

**CHAPTER 3.30  
MOTOR VEHICLES**

*SECTIONS*

3.30.010	TITLE
3.30.020	WINDSHIELDS AND WINDOWS
3.30.030	SAFETY BELTS AND SAFETY HARNESES
3.30.040	CHILD RESTRAINT DEVICES
3.30.050	PENALTIES

3.30.010 **TITLE:** This Chapter shall be known and may be cited and referred to as "Motor Vehicles" Pottawattamie County, Iowa, Code. (*Ordinance #92-6/September 28, 1992*)

3.30.020 **WINDSHIELDS AND WINDOWS:**

- .01 A person shall not drive a motor vehicle equipped with a windshield, sidewings or side rear windows which do not permit clear vision. (*Ordinance #92-6/September 28, 1992*)
- .02 A person shall not operate on the highway a motor vehicle equipped with a front windshield, a side window to the immediate right or left of the driver (front side window) or a sidewing forward of and to the left or right of the driver (front sidewing) which is excessively dark or reflective. (*Ordinance #92-6/September 28, 1992*)
- .03 "Excessively dark or reflective" means that the windshield, front side window or front sidewing does not meet a minimum standard of transpance requiring seventy (70) percent light transmittance. (*Ordinance #92-6/September 28, 1992*)
- .04 Chapter 761-450.7(3) of the Iowa Administrative Code entitled "Dark window exemption" is hereby adopted by reference. (*Ordinance #92-6/September 28, 1992*)

3.30.030 **SAFETY BELTS AND SAFETY HARNESES**

- .01 Except for motorcycles or motorized bicycles, 1966 model year or newer, motor vehicles subject to registration in Iowa shall be equipped with safety belts and safety harnesses of a type and installed in a manner approved by the Iowa Department of Transportation. (*Ordinance #92-6/September 28, 1992*)
- .02 The driver and front seat occupants of a type of motor vehicle subject to registration in Iowa, except a motorcycle or motorized bicycle, shall each wear a properly adjusted and fastened safety belt or safety harness any time the vehicle is in forward motion on a street or highway in Pottawattamie County, Iowa, except that a child under six (6) years of age shall be secured as required under Section 3.30.040. This subsection does not apply to:
  - A. The driver or front seat occupants of a motor vehicle which is not required to be equipped with safety belts or safety harnesses under rules by the Iowa Department of Transportation;
  - B. The driver and front seat occupants of a motor vehicle who are actively engaged in work which requires them to alight from and reenter the vehicle at frequent intervals, providing the vehicle does not exceed twenty-five (25) miles per hour between stops;
  - C. The driver of a motor vehicle while performing duties as a rural letter carrier for the United States Postal Service. This exemption applies

only between the first delivery point after leaving the post office and the last delivery point before returning to the post office;

- D. Passengers on a bus;
  - E. A person possessing a written certification from a physician on a form provided by the State Department of Transportation that the person is unable to wear a safety belt or safety harnesses due to a physical or medical reason(s). The certification shall specify the time period for which the exemption applies. The time period shall not exceed twelve (12) months, at which time a new certification can be issued.
  - F. Front seat occupants of an authorized emergency vehicle while they are being transported in an emergency. However this exemption does not apply to the driver of the authorized emergency vehicle. (*Ordinance #92-6/September 28, 1992*)
- .03 The driver and front seat passengers may be each charged separately for improperly used or nonused equipment under subsection 3.30.030.02 of this section. The owner of the motor vehicle may be charged for the equipment violation under subsection 3.30.030.01 of this section. (*Ordinance #92-6/September 28, 1992*)
- .04 A person who violates any of the provisions of this section is guilty of a simple misdemeanor and subject to a fine of twenty-five (\$25) dollars. (*Ordinance #92-6/September 28, 1992*)

3.30.040 **CHILD RESTRAINT DEVICES:**

- .01 A child under three (3) years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten thousand (10,000) pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by a child restraint system which meets federal motor vehicle safety standards, and the system shall be used in accordance with the manufacturer's instructions. (*Ordinance #92-6/September 28, 1992*)
- .02 A child at least three (3) years of age but under six (6) years of age who is being transported in a motor vehicle subject to registration which has a gross weight of ten (10,000) pounds or less as specified by the manufacturer, except a school bus or motorcycle, shall be secured during transit by either a child restraint system that meets federal motor vehicle safety standards and is used in accordance with the manufacturer's instructions, or by a safety belt or safety harness of a type approved by the Iowa Department of Transportation. (*Ordinance #92-6/September 28, 1992*)
- .03 This section does not apply to peace officers acting on official duty. This section also does not apply to the transportation of a child who has been certified by a physician as having a medical, physical or mental condition which prevents or makes inadvisable securing the child in a child restraint system safety belt or safety harness. This section also does not apply to transportation of child in 1965 model year or older vehicles or authorized emergency vehicles. (*Ordinance #92-6/September 28, 1992*)
- .04 The operator who violates subsection 3.30.040.01 and 3.30.040.02 of this section is guilty of a simple misdemeanor and subject to a fine of twenty-five (\$25) dollars. (*Ordinance #92-6/September 28, 1992*)

.05 A person who is charged with a first offense violation of subsection 3.30.040.01 of this section and who has not purchased or acquired a child restraint system shall not be convicted if the person produces in court, within a reasonable time, proof that the person has purchased or acquired a child restraint system which meets federal motor vehicle safety standards.  
*(Ordinance #92-6/September 28, 1992)*

3.30.050 **PENALTIES:** That any person who violates any of the provisions of 3.30.020, 3.30.030 or 3.30.040, shall upon conviction, be deemed guilty of a simple misdemeanor and shall be fined not more than twenty-five dollars or imprisoned for not more than thirty days for each offense.  
*(Ordinance #92-6/September 28, 1992)*