

JAN 13 2005
TRANSPORTATION

HOUSE FILE 62
BY JONES

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

A BILL FOR

1 An Act prohibiting the unauthorized sale, ownership, possession,
2 or use of traffic signal preemption devices and providing a
3 penalty.

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

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HF 62

1 Section 1. Section 321.260, Code 2005, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. a. A person shall not sell, own,
4 possess, or use a traffic signal preemption device except as
5 permitted in connection with the lawful operation of an
6 authorized emergency vehicle as defined in section 321.1. A
7 person who is convicted of the unauthorized sale, ownership,
8 possession, or use of a traffic signal preemption device is
9 guilty of a simple misdemeanor. In addition to any other
10 penalties, the punishment imposed for a violation under this
11 subsection shall include assessment of a fine of not less than
12 two hundred fifty dollars, and if the violation involves the
13 unauthorized use of a traffic signal preemption device, the
14 person may also be required to complete community service.
15 b. For purposes of this subsection, "traffic signal
16 preemption device" means a device that, when activated, is
17 capable of changing an official traffic control signal to
18 green out of sequence.

19 EXPLANATION

20 This bill makes it unlawful to sell, own, possess, or use a
21 traffic signal preemption device except in connection with the
22 use of an authorized emergency vehicle. The bill defines
23 "traffic signal preemption device" as a device that can change
24 a traffic control signal to green out of sequence.

25 The penalty for a violation is a simple misdemeanor, which
26 is punishable by a fine of up to \$500 or 30 days'
27 imprisonment, or both. The bill specifies that the penalty
28 shall include, at a minimum, a fine of \$250. In addition, if
29 the violation is for unauthorized use of a traffic signal
30 preemption device, the person may also be required to perform
31 community service.

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