



**2015**  
**Iowa Acts**  
**for the Iowa Department of**  
**Transportation**

**Bills of the 2015 Session of the 86th**  
**General Assembly**

Prepared by the  
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**NUMERICAL LIST OF HOUSE AND SENATE FILES**  
**86th General Assembly, 2015 Session**

BILLS

[HF 287](#)  
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[SF 456](#)  
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[SF 497](#)  
[SF 499](#)  
[SF 510](#)  
[SF 513](#)

★Indicates a full explanation of DOT-sponsored bill is included.

The signed enrolled bills are individually linked above to the Iowa General Assembly's website.

**Note:** The above, linked enrolled bills include the governor's signing letters and if applicable, reflect the governor's item vetoes.

**Note:** Governor vetoed HF 652 in its entirety and it is not included in the above numerical list. HF 652 pertained to transferring money from the Iowa Comprehensive Petroleum Underground Storage Tank Fund to a new Underground Storage Tank Cost Share Grant Program. The new grant program would have had a negative financial impact on the Road Use Tax Fund.



**The following legislation of interest to the DOT was not included in the 2015 Iowa Acts because they were line-item vetoed or vetoed by Governor Branstad.**

[HF651](#)

**Expenditures of Money From E911 Emergency Communications Fund**

Section 1, subsections 1 and 2, were line-item vetoed by the governor. These subsections would have created a new Code section 29C.23 concerning the statewide land mobile radio communications system that interfaces with the Iowa interoperability radio platform. The governor stated this language was redundant of the statewide procurement process that has already occurred.

The governor also line-item vetoed the following bill sections that would have increased funding for public safety answering points and wireless carriers: section 2 created new paragraphs within Code section 34A.7A(2); section 4 struck Code section 34A.7A(2)(e); and section 5 struck part of Code section 34A.7A(2)(f). The Department of Homeland Security and Emergency Management is conducting a legislatively-required study to review rates. The governor stated that any increase should wait until completion of the study.

[HF 652](#)

**Establishes an Underground Storage Tank Cost Share Grant Program**

The governor vetoed this bill. HF 652 pertained to transferring money from the Iowa Comprehensive Petroleum Underground Storage Tank Fund to a new Underground Storage Tank Cost Share Grant Program. The new grant program would have had a negative financial impact on the Road Use Tax Fund.

[SF 499](#)

**Economic Development Appropriations**

The governor line-item vetoed Division IV in its entirety. This division would have changed the classifications of certain administrative law judges. The item veto keeps the classification of these administrative law judges as at-will employees.

[SF 510](#)

**Standings Appropriations**

The governor line-item vetoed Division X in its entirety. This division concerned payments authorized by the State Appeal Board and would have moved the standing appropriation for the State Appeal Board from the General Fund to the Economic Emergency Fund.



**Reports or Studies Required by the 86<sup>th</sup> General Assembly, 2015 Session, that Affect or are of Interest to the DOT**

**The following requires the DOT to issue a report or conduct a study:**

- HF 651 Section 1, subsection 3, creates new Code section 29C.23 that requires the Iowa radio interoperability platform to be under the joint purview of the Department of Public Safety (DPS) and DOT. Beginning July 1, 2016, the DPS and DOT must jointly submit a biannual report to the Iowa Statewide Interoperable Communications System Board.
  
- SF 75 Section 5 requires the DOT to utilize existing staff and accident reporting systems to document the effectiveness of displaying blue and white lighting devices on equipment used by the DOT for snow and ice treatment or removal on the public streets or highways. Requires the DOT to submit a report to the General Assembly containing the documentation before July 1, 2019.
  
- SF 257 Section 7 adds a new paragraph to Code section 452A.3 to require a legislative review at least every six years on the 10 cents per gallon increase to all variable tax rates for ethanol-blended fuels and gasoline and the variable tax rate for B-11 or certain diesel blends. The legislative review is to be based upon a fuel distribution percentage formula status report containing the recommendations of a legislative interim committee appointed to review the variable tax rate formulas with assistance from the Department of Revenue and in association with the DOT. Requires the first report to be submitted to the General Assembly no later than January 1, 2020, with subsequent reports developed and submitted by January 1 at least every sixth year thereafter.
  
- SF 257 Section 12, subsection 2, requires the DOT to identify the critical road and bridge construction projects funded with revenue produced as a result of the increase in the excise taxes on motor fuel and certain special fuel in the DOT's annual five-year Iowa Transportation Improvement Program report. Section 12, subsection 3, requires the DOT to identify \$10 million in efficiencies for FY 2016 and another \$10 million in efficiencies for FY 2017, in addition to the identification of any other efficiencies as required by law. The DOT will provide details of activities undertaken to implement these efficiencies in the annual "Road Use Tax Fund Efficiency Report."

**The following reports are of interest to the DOT:**

- HF 655 Section 30 amends Code section 8B.9 to add a new subsection requiring the chief information officer to prepare an annual report on the status of broadband expansion and coordination.
  
- SF 510 Section 55 amends Code section 8A.111 to require the Department of Administrative Services to prepare an annual report on the administration and promotion of equal opportunity in state contracts and services. **Note:** Sections 54 and 56-58 eliminated the Department of Management's responsibilities for oversight of equal opportunity for state programs and affirmative action.



**Iowa DOT's Administrative Rules Affected by 2015 Legislation**

*(Please note that other administrative rules may need to be updated. This list does not include all the rule changes that may be needed.)*

HF 563            This bill relates to vehicle recyclers. Section 9 adopts a new Code section within Code chapter 321H and requires the DOT to adopt rules concerning the National Motor Vehicle Title Information System. The rules must include language requiring the submission and retention of records not required by 28 CFR 25.56 and verification of vehicles that are exempted from the reporting requirements. This bill is effective January 1, 2016.

HF 585            This bill establishes an address confidentiality program in the Secretary of State’s Office for victims of domestic abuse, domestic abuse assault, sexual abuse, stalking, and human trafficking. The DOT will amend rules to allow a post office box number to be listed on a driver’s license or nonoperator’s identification card. The sections related to DOT rules are effective January 1, 2016.

HF 635            This bill is the DOT’s-sponsored legislation and relates to matters under the purview of the DOT.

Division I of the bill affects aviation. Section 1 concerns state agencies competing with private enterprise and strikes obsolete language concerning the DOT’s state aircraft pool operations. This change allows for 761 IAC 25.2(9) to be rescinded. The changes in this division were effective July 1, 2015.

Division II of the bill makes changes to Code chapters 307 and 307A. These changes allow for the DOT’s rule chapter concerning the DOT’s organization to be updated. Moves the duties of the Commission to approve rules prior to adoption to Code section 307A.2. The changes in this division were effective July 1, 2015.

Division III affects motor vehicles. Section 32, allows federal law enforcement agencies to be issued regular license plates instead of official plates. Section 35, allows annual permits to be issued for vehicles with divisible loads of bagged livestock bedding. Section 38 allows motor vehicles to be displayed, offered for sale, or negotiated during the state fair if the fair is within the motor vehicle dealer’s community. Sections 40 and 41 concern the penalty assessed on apportioned vehicle registration and reduce the penalty structure for late filing and late payment to 5 percent of the Iowa fee. The changes in this division were effective July 1, 2015, with the exception of changes to Sections 40 and 41 that are effective January 1, 2016.

Division V affects commercial learner's permits. Sections 50, 53, and 57 require the DOT to adopt rules concerning commercial learner's permits, commercial driver's licenses, and the requirements of 49 CFR 383.73. Section 75 provides the DOT with emergency rulemaking authority. The emergency rule provisions were effective upon enactment, June 26, 2015.

- SF 203 Section 23 amends Code section 321.186(4) and concerns the licensing of advanced registered nurse practitioners. Removes the requirement that they be registered with the Board of Nursing. Section 23 was effective July 1, 2015.
- SF 257 This bill relates to transportation funding and increases Iowa's motor fuel tax and permit fees. Section 3 amends Code section 321E.14(1) and increases the cost of certain annual permits and single-trip permits for vehicles of excessive size and weight. Section 3 is effective January 1, 2016.
- SF 435 This bill relates to public access to data processing software under Iowa's open records law. Sections 1 to 3 amend Code chapter 22. These Code changes concern records relating to data processing software developed by the government body or developed by a nongovernment body and used by the government body pursuant to a contractual relationship with the nongovernment body. This bill was effective July 1, 2015.
- SF 457 This bill amends Code section 21.5 and allows the Office of Ombudsman, in performance of its duties, access to the minutes and audio recording of a closed session without obtaining a court order. This bill was effective July 1, 2015.

[HF 287](#)

**Counterfeit, Unsafe, and Nonfunctional Air Bags**

Adds new definitions for "air bag" or "airbag" within Code section 321.1. Rewrites Code section 321.71A to include definitions for "counterfeit air bag" and "nonfunctional air bag."

Also provides that a person who manufactures, imports, installs, reinstalls, sells, or offers to sell any device with the intent that the device replace an air bag in a motor vehicle and who knows that the device is a counterfeit, nonfunctional, or does not comply with federal safety requirements in 49 CFR 571.208 is guilty of an aggravated misdemeanor.

Additionally, a person who manufactures, imports, installs, reinstalls, sells, offers to sell, or tampers with any device that causes a motor vehicle's diagnostic system to accurately indicate that the motor vehicle is equipped with a functional air bag when a counterfeit or nonfunctional air bag is installed or when no air bag is installed is guilty of an aggravated misdemeanor. Violations of revised Code section 321.71A are an unlawful practice under Code section 714.16, Consumer Protection, and are a prohibited practice under Code section 714H.3, Consumer Fraud.

*Bill effective April 24, 2015.*

*Amends Code sections 321.1, 321.71A, and 714H.3.*

[HF 299](#)

**Loess Hills Restrictions**

Adds a Code section 161D.9, within Code chapter 161D, Loess Hills and Southern Iowa Development and Conservation. Prohibits the Loess Hills Development and Conservation Authority or the board of directors of the Loess Hills Alliance from entering into any agreement with a local government, or the state or federal government if the agreement regulates, on an involuntary basis, the action of a private landowner or the use of a private landowner's land.

*Bill effective July 1, 2015.*

*Creates new Code section 161D.9.*

[HF 535](#)

**Nonsubstantive Code Corrections**

Makes Code editor changes and corrections considered to be nonsubstantive and noncontroversial.

*Division I of the bill makes miscellaneous changes and affects the DOT.*

Section 6 amends Code section 29C.2(7) to add a hyphen in "safety-related" within definition of "mass notification and emergency messaging system."

Section 21 amends Code section 124D.2(5) to add "by" within the definition of "primary caregiver."

Sections 22 and 23 amend Code sections 124D.4(2) and 124D.4(4) to strike "photo" and insert "photograph."

Section 45 amends Code section 310.27 to add numbers to the Code section and clarify "department" means the Department of Management.

Section 46 amends Code section 328.1(1)(u) to strike the parenthesis within the definition of "operation of aircraft or operate aircraft."

Section 59 amends Code section 452A.65 to add numbers to the Code section and correct internal Code references to subsections.

Section 113 amends Code section 714.16 to lowercase "rules of civil procedure."

*Division II of the bill makes Code editor directives. Sections below affect the DOT.*

Section 114, subsection 1, amends Code section 669.12 regarding state tort claims report to strike "director of management" and insert "director of the department of management."

Section 114, subsection 4, amends Code sections 28J.27 and 321H.1 regarding port authorities and vehicle recyclers, to strike "director of the state department of transportation" and insert "director of transportation."

Section 114, subsection 5, amends Code section 321.1(20), the definition of "director," to strike "director of state department of transportation" and insert "director of transportation."

Section 114, subsection 6, amends Code section 6B.2A(4) regarding notice of proposed public improvements under the procedure for eminent domain to strike "director of the state department of transportation" and insert "director of transportation."

Section 114, subsection 8, amends Code sections 321.375(1)(d), 321.376(1), and 321L.2A(1)(e) regarding school bus driver's qualifications and grounds for suspension; school bus driver's license authorization and instruction requirement; and wheelchair parking cone; to strike "physician's assistant" and insert "physician assistant."

Section 114, subsection 9, amends Code section 669.4 regarding hearings for state tort claims, to direct the Code editor to number unnumbered paragraphs.

*Bill effective July 1, 2015.*

*Amends Code sections 6B.2A, 28J.27, 29C.2, 124D.2, 124D.4, 321.1, 310.27, 321.375, 321.376, 321H.1, 321L.2A, 328.1, 452A.65, 669.4, 669.12, and 714.16.*

[HF 536](#)**Code Editor Statutory Changes**

Relates to statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

*Division I of the bill makes miscellaneous changes. Sections below affect the DOT.*

Section 1 amends Code section 8A.315(5) concerning state purchases and recycled products and soybean based inks, to eliminate the requirement for persons submitting bids to certify that the printing and writing paper proposed complies with the requirements of providing information on recycled soybean-based ink content.

Section 2 amends Code section 8A.504(2) to clarify within the DAS setoff procedures that "it" means "the public agency."

Section 27 amends Code section 17A.5(2)(b) regarding the filing and taking effect of administrative rules to add numbers and letters to the Code section and correct internal Code references.

Section 28 amends Code sections 28M.7(2) and 28M.7(3) concerning regional transit authorities, to strike "government" and insert "governmental."

Section 54 amends Code section 124D.4(6) to make reference to "cannabidiol registration cards" instead of card.

Section 97 amends Code section 321.19 to reformat and make editorial corrections to the Code section regarding vehicles that are exempt from payment of vehicle registration fees and are not exempt from penalties. Amends the definition of "regional transit system" to include that privately chartered bus services and uses other than providing services that are open and public on a shared-ride basis are not to be construed to be a regional transit system.

Sections 98 and 99 amend Code sections 321.34(20C) and 321.34(27) to make an internal reference clarification to language regarding distinguishing processed emblems for vehicle registration plates. Makes a clarification by striking "and" and replacing with "or" in a list of plate emblems. Clarifies that the treasurer of state is to transfer monthly Veteran Plate Fees from the Statutory Allocations Fund to the Veterans License Fee Fund. **Note:** Section 205 of this bill makes changes in section 99 effective April 8, 2015. Section 205 of this bill makes section 99 retroactive to July 1, 2014.

Section 100 amends Code section 321.59 relating to certificates issued to motor vehicle dealers, transporters, and new motor vehicle wholesalers, to add a specific Code reference to Code section 321.58.

Section 101 amends Code section 321.154 to specify that the report referenced is the county treasurer's report under Code section 321.153.

Section 102 amends Code section 321.191(7) to make an editorial correction to change "double/triple" to "double or triple" when referencing trailer endorsements.

Section 103 amends Code section 321.198(2) regarding extensions of driver's licenses for certain military personnel and their dependents, to strike "such" and "above described." Also adds references to military personnel as described in Code section 321.198(1).

Section 104 restructures Code section 321.453 to clarify that except as provided in Code sections 321.463, 321.471, and 321.474, the provisions of Code chapter 321 governing size, weight, load, and permit requirements within Code chapter 321E do not apply to fire apparatus, road maintenance equipment, implements of husbandry, and equipment used primarily for construction of permanent conservation practices on agricultural land.

Section 105 amends Code section 321A.39(1) to strike a reference to the Iowa Motor Vehicle Financial and Safety Responsibility Act and insert a reference to Code chapter 321A. Amends the statement that must be included with a purchase order or invoice if liability insurance is not included in the sale of the vehicle to add reference to Code chapter 321A.

Section 106 amends Code section 321E.11(3) to cite Code section 324A.1 when referring to definition of "urban transit system."

Section 107 amends Code section 321G.4(4) to clarify that an antique snowmobile may be registered with only a signed bill of sale as evidence of ownership.

Section 111 amends Code section 364.24 to strike outdated language on traffic light synchronization rule-making.

Section 124 amends Code section 452A.3(3) to strike a reference to Code section 214A.1 that defines E85 gasoline.

Sections 125 to 128 amend Code sections 452A.8(1) and 452A.8(2) to strike obsolete language, replace "consumer" with "purchaser," and add "Fahrenheit" after degrees.

Section 129 amends Code section 452A.62(1)(a)(2) to require liquefied natural gas records be kept and examined when requested.

Section 130 amends Code section 452A.74(2) to clarify the internal reference regarding unlawful acts and penalty under this Code chapter.

Section 142 amends Code section 461A.57 to add language concerning public land and water that unless another punishment is provided, a person violating any provisions of Code sections 461A.36 through 461A.41, 461A.43, and 461A.45 through 461A.56 is guilty of a simple misdemeanor.

Section 178 amends Code section 614.6 regarding nonresident or unknown defendant and period of limitation to change the internal Code reference.

Section 179 amends Code section 614.35 to change an internal Code reference by adding Code section 614.34.

Section 191 amends Code section 669.2(4)(c) to add a Code citation to Code chapter 29C within the definition of "employee of the state."

Sections 192 and 193 amend Code sections 714.11 and 714.14 to strike "service" and insert "services."

*Changes in bill section 99 effective April 8, 2015.*

*Various other effective dates within this bill.*

*Amends Code sections 8A.315, 8A.504, 17A.5, 28M.7, 124D.4, 321.19, 321.34, 321.59, 321.154, 321.191, 321.198, 321.453, 321A.39, 321E.11, 321G.4, 364.24, 452A.3, 452A.8, 452A.62, 452A.74, 461A.57, 614.6, 614.35, 669.2, 714.11, and 714.14.*

### [HF 563](#)

#### **Vehicle Recyclers - Transfer of Motor Vehicles to Vehicle Recyclers Without Title and Compliance With National Motor Vehicle Title Information System**

Section 3 adds a new paragraph within Code section 321.52(2) to allow an owner of a motor vehicle subject to registration that does not have a certificate of title or a junking certificate to dispose of the vehicle to a vehicle recycler licensed under Code chapter 321H for scrap or junk if the vehicle is 12 model years old or older and is acquired by the vehicle recycler for reasonable consideration equaling less than \$1,000.

Sections 1 to 6 amend Code sections 321.45, 321.46, 321.52, 321.67, and 321.104 to make conforming amendments to exempt vehicles that are disposed of in this way from certain title application, delivery, surrender, and transfer requirements.

Section 7 amends Code section 321H.2 to add a new definition for "National Motor Vehicle Title Information System" (NMVTIS). This is a federally mandated motor vehicle title history database.

Section 8 amends Code section 321H.4 to add that a vehicle recycler's license application must be accompanied with proof of registration with the NMVTIS.

Section 9 creates a new Code section 321H.4A to require a licensed vehicle recycler who is subject to the federal requirements of 28 CFR 25.56 to register using NMVTIS and requires the DOT to adopt rules. Also requires vehicle recyclers to comply with the federal reporting requirements within two business days of purchasing the vehicle. Vehicle recyclers must maintain records for three years and the records must be open for inspection. Allows for an exception of these reporting requirements for vehicles that do not resemble the vehicle described in the title and have been crushed or flattened by mechanical means, if the vehicle recycler can verify the seller met the reporting requirements.

Section 10 amends Code section 321H.5 to expand the information included on the vehicle recycler's license. Requires that the license also specify the location of each extension within the county of the principal place of business, and beginning January 1, 2016, for the licensee's registration number for NMVTIS be included.

Section 11 amends Code section 321H.6 to allow for an application for a vehicle recycler's license to be denied by the DOT.

Section 12 amends Code section 321H.6 to add a new subsection allowing the DOT to deny, revoke, or suspend a vehicle recycler's license if the recycler fails to comply with NMVTIS requirements or 28 CFR 25.56.

Section 13 amends Code section 321H.8 to add that a person convicted of violating NMVTIS requirements is guilty of a simple misdemeanor punishable by a fine of not less than \$250 but not more than \$1,500 or by imprisonment not to exceed 30 days.

*Bill effective January 1, 2016.*

*Amends Code sections 321.45, 321.46, 321.52, 321.67, 321.104, 321H.2, 321H.4, 321H.5, 321H.6, and 321H.8.*

*Creates new Code section 321H.4A.*

## [HF 585](#)

### **Confidentiality Program - Safe at Home**

*Sections below affect the DOT.*

Section 2 creates new Code section 9E.1 to state the purpose of new Code chapter 9E. The purpose of the new chapter is to enable state agencies to respond to requests for data without disclosing the locations of a victim of domestic abuse, domestic abuse assault, sexual abuse, stalking, or human trafficking, and to enable program participants to use an address designated by the secretary of state as a substitute address. This new Code chapter prevents such victims from being physically located through a public records request.

Section 3 creates new Code section 9E.2 to establish several definitions for this new Code chapter, including "designated address" and "mail."

Section 4 creates new Code section 9E.3 to establish an address confidentiality program that requires the secretary of state to certify an eligible person as a program participant if the secretary receives an application containing specified information and provides procedures. States a government body or government entity is not liable for acts or omissions relating to this new Code chapter.

Section 5 creates new Code section 9E.4 concerning when the Secretary of State may cancel a program participant's certification.

Section 7 creates new Code section 9E.6 to allow the program participant to vote and for the name, address, and telephone number of the participant to not be listed in the statewide voter registration system.

Section 8 creates new Code section 9E.7 to state that this new section shall not be construed to prohibit the dissemination of information relating to the program to any agency or organization if necessary for carrying out the official duties of the agency or organization.

Section 9 amends Code section 48A.8 to allow an eligible elector to mail or deliver a completed voter registration form to the state commissioner of elections.

Section 10 adds a new subsection to Code section 53.2 to allow a registered voter who is a program participant to register to vote as an absentee voter with the state commissioner of elections.

*Above Code sections effective January 1, 2016.*

*Various other effective dates within this bill.*

*Amends Code sections 48A.8 and 53.2.*

*Creates new Code chapter 9E.*

### [HF 630](#)

#### **Federal Block Grant Appropriations**

*Sections below affect the DOT.*

Section 15 sets a procedure if funds received from the federal government for the block grants specified in HF 630 are less than the amounts appropriated to require the funds received to be prorated or allocated by the governor.

Section 16 sets a procedure if funds received from the federal government in the form of block grants exceed the amounts appropriated in HF 630.

Section 17 sets a procedure if federal grants, receipts, funds, and other nonstate grants, receipts, and funds become available or are awarded that are not available or awarded during the period in which the General Assembly is in session, but which require expenditure by the applicable department or agency prior to March 15 of FY 2016 and FY 2017.

Section 18 requires federal grants, receipts, funds, and other nonstate grants, receipts, and funds available in whole or in part in FY 2016 and FY 2017 to be appropriated to the departments and agencies listed and includes the DOT.

*Bill effective July 1, 2015.*

### [HF 635](#)

#### **Transportation Omnibus**

*(DOT-sponsored legislation)*

Relates to transportation matters under the purview of the DOT.

*Division I of the bill affects aviation-related Code sections.*

Section 1 strikes obsolete language in Code section 23A.2 concerning the DOT's state aircraft pool operations. This Code section concerns state agencies competing with private enterprise.

Section 2 repeals Code section 328.38 to strike the requirement that registration certificates for aircraft issued by the DOT or any agency of another state be presented for inspection upon demand.

*Division II of the bill updates Code chapters 307 and 307A and separates the duties of the DOT and Transportation Commission into their own respective Code chapters.*

Section 3 amends Code section 307.8 to strike expenses for members of the Transportation Commission.

Sections 4 and 5 amend Code section 307.12 concerning the duties of the director of transportation. References to the deputy director of transportation and administering Code section 327J are eliminated. The following director duties are added: applying for, accepting, and expending federal, state, or private funds for the improvement of transportation and the coordination of the transportation research activities within the DOT.

Section 6 amends Code section 307.12 to change the department's administrator for highways title to administrator responsible for highway programs and activities.

Sections 7 and 8 amend Code section 307.21 to change the title of the department's administrator of administrative services to the department's administrator responsible for the operations and finances of the department.

Section 9 amends Code section 307.22 to change the title of the department's administrator of planning and research to the department's administrator responsible for transportation planning and infrastructure program development. Also makes changes to the administrator's duties to remove research duties and add duties to advise and assist the director of transportation to study and develop highway transport economics to assure availability and productivity of highway transport services.

Section 10 amends Code section 307.24 to change the title of administrator of highways to administrator of highway programs and activities; changes the language concerning the duties of the administrator regarding the responsibility to plan, construct, and maintain the state primary highways; and adds administer Code chapters 306C, 309 through 314, and 316 through 318. Changes the duties of the administrator of highway programs and activities to the duties of the department for several items, including devising and adopting standard plans of highway construction; ordering the removal or alternation of lights or light-reflecting devices; and constructing, reconstructing, improving, and maintaining state instructional roads and state park roads.

Section 11 amends Code section 307.26 to change the title of administrator of rail and water to administrator of modal programs and activities. Made changes to the administrator's duties related to railroad, aeronautics, and mass transit. Adds the responsibility of making surveys, plans, and estimates of cost for the elimination of danger at railroad crossings on highways. Also adds the responsibility of applying for, accepting, and administering Code chapters 324A, 327J, 328, 329, and 330. Additions made to the duties the programs and activities in Code chapters 306D, 307D, 308A, and 330. Removes that the Transportation Commission may assign duties and responsibilities to this administrator.

Section 12 amends Code section 307.27 to change the department's motor vehicle administrator duties to additionally include responsibility for the enforcement and regulation of motor carriers, registration of motor vehicles, and licensing of drivers. Made changes to the administrator's duties and responsibilities for the following Code chapters: 321C, 321D, 321H, 321L, 321M, 322C, 326, and 327B.

Section 13 amends Code section 307.45 concerning the assessment of state-owned lands. Inserts "department" instead of "the department's administrator of highways."

Section 14 amends Code section 307.47 to change the "department's administrator of highways" to the "administrator responsible for highway programs and activities." Also makes conforming changes of highway unit sharing equipment with another administrative unit of the department.

Section 15 repeals Code sections: 307.3, 307.4, 307.5, 307.6, 307.7, 307.9, 307.10, 307.25, 307.35, and 307.43. **Note:** The language of these Code sections is now in Code chapter 307A, with the exception of Code section 307.35 that directs the DOT to combine construction inspection functions since this has been accomplished.

Section 16 creates new Code section 307A.1A to establish a state transportation commission and includes membership and meeting requirements.

Section 17 rewrites Code sections 307A.2(1) and 307A.2(2) concerning the duties of the commission to include develop, coordinate, and annually update a comprehensive transportation policy and plan for the state; and promote the coordinated and efficient use of all available modes of transportation.

Section 18 strikes Code subsections in Code section 307A.2(3) to 307A.2(11) related to the duties of the commission.

Section 19 removes language within Code section 307A.2 to require the commission to annually publish a sufficiency rating report showing the relative conditions of the primary roads. **Note:** The removal of this report within the Code provides more flexibility in how conditions on the Primary Road System are evaluated and reported. The DOT provides this information in several forms and on an ongoing basis.

Section 20 requires the commission to approve all rules prior to their adoption by the director by adding a new Code subsection within Code section 307A.2.

Section 21 creates new Code section 307A.3 concerning conflicts of interest impacting the commission.

Section 22 creates new Code section 307A.4 concerning commission vacancies and sets a process on filling a vacancy.

Section 23 creates new Code section 307A.5 to state the commission compensation amount.

Section 24 creates new Code section 307A.6 concerning when Commission meetings are to be held and what constitutes a quorum.

Section 25 creates new Code section 307A.7 concerning commission expenses.

Section 26 creates new Code section 307A.8 to state when a commissioner may be removed from office.

Sections 27 through 29 replace Code references to Code section 307A.2 with references to Code section 307.24 within Code sections 173.16, 312.2, 312.4, and 313.4.

*Division III concerns changes to motor vehicle-related Code sections.*

Section 31 amends the definitions within Code section 321.1 of "travel trailer" and "fifth-wheel travel trailer" to increase the overall length allowed to 45 feet.

Section 32 amends Code section 321.19 to allow federal law enforcement officers, who are regularly assigned to conduct investigations that cannot reasonably be conducted with a vehicle displaying "official" registration plates, to obtain regular registration plates.

Section 33 amends Code section 321.189 to increase the cost from \$1 to \$10 of a replacement driver's license or nonoperator's identification card when attaining the age of 18 or 21.

Section 34 creates new Code subsection 321.215(5) concerning the issuance of a temporary restricted license for a person whose noncommercial driver's license is suspended or revoked. Allows the DOT to issue a temporary restricted license to a certain person provided the requirements of Code sections 321.215 and 321J.20 are met.

Section 35 amends Code section 321E.29 to allow certain annual permits to be issued for vehicles with divisible loads of bagged livestock bedding.

Section 36 adds new Code subsection 321J.20(9) concerning the issuance of a temporary restricted license for a person whose noncommercial driver's license is suspended or revoked. Allows the DOT to issue a temporary restricted license to a certain person provided the requirements of Code sections 321.215 and 321J.20 are met.

Section 37 amends Code section 321L.2 concerning persons with disabilities placards. Requires the DOT to change the placard statement to read "Remove from mirror before operating vehicle" when the existing supply is exhausted.

Section 38 amends Code section 322.5 to allow a motor vehicle dealer to display, offer for sale, and negotiate sales of new motor vehicles at the state fair if held in the motor vehicle dealer's community.

Section 39 amends the definition of "travel trailer" within Code section 322C.2 to increase the overall length allowed to 45 feet.

Sections 40 and 41 amend Code sections 326.14 and 326.16 to change the five percent late filing penalty assessed on vehicle registration renewal to a late filing penalty equal to five percent of the fees due to the state of Iowa. Adds that the late penalties calculated by the DOT in accordance with Chapter 326 are to remain due to the State of Iowa until the

fees and penalties are received. **Note:** Section 42 of this bill makes these changes effective January 1, 2016.

*Division IV concerns changes to rail transportation.*

Section 43 repeals Code sections regarding construction and operation of railways: 327F.14 lights on track power cars; 327F.18 standard caboose cars; 327F.19 minimum length of construction equipment; 327F.20 violations; 327F.26 freight offices; 327F.34 windshields on power track cars; 327F.35 penalty; 327G.13 signals at road crossings; 327G.14 violations; 327G.22 railway crossing near Mississippi River; 327G.23 grade crossings; 327G.28 compulsory establishment; and 327H.25 energy policy council agreements.

*Division V establishes commercial learner's permits.*

Section 44 amends Code subsections 321.1(11) and 321.1(20A) to amend definitions of "commercial driver's license" (CDL), "commercial motor vehicle," "foreign jurisdiction," "nonresident commercial driver's license," "tank vehicle," and "driver's license." Adds new definitions for "commercial learner's permits" (CLP) and "nonresident commercial learner's permit."

Section 45 adds a new Code subsection in 321.1A concerning a rebuttable presumption of residency for certain persons. Adds that for purposes of issuing CDLs and CLPs it is a rebuttable presumption that a natural person is a resident of this state if the person is enrolled in a specific CDL training program, is in process of applying for a CLP for the purpose of completing the training program, or the person resides in Iowa during the training program. Also states that the new subsection does not apply if it is found that it is not in compliance with 49 CFR Part 384.

Section 46 amends Code section 321.12 to require CLP operating program records to be maintained.

Section 47 amends Code section 321.56 to amend an internal Code citation within the definition of "commercial motor vehicle."

Section 48 amends Code section 321.174 to allow a nonresident to operate a commercial motor vehicle in Iowa if the nonresident has been issued a nonresident CLP by another state and is valid for the vehicle operated. Makes a conforming change regarding downgrading a CLP to noncommercial status. Also, requires the licensee issued a CLP to keep the CLP and the appropriate other driver's licenses in the licensee's possession at all times when operating a motor vehicle and requires the licensee to display both licenses to certain authorities.

Section 49 amends Code section 321.177 to allow the DOT to issue a CLP to a person who is 18 years of age or older and who qualifies under federal and state law.

Sections 50 and 51 amend Code section 321.180 to replace language concerning commercial driver's instruction permits with language concerning CLPs. Requires the DOT to adopt rules to administer CLP in compliance with the procedures set forth in 49 CFR 383.73. Adds that a CLP is to be a separate document from a commercial or

noncommercial driver's license. The CLP is valid for a period not to exceed 180 days and may be renewed for an additional 180 days without retaking the general and endorsement knowledge tests. Also, the CLP is valid for the operation of a commercial motor vehicle only when the permit holder is accompanied by a certain CDL holder. States the issuance of a CLP is a precondition to the initial issuance of a CDL and a precondition to the upgrade of a CDL if the upgrade requires a driving skills test. Additionally the holder of a CLP is not eligible to take a driving skills test to obtain a CDL or upgrade a CDL for the first 14 days after the permit is issued. The CLP is not valid for the operation of a vehicle transporting hazardous materials. States that a CLP is subject to the same suspension or revocation reasons as other driver's licenses.

Section 52 amends Code section 321.182 concerning the requirements to certify if an applicant has no other driver's license and is a resident of Iowa. Removes language concerning foreign national temporarily present in Iowa and replaces with nonresident CDL or CLP.

Section 53 amends Code section 321.188 to require the DOT to adopt rules to administer CDL in compliance with the procedures established in 49 CFR 383.73. Adds that before the DOT issues, renews, or updates a CDL, the applicant must provide all required information, proofs, and certificates and certify that the vehicle in the driving skills test is representative of the class of motor vehicle the applicant will operate on the highway. Expands the time that the DOT may waive the driving skills test requirement for certain applicants who have separated from active military duty from 90 days to a year.

Section 54 amends Code section 321.189 to state what must be included on the face of the CLP. Requires the address, the words "commercial learner's permit" or "CLP," and a statement that the permit is invalid unless accompanied by the permit holder's underlying driver's license. Also, requires the face of the CDL or CLP to conspicuously display the word "nondomiciled" instead of "nonresident" when applicable.

Section 55 amends Code section 321.191 concerning fees. Sets the fee for a CLP to \$12. Also adds a \$10 fee for removal of the following: full air brake, manual transmission, tractor-trailer, or passenger restriction on a CDL or CLP. Makes conforming changes to include CLP within this Code section.

Section 56 amends Code section 321.196 to make conforming changes concerning commercial learner's permits.

Section 57 amends Code section 321.201 to add that the DOT must disqualify a CDL or CLP of a person convicted or suspected of fraud related to the testing for or issuance of a CDL or CLP. Directs the DOT to adopt rules to administer 49 CFR 383.73(k). Makes a conforming change to add upon cancellation of a CLP the applicant is prohibited from operating a commercial motor vehicle and will not be issued a license valid to operate a commercial motor vehicle for a period of 60 days.

Section 58 amends Code section 321.204 to make conforming changes requiring the DOT to notify the CDL information system and the commercial motor vehicle administrator in the licensing state of the disqualification, suspension, revocation, or cancellation of a CLP.

Section 59 amends Code section 321.206 to make conforming changes. Adds CLP when a conviction disqualifies the person from operating a commercial motor vehicle and requires the court to require surrender of the CLP.

Section 60 amends Code section 321.207 to require the DOT to adopt rules for downgrading a CLP.

Sections 61 to 66 amend Code section 321.208 to make conforming changes to include CLP within disqualification of a commercial motor vehicle Code language. Clarify the definition of hazardous materials per 49 CFR 383.5. Adds that a person is disqualified from operating a commercial motor vehicle for life upon a conviction that the person used a noncommercial motor vehicle in the commission of a felony or aggravated misdemeanor involving the manufacturing, distributing, or dispensing of a controlled substance and held a CDL or CLP when the offense was committed. Under certain circumstances, allows the DOT to issue a driver's license to a disqualified person to operate a noncommercial motor vehicle.

Section 67 amends Code section 321.208A to make a conforming change to include CLP violations for out-of-service orders.

Section 68 amends Code section 321.215 to make a conforming change to include that a temporary restricted license is not valid to operate a commercial motor vehicle if a CLP is required.

Section 69 amends Code section 321.218 concerning the penalty for a person who operates a commercial motor vehicle when disqualified and makes a conforming change to add CLP.

Section 70 amends Code section 321J.1 to modify the definition of "driver's license" to include CLP instead of commercial instruction permit.

Sections 71 through 74 amend Code sections 321J.8, 321J.13, 321J.20, and 321M.1 to make conforming changes to add CLP.

Section 75 allows the DOT to adopt emergency rules to implement the provisions relating to the administration of CLP and CDL. **Note:** Section 76 of this bill makes this section effective June 26, 2015.

*Bill sections regarding emergency rules effective June 26, 2015.*

*Code sections 326.14 and 326.16 changes effective January 1, 2016.*

*Remainder of the bill effective July 1, 2015.*

*Amends Code sections 23A.2, 173.16, 307.8, 307.12, 307.21, 307.22, 307.24, 307.26, 307.27, 307.45, 307.47, 307A.2, 312.2, 312.4, 313.4, 321.1, 321.1A, 321.12, 321.19, 321.20, 321.56, 321.174, 321.177, 321.180, 321.182, 321.188, 321.189, 321.191, 321.196, 321.201, 321.204, 321.206, 321.207, 321.208, 321.208A, 321.215, 321.218, 321E.29, 321J.1, 321J.8, 321J.13, 321J.20, 321L.2, 321M.1, 322.5, 322C.2, 326.14, and 326.16.*

*Creates Code sections 307A.1A, 307A.3, 307A.4, 307A.5, 307A.6, 307A.7, and 307A.8.*

*Repeals Code sections 328.38, 307.3, 307.4, 307.5, 307.6, 307.7, 307.9, 307.10, 307.25, 307.35, 307.43, 327F.14, 327F.18, 327F.19, 327F.20, 327F.26, 327F.34, 327F.35, 327G.13, 327G.14, 327G.22, 327G.23, 327G.28, and 327H.25.*

[HF 637](#)

**DOT Appropriations**

*(DOT-sponsored legislation)*

Makes transportation- and infrastructure-related appropriations to the DOT from the Road Use Tax Fund (RUTF) and the Primary Road Fund (PRF) for FY 2016 and FY 2017.

Division I of the bill appropriates FY 2016 funds from the RUTF and PRF to the DOT and allocates 2,872 full-time equivalent positions for FY 2016. As stated in the [Legislative Services' fiscal analysis](#), appropriates \$49.9 million from the RUTF and \$315.3 million from the PRF.

Section 1 appropriates money from the RUTF to the DOT for FY 2016 for producing driver's licenses; salaries, support, maintenance, and miscellaneous purposes for various DOT areas; payment to the Department of Administrative Services (DAS) for utility services and workers' compensation claims; unemployment compensation; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; various costs associated with the county issuance of driver's licenses and vehicle registration and titles; participation in the Mississippi River Parkway Commission; costs associated with the Traffic and Criminal Software Program and the Mobile Architecture and Communications Handling Program; and Motor Vehicle Division field facility maintenance projects. Moneys appropriated for the payment of costs associated with the production of driver's licenses do not revert but shall remain available until close of FY 2017. Moneys for Motor Vehicle Division field facility maintenance projects at various locations do not revert but remain available for expenditure until June 30, 2019. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

Section 2 appropriates moneys from the PRF to the DOT for FY 2016. This includes funding for salaries, support, maintenance, and miscellaneous purposes for various DOT areas and specifies the number of full-time equivalent positions; payments to the DAS for utility services and workers' compensations claims; unemployment compensation; disposal of hazardous wastes; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; inventory and equipment replacement; utility improvements; roofing projects and heating, cooling, and exhaust system improvements at various locations; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; improvements related to compliance with the federal Americans with Disabilities Act to facilities; replacement and upgrade of the fire protection system at the Ames complex and replacement of the Muscatine/Wapello combined facility.

Money appropriated from the PRF to the DOT for FY 2016 remain available for expenditure until June 30, 2019, for the following projects: utility improvements; roofing

projects and heating, cooling, and exhaust system improvements at various locations; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; improvements related to compliance with the federal Americans with Disabilities Act to facilities; replacement and upgrade of the fire protection system at the complex in Ames and replacement of the Muscatine/Wapello combined facility. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

Division II of the bill appropriates \$181.6 million for FY 2017 to the DOT, as stated in the [Legislative Services' fiscal analysis](#). With the exception of certain capital appropriations, the FY 2017 appropriations are funded at 50 percent of the FY 2016 levels.

Section 3 appropriates money from the RUTF to the DOT for FY 2017 for producing driver's licenses; salaries, support, maintenance, and miscellaneous purposes for various DOT areas; payment to the DAS for utility services and workers' compensation claims; unemployment compensation; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; various costs associated with the county issues of driver's licenses and vehicle registration and titles; participation in the Mississippi River Parkway Commission; costs associated with the Traffic and Criminal Software Program and the Mobile Architecture and Communications Handling Program; and Motor Vehicle Division field facility maintenance projects. Moneys appropriated for the payment of costs associated with the production of driver's licenses do not revert but remain available for expenditure until June 30, 2018. Moneys for Motor Vehicle Division field facility maintenance projects at various locations do not revert but shall remain available for expenditure until June 30, 2020. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

Section 4 appropriates moneys from the PRF to the DOT for FY 2017. This includes funding for salaries, support, maintenance, and miscellaneous purposes for various DOT areas and specifies the number of full-time equivalent positions; payments to the DAS for utility services and workers' compensations claims; unemployment compensation; disposal of hazardous wastes; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; costs associated with producing transportation maps; inventory and equipment replacement; utility improvements; roofing projects and heating, cooling, and exhaust system improvements at various locations; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; improvements related to compliance with the federal Americans with Disabilities Act to facilities; and replacement of the Mount Pleasant/Fairfield combined facility.

Money appropriated from the PRF to the DOT for FY 2017 remain available for expenditure until June 30, 2020, for utility improvements; roofing projects and heating, cooling, and exhaust system improvements at various locations; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; improvements related to compliance with the federal Americans with Disabilities Act to facilities; replacement of the Mount Pleasant/Fairfield combined facility. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

*Bill effective July 1, 2015.*

[HF 650](#)

**Infrastructure Appropriations**

Makes appropriations from various funds, including the Rebuild Iowa Infrastructure Fund (RIIF); the Rebuild Iowa Infrastructure Fund – Technology Appropriations; miscellaneous appropriations; changes to prior appropriations; and miscellaneous Code changes.

*Sections below affect the DOT.*

*Division I*

Section 1, subsection 11, appropriates RIIF funding for FY 2016 to the DOT as follows: \$3.4 million for recreational trails with the requirement that this money be used for multipurpose recreational trails, including walking, biking, snowmobiling, skiing, and equestrian purposes where possible; \$1.5 million for the Public Transit Infrastructure Grant Fund for projects that meet the definition of "vertical infrastructure;" \$1.5 million for infrastructure improvements at commercial service airports; \$750,000 for infrastructure improvements at general aviation airports; and \$2 million for deposit in the Railroad Revolving Loan and Grant Fund. These moneys do not revert but shall remain available for expenditure until June 30, 2019. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

*Division II*

Section 3, subsection 4, appropriates funding in FY 2016 from the RIIF – Technology Appropriations to the Department of Management for the continued development and implementation of a searchable database that can be placed on the Internet for budget and financial information; and for the completion of the comprehensive electronic grant management system.

Section 3, subsection 6, appropriates funding in FY 2016 from the RIIF – Technology Appropriations to the Department of Homeland Security and Emergency Management for the implementation of a statewide mass notification and emergency messaging system.

Money appropriated in Division II does not revert but shall remain available for expenditure until June 30, 2019. However, if the projects are completed in an earlier year, unencumbered or unobligated moneys revert at the close of that fiscal year.

*Sections above effective July 1, 2015.*

*Various other effective dates within this bill.*

**Note:** *Governor line-item vetoed parts of section 3 relating to funds for the acquisition of software relating to the practice of polysomnography and expenses for the Congenital and Inherited Disorders Registry.*

[HF 651](#)**Expenditures of Money From E911 Emergency Communications Fund**

Relates to duties of Department of Homeland Security and Emergency Management.

Section 1, subsection 3, creates new Code section 29C.23 that requires the Iowa radio interoperability platform to be under the joint purview of the Department of Public Safety (DPS) and DOT. Beginning July 1, 2016, the DPS and DOT must jointly submit a biannual report to the Iowa Statewide Interoperable Communications System Board.

*Bill effective July 1, 2015.*

*Creates new Code section 29C.23.*

***Note:** Section 1, subsections 1 and 2, were line-item vetoed by the governor. These subsections would have created new Code sections 29C.23(1) and 29C.23(2) concerning the statewide land mobile radio communications system that interfaces with the Iowa interoperability radio platform. Governor also line-item vetoed the following bill sections that would have increased funding for public safety answering points and wireless carriers: section 2 created new paragraphs within Code section 34A.7A(2); section 4 struck Code section 34A.7A(2)(e); and section 5 struck part of Code section 34A.7A(2)(f).*

[HF 655](#)**Cell Phone Tower Siting, Reinvestment Districts, and Flood Mitigation/Statewide Broadband Coordination**

*Sections below affect the DOT.*

*Division I*

*Wireless communications facilities and infrastructure applications.*

Sections 1 through 9 create new Code chapter 8C. The short title of this new chapter is the "Iowa Cell Siting Act." Prohibits "authorities" from imposing certain requirements or restrictions when they consider an application for a cell phone tower or a substantial change to existing cellular infrastructure. Defines an "authority" as a state, county, or city governing body. Establishes definitions, uniform rules, and limitations; use of public lands for towers and transmission equipment; and use of utility poles. States this chapter is not to be construed as prohibiting an airport, aviation authority, or municipality from administering and enforcing airport zoning in accordance with Code chapter 329 for the protection of navigable airspace.

New Chapter 8C is repealed July 1, 2020, and applies to applications submitted on or after the effective date of this division, July 1, 2015.

*Division III*

*Statewide broadband coordination.*

Section 26 creates a new subsection in Code section 8B.1 to add several definitions, including "broadband" and "broadband infrastructure." States that "broadband infrastructure" does not include land, buildings, structures, improvements, or equipment not directly used in the transmission of data via broadband.

Section 27 creates a new subsection in Code section 8B.1 to add broadband and broadband infrastructure to the definition of "information technology."

Section 28 amends Code section 8B.3 to add the coordination of statewide broadband availability and access to the mission of the Office of Information Technology.

Section 29 adds a new subsection within Code section 8B.4 to include additional responsibilities to the chief information officer (CIO). These new powers and duties concern streamlining, consolidating, and coordinating the access to and availability of broadband and broadband infrastructure throughout the state. Also, adds that the CIO must administer the Broadband Grant Program and coordinate the Fiber Optic Network Conduit Installation Program.

Section 30 amends Code section 8B.9 to add a new subsection requiring the CIO to prepare an annual report on the status of broadband expansion and coordination.

Section 33 creates new Code section 8B.25 to establish a Fiber Optic Network Conduit Installation Program which is led and coordinated by the CIO. The office must consult and coordinate with applicable agencies and entities as determined appropriate to ensure that the opportunity is provided to lay or install fiber optic network conduit wherever a state-funded construction project involves trenching, boring, a bridge, a roadway, or opening of the ground, or alongside any state-owned infrastructure.

Section 34 creates new Code section 8B.26 to establish a broadband permitting process that requires a political subdivision vested with permitting authority to approve, approve with modification, or disapprove nonwireless, broadband-related permits within 60 business days following the submission of the necessary application requirements. In the event that no action is taken during the 60-day period, the application is to be deemed approved.

Section 38 amends Code section 80.28 to expand the number of voting members on the Statewide Interoperable Communications System board to 19. Four new members are added representing the office of the CIO, Iowa Law Enforcement Academy, local emergency management coordinators, and emergency medical service providers.

*Sections above effective July 1, 2015.*

*Various other effective dates within this bill.*

*Amends Code sections 8B.1, 8B.3, 8B.4, 8B.9, 8B.25, and 80.28.*

*Creates new Code chapter 8C and new Code sections 8B.25 and 8B.26.*

*Repeals Code chapter 8C on July 1, 2020.*

## [HF 658](#)

### **Education Appropriations**

*Division XII affects the DOT regarding flight instruction exception.*

Section 50 amends Code section 714.18 to correct internal Code references.

Section 51 creates a new subsection within Code section 714.18 allowing for an exemption of bonding requirements and refund policies for flight instruction regulated by the Federal Aviation Administration. Applies to situations where students do not pay

tuition in advance and have the ability to cancel instruction at any time without further monetary obligation.

*Division XII effective June 30, 2015.*

[HF 659](#)

**Administration and Regulations Appropriations**

Relates to appropriations to various state agencies, including the Department of Administrative Services, the Department of Inspections and Appeals, the Department of Management, the Department of Revenue, the Office of Treasurer of State, and other state agencies for FY 2016 and FY 2017.

*Sections below in Division I affect the DOT.*

*FY 2016 Appropriations.*

Section 6 appropriates money collected by the DOT and transfers the first \$750,000 to the Office of Treasurer of State with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record, to be transferred to the Iowa Access Revolving Fund for the purposes of developing, implementing, maintaining, and expanding electronic access to government records.

Section 15 appropriates money from the Road Use Tax Fund to the Department of Inspections and Appeals for the administrative hearings division for salaries, support, maintenance, and miscellaneous purposes.

Section 17 appropriates moneys from the Road Use Tax Fund to the Department of Management for salaries, support, maintenance, and miscellaneous purposes.

Section 20 appropriates moneys from the Motor Fuel Tax Fund to the Department of Revenue for administrative expenses and enforcement of Code chapter 452A, and the Motor Fuel Tax Program.

Section 21, subsection 2, requires the state department or state agency that provides data processing services to the voter registration file for maintenance and storage to provide those services without charge.

Section 25 appropriates moneys from the Road Use Tax Fund to the Office of Treasurer of State for enterprise resource management costs related to the distribution of the Road Use Tax Fund.

Section 27 requires agencies appropriated moneys from this bill to give first preference when purchasing a product to an Iowa product or a product produced by an Iowa-based business. Requires the second preference to be given to a United States product or a product produced by a business based in the United States.

Section 31 strikes paragraph within Code subsection 8.57(5)(h) that states that prior to the appropriation of moneys from the Rebuild Iowa Infrastructure Fund, money must first be appropriated to the Vertical Infrastructure Fund.

Section 36 repeals Code sections 8.41A, Federal Recovery and Reinvestment Fund, and 8.57B, Vertical Infrastructure Fund.

*Sections below in Division II affect the DOT.*

*FY 2017 Appropriations.*

Section 44 appropriates money collected by the DOT and transfers the first \$375,000 to the Treasurer of State with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record, to be transferred to the Iowa Access Revolving Fund for the purposes of developing, implementing, maintaining, and expanding electronic access to government records.

Section 53 appropriates moneys from the Road Use Tax Fund to the Department of Inspections and Appeals for the administrative hearings division for salaries, support, maintenance, and miscellaneous purposes.

Section 55 appropriates moneys from the Road Use Tax Fund to the Department of Management for salaries, support, maintenance, and miscellaneous purposes.

Section 58 appropriates moneys from the Motor Fuel Tax Fund to the Department of Revenue for administrative expenses and enforcement of Code chapter 452A, and the Motor Fuel Tax Program.

Section 59, subsection 2, requires the state department or state agency that provides data processing services to the voter registration file for maintenance and storage to provide those services without charge.

Section 62 appropriates moneys from the Road Use Tax Fund to the Office of Treasurer of State for enterprise resource management costs related to the distribution of the Road Use Tax Fund.

Section 64 requires agencies appropriated moneys from this bill to give first preference when purchasing a product to an Iowa product or a product produced by an Iowa-based business. Requires the second preference to be given to a United States product or a product produced by a business based in the United States.

*Code sections above effective July 1, 2015.*

*Various other effective dates within this bill.*

*Repeals Code sections 8.41A, 8.57B, and paragraph 8.57(5)(h).*

## [SF 75](#)

### **Blue and White Warning Lights Pilot Project**

*(DOT-sponsored legislation)*

Section 1 amends Code section 321.323A to add blue and white lights to the move over law. Drivers are required when approaching certain stationary vehicles displaying certain colored lights to use caution and either move into a nonadjacent lane or slow down and be prepared to stop if changing lanes is impossible, illegal, or unsafe.

Section 2 amends Code section 321.393 to add a new subsection reaffirming that the provisions of this Code section shall not prohibit the use of a lighting device or reflector displaying an amber, white, or blue light when the lighting device or reflector is rear-facing and mounted on a motor truck, trailer, tractor, truck-mounted snowblower, or motor grader owned by the DOT while the equipment is being used for snow and ice treatment or removal on the public streets or highway. This subsection is repealed on July 1, 2019.

Section 3 amends Code section 321.423 to add a new subsection allowing a motor truck, trailer, tractor, truck-mounted snowblower, or motor grader owned by the DOT that is being used for snow and ice treatment removal on the public streets or highways to display a rear-facing blue light and used in conjunction with amber and white lighting devices or reflectors. This subsection is repealed on July 1, 2019.

Section 4 amends Code section 321.423 to add a new subsection allowing a motor truck, trailer, tractor, truck-mounted snowblower, or motor grader owned by the DOT used for snow and ice treatment removal on the public streets or highways to display a rear-facing white light used in conjunction with amber and blue lighting devices or reflectors. This subsection is repealed on July 1, 2019.

Section 5 requires the DOT to utilize existing staff and accident reporting systems to document the effectiveness of displaying blue and white lighting devices on equipment used by the DOT for snow and ice treatment or removal on the public streets or highways. Requires the DOT to submit a report to the General Assembly containing the documentation before July 1, 2019.

