be in the form and shall contain information as the department prescribes. The license shall be granted or refused within thirty days after application. The license expires, unless sooner revoked or suspended by the department, on December 31 of ~~the calendar year for which the license was granted~~ even-numbered years. A licensee shall have the month of ~~December of the calendar year for which the license was granted and the following month of January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 54. Section 322C.4, subsection 1, unnumbered paragraph 1, Code 2005, is amended to read as follows:

Upon application and payment of a fee, a person may be licensed as a travel trailer dealer. The license fee is seventy dollars for a two-year license, one hundred forty dollars for a four-year license, or two hundred ten dollars for a six-year license period or part thereof. The person shall pay an additional fee of twenty dollars for ~~two years, forty dollars for four years, or sixty dollars for six years~~ a two-year period or part thereof for each travel trailer lot in addition to the principal place of business unless the lot is adjacent to the principal place of business. For purposes of this subsection, "adjacent" means that the principal place of business and each additional lot are adjoining parcels of property. The applicant shall file in the office of the department a verified application for license as a travel trailer dealer in the form the department prescribes, which shall include the following:

Sec. 55. Section 322C.4, subsection 2, Code 2005, is amended to read as follows:

2. The license shall be granted or refused within thirty days after application. A license is valid for a ~~two-year, four-year, or six-year~~ two-year, four-year, or six-year period and expires, unless revoked or suspended by the department, ~~on the last day of the last month~~

~~of the two-year, four-year, or six-year period, as applicable December 31 of even-numbered years~~. A licensee shall have the month of expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee. A separate license shall be obtained for each county in which an applicant does business as a travel trailer dealer.

Sec. 56. Section 322C.9, Code 2005, is amended to read as follows:

322C.9 LICENSE APPLICATION AND FEES.

Upon application and payment of a ~~thirty-five-dollar fee~~ seventy dollar fee for a two-year period or part thereof, a person may be licensed as a manufacturer or distributor of travel trailers. The application shall be in the form and shall contain information as the department prescribes. The license shall be granted or refused within thirty days after application. The license expires, unless sooner revoked or suspended by the department, on December 31 of ~~the calendar year for which the license was granted~~ of even-numbered years. A licensee shall have the month of ~~December of the calendar year for which the license was granted and the following month of January~~ expiration and the month after the month of expiration to renew the license. A person who fails to renew a license by the end of this time period and desires to hold a license shall file a new license application and pay the required fee.

Sec. 57. EFFECTIVE DATE AND DISPOSITION OF EXCESS FEES.

1. This division of this Act takes effect January 1, 2007.
2. Due to the transition to two-year licensing periods provided for in this division of this Act, the state department of transportation shall provide a credit for excess license fees paid pursuant to section 321F.4, 321H.4, 322.5, 322.29, 322B.3, 322B.4, 322C.4, or 322C.9 by any licensee prior to January 1, 2007. The department shall also provide a

credit for excess fees paid by a vehicle dealer, transporter,
or manufacturer for a distinguishing number and special plates
pursuant to section 321.58 or 321.60 prior to January 1, 2007.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2525, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor