

See

SENATE FILE 2231

1982

BY COMMITTEE ON
TRANSPORTATION

(FORMERLY SSB 2236)

*Approved (p. 546)
Sub. fr. #7. 2443*

Passed Senate, Date 3-17-82 (p. 1014) Passed House, Date 3-25-82 (p. 1014)

Vote: Ayes 94 Nays 1 Vote: Ayes 94 Nays 1

Approved May 21, 1982

*Repassed Senate per House amendment
4-12-82 (p. 1130)
44-5*

A BILL FOR

1 An Act providing exemptions for road workers and road
2 maintenance equipment while operating the equipment
3 on the highways.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.233, unnumbered paragraph 1, Code
2 1981, is amended to read as follows:

3 ~~The provisions of this~~ This chapter, except ~~the provisions~~
4 ~~of~~ section 321.277 and sections 321.280 to 321.282 ~~shall~~ does
5 not apply to persons, teams, motor vehicles and other equipment
6 while actually engaged in work upon the surface of a highway
7 officially closed to traffic but ~~shall~~ does apply to such
8 persons and vehicles when traveling to or from such work.
9 ~~The provisions of this chapter shall~~ Sections 321.297 and
10 321.298 do not apply to road workers operating maintenance
11 equipment operated by owned or under lease to any state or
12 local authority while engaged in road maintenance, road
13 blading, snow and ice control and removal, and granular
14 resurfacing work, including to or from such work on a highway,
15 whether or not the highway is closed to traffic.

16 Sec. 2. Section 321.453, Code 1981, is amended to read
17 as follows:

18 321.453 EXCEPTIONS. The provisions of this chapter
19 governing size, weight, and load ~~shall~~ do not apply to fire
20 apparatus, to road maintenance equipment operated by or under
21 lease to any state or local authority, or to implements of
22 husbandry temporarily moved upon a highway, or to implements
23 moved between the retail seller and farm purchaser within
24 a fifty-mile radius from corporate limits wherein ~~his~~ the
25 retail seller's place of business is located, or implements
26 received and moved by a retail seller of implements of
27 husbandry in exchange for an implement purchased, except on
28 any part of the interstate highway system, or to a vehicle
29 operating under the terms of a special permit issued as
30 provided in chapter 321E.

31 EXPLANATION

32 The bill allows the operation of road maintenance equipment
33 in the right hand lane and left hand lane while engaged in
34 specific maintenance operations on roads open to traffic.
35 The exemption provided is more restrictive since the exemption

1 previously provided exception from all of chapter 321. The
2 bill also exempts state and local maintenance equipment from
3 the size, weight, and load limits in the Code. The bill takes
4 effect July 1 following enactment.

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SENATE FILE 2231

H-5522

1 Amend Senate File 2231 as follows:

2 1. Page 1, line 11, by inserting after the word
3 "owned" the word "by".

4 2. Page 1, line 15, by inserting after the period
5 the words "The state or local authority may lease
6 road maintenance equipment but shall not employ the
7 lessor or employees of the lessor to operate the
8 equipment."

9 3. Page 1, line 20, by striking the word "operated"
10 and inserting in lieu thereof the word "owned".

H-5522 FILED MARCH 23, 1982

BY HUMMEL of Benton

A, C adopted 3/25 (p. 1012)
B. 4/12

SENATE FILE 2231

H-5523

1 Amend Senate File 2231 as follows:

2 Page 1, by inserting after line 15 the following:

3 "Sec. ____ . Section 321.377, Code 1981, is amended
4 to read as follows:

5 321.377 SPEED OF SCHOOL BUS. No motor vehicle in
6 use as a school bus shall be operated at a speed in
7 excess of fifty-five miles per hour on any fully
8 controlled-access, divided, multilaned highways, inter-
9 state highways or on any four-lane primary highway.
10 When not in operation on an interstate highway system
11 or on any four-laned primary highway, the maximum speed
12 for a school bus shall be fifty miles per hour when used
13 ~~for purposes of an educational trip or for transporting~~
14 ~~pupils to and from any extracurricular activity, and~~
15 ~~forty-five miles per hour at all other times. Any~~
16 ~~violation of this section, by a driver, shall be deemed~~
17 ~~sufficient cause for canceling his contract. For the~~
18 ~~purpose of this section, interstate highways means those~~
19 ~~highways included in the national system of interstate~~
20 ~~highways designated by the federal highway administration~~
21 ~~and this state."~~

H-5523 FILED MARCH 23, 1982

BY POFFENBERGER of Dallas

Adopted 3/25 (p. 1013)

SENATE FILE 2231

H-5530

1 Amend Senate File 2231, as follows:

2 1. Page 1, line 5, by striking the word and
3 figures ", teams," and inserting in lieu thereof the
4 following: "7-teams, and".

