

February 16, 1951.

House File 449

Passed on File. By MOTOR VEHICLES, COMMERCE AND TRADE.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to regulate motor carriers and to repeal chapters three hundred twenty-five (325), three hundred twenty-six (326), and three hundred twenty-seven (327), Code 1950.

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

1 Chapters three hundred twenty-five (325), three hundred
2 twenty-six (326) and three hundred twenty-seven (327), Code
3 1950, are hereby repealed and the following adopted in lieu
4 therefor:

1 Section 1. It is hereby declared to be the policy of
2 the state of Iowa, to provide for fair and impartial
3 regulation of transportation by motor vehicle subject to the
4 provisions of this Act, so administered as to recognize the
5 inherent advantages of this mode of transportation; to
6 promote safe, adequate, economical, and efficient service
7 and foster sound economic conditions in transportation and
8 among the carriers affected hereby; to encourage the
9 establishment and maintenance of reasonable charges for

10 transportation services, without unjust discrimination, undue
11 preferences or advantages, or unfair or destructive competitive

12 practices; to cooperate with the several states and the duly
13 authorized officials thereof; to correlate and adjust the
14 various transportation agencies to the state so that the
15 highways may serve the best interests of the general
16 public; all to the end of developing, coordinating and
17 preserving a transportation system by highway adequate to
18 meet the needs of the commerce of the state of Iowa and the
19 national defense insofar as these needs can be met by this
20 system. All of the provisions of this Act shall be
21 administered and enforced with a view to carrying out the
22 above declaration of policy.

1 Sec. 2. When used in this Act and all rules and
2 regulations prescribed by the commission pursuant thereto:

3 1. The term "Commission" means the "Iowa State Commerce
4 Commission"

5 2. The term "person" means any individual, firm, co-
6 partnership, corporation, company or joint stock association
7 and includes any trustees, receiver, assignee or personal
8 representative thereof.

9 3. The term "highway" means every street, road, bridge
10 or thoroughfare of any kind in this state.

11 4. The term "motor vehicle" means any automobile, motor
12 truck, motor bus or other self propelled vehicle, including
13 any trailer, semi-trailer or other device used in connection
14 therewith, not operated upon fixed rails or track used for
15 transportation of freight or passengers for compensation

16 upon highways of this state.

17 5. The term “common carrier” means any person which
18 holds itself out to the general public to engage in the
19 transportation by motor vehicle of persons or property for
20 compensation.

21 6. The term common carrier—“Class ‘A’ ”—means a
22 common carrier by motor vehicle operating for the public
23 transportation of freight or passengers for compensation
24 between fixed termini, or over a regular route, even though
25 there may be occasional, periodic or irregular departures
26 from such termini or route; except transportation exclusively
27 of school children and teachers to and from school; and
28 except transportation within any city or town, or within a
29 radius of three miles beyond the corporate limits thereof.

30 7. The term common carrier—“Class ‘B’ ”—means any
31 common carrier by motor vehicle operating within cities and
32 towns or over irregular routes and not between fixed termini
33 for the public transportation of property for compensation;
34 except transportation exclusively of school children and
35 teachers to and from school.

36 8. The term “contract carrier” means any person, other
37 than Class A, Class B, or private carriers who engage in the
38 transportation of property by motor vehicle for compensation
39 under a lease, contract, or any other arrangement.

40 9. The term “private carrier” means any person not
41 included in the terms, common carrier Class A or Class B, or

42 contract carrier, who or which transports in intrastate
43 commerce by motor vehicle property of which such person is
44 the owner, lessee, or bailee, when such transportation is for
45 the purpose of sale, lease, rent, or bailment, or in the
46 furtherance of any commercial enterprise.

47 10. The term "express" means property other than baggage
48 of passengers on passenger carrying motor vehicles.

49 11. "Class 'A' Certificate" means a certificate of
50 public convenience and necessity issued under this Act to
51 regulate route common carriers by motor vehicle.

