

MOTOR CARRIERS

CHAPTER 500

INTERSTATE REGISTRATION AND OPERATION OF VEHICLES

[Prior to 6/3/87, Transportation Department[820]—(07,F) Ch 1]

761—500.1(326) Definitions. The definitions in Iowa Code section 326.2 apply to this chapter. In addition:

“*Cab card*” means a registration receipt that describes the vehicle and reflects the weight in each jurisdiction in which a vehicle is registered for operation.

“*Credential*” means a plate, validation sticker, cab card or temporary authority.

“*International Registration Plan (IRP)*” means a vehicle prorate registration reciprocity agreement among jurisdictions.

“*Power unit*” for registration purposes means a bus, truck, truck tractor, road tractor or tractor.

“*Registrant*” means a person, firm or corporation in whose name or names a vehicle is properly registered.

“*Registration year*” means the period January 1 through December 31 for vehicles registered under the International Registration Plan.

“*Temporary authority*” means a document that allows the vehicle to be operated until a plate and cab card are issued. “Temporary authority” describes the vehicle and lists the weight for each jurisdiction in which the vehicle is registered for operation.

This rule is intended to implement Iowa Code sections 326.2 and 326.33.

761—500.2(17A,326) General information.

500.2(1) Information and location. Applications, forms and information on interstate registration and operation of vehicles are available from the Office of Motor Carrier Services, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at its location in Park Fair Mall, 100 Euclid Avenue, Des Moines, Iowa; by telephone (515)237-3268; or by facsimile (515)237-3225.

500.2(2) Method of operation. The operations of the department’s motor vehicle division relating to reciprocity and prorate registration shall be conducted in accordance with the International Registration Plan and the Code of Iowa.

500.2(3) Organizational data. The office of motor carrier services of the motor vehicle division is authorized pursuant to Iowa Code chapter 326 to:

a. Enter into reciprocity agreements with other jurisdictions. These agreements exempt nonresidents from the registration and registration fee requirements of Iowa Code chapter 321.

b. Enter into reciprocity prorate agreements with other jurisdictions. The department joined the International Registration Plan (IRP). Such plan and any revisions thereto are hereby incorporated into this chapter. A copy of the agreement may be obtained by contacting the office of motor carrier services. Under this agreement, the office of motor carrier services shall:

(1) Compute and collect registration fees due this state under prorate registration agreements; and

(2) Issue registration plates, validation stickers, cab cards, temporary authority, and trip permits to qualified registrants.

This rule is intended to implement Iowa Code sections 17A.3, 326.5 and 326.6.

761—500.3(17A,326) Waiver of rules. In accordance with 761—Chapter 11, the director of transportation may, on the director's own motion or in response to a petition, waive provisions of this chapter. A waiver shall not be granted unless the director finds that special or emergency circumstances exist. "Special or emergency circumstances" means one or more of the following:

500.3(1) Circumstances where the movement is necessary to cooperate with cities, counties, other state agencies or other states in response to a national or other disaster.

500.3(2) Circumstances where the movement is necessary to cooperate with national defense officials.

500.3(3) Circumstances where the movement is necessary to cooperate with public or private utilities in order to maintain their public services.

500.3(4) Circumstances where the movement is essential to ensure safety and protection of any person or property due to events such as, but not limited to, pollution of natural resources, a potential fire or explosion.

500.3(5) Circumstances where weather or transportation problems create an undue hardship for citizens of the state of Iowa.

500.3(6) Circumstances where movement involves emergency-type vehicles.

500.3(7) Uncommon or extraordinary circumstances where the movement is essential to the existence of an Iowa business and the move may be accomplished without causing undue hazard to the safety of the traveling public or undue damage to private or public property.

This rule is intended to implement Iowa Code sections 17A.9A and 326.33.

761—500.4(326) Renewal for IRP registration. Renewal forms for the coming year are prepared automatically and distributed in November to all registrants who maintained an active IRP fleet with Iowa during that year. If the registrant does not receive a renewal application by December 1, the registrant is responsible for informing the office of motor carrier services and for making the necessary arrangements for renewal of the registration. Renewal applications should be submitted to the office of motor carrier services no later than January 1 to ensure adequate time for processing. A renewal is considered timely filed when it is received by the office of motor carrier services or postmarked on or before January 31.

500.4(1) The renewal must include:

a. A completed and signed mileage schedule and vehicle schedule(s).

b. An updated Federal Highway Administration motor carrier identification information report (MCS 150).

c. Necessary title documentation.

d. A schedule of heavy highway vehicles (Form 2290).

