

[HF2437](#)**Transportation Omnibus**

*(DOT –sponsored legislation)*

**Division I: Autocycles**

Section 1 adds a new subsection to Iowa Code section 321.1 to include the definition of autocycle. Defines autocycle as a three-wheeled motor vehicle originally designed with two front wheels and one rear wheel; a steering wheel; no more than two permanent seats that do not require the operator or a passenger to straddle or sit astride the vehicle; and foot pedals that control the brakes, acceleration, and clutch, where applicable. Further adds a motor vehicle meeting the definition of autocycle is an autocycle even if the vehicle bears a vehicle identification number, or is accompanied by a manufacturer's certificate of origin, that identifies the vehicle as a motorcycle.

Section 2 amends Iowa Code section 321.1(40)(a) to exclude an autocycle from the definition of motorcycle.

Section 3 amends Iowa Code section 321.34(1) to allow county treasurers to issue one registration plate for an autocycle.

Section 4 amends Iowa Code section 321.34(5)(a) to allow a personalized registration plate for an autocycle that is marked with no more than six initials, letters, or combinations of numerals and letters.

Section 5 amends Iowa Code section 321.34(8)(a) to allow the owner of an autocycle who has been awarded the medal of honor to order one set of special registration plates of red, white, and blue color containing the Medal of Honor emblem and an identifying number.

Section 6 amends Iowa Code section 321.34(8A)(a) to allow the owner of an autocycle who was a prisoner of war during a time of military conflict to order one set of special registration plates with an American Ex-Prisoner of War emblem.

Section 7 amends Iowa Code section 321.34(11)(a) to allow the owner of an autocycle to obtain natural resources plates.

Section 8 amends Iowa Code section 321.34(11A)(a) to allow the owner of an autocycle to obtain Love Our Kids plates.

Section 9 amends Iowa Code section 321.34(11B)(a) to allow the owner of an autocycle to obtain motorcycle rider education plates.

Section 10 amends Iowa Code section 321.34(12)(a) to allow the owner of an autocycle to order special registration plates with a distinguishing emblem. Also amends Iowa Code section 321.34(12)(d) to require a special registration plate issued for an autocycle to be designated in the manner provided in Iowa Code section 321.34(5)(a) that includes an issuance fee and sets the number of initials, letters, or combination of numerals and letters for the plate.

Section 11 amends Iowa Code section 321.34(15)(a) to allow the owner of an autocycle to obtain one set of Legion of Merit special plates.

Section 12 amends Iowa Code sections 321.37(1) and 321.37(2) to exclude a registration plate from being displayed on the front of an autocycle. Requires registration plate for an autocycle to be displayed on the rear of the vehicle.

Section 13 amends Iowa Code section 321.69(9) to exempt autocycles from all damage disclosure statement requirements with the exception that the following current Code requirements also apply to owners of autocycles: a person who knows or reasonably should know is required to clearly disclose in writing when selling, leasing, or trading an autocycle that the autocycle contains a nonoperative airbag, or the airbag has been removed or not replaced; and a person who makes a false damage disclosure statement or fails to make a damage disclosure statement commits a fraudulent practice and is subject to consumer fraud.

Section 14 amends Iowa Code section 321.105A(2)(c)(6) to exclude autocycle, when purchased for rental or registered and titled by a motor vehicle dealer per Iowa Code chapter 322 for rental use, from the fee for new registration.

Section 15 amends Iowa Code section 321.109(1)(a) to exempt an autocycle from the annual registration fee that is based on value and weight. Section 16 amends Iowa Code section 321.117 to add an annual registration fee of \$20 for an autocycle. However, when an autocycle is more than five model years old, the annual registration fee is \$10.

Section 17 amends Iowa Code sections 321.166(1), 321.166(3), and 321.166(4) to require registration plates of an autocycle to be made of metal, with the size of the plates to be established by the DOT; registration plate number issued for an autocycle to be a size prescribed by the DOT; and exempts the registration plate number on an autocycle from being of sufficient size to be readable from a distance of 100 feet during daylight.