52 13. "Class 'B' Certificate" means a certificate of
53 public convenience and necessity issued under this Act to
54 irregular route without fixed termini common carriers by
55 motor vehicle.

56 14. "Permit" means a permit issued under this Act to
57 contract carriers by motor vehicle.

58 15. The term "motor carrier" shall mean any person
59 operating any motor vehicle upon any highway in this state
60 either as a Class A or Class B common carrier, or as a
61 contract carrier.

1 Sec. 3. The commission is hereby vested with power
2 and authority, and it shall be its duty to:

3 1. Regulate and supervise the accounts, schedules,
4 and service of each motor carrier.

5 2. Prescribe a uniform system and classification of
6 accounts to be used.

7 3. Require the filing of annual and other reports,

8 4. Supervise and regulate motor carriers in all other
9 matters affecting the relationship between such carriers
10 and the traveling and shipping public.

1 Sec. 4. The commission shall also have power and
2 authority by general order or otherwise to prescribe rules
3 and regulations applicable to any and all motor carriers.
4 The state department of public safety shall prescribe and
5 enforce safety regulations in the operation of motor carriers
6 and private carriers; require a periodic inspection of the
7 equipment of every motor carrier from the standpoint of
8 enforcement of safety regulations, and such equipment shall
9 be at all times subject to inspection by properly authorized
10 representatives of the department of public safety.

1 Sec. 5. All control, power and authority over railroads
2 and railroad companies now vested in the commission, insofar
3 as it is applicable to and necessary for the enforcement of
4 the provisions of this Act, are hereby specifically extended
5 to include motor carriers; provided, however, that any motor
6 carrier may abandon all or any portion of the route or routes
7 over which, the termini between which, or the off-route points at
8 which, or the territory within which the motor carrier is
9 authorized to operate, by giving notice to the commission in
10 writing and by publishing in a newspaper in general circulation
11 in the area affected thereby, notice stating the date upon
12 which service is to be terminated. Such notice shall be

13 published at least thirty (30) days prior to such termination
14 date.

1 Sec. 6. All charges made by any motor common carrier for
2 any service rendered or to be rendered in the public transpor-
3 tation of passengers or property, or in connection therewith,
4 shall be just, reasonable and non-discriminating, and every
5 unjust, unreasonable, or discriminating charge for such service
6 or any part thereof is prohibited and declared unlawful.

1 Sec. 7. It is hereby declared unlawful for any Class A
2 or Class B common carrier to operate or furnish public service
3 within this state without first having obtained from the
4 commission a certificate declaring that public convenience and
5 necessity require such operation.

1 Sec. 8. Before a certificate either Class A or Class B
2 shall be issued, the commission shall, after a public hearing,
3 make a finding that the applicant is fit, willing and able
4 properly to perform the service proposed, and to conform to the
5 provisions of this Act and the requirements, rules and
6 regulations of the commission thereunder, and that the
7 proposed service, to the extent to be authorized by the
8 certificate, is or will be required by the present or future
9 public convenience and necessity. If such finding be made,
10 it shall be its duty to issue a certificate authorizing the
11 whole or any part of the operations covered by the application.
12 However, if no objections are filed with the commission
13 within a period of fifteen (15) days subsequent to the time

14 notice of such application was given to the interested parties
15 as hereinafter provided, the commission may, in its
16 discretion, dispense with the requirements of a hearing,
17 and after investigation and upon its own motion grant the
18 application and issue the certificate if it finds that the
19 service to be rendered is or would be required by the present
20 or future public convenience and necessity.

1 Sec. 9. It is hereby declared unlawful for any contract
2 carrier to operate or furnish service within this state
3 without first having obtained from the commission a permit
4 declaring such operations to be consistent with the public
5 interest.