500.4(2) Additional renewal procedures.

a. Units being removed from the fleet shall be deleted on the renewal vehicle schedule and the plates, cab cards and stickers must be returned. Registration renewal fees for deleted units shall be assessed unless the plate, cab card and stickers are received by the office of motor carrier services or postmarked on or before December 31.

b. Units being stored shall be marked "stored" on the renewal vehicle schedule and the plates, cab card and stickers must be returned in accordance with rule 761—500.5(321).

This rule is intended to implement Iowa Code sections 326.6 and 326.14.

761—500.5(321) Deadline for placing a vehicle in storage. The registrant of a currently registered vehicle may at any time request that a vehicle be put into storage. The registrant must complete a vehicle schedule and return it with the plate, cab card and sticker to the office of motor carrier services. The vehicle schedule, plate, cab card and sticker must be received or postmarked on or before January 31 to stop the registration fee from being assessed for the renewal year. The office of motor carrier services shall destroy the plate and return the cab card to the registrant with the word “stored” stamped on it. Placing the vehicle in storage stops penalties on registration fees. When the vehicle is taken out of storage, the vehicle shall be assessed for the current annual registration fee.

This rule is intended to implement Iowa Code sections 321.126 and 321.134.

761—500.6(321,326) Penalty for late filing of renewal. Renewals postmarked or received in the office of motor carrier services after January 31 are filed late and a 5 percent penalty shall be assessed. An additional 5 percent penalty shall be assessed on the first of each month thereafter until the renewal is filed. The penalty is calculated based on the following:

500.6(1) If the renewal is filed on or before May 19, the penalty shall be calculated on all trailer fees for the current year, on the first half of the Iowa power unit registration fees (both permanent and non-permanent plated vehicles), and all registration fees due the other jurisdictions.

500.6(2) If the renewal is filed on or after May 20, the penalty shall be calculated on all registration fees due all jurisdictions for the current year only.

This rule is intended to implement Iowa Code sections 321.134 and 326.14.

761—500.7(326) IRP payment methods. A registrant with a good Iowa payment history may pay by cash, check, wire transfer or any other means offered by the department. Payment should be made payable to the Iowa Department of Transportation. All other registrants must submit fees by guaranteed funds. Examples of guaranteed funds are: money order, cashier’s check, certified check or cash.

This rule is intended to implement Iowa Code section 326.10A.

761—500.8(326) IRP plate. Upon payment of appropriate fees, the office of motor carrier services shall issue one IRP nonexpiring plate for each power unit to be mounted on the front of the power unit and one nonexpiring trailer plate to be mounted on the rear of the trailer.

This rule is intended to implement Iowa Code sections 326.14 and 326.17.

761—500.9(326) Fleet additions and temporary authority. A registrant may submit a vehicle schedule to change the fleet operations. A temporary authority may be issued to operate a vehicle(s) for the period of time required to process the vehicle schedule. The temporary authority shall not exceed 90 days. However, at the discretion of the permitting authority, the 90-day temporary authority may be extended if there are extenuating circumstances. Once temporary authority is generated and used, fees shall be due and the invoice may only be canceled if an error was made by the department or there were extenuating circumstances for which nonuse can be proven.

This rule is intended to implement Iowa Code section 326.11.

761—500.10(326) Voluntary cancellation of registration. A registrant may cancel an application for IRP registration (the IRP vehicle schedule) if the registrant notifies the office of motor carrier services within 15 days of the invoice date. The notice shall state the reason for cancellation, the licensing status and ownership and be signed by the registrant or its representative. If notice is not received within 15 days or, if a temporary permit was issued in accordance with 761—500.9(326), all registration fees must be paid in full.

This rule is intended to implement Iowa Code sections 326.6 and 326.11.

761—500.11(326) Policy on registration credit. If a vehicle is deleted from the IRP fleet and replaced with another vehicle, registration credit may be applied to IRP fees due on the replacement vehicle. The vehicle schedule identifying the added and deleted vehicles must be submitted to the office of motor carrier services. The deletion must take place on or before the replacement unit's registration fees are required to be effective by law. In accordance with Iowa Code section 326.12, credit shall not be allowed if the registrant is filing late.

This rule is intended to implement Iowa Code section 326.12.

761—500.12(326) Penalty for late filing of vehicle schedule.

