

## **Motor Vehicle Division Informational Memo # 17-09**

### ***Administrative Rules Update – Salvage Theft Examinations, Foreign Titles, and Implements of Husbandry***

**DATE:** July 23, 2017

**FROM:** Melissa Spiegel, Director, MVD

**TO:** All Office of Vehicle and Motor Carrier Services (OVMCS) staff, Office of Motor Vehicle Enforcement (MVE) staff, all County Treasurers, and Bureau of Identification and Identity Protection (BIIP) staff.

#### **SUBJECT**

This informational memo explains an update to our administrative rules in response to legislation enacted during the 2016 legislative session and is an update Informational Memo #16-03, regarding:

#### **Salvage changes – 761 IAC Chapter 405**

- An exception to the requirement to first obtain an Iowa salvage certificate of title when titling a motor vehicle designated as salvage from a foreign jurisdiction.
- The fee charged for a salvage theft examination.
- The timing of the fee payment.

#### **Motor Vehicle Equipment changes – 761 IAC Chapter 450**

- An update to the towing standard for implements of husbandry that are towed in tandem.
- An amendment that requires the rearmost implement to be equipped with at least one rear tail light.
- An amendment that requires the rearmost implement to be equipped with a turn-signal device.

#### **SUMMARY**

In response to HF2356 and HF2437, we amended Chapter 405 – “Salvage” and Chapter 450 – “Motor Vehicle Equipment” in order to comport with previously passed legislation. In summation, we are amending our rules to remain congruent with legislative changes to Iowa Code 321.24, subsection 5; and 321.383, subsection 1.

**The administrative rules became effective on July 12, 2017**

#### **LINK TO LEGISLATION**

- 2016 Iowa Acts, House File 2356:  
<https://www.legis.iowa.gov/docs/publications/LGE/86/HF2356.pdf>
- 2016 Iowa Acts, House File 2437  
<https://www.legis.iowa.gov/docs/publications/LGE/86/HF2437.pdf>

#### **LINK TO AMENDED ADMINISTRATIVE RULES**

- <https://www.legis.iowa.gov/docs/aco/arc/3108c.pdf>

**NEW**

**Salvage changes – 761 IAC Chapter 405**

Converting Foreign Salvage Titles to Iowa Prior Salvage Titles – New Exception:

This amendment provides an exception to the requirement that an owner of a vehicle titled under a foreign jurisdiction’s titling laws must first obtain an Iowa salvage certificate of title before an Iowa prior salvage title may be issued.

The new exception provides that if an owner with a foreign salvage title obtains a salvage theft examination within 30 days of the assignment and surrenders the prior certificate of title, then they are permitted to apply for an Iowa prior salvage title without having to first obtain an Iowa salvage title.

Salvage Theft Examination Fee Change:

We are also amending the salvage rules to comport to a legislative fee change for the salvage theft examination. Rather than relisting the fee in our rules, we are adopting it by reference. We determined that this eliminates the need to continue changing our rules in response to any future fee changes and improves consistency within our regulatory scheme.

To note, the fee was changed from \$30 to \$50 dollars. The additional twenty dollars is allocated to the agency who performs the examination. The lion’s share of the salvage theft examinations are performed by agencies other than the DOT.

Timing of Payment for the Salvage Theft Examination:

Under the previous regulatory scheme, the fee was paid at the time of the actual salvage theft examination. The fee is now paid when the applicant completes the online affidavit prior to scheduling an appointment with the agency conducting the examination.

**Motor Vehicle Equipment changes – 761 IAC Chapter 450**

Towing Standard:

We are updating our motor vehicle equipment rules to allow implements of husbandry to be towed in tandem when the equipment is capable of being towed in such a manner and is not able to propel itself under its own power. To note, the equipment may only be towed in tandem when it is being towed from the manufacturer to the retail seller, from the retail seller to the farm purchaser, or from the manufacturer to the farm purchaser.

Safety Standard:

Furthermore, in response to substantial safety concerns, the rearmost implement of husbandry being towed in tandem shall be equipped with at least one rear taillight which exhibits a red light plainly visible from a distance of 500 feet to the rear.

Lastly, we are clarifying that the rearmost implement of husbandry being towed in tandem shall be equipped with a turn-signal device that operates in conjunction with or separately from the rear taillight. The signal shall be plainly visible and understandable from a distance of 100 feet to the rear. The turn-signal device equipment standard may be met by the use and installation of a temporary turn-signal device.