

January 22, 1951.  
Cities and Towns.

**House File 149**  
By SLOANE, NELSON of Woodbury,  
MUNGER and RYAN.

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

## A BILL FOR

An Act to amend section three hundred twenty-one point two hundred thirty-six (321.236), Code 1950, relating to powers of local authorities, and to amend section three hundred eighty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of streets and highways.

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

1 Section 1. Section three hundred twenty-one point two  
2 hundred thirty-six (321.236), Code 1950, is hereby amended  
3 by adding thereto the following new sub-section:

4 "9. Regulating the operation of bicycles and requiring  
5 the registration and licensing of the same, including the  
6 requirement of a registration fee."

1 Sec. 2. Section three hundred eighty-nine point thirty-  
2 nine (389.39), Code 1950, is hereby amended by adding thereto  
3 the following new sub-section:

4 "6. To require the registration and licensing of bicycles,  
5 including the requirement of a registration fee therefor."

### EXPLANATION OF H. F. 149

Municipalities no doubt have the power to make reasonable rules and regulations for the purpose of governing the *operation* of bicycles within the municipality under the provisions of section 389.40, Code 1950. However, nowhere in the statutes is there

a specific authority granted to a municipality to license or to charge a registration fee for bicycles. The Iowa Supreme Court has frequently held that unless there is a specific delegation of the power to license, a municipality has no authority to license and that the broad powers of section 366.1, Code 1950, do not grant to such municipality the right to do other than impose fines. Registration and licensing of bicycles is a means of exercising police control and will aid greatly in the identification and recovery of stolen bicycles. By registering and regulating the operation of bicycles, greater control can be exercised over a type of vehicle that was involved in 295 motor vehicle accidents reported during 1949.