

MAR 2 2005  
WAYS AND MEANS

HOUSE FILE 513  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 80)

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

**A BILL FOR**

1 An Act relating to the speed limit for vehicular traffic on  
2 highways, the fines for violations, and making an  
3 appropriation, and relating to court costs for simple  
4 misdemeanor offenses and providing a fee.

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

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HF 513

1 Section 1. Section 321.285, subsection 6, Code 2005, is  
2 amended to read as follows:

3 6. a. Notwithstanding any other speed restrictions, the  
4 speed limit for all vehicular traffic on fully controlled-  
5 access, divided, multilaned highways ~~including the national~~  
6 ~~system of interstate highways~~ is sixty-five miles per hour.  
7 However, the speed limit for all vehicular traffic on highways  
8 that are part of the interstate road system, as defined in  
9 section 306.3, is seventy miles per hour. The department may  
10 establish a speed limit of sixty-five miles per hour on  
11 certain divided, multilaned highways not otherwise described  
12 in this paragraph.

13 ~~b. However, the department or cities with the approval of~~  
14 ~~the~~ The department, on its own motion or in response to a  
15 recommendation of a metropolitan or regional planning  
16 commission or council of governments, may establish a lower  
17 speed limit ~~upon such highways located within the corporate~~  
18 ~~limits of a city on a highway described in this subsection.~~

19 c. For the purposes of this subsection, ~~a fully~~ "fully  
20 controlled-access highway is highway" means a highway that  
21 gives preference to through traffic by providing access  
22 connections with selected public roads only and by prohibiting  
23 crossings at grade or direct private driveway connections.

24 d. A minimum speed may be established by the department on  
25 the highways referred to in this subsection if warranted by  
26 engineering and traffic investigations.

27 ~~It is further provided that any~~ Any kind of vehicle,  
28 implement, or conveyance incapable of attaining and  
29 maintaining a speed of forty miles per hour shall be  
30 prohibited from using the interstate road system.

31 Sec. 2. Section 602.8106, subsection 1, paragraphs b, d,  
32 and e, Code 2005, are amended to read as follows:

33 b. For filing and docketing of a complaint or information  
34 for a simple misdemeanor and a complaint or information for a  
35 nonscheduled simple misdemeanor under chapter 321, **seventeen**

1 thirty dollars.

2 d. The court costs in scheduled violation cases where a  
3 court appearance is required, seventeen thirty dollars.

4 e. For court costs in scheduled violation cases where a  
5 court appearance is not required, seventeen thirty dollars.

6 Sec. 3. Section 602.8108, subsection 2, Code 2005, is  
7 amended to read as follows:

8 2. Except as otherwise provided, the clerk of the district  
9 court shall report and submit to the state court  
10 administrator, not later than the fifteenth day of each month,  
11 the fines and fees received during the preceding calendar  
12 month. Except as provided in subsections 3, 4, 5, 7, and 8,  
13 and 9, the state court administrator shall deposit the amounts  
14 received with the treasurer of state for deposit in the  
15 general fund of the state. The state court administrator  
16 shall report to the legislative services agency within thirty  
17 days of the beginning of each fiscal quarter the amount  
18 received during the previous quarter in the account  
19 established under this section.

20 Sec. 4. Section 602.8108, Code 2005, is amended by adding  
21 the following new subsection:

22 NEW SUBSECTION. 9. a. The clerk of the district court  
23 shall report and remit to the state court administrator, not  
24 later than the fifteenth day of each month, and the state  
25 court administrator shall allocate to the vehicle depreciation  
26 account maintained by the department of public safety for  
27 vehicles utilized by the Iowa state patrol, the following  
28 amounts from fines received for speeding violations under  
29 section 805.8A, subsection 5, paragraph "b":

30 (1) For each fine collected for speed not more than five  
31 miles per hour in excess of the limit, ten dollars.

32 (2) For each fine collected for speed greater than five  
33 but not more than ten miles per hour in excess of the limit,  
34 twenty dollars.

35 (3) For each fine collected for speed greater than ten but

1 not more than fifteen miles per hour in excess of the limit,  
2 twenty dollars.

3 (4) For each fine collected for speed greater than fifteen  
4 but not more than twenty miles per hour in excess of the  
5 limit, twenty dollars.

6 (5) For each fine collected for speed greater than twenty  
7 miles per hour in excess of the limit, thirty dollars plus  
8 three dollars for each mile per hour of excessive speed.

9 b. This subsection is repealed June 30, 2009.

10 Sec. 5. Section 805.8A, subsection 5, paragraph b, Code  
11 2005, is amended to read as follows:

12 b. Notwithstanding paragraph "a", for excessive speed  
13 violations in speed zones greater than fifty-five miles per  
14 hour, the scheduled fine shall be:

15 (1) ~~Ten~~ Twenty dollars for speed not more than five miles  
16 per hour in excess of the limit.

17 (2) ~~Twenty~~ Forty dollars for speed greater than five but  
18 not more than ten miles per hour in excess of the limit.

19 (3) ~~Forty~~ Sixty dollars for speed greater than ten but not  
20 more than fifteen miles per hour in excess of the limit.

21 (4) ~~Sixty~~ Eighty dollars for speed greater than fifteen  
22 but not more than twenty miles per hour in excess of the  
23 limit.

24 (5) ~~Sixty~~ Ninety dollars plus ~~two~~ five dollars for each  
25 mile per hour of excessive speed over twenty miles per hour  
26 over the limit.

