

HF 793

Transportation Changes

Division I - Highway

- Section 1 Amends Code section 306C.11 to allow businesses located within a commercial or industrial development to advertise on a sign located anywhere within that development regardless of who owns the land.
- Section 2 Amends Code section 543D.3 to allow the DOT to use an associate real estate appraiser registered by the Real Estate Appraiser Examining Board and acting under the direct supervision of a certified real estate appraiser.
- Section 3 Voids the amendment to Code section 543D.3 contained in Section 2 of this Act if SF 137, section 1, is enacted. *(SF 137 took effect July 1, 2007, and similarly amends Code section 543D.3.)*

Division II – Land Surveying Standards

- Sections 4-6 Amend Code chapter 355 to make a technical correction by replacing reference to "international foot" with reference to "U.S. survey foot."

Division III – Motor Vehicles

- Sections 7 and 14 Amend Code sections 321.16 and 321.206 to allow peace officers or the courts to destroy a driver's license that has been surrendered because the person has been served notice of immediate suspension or revocation of the license by an officer or has been convicted in court for an offense that requires mandatory revocation of the license.
- Section 8 Amends Code section 321.24 to allow the DOT to authorize a county treasurer to issue a certificate of title for a vehicle with an unreleased security interest upon presentation of satisfactory evidence that the security interest has been extinguished *or* the holder of the security interest cannot be located to release the security interest. Current law requires evidence that the security interest has been extinguished *and* the holder of the security interest cannot be located.

- Section 9 Amends Code section 321.34 to allow only one set of special registration plates with a Legion of Merit processed emblem to be issued to an applicant for a reduced registration fee. This amendment is consistent with other special military plates such as Congressional Medal of Honor, Ex-POW, and United States Armed Forces for which only one set of plates may be issued for a reduced registration fee.
- Section 10 Amends Code section 321.52 to allow a vehicle recycler or new motor vehicle dealer to assign or reassign a salvage certificate of title from another state. This is a technical amendment to conform to legislation passed during the 2006 session.
- Sections 11 and 12 Amend Code section 321.115 and make a conforming amendment to Code section 321.112 concerning the registration fee and use of antique vehicles, including the use of model year plates. The changes allow a person to register a motor vehicle that is 25 years old as an antique vehicle, display model year plates, and drive on public roads at any time for any purpose; however, they also require the owner to pay the regular registration fee for that type and age of vehicle. Current law allows a vehicle to register as an antique vehicle for a \$5 annual registration fee but allows the vehicle to be driven on public roads for only limited entertainment and exhibition restricts the purposes that the vehicle can be driven on public roads to certain entertainment and exhibition purposes. The amendments to Code sections 321.112 and 321.115 take effect July 1, 2008.
- Section 13 Amends Code section 321.134 to eliminate the ability of owners of commercial vehicles registered under Code chapter 326 (proportional registration) to pay annual registration payments in two annual installments if the registrant has paid the registration fee late for two consecutive years. In such cases, annual payment is required for the next five years.
- Section 15 Amends Code section 321.285 to state that a self-propelled implement of husbandry equipped with flotation tires that is designed to be loaded and operated in the field and used exclusively for the application of organic or inorganic plant food materials, agricultural limestone or agricultural chemicals shall not be operated on a public highway at a speed in excess of 35 miles per hour. The scheduled fines for violations of Code section 321.285 are specified in Code section 805.8A, subsection 5.

Section 16

Amends Code section 321.457 to extend the maximum overall length for a single truck from 40 to 41 feet, including the front and rear bumpers. This provision takes effect upon enactment, May 9, 2007.

Sections 17-20 and 32

Make several changes to allow certain self-propelled implements of husbandry known as agricultural chemical applicators or "floaters" that, as newly manufactured, exceed legal axle weight limits when unloaded, to be operated on noninterstate highways, excluding bridges, under a permit issued by the DOT.