1 Sec. 10. Before a permit shall be issued, the
2 commission shall make a finding that the applicant is fit,
3 willing and able properly to perform the service of a contract
4 carrier by motor vehicle, and to conform to the
5 provisions of this Act and the lawful requirements, rules
6 and regulations of the commission thereunder, and that
7 the proposed operation, to the extent authorized by the
8 permit will be consistent with the public interest. Upon
9 application being filed with the commission, the commission
10 shall notify the parties of interest as set out in section
11 seventeen (17) herein, and if any of the parties so named
12 files a protest to the application under consideration, the
13 commission shall fix a date for hearing thereon as further
14 provided in section seventeen (17), and the party filing

15 such protest shall have the right to make written objections
16 to, and or offer testimony against the granting of such
17 application and the commission shall determine the propriety
18 of granting the application in the light of the objections
19 filed and the testimony offered.

1 Sec. 11. No certificate or permit shall be issued
2 until the applicant has made a satisfactory showing as to
3 his financial ability to carry out the terms and conditions
4 imposed.

1 Sec. 12. Any certificate issued under section eight
2 (8) and section thirty-nine (39) shall specify the service
3 to be rendered and the routes over which, the fixed termini,
4 if any, between which, and the intermediate and off-route
5 points, if any, at which, and in case of operations not over
6 specified routes or between fixed termini, the territory
7 within which the motor carrier is authorized to operate; and
8 there shall, at the time of issuance and from time to time
9 thereafter, be attached to the exercise of the privileges
10 granted by the certificate such reasonable terms, conditions,
11 and limitations as the public convenience and necessity may
12 from time to time require, including terms, conditions, and
13 limitations as to the extension of the route or routes of
14 the carrier, and such terms and conditions as are necessary
15 to carry out, with respect to the operations of the carrier
16 and the requirements established by the commission under
17 sections three (3) and four (4). Provided, however, that no

18 terms, conditions, or limitations shall restrict the right
19 of the carrier to add to his or its equipment and facilities
20 over the routes, between the termini; or within the territory
21 specified in the certificate, as the development of the
22 business and the demands of the public shall require.

1 Sec. 13. The commission shall specify in the permit,
2 and in any permit under section thirty-nine (39) herein,
3 the business of the contract carrier covered thereby and the
4 scope thereof and shall attach to it, at the time of issuance,
5 and from time to time thereafter, such reasonable terms,
6 conditions, and limitations consistent with the character
7 of the holder as are necessary to carry out, with respect to
8 the operations of such carrier, the requirements established
9 by the commission under sections three (3) and four (4):
10 Provided, however, that no terms, conditions, or limitations
11 shall restrict the right of the carrier to substitute or add
12 contracts within the scope of the permit, or to add to his
13 or its equipment and facilities, within the scope of the
14 permit, as the development of the business and the demands
15 of the public may require.

16 Upon being granted a permit, the carrier shall file with
17 the commission as contracts are made upon the permit, an
18 affidavit signed by himself and the shipper attesting the
19 fact that the property to be transported is within the scope
20 of authority granted by the permit. Provided, however, that
21 contract carriers engaged exclusively in transporting

22 newspaper or mail shall not be required to secure a permit,
23 nor shall they be required to file such contracts with the
24 commission.

1 Sec. 14. Certificates and permits shall be effective
2 from the date specified therein, and shall remain in effect
3 until suspended or terminated as herein provided. Any such
4 certificate or permit may upon application of the holder
5 thereof be amended or revoked, in whole or in part, and any
6 such certificate or permit may, upon complaint, or on the
7 commission's own initiative after notice and hearing, be changed
8 or revoked, in whole or in part, for willful failure to
9 comply with any provision of this Act, or with any lawful
10 order, rule or regulation of the commission promulgated
11 thereunder, or with any term, condition, or limitation of
12 such certificate or permit. Provided, however, that the
13 commission may suspend a certificate or permit where the
14 holder thereof refuses to comply with any order of the
15 commission issued under the provisions of this Act, and such
16 suspension shall be effective until the commission's order
17 has been complied with, or the matters in issue disposed of
18 as herein provided. Provided, further, that any certificate
19 or permit issued under this Act or any prior law, which has
20 become dormant for failure to exercise the authority conferred
21 thereby for a period of two (2) years, shall upon
22 application by a party of interest, or on the commission's
23 own initiative be subject to revocation, and the commission

