

- Section 12 Amends Code section 321.218 which requires the DOT to extend the period of suspension or revocation of a person's driver's license when the DOT is notified by the court that the person was convicted of operating a motor vehicle while the license was suspended or revoked. Current law requires the DOT to suspend or revoke the person's license for an additional like period of time; the amendment requires the DOT to suspend or revoke the person's license for an additional like period of time or one year, whichever period is shorter.
- Section 13 Amends Code section 321J.4 to allow a person convicted of second offense OWI test failure (violation of 321J.2) to be eligible for a temporary restricted license, in accordance with the provisions of Code section 321J.4, after 45 days rather than after one year. The defendant is required to install an ignition interlock on all vehicles owned or operated by the defendant.
- Section 14 Amends Code section 321J.8 to revise the peace officer's advisory statement to reflect the amendment made to Code section 321.208 (see sections 9 and 10).
- Section 15 Amends Code section 321J.13 and requires the DOT to rescind the disqualification of a person's commercial driver's license if that disqualification was imposed as the result of a person operating a noncommercial motor vehicle while intoxicated (OWI) and the license revocation for the noncommercial motor vehicle OWI was rescinded. *Section 18 provides that the amendment takes effect upon enactment and is retroactive to January 1, 2005.*
- Section 16 Amends Code section 805.6 to allow a person who is cited for operating a motor vehicle while the person's driver's license is suspended, canceled, denied, or revoked under Code section 321.218 or 321A.32 to sign an unsecured appearance bond (a "promise to appear") on the ticket and enter a written appearance. This option is currently available for all written citations that are simple misdemeanors and allows a person to avoid appearing in court.
- Section 17 Repeals Code section 321.192 to eliminate a provision that allows the DOT to waive or refund fees for issuance of a driver's license or nonoperator's identification card in certain circumstances (referred to as the "money back guarantee").

Section 18 Provides that Section 15 amending Code section 321J.13 takes effect upon enactment and applies retroactively to January 1, 2005, for disqualifications in effect on or after that date.

Division III – Vehicles

Section 19 Amends Code section 312.2 to clarify the distribution of trailer registration fees as established in Senate File 2420 (TIME-21 legislation) passed during the 2008 legislative session. *Section 37 provides that the amendment takes effect upon enactment and is retroactive to January 1, 2009.*

Section 20 Amends Code section 321.1 to define "dealer" to include persons required to be licensed as motor vehicle dealers or as travel trailer dealers.

Section 21 and 22 Amend Code sections 321.18 and 321.22 to eliminate specific requirements for the design of registration plates issued for private school buses and for transit buses. Plates labeled "private school bus" or "transit bus" will no longer be required.

Sections 23 and 24 Amend Code section 321.89 to allow a private property owner to employ a private entity who is a garagekeeper to tow an abandoned vehicle from the private property and take the vehicle into custody without the initiative of a police authority. Requires the private entity to notify affected parties and allows the private entity to claim a garagekeeper's lien as described in Code section 321.190. Allows the private entity to sell the abandoned vehicle at public auction or demolish the vehicle if the persons receiving notice do not reclaim the vehicle within 10 days. A garagekeeper is defined as an operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of motor vehicles.

Section 25 Amends Code section 321.166 to eliminate the requirement that a state-sponsored special registration plate display the name of the county. States that the DOT may adopt rules.

Section 26 Amends Code section 321.166 to allow the Gold Star special registration plate to have a different background than the normal county design. Iowa law requires most special registration plates to be consistent with the design and color of regular registration plates, except for a space to allow placement of a distinguishing processed emblem.