- Section 17 amends Code section 321.463 to exempt self-propelled implements of husbandry used exclusively for the application of organic or inorganic plant food materials, agricultural limestone or agricultural chemicals from complying with Code section 321.463 weight restrictions when operating on a public highway if traveling under a permit issued pursuant to new Code section 321E.8A.
- Section 18 amends Code section 321E.2 to allow the DOT to issue annual permits under new Code section 321E.8A valid only for operation on noninterstate highways in counties stipulated in the permit.
- Section 19 amends Code section 321E.7 to allow a self-propelled implement of husbandry traveling under permit to exceed legal axle weights under section 321.463 only when operated on a noninterstate highway in a county covered under the permit. The weight on any one axle must not exceed 25,000 pounds and a current and valid permit must be carried in the vehicle. For purposes of this subsection, "noninterstate highways" does not include a bridge.
- Section 20 creates new Code section 321E.8A to allow certain self-propelled implements of husbandry that, as newly manufactured, exceed legal axle weight limits when unloaded, to be operated on noninterstate highways, excluding bridges, under a permit issued by the DOT. Permits shall be issued annually for operating in up to 10 counties for periods beginning July 1 and ending June 30. The owner of the vehicle shall pay a fee of \$600 for each county in which the vehicle will be operated, up to a maximum of \$3,500 per year.

The owner of a vehicle that is operated without a permit, or that violates the restrictions of that permit including operation on a bridge, is subject to a penalty of \$10,000 in addition to other penalties that may apply.

Only vehicles purchased or ordered before February 1, 2007, are eligible for permits, which must be obtained prior to July 1, 2007.

- Section 32 requires the DOT to begin accepting applications for permits on or before June 1, 2007, and issue the permit prior to July 1, 2007, to be effective July 1, 2007. This provision takes effect upon enactment, May 9, 2007.

Section 21	Amends Code section 321J.4 to allow a person whose driver's license has been revoked due to driving while the person's license was revoked for an Operating While Intoxicated (OWI) offense to apply to the DOT for a temporary restricted license (work permit) without the requirement to install an ignition interlock device if at least 12 years have elapsed since the end of the original revocation period for the underlying OWI offense.
Section 22	Amends Code section 322.4 to require the listing of two partners or two officers, rather than all partners and all officers, on an application for a motor vehicle dealer license. Also requires that the applicant provide the "bona fide address" rather than the "post office box."
Section 23	Amends Code section 322.7 to eliminate the requirement that the name and address of each owner or partner be printed on a motor vehicle dealer's license issued by the DOT.
Section 24	Amends Code section 326.10A to allow the DOT to accept a corporate check from an approved company with a satisfactory payment history as payment of registration fees for a commercial vehicle fleet following receipt of a dishonored check from the applicant. Currently, the DOT can only accept payment made using guaranteed funds if a previous payment has been made with insufficient check.
Sections 25 and 29	Amend Code sections 326.16 and 452A.54 to specify that failure to receive a renewal notice, invoice or report does not relieve a person from responsibility for payment of proportional registration fees, amounts or penalties, or payment of fuel tax liability or the requirement to display fuel credentials.

Sections 26 and 30	Amend Code sections 326.24 and 452A.68 to allow the DOT to impose sanctions on a carrier under both the International Registration Plan and the International Fuel Tax Agreement licensing provisions for unpaid debt under either program.
Sections 27, 28, 31 and 34	Amend Code sections 327B.1 and 327B.6 and repeal Code sections 327B.4 and 327B.7 to enable Iowa's participation in the Unified Carrier Registration System (UCRS) for motor carriers and provide for the transition from the Single State Registration System (SSRS) to the UCRS. The SSRS is a program in which for-hire carriers of passengers or property are required to register their Federal Highway Administration (FHWA) operating authority and proof of insurance with their base state. Iowa participates in this program which was eliminated by SAFETEA-LU (federal transportation reauthorization legislation). The provisions of Sections 27, 28, and 34 take effect upon enactment, May 9, 2007.
Section 33	Repeals 2006 Iowa Acts, chapter 2070, section 5, and retains the current Code requirement that a vehicle may be operated on public highways using a "registration applied for" card for 45 days after the date the vehicle is delivered by the dealer to the purchaser. The 2006 legislation would have increased the period from 45 to 60 days and was not scheduled to take effect until July 1, 2007. This provision takes effect upon enactment, May 9, 2007.
Section 35	Provides various effective dates for provisions of Division III of the Act. <i>Division IV – Regional Transit Districts</i>
Section 36	Amends Code section 28M.4 dealing with the collection and distribution of taxes by a county participating in a regional transit district.