24 shall require the holder of such dormant certificate or
25 permit, to come before the commission and show cause why
26 such certificate or permit should not be cancelled. Failure
27 to appear within a reasonable time to be fixed by the
28 commission, shall result in automatic cancellation of the
29 certificate or permit.

1 Sec. 15. The commission shall adopt rules governing
2 the procedure to be followed in the filing of applications,
3 notices, and the conduct of hearings.

1 Sec. 16. All applications shall be in writing and in
2 addition to any other information required by statute or
3 by the commission, shall contain the following:

4 1. The name of the individual, firm, or corporation
5 making the application.

6 2. The principal office or place of business of
7 applicant.

8 3. A complete description of the route over which or
9 territory in which the applicant proposes to operate.

10 4. A schedule setting forth in detail the service
11 which the applicant proposes to furnish, the specific
12 commodity or commodities to be transported for the class of
13 shipper or shippers for whom such commodities are to be
14 transported.

15 5. A complete description of the equipment which
16 the applicant proposes to use in furnishing the service.

17 6. A financial statement in the form to be prescribed

18 by the commission, and from which the commission can
19 determine whether or not the applicant is able to engage in
20 the undertaking proposed in the application.

1 Sec. 17. Upon the filing with the commission of ap-
2 plication for certificate or permit to operate as a motor
3 carrier the commission shall cause a notice of such application
4 to be served upon every person who resides in the same
5 county as the applicant and who operates in any manner or by
6 any means as a motor carrier, or who has an application
7 pending before the commission to operate as a motor carrier,
8 by mailing such notice to the address of the motor carrier
9 as listed with the commission. Said notice shall state the
10 nature of the application and the scope of the authority
11 for which such application is being made, and it shall be
12 the duty of the applicant to cause a similar notice to be
13 published in an official county newspaper in the county
14 wherein applicant maintains his principal office or place
15 of business. The commission shall keep on file in its office
16 a list of all applications pending their disposition by the
17 commission, which list shall be available for inspection
18 by the public. Any person, city, town, or county who would
19 be affected by the granting of such application is hereby
20 declared to be an interested party to said proceedings.
21 The commission shall specify in the notice as set out here-
22 inbefore a fifteen (15) day period for filing objections
23 to the application and if objections are filed with the

24 commission, it shall fix a date for hearing thereon, which
25 date shall be not less than fifteen (15) days after receipt
26 of such objections. Said hearing shall be held at the office
27 of the commission unless otherwise specified.

1 Sec. 18. Any interested party to such proceedings
2 shall have the right to make written objections, to and/or
3 offer testimony for or against the granting of such
4 application and the commission shall determine the propriety
5 of granting the application in the light of the objections
6 filed and the testimony offered.

1 Sec. 19. The commission may grant the application in
2 whole or in part upon such terms, conditions, and
3 restrictions and with such modifications as to schedule and
4 route as may seem to it just and proper. The actual
5 operation of such motor vehicles or vehicle shall not begin
6 without a written statement of approval from the department
7 of public safety to the effect that the safety provisions
8 have been complied with.

1 Sec. 20. The applicant shall pay all the costs and
2 expenses of the hearing and necessary investigation in
3 connection therewith before his application shall be
4 granted; provided, further, that the commission shall have
5 the right to require the applicant to deposit with it at
6 the time the application is filed, an amount of money to
7 be determined by the commission to secure payment of said
8 costs and expenses.

