

SUPREME COURT OF IOWA

City of Sioux City v. Michael Jon Jacobsma

862 N.W.2d 335 (Iowa 2015) · No. No. 13-1502 · Decided February 20, 2015

SUMMARY

The Iowa Supreme Court affirmed a district court ruling holding Michael Jon Jacobsma responsible for a speeding citation issued under Sioux City's automated traffic enforcement ordinance. The court considered substantive due process, Iowa constitutional rights, and state-law preemption challenges to the ordinance's vehicle-owner liability and rebuttal provisions. The opinion concluded that the ordinance was constitutionally valid and not preempted by Iowa law.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Appel, Justice
JURISDICTION	Iowa
DECIDED	February 20, 2015
DOCKET	No. 13-1502
DISPOSITION	affirmed
PROCEDURAL POSTURE	Jacobsma sought discretionary review of a district court ruling affirming a magistrate's order finding him responsible for a speeding citation issued under Sioux City's automated traffic enforcement ordinance.
STANDARD OF REVIEW	Preemption of a local ordinance by state law is reviewed for correction of errors at law because it presents a statutory-construction issue. Constitutional claims are reviewed de novo.
PRECEDENTIAL VALUE	Published Iowa Supreme Court opinion; binding Iowa precedent.
PARTIES	Michael Jon Jacobsma v. City of Sioux City

TOPICS

- municipal law
- ordinances
- home rule
- preemption
- substantive due process

PRACTICE AREAS

- municipal law
- constitutional law
- appellate procedure
- traffic enforcement

QUESTIONS PRESENTED

1. Whether applying the Sioux City automated traffic enforcement ordinance to impose civil liability on the registered owner, who stipulated ownership and the speeding violation but offered no evidence that he was not driving, violated substantive due process under the Iowa or Federal Constitution.
2. Whether the ordinance violated article I, section 1 of the Iowa Constitution's inalienable-rights clause as an arbitrary or unreasonable exercise of municipal police power.
3. Whether the ordinance was expressly or impliedly preempted by Iowa Code chapter 321 under Iowa's constitutional municipal home-rule provision.

HOLDINGS

1. Under the facts presented, an automated traffic enforcement ordinance may rationally impose civil liability on a registered vehicle owner when the owner stipulates ownership and the vehicle's speeding violation but offers no evidence that the owner was not driving. The ordinance's prima facie inference that the registered owner was the driver was not sufficiently arbitrary or unreasonable to violate federal or Iowa substantive due process.
2. The Sioux City ordinance, as applied to Jacobsma, did not violate the Iowa Constitution's inalienable-rights clause because using vehicle ownership and photographic evidence to establish prima facie liability for a civil speeding penalty was a reasonable regulation in the public interest.
3. The Sioux City automated traffic enforcement ordinance was not expressly or impliedly preempted by Iowa Code chapter 321 because the ordinance was not irreconcilable with state law and imposed civil penalties for speeding violations consistent with state substantive traffic law.

KEY QUOTATIONS

“Given the factual posture of this case, the sole due process issue before the magistrate, the district court, and before us on appeal is whether due process under the United States or Iowa Constitutions is offended by the irrational or unreasonable imposition of liability on Jacobsma when (1) the evidence established that he was the owner of the vehicle, (2) the evidence established that the vehicle was speeding at the time of the alleged infraction, and (3) no evidence or offer of proof was made tending to show that Jacobsma was not driving the vehicle when the violation occurred.” (at 19)

“It is quite rational to employ a Nolan-type inference that a registered owner who offers no evidence that he was not driving the vehicle at the time of the infraction was, in fact, the operator.” (at 22)

“In order for implied preemption to be triggered, the City contends that a local law must be “irreconcilable with state law.”” (at 34)

FACTUAL BACKGROUND

Sioux City enacted an automated traffic enforcement ordinance authorizing automated speed detection and imposing a civil penalty on the vehicle owner or nominated party. On August 6, 2012, automated equipment recorded a vehicle registered to Jacobsma traveling sixty-seven miles per hour in a fifty-five-mile-per-hour zone on I-29 near Sioux City. Jacobsma stipulated that he was the registered owner and that the vehicle was speeding,

but offered no evidence that he was not driving it. The ordinance allowed administrative review and appeal to court, and the magistrate found Jacobsma liable.

PROCEDURAL HISTORY

Sioux City issued Jacobsma a civil municipal infraction citation after automated equipment recorded a vehicle registered to him traveling twelve miles per hour over the speed limit. After an unsuccessful administrative review, Jacobsma appealed to the district court docket and moved to dismiss on substantive due process, Iowa inalienable-rights, and state-law preemption grounds. The magistrate denied dismissal and found him liable based on stipulations that he owned the vehicle and that it was speeding; the district court affirmed, and the Supreme Court of Iowa granted discretionary review and affirmed.

