

4/5 Not Rereferred To Transportation

FILED FEB 14 '01

SENATE FILE 202  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 130)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act prohibiting operators from allowing persons under sixteen  
2 years of age to ride in an unenclosed area of a motor vehicle  
3 not intended for the seating of passengers and providing a  
4 penalty.

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

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SF 202

1 Section 1. NEW SECTION. 321.447 YOUTHS RIDING IN  
2 UNENCLOSED AREA NOT INTENDED FOR PASSENGERS PROHIBITED.

3 The operator of a motor vehicle shall not allow a person  
4 under sixteen years of age to ride in an unenclosed area of a  
5 motor vehicle not designed or intended for passenger seating  
6 when the motor vehicle is in motion on a highway. This  
7 section does not apply in any of the following circumstances:

8 1. The motor vehicle is operated in a parade authorized by  
9 proper permit from local authorities.

10 2. The person under sixteen years of age is riding in the  
11 motor vehicle in order to perform duties associated with the  
12 person's employment or to perform agricultural duties.

13 3. The motor vehicle is an authorized emergency vehicle.

14 4. The motor vehicle is traveling at a speed of less than  
15 twenty miles per hour.

16 Sec. 2. Section 805.8, subsection 2, Code 2001, is amended  
17 by adding the following new paragraph:

18 NEW PARAGRAPH. aj. For allowing a person under sixteen  
19 years of age to ride in an unenclosed area of a motor vehicle  
20 not designed or intended for passenger seating in violation of  
21 section 321.447, the scheduled fine is twenty-five dollars.

22 EXPLANATION

23 This bill creates new Code section 321.447, which prohibits  
24 the operator of a motor vehicle from allowing a person under  
25 16 years of age to ride in an unenclosed area of a motor  
26 vehicle not designed or intended for passenger seating when  
27 the motor vehicle is in motion on a highway. The prohibition  
28 does not apply to operation of the motor vehicle in an  
29 authorized parade, while the person under 16 is performing  
30 employment or agricultural duties, if the motor vehicle is an  
31 authorized emergency vehicle, or if the motor vehicle is  
32 traveling at a speed of less than 20 miles per hour. A  
33 violation of the prohibition is punishable by a scheduled fine  
34 of \$25.

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