1 Sec. 21. Appeal may be taken from the decision of the
2 commission by the applicant or any party who appeared in
3 opposition to the application, to the district court of any
4 county in which is located any portion of the route proposed
5 in the application within thirty (30) days, from the time
6 the decision was rendered, by giving at least ten (10) days
7 notice to the commission to be served on its chairman or
8 secretary in the same manner as original notices are now
9 served, and by filing with the clerk of the district court a
10 bond for costs in the sum of not less than five hundred
11 dollars (\$500.00).

1 Sec. 22. Upon appeal being taken, the secretary of
2 the commission shall make and certify a transcript of all
3 papers, records, and proceedings in connection with such
4 application and hearing and file the same with the clerk of
5 said court on or before the first (1st) day of the next
6 term thereof following the taking of such appeal.

1 Sec. 23. The appeal shall be submitted upon the
2 transcript of the evidence and the record made before the
3 commission and the District Court shall either affirm or
4 reverse the order of the commission.

1 Sec. 24. An appeal may be taken from the judgment of
2 the District Court to the Supreme Court as from other
3 judgments.

1 Sec. 25. No certificate or permit issued under this
2 Act or any prior law shall be sold, transferred, leased, or

3 assigned, nor shall any contract or agreement affecting any
4 certificate or permit become effective except after notice
5 and hearing as provided in section seventeen (17) herein.
6 Provided, however, if no objections are received by the
7 commission from persons affected by such proposed sale,
8 transfer, lease or assignment, or by such contract or
9 agreement, within a period of fifteen (15) days subsequent to
10 the time notice of such proposed transaction was given to
11 the interested parties as hereinbefore provided, the
12 commission may in its discretion, dispense with the requirements
13 of a hearing and after investigation and upon its own motion
14 approve or disapprove the proposed transaction. Provided,
15 further, that in proceedings of the nature set out above,
16 the commission shall be required to find that the person
17 proposing to acquire said certificate or permit, or enter
18 into an agreement or contract with the holder thereof
19 affecting said certificates or permits, is fit, willing and
20 able properly to perform the service to the public to the
21 extent authorized by the certificate or permit or any portion
22 thereof to be acquired or utilized by him.

1 Sec. 26. No certificate or permit shall be issued
2 until and after the applicant for such certificate or
3 permit shall have qualified as a self-insurer under the
4 provisions of section three hundred twenty-one A point
5 thirty-four (321A.34), Code 1950, or has filed with the
6 commission a policy of public liability and property damage

7 issued by some company, association, reciprocal or inter-
8 insurance exchange, or other insurer authorized to do
9 business in this state in form to be approved by the
10 commission, for such limits of liability, terms, conditions
11 and provisions as the commission may determine to be necessary
12 to protect the interest of the public with due regard to the
13 number of persons and amount of property involved. Provided,
14 further, that no certificate shall be issued to any person
15 to operate as a Class A or B common carrier as defined herein
16 of freight or express until he has filed with the commission
17 in addition to the above mentioned coverage, cargo insurance
18 in such penal sum as the commission may deem necessary to
19 protect adequately the interests of the public, which policy
20 shall bind the assurer for loss of or damage to property
21 carried in, upon, or attached to the motor vehicles or other
22 equipment operated by or for or under control of the assured.
23 All insurance required by this section shall be kept in force
24 by the carriers covered thereby at all times while operating
25 under the authority of a certificate or permit issued under
26 this Act or any prior law.

1 Sec. 27. Cities and towns shall have power by ordinance
2 to adopt general rules of operation and to designate the
3 streets or routes over which motor carriers shall travel;
4 provided, however, that the exercise of the power granted in
5 this section shall be reasonable and fair. Nothing in this
6 Act shall be construed as repealing chapter three hundred

7 eighty-eight (388) nor section four hundred twenty point
8 ninety-three (420.93), Code 1950.

1 Sec. 28. Every motor vehicle and all parts thereof
2 shall be maintained in a safe and sanitary condition at all
3 times, and shall be at all times subject to inspection by
4 the members of the department of public safety.

