

HF 216

Motor Vehicle Policy

- Section 1 Amends Code section 299.1B and prohibits a person who drops out of school from receiving an intermediate or full driver's license until age 18. *See also Sections 15, 26, 27 and 44.*
- Section 2 Amends Code section 321.1 to define "bona fide business address," "bona fide residence," and "bona fide address" to address the residence of a homeless person for the purpose of administering motor vehicle laws.
- Section 3 Amends Code section 321.1 to strike the definition of "remanufactured vehicle," an obsolete term. Section 6 amends Code section 321.23 to make a corresponding change.
- Section 4 Amends Code section 321.9 to authorize county officials who issue motor vehicle titles and registrations and driver's licenses to administer oaths and acknowledge signatures for the purpose of administering motor vehicle laws. Designated DOT staff is already provided this authority under Iowa law.
- Sections 5, 14, 20 and 21 Amend Code sections 321.12, subsection 4; 321.176A, subsection 3; 321.200; and 321.205 to make technical modifications and corrections to the commercial driver license (CDL) provisions of Iowa law. The Federal Motor Carrier Safety Administration identified the issues as part of a CDL compliance review and recommended changes to Iowa law to comply with federal requirements. The changes:
- allow for the retention of records of convictions or revocations for operating while intoxicated for purposes of disqualification actions (321.12);
 - broaden the exemption from commercial driver licensing requirements for military personnel operating U.S. military equipment to include certain national guard and U.S. coast guard personnel (321.176A);
 - require the DOT to file accident and conviction reports received from other jurisdictions for use when considering driver license renewal applications and at other suitable times (321.200); and
 - authorize the DOT to use a conviction or administrative decision from another state as grounds for disqualification from operating a commercial motor vehicle in this state (321.205).

- Sections 6 and 8 Amend Code sections 321.23, subsection 1, and 321.24, subsection 11, to require the owner of a specially constructed or reconstructed vehicle or of a vehicle subject to bonding requirements to title and register the vehicle within 30 days of the state inspection (specially constructed or reconstructed vehicles) or issuance of written authorization from the DOT (bonded vehicles). Thirty days is consistent with other title transfer requirements.
- Sections 7 and 11 Amend Code sections 321.24, subsection 1, and 321.52, subsections 1-2, to reflect that all motor vehicle title and registration information will be listed on the front of a motor vehicle registration receipt or a junking certificate following redesign of the DOT's motor vehicle registration system.
- Section 9 Amends Code section 321.34, subsection 8A, to allow ex-prisoner of war (POW) special registration plates to be issued to the owner of a motor vehicle who was a prisoner of war during any time of military conflict. Prior to this change Iowa law limited the issuance of these plates to those who were POWs during WWII, the Korean Conflict, or the Vietnam Conflict.
- Section 10 Amends Code section 321.43 to require the owner of a vehicle that is assigned a distinguishing vehicle identification number by the DOT to register and title the vehicle within 30 days of issuance of the distinguishing number.
- Sections 12 and 13 Amend Code section 321.109, subsection 2, to allow the DOT to issue in-transit permits to dealers in lieu of issuing in-transit stickers. In-transit stickers allow vehicles purchased by or from an Iowa dealer to be moved into or out of the state within a 15-day period. A permit will be less expensive and faster to produce.
- Section 15 Amends Code section 321.178, subsection 2, paragraph a, to allow a person between 16 and 18 who has completed a driver's education course but has dropped out of school to be issued a restricted license valid only for travel to and from work or to transport dependents to and from temporary care facilities if necessary to maintain the person's employment. Section 17 makes a corresponding technical change. *See also Sections 1, 26, 27 and 44.*

Sections 16, 22, 23, 24, 25 and 28	<p>Amend Code sections 321.191, subsection 7, 321.208, subsections 1-4, and 321.218, subsections 4-5, to adopt provisions resulting from the federal Motor Carrier Safety Improvement Act (MCSIA). States are required to be in compliance with the changes by September 30, 2005. The changes required by MCSIA relate to additional serious commercial motor vehicle operator violations, fatality involvement, disqualification of drivers, and school bus endorsement and:</p> <ul style="list-style-type: none">• Establish a \$10 fee for a school bus endorsement for a driver's license (321.191)• Mandate disqualification from operating a commercial motor vehicle for specified periods of time based on a conviction or final administrative decision for certain offenses committed in any state (321.208 and 321.218). Amendments to Code section 321.208 also reflect technical and corrective modifications identified by the Federal Motor Carrier Safety Administration as part of a commercial driver license compliance review.
Section 17	Makes a technical correction concerning a Code citation.
Section 18	Amends Code section 321.194, subsection 1, paragraph a, subparagraph (1), to allow a student who has a special minor's (school) license to drive from the student's residence to the closest school bus stop or public transportation service.
Section 19	Amends Code section 321.198, unnumbered paragraph one, to extend the expiration date of a commercial or chauffeur driver's license until 6 months following a person's separation from active duty in the military. This benefit was already provided to holders of valid noncommercial driver's licenses.
Section 26	Amends Code section 321.213B to require the DOT to establish procedures by rule for suspending the license of a juvenile who has been issued a driver's license and is not in compliance with the school attendance provisions of Code section 299.1B or for issuing the juvenile a restricted license under Code section 321.178. <i>See also Sections 1, 15, 27 and 44.</i>
Section 27	Amends Code section 321.215, subsection 1, to prohibit the issuance of a temporary restricted license under this section to a juvenile whose license has been suspended under Code section 321.213B. <i>See also Sections 1, 15, 26 and 44.</i>