27 Sec. 6. CANINE VEHICLE REPLACEMENT. The department of  
28 public safety shall use a portion of the funds allocated to  
29 the department of public safety's vehicle depreciation account  
30 pursuant to section 602.8106, subsection 9, as enacted in this  
31 Act, to replace existing Iowa state patrol vehicles used by  
32 canine handlers, when those vehicles are due for replacement,  
33 with multipurpose vehicles properly equipped for canine  
34 transport.

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EXPLANATION

1 This bill increases the speed limit on interstate highways  
2 from 65 to 70 miles per hour for all vehicles. The speed  
3 limit on all other fully controlled access, divided,  
4 multilaned highways remains at 65 miles per hour, and the  
5 state department of transportation may continue to establish a  
6 65-mile-per-hour speed limit on certain other divided,  
7 multilaned highways. The bill broadens the authority of the  
8 department to establish a lower speed limit on any portion of  
9 a divided, multilaned highway, including interstates. The  
10 department may exercise this authority on its own motion or in  
11 response to a recommendation of a metropolitan or regional  
12 planning commission or council of governments.

13 The bill increases fines for speeding violations committed  
14 in speed zones greater than 55 miles per hour. The fines are  
15 increased from \$10 to \$20 for speed not more than five miles  
16 per hour over the limit; from \$20 to \$40 for more than five  
17 but not more than 10 miles per hour over the limit; from \$40  
18 to \$60 for more than 10 but not more than 15 miles per hour  
19 over the limit; from \$60 to \$80 for more than 15 but not more  
20 than 20 miles per hour over the limit; and from \$60 to \$90  
21 plus \$5 for each mile per hour of excessive speed over 20  
22 miles per hour over the limit. Until June 30, 2009, the  
23 portion of speeding fines collected from the increased fines  
24 is to be allocated to the vehicle depreciation account  
25 maintained by the department of public safety for vehicles  
26 utilized by the state patrol. The department of public safety  
27 is directed to use a portion of those vehicle depreciation  
28 funds to replace Iowa state patrol vehicles used by canine  
29 handlers with multipurpose vehicles equipped for canine  
30 transport when the existing vehicles are due for replacement.

31 The bill provides for an increase in the fee charged by the  
32 clerk of the district court for the filing and docketing of a  
33 complaint or information for a simple misdemeanor from \$17 to  
34 \$30. The bill also increases the court costs for a scheduled  
35 violation from \$17 to \$30.

The estimated fiscal impact for programming costs to the Judicial Branch is approximately \$53,000 with \$26,500 in FY 2006 and \$26,500 in FY 2010.

The increased revenue to the General Fund consists of fine revenue, surcharge revenue, and the increase of the simple misdemeanor filing fee. The total revenue impact from HF 513 is as follows:

**Total Revenue Generated From House File 513**

|                                  | <u>FY 2006</u> | <u>FY 2007</u> | <u>FY 2008</u> | <u>FY 2009</u> | <u>FY 2010</u> |
|----------------------------------|----------------|----------------|----------------|----------------|----------------|
| <b>General Fund</b>              | \$6,900,000    | \$8,000,000    | \$9,100,000    | \$9,100,000    | \$9,700,000    |
| <b>Victim Compensation Fund</b>  | 19,000         | 28,000         | 41,000         | 41,000         | 41,000         |
| <b>County/Local</b>              | 5,000          | 8,000          | 12,000         | 12,000         | 232,000        |
| <b>Vehicle Depreciation Fund</b> | 684,000        | 778,000        | 873,000        | 873,000        | 0              |

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning (CJJP)  
Judicial Branch  
Department of Transportation  
Department of Public Safety

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/s/ Holly M. Lyons

March 9, 2005

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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Chair - Tjepkes  
Rasmussen  
Huser

HSB 80  
TRANSPORTATION

Succeeded by

HOUSE FILE 0513  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON ARNOLD)

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

**A BILL FOR**

1 An Act increasing the speed limit for vehicular traffic on  
2 interstate highways.

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

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4 speed limit for all vehicular traffic on fully controlled-  
5 access, divided, multilaned highways ~~including-the-national~~  
6 ~~system-of-interstate-highways~~ is sixty-five miles per hour.  
7 However, the speed limit for all vehicular traffic on highways  
8 that are part of the interstate road system, as defined in  
9 section 306.3, is seventy miles per hour. The department may  
10 establish a speed limit of sixty-five miles per hour on  
11 certain divided, multilaned highways not otherwise described  
12 in this paragraph.

13 b. ~~However,--the~~ The department, or ~~cities~~ a city with the  
14 approval of the department, may establish a lower speed limit  
15 upon-such-highways on a highway described in this subsection  
16 that is located within the corporate limits of a city.

17 c. For the purposes of this subsection, ~~a-fully~~ "fully  
18 controlled-access highway-is highway" means a highway that  
19 gives preference to through traffic by providing access  
20 connections with selected public roads only and by prohibiting  
21 crossings at grade or direct private driveway connections.

22 d. A minimum speed may be established by the department on  
23 the highways referred to in this subsection if warranted by  
24 engineering and traffic investigations.

25 e. ~~It-is-further-provided-that-any~~ Any kind of vehicle,  
26 implement, or conveyance incapable of attaining and  
27 maintaining a speed of forty miles per hour shall be  
28 prohibited from using the interstate road system.

29 EXPLANATION

30 This bill increases the speed limit for interstate highways  
31 from 65 to 70 miles per hour for all vehicles. The bill  
32 retains the current provision that allows the state department  
33 of transportation, or a city with the approval of the  
34 department, to establish a lower speed limit for such a  
35 highway located within the corporate limits of a city.