

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 240

February 10, 1947.
Motor Vehicles and Transportation.

BY HICKLIN.

A BILL FOR

An Act to provide for the license fees of motor trucks, truck tractors or road tractors and semi-trailers, operated exclusively within the limits of cities and towns, providing for the marking of said vehicles and penalty for violation of this Act.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. For all motor trucks equipped with all
2 pneumatic tires having a gross weight of more than three (3)
3 tons and for all truck tractors or road tractors drawing a
4 trailer and for semi-trailers, operated exclusively within
5 the limits of cities and towns, the annual license fee shall
6 be two-thirds the rates fixed in sections three hundred
7 twenty-one point one hundred nineteen (321.119) and three
8 hundred twenty-one point one hundred twenty-two (321.122),
9 Code 1946.

1 Sec. 2. All motor trucks, truck tractors, or road
2 tractors licensed under the provisions of section one (1)
3 shall have printed in plain legible letters not less than
4 three inches in height on each side of such vehicle, the
5 following: "Licensed to operate exclusively within the
6 limits of".

7 (Name of city or town)

1 Sec. 3. The department is authorized to suspend or
 2 revoke the certificate or license plates upon determination
 3 by the department that the vehicle has been operated outside
 4 of the limits of the city or town within which it is licensed
 5 to operate or that fraud was committed in the registration of
 6 such vehicle.

1. Sec. 4. Upon determination that a vehicle has been
 2 illegally operated or fraud committed in its registration,
 3 the certificate and license plates shall immediately be
 4 returned to the county treasurer by the owner or person in
 5 possession of the same, and the distinctive lettering
 6 removed from the sides of the vehicle.

1 Sec. 5. Any person who operates such motor vehicle
 2 while the certificate for the same is suspended or revoked
 3 shall be guilty of a misdemeanor and punished as provided
 4 in section three hundred twenty-one point four hundred
 5 eighty-two (321.482), Code 1946.

EXPLANATION OF H. F. 240

This bill proposes to correct an oversight and to restore the proportionate license fee paid by trucks operating exclusively within the limits of cities and towns. Section 4915, Code 1935, and for a considerable number of years prior thereto, provided that the license fees on all trucks having a load capacity above two tons and operated exclusively within the limits of cities and towns, would be two-thirds of the fees paid by other similar trucks not operating exclusively within the limits of cities and towns, the fees for which were set out in Sections 4913 and 4914, Code 1935. The license fees at that time were based upon the load capacity of the vehicle. This was changed in 1939 to provide for the present gross weight basis. In making this change from the load capacity to gross weight, Chapter 251, Code 1935, was repealed *in toto*. This repeal carried with it the repeal of Section 4915 which was contained in said chapter. In the enactment of the gross weight provisions as they now exist, Section 4915, Code 1935, was overlooked and there was no provision made for licensing trucks operating exclusively within cities and towns at a less rate than trucks operating over the road, although this had always been the practice before and it was intended to continue this practice under the law.

Trucks operating over the road travel from 60,000 to 100,000 miles or more annually over the primary roads while the trucks operating exclusively within the limits

of cities and towns rarely travel over 4,000 miles a year, and never over 5,000 miles a year, and their operations are, of course, confined to city streets, thus they do not use the primary roads at any time. If the percentage of the fee was to be based upon mileage, the fee to be paid by trucks of this class would be much less than the two-thirds rate that it is proposed to reinstate at this time.

Trucks operated exclusively within the limits of cities and towns are in many instances owned by individuals or concerns that haul from terminals, either railroad or truck, to wholesalers and retailers doing business in such city. Most of their time is consumed standing at a loading platform being loaded or unloaded. Frequently the distance traveled between the loading and unloading operations is only a few blocks so that these trucks in fact are nothing more than movable loading platforms.

There are not to exceed approximately 400 trucks in the entire State of Iowa that will be affected by this bill. The amount of license fees involved is almost negligible.

With the added facilities for policing the enforcement of this provision, no difficulty should be experienced. Under the old law, the policing was done by a very few, while now the facilities of the State Highway Patrol, road patrols under the supervision of the Highway Commission, and the motorized law enforcement agencies of counties and state provide a personnel that is sufficiently large to easily police the measure, if that is necessary, in order to see that its provisions are complied with.

No change in the law with respect to licensing of other vehicles is required. The fee to be paid by the trucks operating exclusively within the limits of cities and towns is computed upon the same basis as all other trucks, but at two-thirds of the rate.

The bill also provides for distinctive marking on the sides of the vehicle in such a manner that vehicles licensed to operate exclusively within cities and towns can very easily be identified and would quickly be picked up if found outside such limits.

The Act also provides as penalties for its violation the maximum imposed for the violation of any provisions of the motor vehicle law.