*Bill effective July 1, 2015.*

*Amends Code sections 321.323A, 321.393, and 321.423.*

### [SF 155](#)

#### **Illumination of Rear Registration Plates on Dump Trucks and Construction Vehicles**

Section 1 amends Code section 321.388 to add an exemption for commercial vehicles engaged exclusively in intrastate commerce that are dump trucks or that are used exclusively for the movement of construction materials and equipment to and from construction projects from the requirement of illuminating the rear registration plate.

*Bill effective July 1, 2015.*

*Amends Code section 321.388.*

### [SF 203](#)

#### **Persons and Activities Regulated by the Board of Nursing**

*Section below affects the DOT.*

Section 23 amends Code section 321.186 regarding the report a healthcare provider may provide to the DOT concerning a person who may not be able to operate a motor vehicle

safely. Removes a requirement that an advanced registered nurse practitioner must be registered with the Board of Nursing.

*Bill effective July 1, 2015.*

*Amends Code section 321.186.*

## [SF 218](#)

### **Operation of a Snowmobile**

Section 1 revises Code section 321G.9 to prohibit a snowmobile to be operated at any time within the right of way of any interstate highway or freeway. The bill allows a snowmobile to be operated within the right of way of an interstate highway or freeway when using an underpass or crossing a bridge located on the interstate highway or freeway if the snowmobile is brought to a complete stop before entering onto the right of way and the driver yields the right of way to any approaching vehicle on the roadway.

*Bill effective July 1, 2015.*

*Amends Code section 321G.9.*

## [SF 222](#)

### **Disposition of Seized Firearms or Ammunition**

Section 1 amends Code section 809.5 to make certain firearms and ammunition seized by law enforcement and used by law enforcement, testing, or comparisons by the criminalistics laboratory, and deemed abandoned or for which the owner is unable to be located, to be deposited with the Department of Public Safety (DPS) regardless of the fair market value of the firearms or ammunition or may be destroyed or disposed of by the DPS at a public action. Previously, the firearms or ammunition had an aggregate fair market value equal to or less than \$500 to be deposited with DPS.

*Bill effective July 1, 2015.*

*Amends Code section 809.5.*

## [SF 257](#)

### **Transportation Funding**

Section 1 creates new Code section 312.2A to prohibit the Secondary Road Fund, Farm-to-Market Fund, and County Bridge Fund to be used to service new debt, issued after February 25, 2015, if the terms of the debt exceed the useful life of the asset being improved. **Note:** Section 14 of this bill makes this section effective February 25, 2015.

Section 2 creates new Code section 315.4A to prohibit county Revitalize Iowa's Sound Economy (RISE) funds and reverted county RISE funds from being used to service new debt, issued after February 25, 2015, if the terms of the debt exceed the useful life of the asset being improved. **Note:** Section 14 of this bill makes this section effective February 25, 2015.

Section 3 amends Code section 321E.14, subsection 1, to increase the fee for the following special permits for loads of excess size and weight: certain annual permits increased from \$25 dollars to \$50 dollars; annual oversize/overweight permits fee increased from \$300 to \$400; single-trip permits increased from \$10 to \$35; and all-systems permits from \$120 to \$160. **Note:** Section 15 of this bill makes changes in section 3 effective January 1, 2016.

Section 4 creates new Code section 331.443A to the County Home Rule Implementation Code chapter to refer to the debt service restrictions added in Code sections 312.2A and 315.4A (sections 1 and 2 of the bill). **Note:** Section 14 of this bill makes this section effective February 25, 2015.

Section 5 amends Code section 452A.3, subsection 1, to extend the ethanol variable tax rate expiration date five years, from June 30, 2015, to June 30, 2020. **Note:** Section 15 of this bill makes this section effective March 1, 2015.

Section 6 amends Code section 452A.3, subsection 1, to add 10 cents per gallon to all variable tax rates for ethanol-blended fuels and gasoline. **Note:** Section 15 of this bill makes this section effective March 1, 2015.

Section 7 adds a new paragraph to Code section 452A.3, subsection 1, to require a legislative review at least every six years on the 10 cents per gallon increase to all variable tax rates for ethanol-blended fuels and gasoline and the variable tax rate for B11 or certain diesel blends. The legislative review is to be based upon a fuel distribution percentage formula status report containing the recommendations of a legislative interim committee appointed to review the variable tax rate formulas with assistance from the Department of Revenue and in association with the DOT. Requires the first report to be submitted to the General Assembly no later than January 1, 2020, with subsequent reports developed and submitted by January 1 at least every sixth year thereafter. **Note:** Section 15 of this bill makes this section effective March 1, 2015.

Section 8 amends Code section 452A.3, subsection 2, to provide after June 30, 2020, the variable excise tax rate on gasoline and ethanol-blended fuel increases from 20 to 30 cents per gallon. **Note:** Section 15 of this bill makes this section effective March 1, 2015.

Section 9 amends Code section 452A.3, subsection 6, to strike the tax rate of 22 1/2 cents per gallon on special fuel for diesel engines of motor vehicles. This section also establishes a tax rate on special fuel for diesel engines of motor vehicles used for any purpose at 32 5/10 cents per gallon from March 1, 2015, until June 30, 2015, and then beginning July 1, 2020, and after.

Section 9 sets a variable tax rate on B11 or higher diesel blends beginning July 1, 2015, and expiring June 30, 2020. Requires the DOT to determine the percentage basis for each determination period beginning January 1 and ending December 31, with the rate for the tax applying for the period beginning July 1 and ending June 30 following the end of the determination period. The fuel tax rate for B11 or higher diesel varies per the following table.

B11 or higher blended distribution percentage		
	B11 +	Other diesel
< 50%	29.5	32.5
> 50% < 55%	29.8	32.5
> 55% < 60%	30.1	32.5
> 60% < 65%	30.4	32.5
> 65% < 70%	30.7	32.5
> 70% < 75%	31.0	32.5
> 75% < 80%	31.3	32.5
> 80% < 85%	31.6	32.5
> 85% < 90%	31.9	32.5
> 90% < 95%	32.2	32.5
> 95%	32.5	32.5

Section 9 also increases the fuel tax on special fuel for aircraft from three cents per gallon to five cents per gallon. **Note:** Section 9 of this bill is effective March 1, 2015.

Section 10 amends Code section 452A.3, subsections 7, 8, and 9, to increase the following fuel taxes: liquefied petroleum gas tax from 20 cents per gallon to 30 cents per gallon; compresses natural gas tax from 21 cents per gallon to 31 cents per gallon; and liquefied natural gas tax from 22 1/2 half cents per gallon to 32 1/2 cents per gallon.

**Note:** Section 10 of this bill is effective March 1, 2015.

Section 11 amends 2005 Iowa Acts, chapter 178, section 41, subsection 3, to extend the designation of an Access Iowa system, that expedites development of projects, to July 1, 2025. This session law expired on July 1, 2015. **Note:** Section 14 of this bill makes this section effective February 25, 2015.

Section 12, subsection 1, states the General Assembly's legislative intent that 100 percent of the revenue produced as a result of the increase in the excise taxes on motor fuel and certain special fuel enacted in this bill and credited to the Secondary Road Fund and the Farm-to-Market Road Fund from the Road Use Tax Fund is to be used exclusively for critical road and bridge construction projects that significantly extend the life of such assets.

Section 12, subsection 2, requires the DOT and the Transportation Commission to utilize 100 percent of the revenue produced as a result of the increase in the excise taxes on motor fuel and certain special fuel enacted that is allocated to the DOT on critical road and bridge construction projects. The DOT must identify the critical road and bridge construction projects funded with such revenue in the DOT's annual five-year Iowa Transportation Improvement Program report.

Section 12, subsection 3, requires the DOT to identify \$10 million in efficiencies for FY 2016 and another \$10 million in efficiencies for FY 2017, in addition to the identification of any other efficiencies as required by law. DOT will provide details of activities undertaken to implement these efficiencies in the annual "Road Use Tax Fund Efficiency Report." **Note:** Section 12 is effective March 1, 2015.

Section 13 provides an inventory tax exemption for businesses that have title to motor fuel, ethanol-blended gasoline, undyed special fuel, compressed natural gas, liquefied natural gas, or liquefied petroleum gas in storage and held for sale on the effective date of an increase in the rate of excise tax as increased in this bill. **Note:** Section 13 is effective March 1, 2015.

*The following changes are effective February 25, 2015: new Code sections 312.2A, 315.4A, and 331.443A; and 2005 Iowa Acts, chapter 178, section 41, subsection 3.*

*The following changes are effective March 1, 2015: Code section 452A.3, the section of the bill regarding the legislative intent of revenue produced from the increase in the excise taxes and the requirement for the DOT to identify \$20 million in efficiencies, and the section of the bill providing an inventory tax exemption.*

*Code section 321E.14 changes effective January 1, 2016.*

### [SF 435](#)

#### **Open Records Law**

Sections 1 and 2 amend Code sections 22.2 and 22.3A to allow a government body to provide, restrict, or prohibit access to data processing software developed by a nongovernment body and used by a government body per a contractual relationship with the nongovernment body. If a person requests the public record be specially processed or produced in a format different from that in which the public record is readily accessible to the government body, the costs chargeable to the person may be higher.