1 Sec. 29. Every driver employed by a motor carrier
2 shall be at least twenty-one (21) years of age, and he
3 shall furnish to his employer a certificate of physical
4 examination signed by a qualified doctor of medicine,
5 attesting that the doctor has examined said driver and
6 found him to be in good physical condition and able physically
7 to safely perform the tasks incident to his employment.

8 The commission may, if it deems it advisable, require re-
9 examinations from time to time.

1 Sec. 30. The commission shall issue an identifying
2 number for each motor vehicle, including any combination
3 of tractor and semitrailer or trailer when propelled by
4 other motor vehicles, for which the certificate or permit
5 fee has been paid, and the motor carrier shall cause this
6 number to be placed upon the vehicle in a conspicuous
7 place and if the commission shall so prescribe, in such
8 place as may be prescribed by the commission.

1 Sec. 31. No permit or certificate issued under this
2 Act or any prior law shall be construed to be either a
3 franchise, or irrevocable, or exclusive or to confer

4 any property or proprietary rights upon the holder thereof
5 in the use of the public highways.

1 Sec. 32. A certificate for the transportation of
2 passengers may include authority to transport in the
3 same vehicle with the passengers, newspapers, baggage
4 of passengers, express or mail.

1 Sec. 33. Any common carrier by motor vehicle transport-
2 ing passengers under a certificate issued by the commission
3 may transport to any place special or chartered parties
4 under such rules and regulations as the commission may
5 prescribe.

1 Sec. 34. In addition to the regular registration
2 fees or taxes imposed upon motor vehicles, there
3 shall be assessed against and collected from every
4 motor carrier the following fee payable upon permits or
5 certificates issued under this Act or any prior law ;
6 which fee shall be renewable annually. The revenue
7 therefrom shall be used for the purpose of administering
8 this Act and for highway purposes :
9 For each motor vehicle, a fee of twenty-five dollars
10 (\$25.00), provided, however, that in the event any
11 motor vehicle for which such fee has been paid is
12 withdrawn from service by a motor carrier, said carrier
13 shall be entitled to refund on the unused portion of
14 the fee paid, based on one-twelfth (1/12) of the annual fee
15 as provided herein multiplied by the number of the

16 unexpired months of the year, disregarding fractional parts
17 of any months, and the amount determined thereby, shall be
18 the fee which shall be refunded. The same method shall be
19 used in determining the amount of the fee to be paid when
20 additional motor vehicles are placed in service after the
21 first (1st) day of January in any year.

1 Sec. 35. The annual certificate or permit fee shall
2 be paid on or before the first (1st) day of January in each
3 year. If payment of certificate of permit fee is not made
4 on or before the date upon which it is due, it shall become
5 delinquent and there shall be added as a penalty a sum equal
6 to one-tenth (1/10) of the amount of the original fee for
7 each month or fraction thereof that the fee remains delinquent.
8 After sixty (60) days have elapsed during which time the fee
9 is due and delinquent, the commission shall revoke the
10 certificate or permit as provided in section fourteen (14).

1 Sec. 36. Fees and penalties imposed by this Act shall
2 be a first (1st) lien junior only to liens recorded at the
3 time such fees and penalties became delinquent upon all
4 property of the motor carrier. If payment is not made on
5 or before sixty (60) days after the date when the fee became
6 delinquent, the property of the motor carrier, or so much
7 thereof as may be necessary, may be sold to satisfy the said
8 fees and penalties, interests and costs of sale.

1 Sec. 37. All fees and penalties imposed by this Act
2 shall be paid to the commission, and it shall be the duty

3 of the commission to enforce the collection of all fees and
4 penalties, and notice of sale, and procedure thereunder shall,
5 so far as may be, accord with the provisions of the law for
6 the collection of taxes upon general property.

