

## **HF 2525 Transportation Changes**

### *Division I - Highways*

- Sections 1 and 2 Amend Code sections 306C.11, subsection 4, and 306C.12 to strike references to municipal recognition signs and allow such signs to be erected without approval or involvement by the DOT. Such signs would be treated as official signs.
- Section 3 Amends Code section 306C.18, unnumbered paragraph 1, to allow public officers or agencies to erect official signs without applying to the DOT for a permit. Official signs must be located beyond the primary highway right-of-way and comply with certain restrictions.
- Section 4 Creates new Code section 314.18 that requires the DOT, counties, cities, and other public entities to 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.

### *Division II – Department Administration*

- Section 5 Amends Code section 307.12 by adding a new subsection requiring the DOT to present the Department's proposed budget to the Transportation Commission prior to December 31 of each year.

### *Division III – Motor Vehicle Regulation*

- Section 6 Amends Code sections 321.1, subsection 40, paragraphs b and c, to allow the definition of "motorized bicycle" to include an electric as well as gas powered engine and to define a "bicycle" to include a device having two or three wheels with fully operable pedals and an electric motor of less than 750 watts with a maximum speed of less than 20 miles per hour on a paved level surface. This amendment takes effect upon enactment, April 20, 2006. See also sections 10, 16 and 41.
- Section 7 Strikes Code section 321.1, subsection 86, to eliminate an obsolete definition of trailer coach. Section 40 makes a corresponding change by striking the words trailer coach.
- Section 8 Amends Code section 321.18, subsection 8, to exempt a temporary undercarriage used solely to transport manufactured, modular, and portable homes from vehicle registration requirements.

- Sections 9, 12 and 18 Amend Code sections 321.20, subsection 1, 321.46, subsection 5, and 321.126 to provide that either a lessor or lessee is eligible to apply for and receive any available registration fee refund when a vehicle lease expires or is terminated and the vehicle is turned into the lessor. The application must be made within 6 months of the date the vehicle is surrendered.
- Section 10 Creates Code section 321.30, subsection 15, to clarify that the DOT or the county treasurer is required to refuse registration and issuance of a certificate of title unless the vehicle bears a manufacturer's label pursuant to 49 CFR 567 certifying that the vehicle meets Federal Motor Vehicle Safety Standards. This amendment takes effect upon enactment, April 20, 2006. See also sections 6 and 16.
- Section 11 Amends Code section 321.42, subsection 1, to allow a county treasurer or the DOT to waive the \$5 fee for a replacement license plate when the plate is lost during a documented accident.
- Section 13 Amends Code section 321.46, subsection 7, to provide that a lessee who purchases a vehicle upon termination of the lease has 30 days to claim a registration fee credit and assignment of the registration plates from the lessor.
- Section 14 Amends Code section 321.52, subsection 4, paragraphs b and d, to require all motor vehicles be subject to the Iowa salvage title law, but not require motor vehicles with a gross weight rating of 30,000 pounds or more to comply with the vehicle theft examination requirement.
- Section 15 Amends Code section 321.57, subsection 1, to allow a dealer who leases vehicles to transport such vehicles for delivery to an owner or to auction using special dealer registration plates.
- Section 16 Amends Code section 321.109, subsection 1, to provide that a nonresident purchaser of a vehicle who applies for a transit title in order to move the vehicle to the purchaser's home shall receive the title. If there is a security interest on the title, the county treasurer shall mail to the secured party an acknowledgement of the notation of the security interest but shall not remove the security interest from the title. Also makes a conforming amendment with Section 6 by changing a reference from motor bicycles to motorized bicycles. The conforming provision takes effect upon enactment, April 20, 2006. See also sections 6, 10 and 41.