DISPOSITION

affirmed

CASES CITED

- City of Davenport v. Seymour, 755 N.W.2d 533 (Iowa 2008)
- Hensler v. City of Davenport, 790 N.W.2d 569 (Iowa 2010)
- United States v. Salerno, 481 U.S. 739 (1987)
- Palko v. Connecticut, 302 U.S. 319 (1937)
- Benton v. Maryland, 395 U.S. 784 (1969)
- Santi v. Santi, 633 N.W.2d 312 (Iowa 2001)
- Reno v. Flores, 507 U.S. 292 (1993)
- Minnesota v. Clover Leaf Creamery Co., 449 U.S. 456 (1981)
- Davenport Water Co. v. Iowa State Commerce Comm'n, 190 N.W.2d 583 (Iowa 1971)
- Putensen v. Hawkeye Bank of Clay County, 564 N.W.2d 404 (Iowa 1997)
- Gooch v. Iowa Department of Transportation, 398 N.W.2d 845 (Iowa 1987)
- State v. Halverson, 857 N.W.2d 632 (Iowa 2015)
- King v. State, 797 N.W.2d 565 (Iowa 2011)
- State v. Bruegger, 773 N.W.2d 862 (Iowa 2009)
- Varnum v. Brien, 763 N.W.2d 862 (Iowa 2009)
- Racing Association of Central Iowa v. Fitzgerald, 675 N.W.2d 1 (Iowa 2004)
- Agomo v. Fenty, 916 A.2d 181 (D.C. 2007)
- Idris v. City of Chicago, 552 F.3d 564 (7th Cir. 2009)
- Iowa City v. Nolan, 239 N.W.2d 102 (Iowa 1976)
- Fischetti v. Village of Schaumburg, 967 N.E.2d 950 (Ill. App. Ct. 2012)
- Morales v. Parish of Jefferson, 140 So. 3d 375 (La. Ct. App. 2014)
- Krieger v. City of Rochester, 978 N.Y.S.2d 588 (N.Y. Sup. Ct. 2013)

- City of Knoxville v. Brown, 284 S.W.3d 330 (Tenn. Ct. App. 2008)
- Gardner v. City of Cleveland, 656 F. Supp. 2d 751 (N.D. Ohio 2009)
- Sevin v. Parish of Jefferson, 621 F. Supp. 2d 373 (E.D. La. 2009)
- State v. Kuhlman, 729 N.W.2d 577 (Minn. 2007)
- State v. Robinson, 618 N.W.2d 306 (Iowa 2000)
- Simmons v. State Public Defender, 791 N.W.2d 69 (Iowa 2010)
- Mendenhall v. City of Akron, 374 Fed. App'x 598 (6th Cir. 2010)
- Washington v. Glucksberg, 521 U.S. 702 (1997)
- Board of Regents of State Colleges v. Roth, 408 U.S. 564 (1972)
- Meyer v. Nebraska, 262 U.S. 390 (1923)
- Shavitz v. City of High Point, 270 F. Supp. 2d 702 (M.D.N.C. 2003)
- Daily v. City of Sioux Falls, 802 N.W.2d 905 (S.D. 2011)
- Williamson v. Lee Optical of Oklahoma, Inc., 348 U.S. 483 (1955)
- Miller v. Boone County Hospital, 394 N.W.2d 776 (Iowa 1986)
- City of Cleburne v. Cleburne Living Center, 473 U.S. 432 (1985)
- Romer v. Evans, 517 U.S. 620 (1996)
- United States Department of Agriculture v. Moreno, 413 U.S. 528 (1973)
- City of Chicago v. Hertz Commercial Leasing Corp., 375 N.E.2d 1285 (Ill. 1978)
- City of Birmingham v. 48th District Court Judge, 255 N.W.2d 760 (Mich. Ct. App. 1977)
- City of Kansas City v. Hertz Corp., 499 S.W.2d 449 (Mo. 1973)
- Gacke v. Pork Xtra, L.L.C., 684 N.W.2d 168 (Iowa 2004)
- State v. Osborne, 171 Iowa 678, 154 N.W. 294 (1915)
- May's Drug Stores v. State Tax Commission, 242 Iowa 319, 45 N.W.2d 245 (1950)
- State v. Ward, 170 Iowa 185, 152 N.W. 501 (1915)
- State v. Reese, 272 N.W.2d 863 (Iowa 1978)
- Cogger v. Northwest Union Packet Co., 37 Iowa 145 (1873)
- Goodell v. Humboldt County, 575 N.W.2d 486 (Iowa 1998)