1 Sec. 38. Every owner, officer, agent, employee of
2 any motor carrier, and every other person who violates or
3 fails to comply with, or who procures, aids, or abets in the
4 violation of any provision of this Act, or who fails to obey,
5 observe, or comply with any order, decision, rule or
6 regulation, direction, demands, or requirements of any part
7 of provision thereof, shall be guilty of a misdemeanor and
8 upon conviction shall be punished by a fine not exceeding
9 one hundred dollars (\$100.00) or by imprisonment in the
10 county jail for a period of not to exceed thirty (30) days.

1 Sec. 39. Any person holding a motor carrier certificate
2 or truck operator permit issued under chapter three hundred
3 twenty-five (325) or three hundred twenty-seven (327), Code
4 1950, or any prior law, or any person operating as a contract
5 carrier as defined herein, shall upon application to the
6 commission be granted the appropriate certificate or permit
7 as the case may be, subject to the provisions of sections
8 twelve (12) and thirteen (13) hereof, provided that the
9 applicant shall show that he was engaged in the bona fide
10 operation of the transportation of passengers or property
11 on January 1, 1951, and has so operated since that time, or
12 if engaged in furnishing seasonal service only, was in bona

13 fide operation on January 1, 1951, during the season ordinarily
14 covered by its operation and has so operated since that time.
15 Application for a certificate or permit under this section
16 shall be made within one hundred twenty (120) days after
17 this section takes effect. Pending the determination of any
18 such application, the continuance of such operation previously
19 authorized shall be lawful.

1 Sec. 40. Motor carriers operating motor vehicles
2 exclusively in interstate commerce shall of right be given
3 a certificate or permit without payment of fee and not
4 conditioned upon a finding or determination as required for
5 intrastate operations for such vehicles so operated.
6 Intrastate commerce as defined for the purposes of this Act
7 shall mean the movement of goods, wares or merchandise, which
8 movement originates and terminates within the state.

1 Sec. 41. All fees, penalties and charges collected
2 by the commission under this Act, except such amount as
3 may be necessary to make refunds as provided herein, shall
4 be by the commission paid into the state treasury of the
5 state of Iowa. Such fees, penalties and charges collected
6 shall be paid into the state treasury quarterly.

7 The commission shall be authorized to set up a reserve
8 account which shall consist of fifteen per cent (15%) of
9 the revenue received from fees, penalties and charges,
10 which monies shall be used to make the necessary refunds as
11 hereinbefore provided and to administer the provisions of

12 this Act. Any monies remaining in this account at the end
13 of the fiscal year shall be paid into the state treasury of
14 the state of Iowa.

1 Sec. 42. If any section, sentence, clause or part of
2 this Act is for any reason held to be unconstitutional or
3 invalid, such decision shall not affect the remaining
4 portion of this Act.

1 Sec. 43. This Act being deemed of immediate importance
2 shall be in full force and effect upon its passage and
3 publication in the, a newspaper
4 published at, Iowa, and in the
5, a newspaper published at,
6 Iowa.

EXPLANATION OF H. F. 449

This is an Act to provide for the regulation of all classes of motor carriers engaged in the transportation of passengers or property for compensation. Under the present law the only class of motor carrier required to hold a certificate of public convenience and necessity is the regular route common carrier, Chapter 325, Code of Iowa 1950. This Act would require irregular route common carriers by motor vehicle also to hold such a certificate and would require a contract carrier by motor vehicle to hold a permit showing such operation as being in the public interest.

This Act would also repeal Chapter 325, Code of Iowa 1950, which presently relates to truck operators other than regular route common carriers, and would also repeal Chapters 326 and 327, Code of Iowa 1950, which relate to the regulation of regular route common carriers and which require the payment of a compensation tax by this class of carrier. This Act would require a certificate or permit fee of \$25 to be paid by the motor carriers on each motor vehicle operated by them.

There are also provisions in this Act for authority to regulate the operation of motor vehicles on the highways and to materially aid in establishing safer operations on the highways.