FILED JAN 31 2006 TRANSPORTATION

SENATE FILE 2121

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Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to safe motor vehicle operation, including
2 penalties for certain motor vehicle violations resulting in
3 death or injury and classroom instruction for driver education
4 courses.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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TRANSPORTATION

SF 2121

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1 Section 1. Section 321.178, subsection 1, Code Supplement
2 2005, is amended by adding the following new paragraph:
3 NEW PARAGRAPH. d. Instruction providing an awareness
4 about sharing the road with motorcycles. The instruction
5 course shall be first approved by the state department of
6 transportation. Instructional materials creating an awareness
7 about sharing the road with motorcycles shall also be
8 distributed during the course of instruction.
9 Sec. 2. NEW SECTION. 321.482A VIOLATIONS RESULTING IN
10 INJURY OR DEATH -- ADDITIONAL PENALTIES.
11 Notwithstanding section 321.482, a person who is convicted
12 of operating a motor vehicle in violation of section 321.275,
13 subsection 4, section 321.297, 321.298, 321.299, 321.302,
14 321.303, 321.304, 321.305, 321.306, 321.307, 321.308, section
15 321.309, subsection 2, or section 321.311, 321.319, 321.320,
16 321.321, 321.322, 321.323, 321.323A, 321.324, 321.324A,
17 321.327, 321.329, or 321.333 resulting in injury to or death
18 of another person may be subject to the following penalties in
19 addition to the penalty provided for a scheduled violation in
20 section 805.8A or any other penalty provided by law:
21 1. For a violation resulting in bodily injury other than
22 serious bodily injury, a fine of two hundred dollars or
23 suspension of the violator's driver's license or operating
24 privileges for not more than thirty days, as provided in
25 section 321.210, or both.
26 2. For a violation resulting in serious injury, a fine of
27 five hundred dollars or suspension of the violator's driver's
28 license or operating privileges for not more than ninety days,
29 or both. For purposes of this subsection, "serious injury"
30 means a bodily injury which creates a substantial risk of
31 death, or which causes serious permanent disfigurement, or
32 which causes protracted loss or impairment of the function of
33 any bodily organ or major bodily member, or which causes the
34 loss of any bodily member.
35 3. For a violation resulting in death, a fine of one

1 thousand dollars or suspension of the violator's driver's
2 license or operating privileges for not more than one hundred
3 eighty days, or both.
4
5 EXPLANATION
6 This bill requires a driver education course to include
7 instruction about making students aware of sharing the road
8 with motorcycles. Under the bill, the motorcycle awareness
9 course shall first be approved by the state department of
10 transportation.
11 The bill also provides that motor vehicle operators who are
12 convicted of certain moving violations which are simple
13 misdemeanors punishable by scheduled fines may be subject to
14 additional fines and licensing sanctions if such a violation
15 results in injury or death. The bill applies to specified
16 violations that involve failure to yield or interfering with
17 the right-of-way of a vehicle or person. If the violation
18 results in injury to another person, the court may impose an
19 additional fine of $200 or suspension of the violator's
20 driver's license for up to 30 days, or both. For a violation
21 resulting in serious injury to another person, the court may
22 impose an additional fine of $500 or driver's license
23 suspension for up to 90 days, or both. "Serious injury" is
24 defined as a bodily injury which creates a substantial risk of
25 death, or which causes serious permanent disfigurement,
26 protracted loss or impairment of the function of any bodily
27 organ or major bodily member, or the loss of any bodily
28 member. For a violation which results in the death of a
29 person, the court may impose an additional fine of $1,000 or
30 driver's license suspension for up to 180 days, or both.
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