500.12(1) A late filing penalty of 5 percent shall be assessed to the vehicle if a vehicle schedule is not filed within 30 days of:

- a. The purchase of a new or used vehicle;
- b. A vehicle's being brought into Iowa from out of state to be registered; or
- c. A vehicle's being first operated with the exemption allowed under Iowa Code section 321.20A.

500.12(2) The 5 percent penalty is calculated based on the following:

a. If the vehicle schedule is filed on or before May 19, the penalty shall be calculated on all trailer fees for the current year, on the first half of the Iowa power unit registration fees (both permanent and nonpermanent plated vehicles) and all registration fees due the other jurisdictions.

b. If the vehicle schedule is filed on or after May 20, the penalty shall be calculated on all registration fees due all jurisdictions for the current year only.

500.12(3) An additional 5 percent penalty shall be assessed on the first of each month thereafter until the vehicle schedule is filed.

500.12(4) The department may collect intrastate registration fees and penalties when registering a delinquent vehicle to bring the vehicle fees current before allowing the IRP registration of the vehicle.

This rule is intended to implement Iowa Code section 326.11.

761—500.13(326) Renewal and vehicle schedule late payment penalty. Payment of current registration year invoices, except second-half invoices, shall be considered late and a 5 percent penalty shall be assessed to all payments not received or postmarked within 30 days of the invoice date or within 30 days of January 31 of that registration year, whichever is later. An additional 5 percent penalty shall be assessed on the first of each month thereafter that the payment has not been received.

500.13(1) The penalty shall be calculated based on the following:

a. If payment is received on or before May 19, the penalty shall be calculated on all trailer fees for the current year, on the first half of the Iowa power unit registration fees (both permanent and nonpermanent plated vehicles) and all fees due the other jurisdictions.

b. If payment is received on or after May 20, the penalty shall be calculated on all registration fees due all jurisdictions for the current year only.

500.13(2) An additional 5 percent penalty shall be assessed on the first of each month thereafter that the fees remain unpaid.

This rule is intended to implement Iowa Code section 326.16.

761—500.14(321) Deadline for payment of first-half fee. Iowa-based registrants with motor vehicles that are subject to IRP registration and are eligible to pay registration fees in semiannual installments, pursuant to Iowa Code section 321.134, shall be extended this privilege through May 19 of the current registration year. On May 20 and thereafter, payments shall be accepted only in the amount of the annual registration fee pursuant to Iowa Code sections 321.105, 321.106 and 321.134.

This rule is intended to implement Iowa Code section 321.134.

761—500.15(321,326) Second-half late payment penalty. Payment of second-half invoices shall be considered late and a 5 percent penalty shall be assessed if payment is not received or postmarked before August 1. An additional 5 percent penalty shall continue to accrue on the first of each month thereafter until the second-half invoice(s) is paid. The penalty is calculated on the total of the second-half invoice.

This rule is intended to implement Iowa Code sections 321.134 and 326.16.

761—500.16(326) Duplicate credentials. The fees for duplicate credentials are as follows:

500.16(1) A replacement cab card is \$3.

500.16(2) A replacement plate including the cab card is \$8. If applicable, a mailing fee will also be assessed.

500.16(3) A validation sticker replacement including the cab card is \$3.50.

This rule is intended to implement Iowa Code section 326.22.

761—500.17(326) Suspension for nonpayment of registration fees. The office of motor carrier services shall send a notice of delinquency to all registrants whose registration fees are 30 days overdue. The notice of delinquency will state that the registrant's IRP registrations shall be suspended unless payment is received within 30 days. When a registrant is under suspension, all of the registrant's Iowa-based IRP vehicles shall be suspended.

This rule is intended to implement Iowa Code section 326.16.

761—500.18(326) Suspension of registration if payment is dishonored by a financial institution. The department may suspend a registrant's registration and plates if the registrant's payment is not honored in accordance with Iowa Code sections 321.101 and 326.10A.

This rule is intended to implement Iowa Code section 326.10A.

761—500.19(326) Making claim for refund. A refund of fees previously paid for the registration of vehicles may be made in accordance with Iowa Code sections 321.173 and 326.15. A claim for refund on an IRP registered vehicle(s) may be obtained from the office of motor carrier services.

This rule is intended to implement Iowa Code section 326.15.

761—500.20(326) Registration expiration and enforcement dates. The annual registration of IRP vehicles expires on December 31 at midnight. Credentials for the current year for vehicles being renewed under IRP shall be displayed by 12:01 a.m. on March 15.

This rule is intended to implement Iowa Code section 326.14.