- Section 29 Amends Code section 321.423, subsection 2, paragraph g, to specifically authorize the use of flashing red and amber lights on a school bus.
- Sections 30 and 31 Amend Code section 321.423 to specifically authorize the use of a flashing amber light on a towing or recovery vehicle, a utility maintenance vehicle, a municipal maintenance vehicle, or a highway maintenance vehicle. The section is also amended to specify that modulating headlamps that conform to federal regulations are permitted on motorcycles.
- Section 32 Amends Code section 321.446, subsection 4, paragraph a, to provide that a parent, legal guardian, or other responsible adult traveling with a child in a taxicab shall be served a citation for a violation of child restraint requirements in lieu of the taxicab driver.
- Section 33 Strikes Code section 321.449, subsection 7, to eliminate the exemption for special trucks from inspections required under federal motor carrier safety rules. A special truck is a motor truck or truck tractor with a gross weight of 6 through 32 tons used in connection with farming. The Federal Motor Carrier Safety Administration has determined this exemption is not compatible with federal regulations or tolerance guidelines.
- Sections 34 and 35 Amend Code section 321.451, subsections 1-2, to authorize the DOT to designate a towing or recovery vehicle as an authorized emergency vehicle, subject to rules adopted by the DOT. Vehicles designated as authorized emergency vehicles are granted certain powers under Iowa law, including the authority to display red flashing lights. The amendment also modifies the information that must be submitted when applying for this designation.
- Section 36 Amends Code section 321.456 to eliminate an outdated permit provision for vehicles exceeding the legal height of 13 feet, 6 inches. The permit provision was originally intended for vehicles transporting cars or trucks and Iowa law now provides a 14-foot height limit for such vehicles.
- Section 37 Amends Code section 321A.39, subsection 3, to remove the requirement that a statement on the purchase order for a motor vehicle advising the purchaser that liability insurance is not included in the purchase must be in a distinctive color of ink. The amendment requires that the statement be printed or stamped conspicuously on the purchase order.

- Sections 38 and 42 Amend Code sections 321E.12 and 326.23, subsection 1, concerning the use of 72-hour trip permits issued to commercial vehicles registered out-of-state. The amendment provides that a 72-hour trip permit issued to a commercial vehicle registered in another jurisdiction for operation on Iowa highways is not restricted to use in interstate commerce. The amendment also provides that the trip permit cannot be used in lieu of the registration required for a vehicle traveling on an excess size or weight permit.
- Section 39 Strikes Code section 321L.2, subsection 5, to eliminate the requirement that expiring removable windshield placards issued by the DOT to organizations or persons in the business of transporting persons with disabilities or elderly persons be reissued every 4 years using a different shape and color.
- Section 40 Strikes Code section 321L.2A, subsection 4, to eliminate the requirement that the DOT provide upon request a list of names and addresses of vendors who sell wheelchair parking cones bearing the international symbol of accessibility and the words “wheelchair parking space.”
- Section 41 Amends Code section 326.11 to reduce a fleet owner’s authority to operate a commercial vehicle under a temporary permit from 90 to 60 days. The temporary permit allows a commercial vehicle acquired by a fleet owner after the start of a registration year to be operated on public highways prior to the issuance of permanent identification.
- Section 43 Amends Code section 452A.17, subsection 1, paragraph a, subparagraph (2), to allow a company operating a taxicab service under contract with an Iowa urban transit system to directly apply for and receive a refund of motor fuel taxes in accordance with the provisions of this Code section.
- Section 44 Provides that a restricted license issued under Code section 321.178, subsection 2, prior to the effective date of this Act remains in effect for as long as the license remains valid or until the minor reaches the age of 18. *See also Sections 1, 15, 26, 27.*
- Section 45 Requests the Legislative Council to establish a special minor’s license interim study committee to review the provisions of Code section 321.194 concerning special minor’s (school) licenses. The committee is required to report its findings and recommendations, including proposed legislation, to the General Assembly no later than January 1, 2006.