- Sections 17, 36 and 37 Amend Code sections 321.115, subsection 2, 322.27A, unnumbered paragraph 1, and 322.29, subsection 2, paragraph c, to eliminate the used motor vehicle distributor or wholesalers license.
- Section 19 Amends Code section 321.176A, subsection 1, to exempt a farmer or persons working for the farmer from commercial driver's license requirements when operating a commercial motor vehicle that is controlled by the farmer and the vehicle is operated within 150 miles of the farm. Previously, the Code required that the vehicle be owned by the farmer.
- Sections 20 and 22 Amend Code sections 321.180, subsection 1, paragraph a, and 321.180B, subsection 1, unnumbered paragraph 1, to provide that an instruction permit is valid for 4 years.
- Sections 21 and 25 Amend Code sections 321.180, subsection 2, and 321.188, subsection 1, to prevent holders of a commercial driver's license instruction permit from operating a vehicle transporting hazardous materials that require placarding and to require applicants to identify all states where the applicant has been licensed to drive any type of motor vehicle during the previous 10 years.
- Sections 23 and 24 Amend Code sections 321.180B, subsection 2, unnumbered paragraph 1, and 321.180B, subsections 3 and 4, to require a holder of a graduated driver licensing instruction permit to be violation free (rather than conviction free) for the 6 months immediately prior to upgrading to an intermediate license or for the 12 months immediately prior to upgrading to a full license.
- Sections 26 and 27 Amend Code section 321.189, subsection 2, paragraph c, and 321.190, subsection 1, paragraph a, to require the DOT to assign an applicant for a driver's license or a nonoperator's identification card a distinguishing number other than the applicant's social security number.
- Section 28 Amends Code section 321.208, subsection 2, paragraph d, to make a technical correction to Code language adopted last session concerning offenses committed by a person holding a commercial driver's license.
- Section 29 Amends Code section 321.430, subsection 3, to make technical changes to braking requirements for trailers, semitrailers, and travel trailers.

- Section 30 Amends Code section 321.457, subsection 1, to increase the maximum length allowed for a saddlemount vehicle operating on Iowa highways from 75 to 97 feet to conform to a provision included in the federal SAFETEA-LU Act signed during August 2005.
- Section 31 Amends Code section 321.457, subsection 2, to allow the maximum length of a towaway trailer transporter combination operated on Iowa highways to be 85 feet if allowed under federal law.
- Section 32 Amends Code section 321A.5, subsection 1, concerning the minimum accident dollar amount related to financial responsibility and driver license suspension requirements. The technical amendment sets the minimum amount as \$1,000 or more and is consistent with the minimum accident dollar amount at which an accident must be reported under Code section 321.266.
- Section 33 Amends Code section 321L.2, subsection 1, paragraph a, unnumbered paragraph 1, to expand the types of documents accepted as identification of an individual applying for a persons with disabilities parking permit. The amendment allows an applicant to provide a social security number, an Iowa driver's license number, or Iowa nonoperator's identification card number.
- Section 34 Amends Code section 322.3, subsection 14, paragraph d, to remove an obsolete exemption that allowed a manufacturer of school buses to own an interest in, operate, control, or be licensed as a motor vehicle dealer of school buses.
- Section 35 Amends Code section 322.5, subsection 2, paragraph b, to allow the DOT to issue multiple consecutive temporary permits to display new motor vehicles at fairs, vehicle shows, and vehicle exhibitions or display, offer for sale, and negotiate sales of new motor vehicles at fair events, vehicle shows, and vehicle exhibitions in the county of the dealer's principal place of business. The temporary permit costs \$10 and cannot exceed a 14-day period.
- Section 38 Amends Code section 322B.3, subsection 4, to allow the DOT to issue multiple consecutive temporary permits to display and offer for sale new manufactured homes at fairs, shows, and exhibitions. The temporary permit cannot exceed a 14-day period.

- Section 39 Amends Code section 322C.3, subsection 9, to allow the DOT to issue multiple consecutive temporary permits to display, offer for sale, and negotiate sales of new travel trailers at fairs, shows, and exhibitions. The temporary permit costs \$10 and cannot exceed a 14-day period.
- Section 40 Amends Code section 326.2, subsection 14, to strike reference to "trailer coach" in conformance with an amendment made in section 7.
- Section 41 Provides that sections 6, 10, and the conforming provisions included in section 16 take effect upon enactment, April 20, 2006.

*Division IV – Vehicle Business Licensing*

- Sections 42-56 Amend various Code sections concerning motor vehicle business licensing to provide for 2-year licenses for motor vehicle dealers, manufacturers, distributors, and wholesalers; authorized vehicle recyclers; leasing companies; manufactured or mobile home retailers and manufacturers; and travel trailer dealers, manufacturers, and distributors. License fees are not changed but the fees will be collected in 2-year increments.
- Section 57 Establishes January 1, 2007, as the effective date for Division IV of the Act and provides for transition provisions and credit of excess license fees.