

FEB 6 2001
TRANSPORTATION

HOUSE FILE 195
BY BROERS

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

A BILL FOR

1 An Act relating to transportation, including proof of financial
2 responsibility, driver's licenses, and motor vehicle
3 operation, and making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 195

1 Section 1. Section 321.20B, subsection 6, Code 2001, is
2 amended to read as follows:

3 6. This section does not apply to a motor vehicle driven
4 upon a highway in conformance with the provisions of this
5 chapter relating to manufacturers, transporters, or dealers,
6 or a motor vehicle identified in section 321.18, subsections 1
7 2 through 6, and subsection 8.

8 Sec. 2. Section 321.194, subsection 1, paragraph a,
9 subparagraph (1), Code 2001, is amended to read as follows:

10 (1) During the hours of 6 a.m. to 10 p.m. over the most
11 direct and accessible route between the following locations
12 for the purpose of attending duly scheduled courses of
13 instruction and duly scheduled extracurricular activities at
14 the designated locations:

15 (a) The licensee's residence and schools of enrollment and
16 between-schools.

17 (b) Schools of enrollment for-the-purpose-of-attending
18 duly-scheduled-courses-of-instruction-and-extracurricular
19 activities-within-the-school-district.

20 (c) The licensee's residence or schools of enrollment and
21 off-campus locations within the school district of enrollment.

22 Sec. 3. Section 321.218, subsections 1, 3, and 4, Code
23 2001, are amended to read as follows:

24 1. A person whose driver's license or operating privilege
25 has been denied, canceled, suspended, or revoked as provided
26 in this chapter or as provided in section 252J.8 or 261.126 or
27 section 901.5, subsection 10, and who operates a motor vehicle
28 upon the highways of this state while the license or privilege
29 is denied, canceled, suspended, or revoked, commits a simple
30 misdemeanor. In addition to any other penalties, the
31 punishment imposed for a violation of this subsection shall
32 include assessment of a fine of not less than two hundred
33 fifty dollars nor more than one thousand five hundred dollars.

34 3. The department, upon receiving the record of the
35 conviction of a person under this section upon a charge of

1 operating a motor vehicle while the license of the person is
2 suspended or revoked, shall, except for licenses suspended
3 under section 252J.8, 261.126, 321.210, subsection 1,
4 paragraph "c", section 321.210A, 321.210B, or 321.513, extend
5 the period of suspension or revocation for an additional like
6 period, and the department shall not issue a new driver's
7 license to the person during the additional period.

8 If the department receives a record of a conviction of a
9 person under this section but the person's driving record does
10 not indicate what the original grounds of suspension were, the
11 period of suspension under this subsection shall be for a
12 period not to exceed six months.

13 4. A person who operates a commercial motor vehicle upon
14 the highways of this state when disqualified from operating
15 the commercial motor vehicle under section 321.208 commits a
16 serious simple misdemeanor if a commercial driver's license is
17 required for the person to operate the commercial motor
18 vehicle.

19 Sec. 4. Section 321.302, Code 2001, is amended to read as
20 follows:

21 321.302 OVERTAKING ON THE RIGHT.

22 1. The Unless otherwise prohibited by law the driver of a
23 vehicle may overtake and pass upon the right of another
24 vehicle which is making or about to make a left turn on a
25 roadway with unobstructed pavement of sufficient width for two
26 or more lines of traffic moving in the same direction as the
27 vehicle being passed when such movement can be made in safety.

28 2. The driver of a vehicle may overtake and, allowing
29 sufficient clearance, pass another vehicle proceeding in the
30 same direction either upon the left or upon the right on a
31 roadway with unobstructed pavement of sufficient width for
32 four or more lines of moving traffic when such movement can be
33 made in safety.

34 3. No A person shall not drive off the pavement, or upon
35 the shoulder of the roadway, or upon the apron or roadway of

1 an intersecting highway in overtaking or passing on the right.

2 4. A person convicted of a violation of this section is
3 guilty of a simple misdemeanor punishable as a scheduled
4 violation under section 805.8, subsection 2, paragraph "h".

5 Sec. 5. Section 321.423, subsection 6, Code 2001, is
6 amended to read as follows:

7 6. AMBER FLASHING LIGHT. A farm tractor, farm tractor
8 with towed equipment, self-propelled implement of husbandry,
9 road construction or maintenance vehicle, road grader, or
10 other vehicle principally designed for use off the highway
11 which, when operated on a primary or secondary road, is
12 operated at a speed of ~~twenty-five~~ thirty-five miles an hour
13 or less, shall be equipped with and display an amber flashing
14 light visible from the rear at any time from sunset to
15 sunrise. If the amber flashing light is obstructed by the
16 towed equipment, the towed equipment shall also be equipped
17 with and display an amber flashing light as required under
18 this subsection. All vehicles specified in this subsection
19 which are manufactured for sale or sold in this state shall be
20 equipped with an amber flashing light in accordance with the
21 standards of the American society of agricultural engineers.

22 EXPLANATION

23 This bill makes several technical corrections in Code
24 provisions relating to motor vehicles. Code section 321.20B,
25 relating to motor vehicle financial liability coverage, is
26 amended to make the section applicable to nonresidents.

27 Code section 321.194, relating to minors' school driver's
28 licenses, is amended to provide that the driver's license
29 entitles the licensee to operate a motor vehicle for the
30 purpose of attending duly scheduled courses of instruction and
31 duly scheduled extracurricular activities at the licensee's
32 schools of enrollment and at off-campus locations within the
33 licensee's school district of enrollment. Currently, the
34 license entitles the licensee to operate a motor vehicle to
35 attend duly scheduled courses of instruction and

1 extracurricular activities within the school district at the
2 licensee's schools of enrollment.

3 The bill amends Code section 321.218, relating to penalties
4 for operating a motor vehicle without a valid driver's
5 license, to provide that operating while a person's driver's
6 license is suspended, revoked, denied, or barred for
7 defaulting on certain student loans is a simple misdemeanor.
8 In addition to any other penalties, a fine of at least \$250
9 but not more than \$1,500 shall be assessed for a violation of
10 this provision. Code section 321.218 is also amended to
11 provide that a person who operates a commercial motor vehicle
12 when disqualified for certain offenses commits a simple rather
13 than a serious misdemeanor.

14 Code section 321.302, relating to passing another motor
15 vehicle on the right, is amended to allow a vehicle to pass a
16 vehicle making a left turn only on a roadway with unobstructed
17 pavement wide enough for two or more lines of traffic going in
18 the same direction as the vehicle being passed and to prohibit
19 a person from driving on the apron or roadway of an
20 intersecting highway when passing on the right. A violation
21 of this provision is a simple misdemeanor.

22 The bill amends a provision in Code section 321.423,
23 relating to amber flashing lights used on certain slow-moving
24 vehicles, to use 35 miles an hour or less rather than 25 miles
25 an hour or less in referring to the speed at which such
26 vehicles may travel. This change is necessary to agree with
27 the Code changes made in previous years relating to the speed
28 at which certain slow-moving vehicles may travel.

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