761—500.21(326) Registration of vehicles with non-Iowa titles. Registrants applying for registration for non-Iowa titled vehicles shall submit to the office of motor carrier services with the application or payment as specified in rule 761—500.7(326) either a photocopy of the non-Iowa title or a copy of the title application if the title has not been issued. If a jurisdiction does not issue titles, a photocopy of the bill of sale or a copy of the Canadian registration shall accompany the application or payment.

This rule is intended to implement Iowa Code section 326.45.

761—500.22(326) Record retention.

500.22(1) *Record retention requirement and penalty.* Iowa IRP registrants shall preserve the records upon which their registration is based as required by the IRP and Iowa Code section 326.19. The department may assess a penalty upon registrants who have failed to maintain proper records.

500.22(2) *Mileage records.* Mileage records shall be preserved for the current registration year and the three preceding registration years. Mileage summaries must be supported by individual vehicle mileage records to provide an auditable system.

500.22(3) *Source documents.* Individual vehicle mileage records as specified in the IRP audit guidelines shall be acceptable to verify fleet mileage. The individual vehicle mileage record must include all of the following:

- a. Date of trip (starting and ending dates);
- b. Trip origin and destination;
- c. Routes of travel;
- d. Total trip miles;
- e. Mileage by jurisdiction; and
- f. Unit number or vehicle identification number.

Odometer readings may be substituted for routes of travel if the substitution is approved by the department.

500.22(4) *Reaudit and assessment.* If an audit determines that a registrant has not maintained adequate mileage records, the following procedures shall apply:

a. The department shall send an audit report to the registrant, detailing the areas of noncompliance.

b. After a three-month grace period, the department shall reaudit the registrant's records to monitor improvement. If the registrant's record-keeping system is not in compliance at the time of the reaudit, the department shall assess an audit penalty. The penalty shall equal 20 percent of the registrant's projected full Iowa fees for the registration year audited.

c. After an initial billing, the registrant shall be subject to periodic reaudits, and penalties may be assessed for up to three full years of subsequent noncompliance, pursuant to the IRP agreement.

This rule is intended to implement Iowa Code sections 326.19 and 326.19A.

761—500.23(326) Trip permits. The registrants may meet the registration requirements of Iowa Code chapter 326 by operating under a trip permit. However, moves that are intrastate or exceed legal dimensions or weight and operate under permit as specified in Iowa Code chapter 321E shall not be allowed. Trip permits may be obtained as follows:

500.23(1) The registrant, permit service or process agent may request trip permits by facsimile, telephone, the Internet or mail from the office of motor carrier services. Such requests shall include the appropriate permit fee remittance. Registrants purchasing trip permits in advance of use may not return unused permits for a refund.

500.23(2) Permits may be purchased directly from truck stops in several locations across the state that have executed a "Trip Permit Agreement." The registrant may obtain a list of participating truck stops by contacting the office of motor carrier services.

This rule is intended to implement Iowa Code sections 326.23 and 326.46.

761—500.24(326) Electronic information. To the greatest extent possible, the office of motor carrier services shall maintain in electronic form all records required under this chapter. The retention period for electronic records must follow the guidelines of the IRP.

500.24(1) *IRP vehicle transaction.* The office of motor carrier services shall destroy paper copies of IRP vehicle transaction requests 90 days after the IRP invoice is generated.

500.24(2) *Heavy highway vehicle schedule.* The office of motor carrier services shall destroy paper copies of the heavy highway vehicle schedule once the electronic record is updated.

500.24(3) *MCS 150.* The office of motor carrier services shall forward the updated Federal Highway Administration's motor carrier identification information (MCS 150) to the Federal Motor Carrier Safety Administration office after the update is marked on the electronic record. The office of motor carrier services shall not retain paper copies of this form.

This rule is intended to implement Iowa Code section 326.33.

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CHAPTERS 501 to 504

Reserved

*Effective date of 500.1, definition of "Power unit," 500.2, 500.3(1), 500.3(3), introductory paragraph, 500.3(3)"a" and "c," 500.3(4)"a," introductory paragraph, 500.3(4)"c," 500.3(5)"a," introductory paragraph, 500.3(5)"a"(2), 500.3(5)"b"(2), 500.3(6), 500.6 to 500.9, 500.11, 500.12, 500.14, 500.17, 500.20, June 2, 1993, delayed 70 days by the Administrative Rules Review Committee at its meeting held May 12, 1993; delay lifted by this Committee June 8, 1993, effective June 9, 1993.