

January 10, 1951.
Passed on File,

House File 7
By SCHWENGEL and SCHROEDER.

Passed House, Date
Vote: Ayes..... Nays.....
Passed Senate, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to amend chapter three hundred twenty-one (321),
Code 1950, relating to motor vehicles and the
law of the road.

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

1 Section 1. Amend section three hundred twenty-one
2 point two hundred eighty-one (321.281), Code 1950, by
3 adding the following:

4 "In a criminal prosecution for a violation of this
5 section relating to operating a motor vehicle upon the
6 public highways of this state while in an intoxicated
7 condition, the amount of alcohol in the defendant's blood
8 at the time alleged as shown by chemical analysis of the
9 defendant's blood, urine, breath, or other bodily

10 substance shall give rise to the following presumptions:

11 1. If there was at that time five hundredths of one
12 per cent or less by weight of alcohol in the defendant's
13 blood, it shall be presumed that the defendant was not in
14 an intoxicated condition.

15 2. If there was at that time in excess of five
16 hundredths of one per cent but less than fifteen hundredths

17 per cent by weight of alcohol in the defendant's blood such
18 fact shall not give rise to any presumption that the
19 defendant was or was not in an intoxicated condition
20 but such fact may be considered with other competent
21 evidence in determining the guilt or innocence of the
22 defendant.

23 3. If there was at that time fifteen hundredths
24 of one per cent or more weight of alcohol in the
25 defendant's blood it shall be presumed that the defendant
26 was in an intoxicated condition.

27 4. The foregoing provisions of this Act shall not
28 be construed as limiting the introduction of any other