

**SF 97**  
**Transportation Changes**

*Division I:*  
*Highway*

Sections 1 through 4      Amend Code chapter 306C to eliminate the requirement for the DOT to control junkyards visible from non-interstate primary highways.

Sections 5 and 6      Amend Code chapter 306C to eliminate DOT regulation of political advertising placed on private property. Due to a federal appeals court decision, this section is not enforceable.

*Division II:*  
*Aviation*

Section 7      Repeals Code section 330.2, which establishes the state Aviation Hangar Revolving Loan Fund. Legislation passed in 2002 eliminated the balance of the fund.

Section 8      Provides that moneys repaid on loans from the Aviation Hangar Revolving Loan Fund are to be credited to the DOT for support of general aviation airports.

*Division III:*  
*Motor Vehicle*

Sections 9, 10, 12, and 13      Amend Code sections 321.24, 321.45, and 321.50 relating to security interests in motor vehicles. The amendments require that the date of perfection of a security interest is the date the application for the security interest is delivered to the county treasurer. Code section 321.50, subsection 6, is repealed effective July 1, 2004. Sections 9, 10 and 12 are effective July 1, 2004.

Section 11      Amends Code section 321.48 to extend the time allowed a motor vehicle dealer to apply for a certificate of title for a foreign registered vehicle, from 15 to 30 days from the time the vehicle enters the state. This correction conforms to legislation passed during the 2000 session.

- Section 14 Amends Code section 321.191 to require a person applying for a new or renewing a current commercial or noncommercial driver's license to be charged a one-time surcharge fee of \$3.00, in addition to the license fee, during the period beginning July 1, 2003, and ending June 30, 2008. Moneys collected from the surcharge are appropriated to the DOT for costs associated with the rewrite of the state's driver's license issuance and records system. Moneys in excess of the costs are deposited in the RUTF.
- Section 15 Creates new Code section 321.192 that authorizes the DOT to waive or refund fees for renewal or duplication of a driver's license or nonoperator's identification card, pursuant to rules adopted by the DOT. Fees may be waived or refunded if the DOT determines the license has not been issued in a timely manner or an error on the license or card requires the applicant to return to the driver's license station.
- Section 16 Amends Code section 321.271 to allow the DOT and law enforcement agencies to release information related to the specifics of a motor vehicle accident, such as the date, time, and location, except when disclosure would jeopardize an investigation or endanger the safety of an individual.
- Sections 17 and 18 Amend Code section 321.449 to conform motor carrier rules adopted by the state to federal law. Section 17 adopts a new federal regulation found in CFR, part 385, which requires a new motor carrier to undergo a safety audit during the first 18 months of operation. Section 18 provides that certain exemptions to motor carrier safety rules apply only to drivers operating intrastate, in accordance with federal law.
- Section 19 Amends Code section 321.450 to require that farmers transporting class 2 hazardous materials between sites in the farmer's agricultural operations comply with all applicable federal hazardous materials regulations. Class 2 agricultural hazardous materials are flammable gas and nonflammable, nonpoisonous compressed gas as defined by federal law. This is a technical correction to bring this exemption into compliance with federal guidelines.
- Section 20 Amends Code section 321E.7 to allow a vehicle or combination of vehicles transporting construction machinery and traveling on an overweight permit to exceed the legal axle weight by 1,000 pounds as long as the total weight does not exceed the gross weight allowed under the permit. This is effective upon enactment.

- Section 21 Amends Code section 321M.9 to require counties to retain \$5 of fees received for each issuance or renewal of driver's licenses and nonoperator's identification cards, in lieu of the current \$3.75. This increase is repealed effective July 1, 2005.
- Section 22 Amends Code section 322.19 to allow charges for motor vehicle service contracts and voluntary debt cancellation coverage to be financed under a motor vehicle retail installment contract. This amendment conforms Iowa law governing motor vehicle installment contracts to the Federal Truth in Lending Act.
- Section 23 Creates new Code section 324A.7 to require an urban public transit system to use private sector operators in the planning and provisions of transit services, to the extent practicable.
- Sections 24 and 25 Create new Code sections 325A.7A and 325A.7B to meet the "state action doctrine immunity" exemption to the federal antitrust laws that require the state to authorize collective ratemaking and exercise independent judgment in establishing and approving rates for motor carriers of household goods that are filed collectively. The changes allow continuation of the current practice of filing collective rates for movers of household goods, and allow carriers who choose to file an individual tariff to do so. These sections are effective upon enactment and apply retroactively to January 1, 2002.
- Section 26 Amends Code section 321.191, subsection 10, to repeal the temporary driver's license surcharge effective July 1, 2008.
- Section 27 Repeals section 21 of this Act effective July 1, 2005.
- Section 28 Requires the DOT, in consultation with the Iowa county treasurers association, to conduct a study of the county driver's license issuance program, including the financial effect the program has had on counties, and report its findings and recommendations to the General Assembly by December 31, 2003.
- Section 29 Provides effective and retroactive applicability dates.