Section 3 amends Code section 22.7 to require data processing software developed by a nongovernment body and used by a government body per a contractual relationship with the nongovernment body to be kept confidential.

*Bill effective July 1, 2015.*

*Amends Code section 22.2, 22.3A, and 22.7.*

### [SF 456](#)

#### **Transportation of Certain Beer Containers**

*Section below affects the DOT.*

Section 1 amends Code section 123.132 to add an exception allowing holders of a class "C" permit to sell beer for consumption off the premises in certain containers that are not the original containers. Adds that a container of beer, other than the original container that is sold and sealed in compliance with the new Code requirements and the Alcoholic Beverages Division of the Department of Commerce's rules, shall not be deemed an open container for purposes of Code sections 321.284 and 321.284A.

**Note:** *SF 510, section 14, amended SF 456, section 1, which amended Code section 123.132, to provide that partially removed contents of a certain alcohol container is not considered an open container for purposes of Code sections 321.284 and 321.284A.*

*Bill effective July 1, 2015.  
Amends Code section 123.132.*

[SF 457](#)

**Ombudsman Office Access to Minutes and Audio Recordings of a Closed Session**

Section 1 amends Code section 21.5 to provide that the Office of the Ombudsman is not required to obtain a court order to examine the detailed minutes and audio recording of a closed session when such examination is relevant to the ombudsman's investigation and the information sought is not available through other reasonable means. Additionally, any portion of the minutes or recording released by a governmental body to the Office of Ombudsman is to remain confidential.

*Bill effective July 1, 2015.  
Amends Code section 21.5.*

[SF 497](#)

**Justice System Appropriations**

*Sections below affect the DOT.*

*FY 2016 and FY 2017 Appropriations.*

Sections 9 and 31 encourage state agencies to purchase products from Iowa State Industries when purchases are required and the products are available from the Iowa State Industries. Requires state agencies to obtain bids from Iowa State Industries for purchases of office furniture during FY 2016 and FY 2017 that exceed \$5,000 or in accordance with applicable administrative rules.

*Bill effective July 1, 2015.*

**Note:** *Governor line-item vetoed part of section 26 related to Department of Corrections entering into contracts for privatizing service and staffing levels.*

[SF 499](#)

**Economic Development Appropriations**

*Sections below affect the DOT.*

*Division III*

*Miscellaneous provisions - veteran-owned businesses.*

Sections 35 and 36 amend Code section 73.14 to require the state and others when issuing bonds or other obligations to make a good-faith effort to utilize service-disabled-veteran-owned businesses to carry out the issuance of bonds or other obligations by the entity. Adds the definition of a "service-disabled-veteran-owned business" to mean a business that is 51 percent or more owned, operated, and actively managed by one or more service-disabled veterans, as defined in 15 U.S. Code Section 632.

Section 37 amends Code section 73.16 to add an additional procurement goal for the director of each agency or department of state government having purchasing authority, in cooperation with the targeted small business marketing and compliance manager of the Economic Development Authority. Also requires an addition goal of at least 40 percent from service-disabled-veteran-owned business of the total value of anticipated procurements of goods and services from small businesses and targeted small business goals.

*Division III effective July 1, 2015.*

*Various other effective dates within this bill.*

*Amends Code sections 73.14 and 73.16.*

**Note:** *Governor line-item vetoed Division IV in its entirety. This division would have changed the classifications of certain administrative law judges. The line-item veto keeps the classification of these administrative law judges as at will employees.*

## [SF 510](#)

### **Standings Appropriations**

Relates to state and local finances by making appropriations. Provides for fees, penalties, legal responsibilities, certain employee benefits, regulatory, taxation, and properly related matters.

*Sections below affect the DOT.*

#### *Division I*

*Standing appropriations and related matters.*

Section 1 requires all state agencies to submit FY 2017 budget estimates and other expenditure information to the Department of Management (DOM) on or before October 1, 2015. Budget information must be submitted as requested by the DOM director after consultation with the Legislative Services Agency (LSA).

#### *Division II*

*Miscellaneous provisions and appropriations.*

Section 10 amends Code section 8.22A to require the Revenue Estimating Conference to hold one of its three required annual meetings in March. Also requires during the March meeting, the conference agree to estimates for the current and following fiscal year and for the fiscal year beginning July 1 of the following calendar year.

Section 14 amends Code section 123.132, as amended and enacted in SF 456, section 1, to remain in compliance with the open container Code requirements and rules and concerns partial contents of a certain beer container.

#### *Division III*

*Salaries, compensation, and related matters.*

Section 24 allows departments' salary adjustments for FY 2016 and FY 2017 to be funded using departmental revolving, trust, or special funds that have been established by

the General Assembly as an operating budget so long as the adjustment does not exceed the operating budget established by the General Assembly.

Section 25 requires the salary model administrator to work in conjunction with the LSA to maintain the state's salary model used for analyzing, comparing, and projecting state employee salary and benefit information. Requires the DOT and others to provide salary data to the DOM and the LSA.

*Division V*

*Department of Management duties.*

Section 54 strikes Code section 8.6(12) to eliminate from the duties of the director of DOM the requirement to assist the director of the Economic Development Authority with the Iowa targeted Small Business Procurement Act. Also, strikes Code section 8.6(13) to eliminate the oversight of state programs for equal opportunity from the duties of the DOM.

Section 55 amends Code section 8A.111 to require the Department of Administrative Services to prepare an annual report on the administration and promotion of equal opportunity in state contracts and services.

Sections 56 and 57 amend Code Chapter 19B to eliminate the oversight of affirmative action from the duties of the DOM.

*Division XV*

*Court debt.*

Sections 89 and 90 amend Code sections 321.40 and 321.210A to allow delinquent court debt to be collected from installment agreements managed by a private collection designee instead of the Department of Revenue (DOR).

Section 91 amends Code section 321.210B to change the management of installment agreements from the DOR to a private collection designee under contract with the judicial branch.

*Division XXIII*

*Human trafficking.*

Section 141 establishes a Human Trafficking Enforcement Fund under the control of the Department of Justice (DOJ). Requires the DOJ to deposit unencumbered or unobligated moneys transferred from the Mortgage Servicing Settlement Fund into this fund. States that money remaining in the fund on June 30, 2020, is to be transferred to the General Fund.

*Division XXIV*

*Public improvement location and unused portion of condemned property.*

Section 144 amends Code section 6B.2C to allow an authority to condemn public land if the acquiring agency approves a preliminary or final route or site location of the proposed public improvement. **Note:** Section 148 of this bill makes section 144 effective July 2, 2015. Section 149 of this bill makes section 144 apply to public improvement projects for

which an application under Code section 6B.3 is filed on or after July 2, 2015. Section 162 of this bill makes section 144 apply retroactively to July 1, 2015.

Sections 145 and 146 amend Code section 6B.56 to add that if all or a portion of the real property to be condemned is not used, the acquiring agency shall first offer the unused real property to the prior owner. Also specifies that the current appraised value of the real property to be offered for sale shall be the purchase price paid by the previous owner or the fair market value of the property to be offered for sale at the time it was acquired by the acquiring agency from the previous owner, plus cleanup costs incurred by the acquiring agency, whichever is less. **Note:** Section 148 of this bill makes sections 145 and 146 effective July 2, 2015. Section 150 of this bill makes sections 145 and 146 apply to the disposition of condemned property occurring on or after July 2, 2015. Section 162 of this bill makes sections 145 and 146 apply retroactively to July 1, 2015.

Section 147 amends Code section 6B.56A to specifically add that any portion of unused property that has not been used and the acquiring agency has not taken action to dispose of the unused property, the acquiring agency shall adopt a resolution reaffirming the purpose for which the unused property will be used or offer the unused property for sale to the prior owner at a price provided in Code section 6B.56. **Note:** Section 148 of this bill makes section 147 effective July 2, 2015. Section 150 of this bill makes section 147 apply to the disposition of condemned property occurring on or after July 2, 2015. Section 162 of this bill makes section 147 apply retroactively to July 1, 2015.

*Code sections 6B.2C, 6B.56, 6B.56A, 8.22A, 8.6(12), 8A.111, 123.132, 321.40, 321.210A, 321.210B, and chapter 19B changes effective July 1, 2015.*

*Various other effective dates within this bill.*

**Note:** Governor line-item vetoed the following divisions in their entirety: Division X concerning payments authorized by the State Appeal Board and would have moved the standing appropriation for the State Appeals Board from the General Fund to the Economic Emergency Fund; Division XVIII relating to health insurance carriers and certain internal appeals process and prescription coverage; and Division XXVII relating to one-time funding for judges' salaries.

### [SF 513](#)

#### **Relates to Appropriations Beginning July 1, 2015**

Appropriates temporary moneys and continuing appropriations moneys to fund state government beginning July 1, 2015, by supplementing appropriations from previous fiscal years.

*Bill effective June 18, 2015.*