

February 7, 1951.  
Passed on File.

**House File 360**  
By ROADS AND HIGHWAYS COMMITTEE.

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

## A BILL FOR

An Act relating to the taxation and registration of motor vehicles exclusively engaged in interstate commerce and providing for reciprocity agreements; amending sections three hundred twenty-one point fifty-three (321.53), three hundred twenty-one point fifty-six (321.56) and three hundred twenty-six point two (326.2), Code 1950.

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

1 Section 1. Section three hundred twenty-one point  
2 fifty-three (321.53), Code 1950, is hereby amended as  
3 follows:

4 1. By striking the word "and" following the figures  
5 "321.54" in line three (3) thereof and substituting in lieu  
6 thereof a comma (,).

7 2. By striking the comma (,) following the figures  
8 "321.55" in line three (3) thereof and substituting in lieu  
9 thereof the following: "and 321.56".

1 Sec. 2. Section three hundred twenty-one point fifty-  
2 six (321.56), Code 1950, is hereby amended as follows:

3 1. By striking the period (.) following the word  
4 "state" in line nine (9) and substituting in lieu thereof

5 the following: “until July 1, 1952, or until the date a  
6 reciprocity agreement as hereinafter provided is in effect  
7 with such country, state, territory or federal district,  
8 whichever date first occurs.”

9 2. By striking the second paragraph thereof and  
10 substituting in lieu thereof the following: “The commissioner  
11 shall have the authority to make reciprocity agreements with  
12 the duly authorized representatives of any country, state,  
13 territory or federal district, exempting the residents of  
14 such country, state, territory or federal district using the  
15 highways of this state from the registration requirements of  
16 this chapter with such restrictions, conditions, and privileges  
17 or lack of them as he may deem advisable provided that  
18 residents of this state when using the highways of such other  
19 state shall receive exemptions of a similar kind to a like  
20 degree. Such agreements may deny registration exemption to  
21 one or more particular nonresidents if in the opinion of  
22 the commissioner such nonresidents should not be granted  
23 exemption privileges. Notwithstanding any provision of  
24 this chapter to the contrary or inconsistent herewith  
25 such agreements may provide with respect to fleets of  
26 two or more commercial vehicles which are engaged in  
27 interstate movement, that the registrations of such fleets  
28 be apportioned between this state and the other states in  
29 which such fleets operate. The percentage of miles the fleets  
30 subject to this section operate in this state, as related to

31 the total miles such fleets operate in all states, shall be  
32 used by the commissioner to determine what percentage of the  
33 total number of vehicles in such fleets are to be registered  
34 in this state. The commissioner may require fleet owners  
35 subject to this section to submit under oath such information  
36 as he deems necessary for the proper carrying out of the provisions  
37 of this section, and his determination of the number of vehicles  
38 in fleets subject to this section to be registered in this  
39 state shall be final. Any non-resident motor vehicle,  
40 trailer, or semi-trailer shall be subject to all laws,  
41 rules and regulations governing the operation of such  
42 vehicles on the highways of this state, and the  
43 registration number plates assigned and furnished to any  
44 foreign-licensed motor vehicle, trailer, or semi-trailer  
45 for the current registration year by another state where  
46 the same is licensed shall be displayed on such motor  
47 vehicle, trailer, or semi-trailer substantially as  
48 provided in this act for vehicles registered pursuant to  
49 the provisions thereof. Agreements made by the commissioner  
50 shall be subject to the approval of the attorney general.  
51 Nothing herein contained shall authorize the waiving of the  
52 registration requirements of this chapter relating to motor  
53 vehicles operated within this state in intra-state commerce.

1     Sec. 3. Section three hundred twenty-six point two  
2     (326.2), Code 1950, is hereby amended by adding thereto the  
3     following:

4 "The provisions of this section shall not apply  
5 to any motor vehicle or combination of tractor  
6 and semi-trailer or trailer exclusively used in  
7 interstate commerce."

1 Sec. 4. This Act being deemed of immediate importance  
2 shall be in full force and effect upon its passage and  
3 publication in the Oskaloosa Tribune-Press, a newspaper  
4 published at Oskaloosa, Iowa, and in the Davis  
5 County Republican, a newspaper published at Bloomfield, Iowa.

#### EXPLANATION OF H. F. 360

Under our present statutes reciprocity is automatically granted to other states in accordance with the reciprocity states grant to Iowa. The effect is that Iowa is forced to accept all of the terms and conditions imposed by other states and has no power to bargain for reciprocity terms. This leads to many bad results which we are helpless to correct. For example, Illinois will say we will grant reciprocity to all Iowa trucks. Automatically Iowa grants reciprocity to all Illinois trucks. Illinois has a registration plate called the "T" plate which costs \$5.00. Operators who should be incorporated in Iowa incorporate in Illinois, put on a \$5.00 "T" plate and carry on interstate commerce into Iowa, thus a loophole is found to permit operation in Iowa and avoid proper payment for use of the roads. This practice would not be encouraged if Iowa could exclude from reciprocity vehicles carrying the "T" plate.

In Illinois a motor vehicle operator has a choice of purchasing the "T" plate or a regular truck plate. The cost of a regular truck plate is not out of line with the cost of such a plate in this state. The "T" plate operator is required to pay a mileage tax to the state of Illinois but in the type of operation described very little mileage tax is paid to Illinois. Also some non-resident concerns habitually violate the Iowa laws relating to overloads, weights, lengths, etc. This operator could very effectively be put in his place if he were denied reciprocity in Iowa.

Many situations exist and new ones continue to arise which make it difficult for legislation to cover and impossible to keep up with. This bill follows the method adopted by many other states to cope with the ever increasing problem. Through handling reciprocity by agreements this state can protect itself from being taken advantage of by non-resident operators and still obtain full reciprocity for our Iowa truckers.