H-5530 FILED MARCH 23, 1982

BY SPEAR of Lee

Adopted 3/25 (p. 1013)

SENATE FILE 2231

H-5572

- 1 Amend Senate File 2231, as follows:
- 2 1. Title page, by striking lines 1 through 3
- 3 and inserting in lieu thereof the following: "An Act
- 4 relating to the operation of certain motor vehicles
- 5 on the public highways."

H-5572 FILED MARCH 25, 1982

ADOPTED BY UNANIMOUS CONSENT (p. 1014) BY SPEAR of Lee

SIXTY-NINTH GENERAL ASSEMBLY
1982 REGULAR SESSION

DAILY
SENATE CLIP SHEET

SEDNESDAY, MARCH 31, 1982

HOUSE AMENDMENT TO SENATE FILE 2231

S-5405

1 Amend Senate File 2231, as follows:

2 1. Page 1, line 5, by striking the word ", teams,"
3 and inserting in lieu thereof the following: "~~7-teams7~~
4 and".

5 2. Page 1, line 11, by inserting after the word
6 "owned" the word "by".

7 3. Page 1, by inserting after line 15 the
8 following:

9 "Sec. ____ . Section 321.377, Code 1981, is amended
10 to read as follows:

11 321.377 SPEED OF SCHOOL BUS. No motor vehicle
12 in use as a school bus shall be operated at a speed
13 in excess of fifty-five miles per hour on any fully
14 controlled-access, divided, multilaned highways,
15 interstate highways or on any four-lane primary
16 highway. When not in operation on an interstate
17 highway system or on any four-laned primary highway,
18 the maximum speed for a school bus shall be fifty
19 miles per hour ~~when-used-for-purposes-of-an-educational~~
20 ~~trip-or-for-transporting-pupils-to-and-from-any~~
21 ~~extracurricular-activity7-and-forty-five-miles-per~~
22 ~~hour-at-all-other-times7-Any-violation-of-this~~
23 ~~section7-by-a-driver7-shall-be-deemed-sufficient-cause~~
24 ~~for-canceling-his-contract7-For-the-purpose-of-this~~
25 ~~section7-interstate-highways-means-these-highways~~
26 ~~included-in-the-national-system-of-interstate-highways~~
27 ~~designated-by-the-federal-highway-administration-and~~
28 ~~this-state."~~

29 4. Page 1, line 20, by striking the word "operated"
30 and inserting in lieu thereof the word "owned".

31 5. Title page, by striking lines 1 through 3 and
32 inserting in lieu thereof the following: "An Act
33 relating to the operation of certain motor vehicles
34 on the public highways."

S-5405 FILED
MARCH 30, 1982

RECEIVED FROM THE HOUSE

Senate concurred 4/12 (p. 1130)

SENATE FILE 2231

AN ACT

RELATING TO THE OPERATION OF CERTAIN MOTOR VEHICLES ON THE
PUBLIC HIGHWAYS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.233, unnumbered paragraph 1, Code 1981, is amended to read as follows:

~~The provisions of this~~ This chapter, except ~~the provisions~~ of section 321.277 and sections 321.280 to 321.282 ~~shall~~ does not apply to persons, ~~teams,~~ and motor vehicles and other equipment while actually engaged in work upon the surface of a highway officially closed to traffic but ~~shall~~ does apply to such persons and vehicles when traveling to or from such work. ~~The provisions of this chapter shall~~ Sections 321.297 and 321.298 do not apply to road workers operating maintenance equipment operated by owned by or under lease to any state

or local authority while engaged in road maintenance, road blading, snow and ice control and removal, and granular resurfacing work, including to or from such work on a highway, whether or not the highway is closed to traffic.

Sec. 2. Section 321.377, Code 1981, is amended to read as follows:

321.377 SPEED OF SCHOOL BUS. No motor vehicle in use as a school bus shall be operated at a speed in excess of fifty-five miles per hour on any fully controlled-access, divided, multilaned highways, interstate highways or on any four-lane primary highway. When not in operation on an interstate highway system or on any four-laned primary highway, the maximum speed for a school bus shall be fifty miles per hour ~~when used for purposes of an educational trip or for transporting pupils to and from any extracurricular activity, and forty-five miles per hour at all other times. Any violation of this section by a driver shall be deemed sufficient cause for canceling his contract. For the purpose of this section, interstate highways means those highways included in the national system of interstate highways designated by the federal highway administration and this state.~~

Sec. 3. Section 321.453, Code 1981, is amended to read as follows:

321.453 EXCEPTIONS. The provisions of this chapter governing size, weight, and load ~~shall~~ do not apply to fire apparatus, to road maintenance equipment owned by or under lease to any state or local authority, or to implements of husbandry temporarily moved upon a highway, or to implements moved between the retail seller and farm purchaser within a fifty-mile radius from corporate limits wherein ~~his~~ the retail seller's place of business is located, or implements received and moved by a retail seller of implements of husbandry in exchange for an implement purchased, except on

any part of the interstate highway system, or to a vehicle operating under the terms of a special permit issued as provided in chapter 321E.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2231, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 21, 1982

ROBERT D. RAY
Governor