Section 18 adds a new definition of autocycle in Iowa Code chapter 322, Motor Vehicle Manufacturers, Distributors, Wholesalers, and Dealers, to mean the same as defined in Iowa Code chapter 321, Motor Vehicles and Law of the Road.

Section 19 amends Iowa Code section 322.5(6)(a)(1) to allow a motor vehicle dealer authorized to sell used autocycles to display and negotiate sales of used autocycles at a motorcycle rally in Iowa under certain conditions, and after application for and receipt of a temporary permit issued by the DOT.

Section 20 amends Iowa Code section 322.5(6)(b)(1) to allow a person licensed as a motor vehicle dealer in another state to apply for and be issued a temporary permit to sell used autocycles in Iowa.

Section 21 amends Iowa Code section 322.5(6)(d) to forbid the sale of an autocycle and an agreement for the sale of an autocycle at a motorcycle rally. All such sales are required to be completed and signed at the motor vehicle dealer's principal place of business.

Section 22 amends Iowa Code section 322.36 to exempt a person in the business of selling autocycles under Iowa Code chapter 322D from maintaining regular business hours at the dealer's principal place of business or other place of business.

Section 23 amends Iowa Code section 322D.1(2) to expand the definition of attachment to mean a machine or part of a machine designed to be used on or in conjunction with an autocycle.

Section 24 adds a new subsection in Iowa Code section 322D.1 to add a definition of autocycle to mean the same as defined in Iowa Code section 321.1.

Sections 25 and 26 amend Iowa Code sections 322D.1(4)(b), 322D.1(4)(e), 322D.1(5), 322D.1(6), and 322D.1(7) to amend the definition of franchise to make conforming amendments to add autocycles.

Section 27 amends Iowa Code section 322D.2 to expand the franchisee's rights to payment to include autocycle under certain situations.

Section 28 amends Iowa Code sections 322D.3(7) and 322D.3(9) to not require repurchase from a franchisee of an autocycle that is not in new, unused, undamaged, or complete conditions; or was purchased 24 months or more prior to the termination of the franchise.

Section 29 amends Iowa Code 322D.8 concerning motorcycle franchise agreements, in effect on certain dates, to include an autocycle the same as a motorcycle.

Section 30 amends the definition of motor vehicle within Iowa Code section 322G.2(13) to exclude autocycle within Iowa Code chapter 322G, Defective Motor Vehicles (Lemon Law).

#### **Division II: Repaired salvage motor vehicles**

Section 31 amends Iowa Code section 321.24(5) to allow the owner of a repaired salvage vehicle to obtain an Iowa certificate of title indicating the repaired vehicle was previously titled as salvage, if the owner surrenders the foreign salvage certificate of title and a salvage theft examination certificate was properly executed within 30 days of the date the owner was assigned the foreign certificate of title.

Section 32 amends Iowa Code section 321.52(4)(c) to increase the fee for a salvage theft examination from \$30 to \$50 and require the fee to be due at the time the examination is scheduled, instead upon completion of the examination.

#### **Division III: Special minor's driver's licenses**

Section 33 amends Iowa Code section 321.194 by reformatting and renumbering language regarding special minor's driver's licenses issued for travel to and from school. Inserts new headings within Code section for readability, expands permitted operations, moves the electronic communication devices restriction within the Iowa Code section, inserts clarifying language concerning eligibility and corrects internal Code references.

Section 34 amends Iowa Code section 321.482A(1) by making conforming internal Code reference changes.

#### **Division IV: Oversize and overweight motor vehicles**

Section 35 adds a new paragraph in Iowa Code section 321E.7(1) to allow vehicles operating under an oversize and overweight permit issued per Iowa Code sections 321E.8, 321E.9, or 321E.9A to increase

the weight to 46,000 pounds on a single tandem axle of the truck tractor and 46,000 pounds on a single tandem axle of the trailer or semitrailer if each axle of each tandem group has at least four tires.

**Division V: Aircraft**

Section 36 amends Iowa Code section 328.24(1) to allow all owners, including nonresidents, of aircraft used for the application of herbicides and pesticides to receive a registration refund if the aircraft is destroyed by fire or accident or junked, and its identity as an aircraft is entirely eliminated, or the aircraft is removed and continuously used beyond the boundaries of the state.