- Section 27 Amends Code section 321A.17 to add an exemption to the required suspension of a vehicle registration if a title holder fails to maintain and show proof of financial responsibility (SR-22 high risk insurance). The exemption applies in divorce situations where the title of the vehicle is awarded to the party that is not required to maintain the SR 22 insurance. *Section 38 provides that the amendment takes effect upon enactment.*
- Section 28 Amends Code section 321F.9 to make a conforming change to an amendment to Code section 322.6 (see section 35)
- Sections 29-34 Make several amendments to Code chapter 321H, Vehicle Recyclers:
- Section 30 defines "vehicle subject to registration" to mean any type of vehicle required to be registered under Code chapter 321 when operated on a public highway, including a vehicle that is inoperable, salvage, or rebuilt. Section 29 makes conforming amendments.
 - Sections 31 and 32 clarify existing Code language. *(A technical amendment to Code section 321H.3 striking the reference to "obtaining a junking certificate" is included in SF 478, standings appropriations.)*
 - Section 33 includes clarifying language and provides that a vehicle recycler's license may be denied, revoked, or suspended if the licensee has been convicted of a fraudulent practice or any other indictable offense in connection with selling or other activity relating to motor vehicles, in Iowa or in any other state.
 - Section 34 provides a penalty for a person convicted of a fraudulent practice or any other indictable offense in connection with selling or other activity relating to motor vehicles.

Sections 35 and 36 Amend Code sections 322.3 and 322.6, dealing with motor vehicle manufacturers, distributors and dealers, to include language that is consistent with the vehicle recycler language as amended in Code chapter 321H. The amendments relate to prohibited acts regarding motor vehicle manufacturing, distributing, and selling and to denial of an application for a motor vehicle dealer's license, respectively.

Section 37 Provides that Section 19 amending Code section 312.2 takes effect upon enactment and applies retroactively to January 1, 2009.

Section 38 Provides that Section 27 amending Code section 321A.17 takes effect upon enactment.

Division IV – Enforcement

Section 39 Amends Code section 321.95 to establish a penalty for persons convicted of a violation of that section. The section authorizes peace officers to inspect any vehicle or component part in possession of a vehicle rebuilder, vehicle salvager, used vehicle parts dealer, any person licensed under Code chapter 322, or found in certain other circumstances; establishes record keeping requirements; and provides that records shall be open for inspection by any peace officer during normal business hours. A person convicted of a violation of section 321.95 is guilty of a simple misdemeanor punishable as a scheduled violation; the fine is \$50. *Section 43 makes a conforming amendment to Code section 805.8A.*

Section 40 Amends Code section 321.449 to correct a Code reference to a federal regulation that was renumbered in 2004. The federal regulation deals with hours of service record keeping requirements.

Section 41 Amends Code section 321.449 to authorize DOT motor vehicle enforcement officers to enter a motor carrier's place of business at reasonable times and with reasonable notice to perform safety audits and compliance reviews in conformance with federal motor carrier safety regulations. The DOT's motor vehicle enforcement officers are also authorized to inspect and copy motor carrier records required by federal regulations.

- Section 42 Amends Code section 805.6 to clarify Iowa law related to the process for handling Uniform Citation and Complaint (UCC) forms that are created electronically. Specifically, the issuing agency must transmit the UCC to the court and the officer issuing the citation must deliver a document to the defendant that contains a section for the defendant and a section which may be sent to the court. The amendment also identifies the DOT as one of the agencies (along with the Department of Public Safety and the Department of Natural Resources) authorized to determine the information contained on the UCC form.
- Section 43 Amends Code section 805.8A to make a conforming amendment to an amendment to Code section 321.95 (see Section 39).
- Division V – Fuel Tax Revenues*
- Section 44 Amends Code section 452A.3 to clarify that aviation gasoline is excluded under the formula for the calculation of the excise tax on ethanol blended gasoline and regular gasoline.
- Division VI – TIME-21 Fund – Cap on Annual Deposits*
- Section 45 Amends Code section 312A.2 to establish a cap on the annual amount of revenue to be deposited in the TIME-21 Fund. Beginning with FY 2009, not more than \$225 million shall be deposited in the TIME-21 Fund in a fiscal year. Any revenues directed to the TIME-21 Fund above \$225 million are to be deposited in the Road Use Tax Fund.
- Section 46 Provides that Section 45 amending Code section 312A.2 takes effect upon enactment.