

Transportation
Coleman, Chair
Drake
Jensen

MAR 8 1983

SENATE FILE 375

BY DRAKE

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act which provides for an increase in the permit fees
2 charged vehicles of excessive size and weight, increases
3 the suspension period for violators, requires certain
4 vehicles to carry a warning device, eliminates the
5 length restriction of seventy feet for Iowa manufactured
6 vehicles, and permits the department of transportation
7 to require an escort for overdimensional vehicles.

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

SENATE FILE 375
FISCAL NOTE

9
10 REQUESTED BY SENATOR DOYLE

In compliance with a written request there is hereby submitted a
11 Fiscal Note for Senate File 375 pursuant to Joint Rule 17.

12 Senate File 375 provides for an increase in permit fees charged
13 vehicles of excessive size. This bill provides a longer suspension
14 period for permit privileges for violation of the provisions of the
15 chapter and allow the department of transportation to require an
16 escort for violators. The seventy foot length limitation in 321E.10
is eliminated and vehicles under seventy-five feet in length but in
excess of the limitations under section 321.457 are required to carry
a warning device. This bill takes effect July 1 following enactment.

	Permits Number	Current Fee	Fee Under S.F. 375
18 Single Trip	31,031	(5) * = \$155,155	(10) = \$310,310
19 Annual	10,183	(10) = 101,830	(25) = 254,578
Fee		<u>256,985</u>	<u>564,888</u>

20 Violations
21 Current 121 violators \$ 12,531
22 Proposed 121 X 500 60,500

23 FISCAL IMPACT: The increase fee schedule would increase the Road Use
24 Tax Fund by \$307,900 annually. School districts would receive and
increase of \$47,969 annually.

(1306S, 83-363, TAF)

25 SOURCE: DOT

FILED:
MARCH 25, 1983

BY LEGISLATIVE FISCAL BUREAU
DENNIS C. PROUTY, DIRECTOR

S.F. 375

1 Section 1. Section 321E.1, Code 1983, is amended to read
2 as follows:

3 321E.1 PERMITS BY DEPARTMENT. The department and local
4 authorities may in their discretion and upon application and
5 with good cause being shown ~~therefor~~ issue permits for the
6 movement of construction machinery being temporarily moved
7 on streets, roads or highways and for vehicles with indivisible
8 loads ~~carried-thereon~~ which exceed the maximum dimensions
9 and weights specified in sections 321.452 to 321.466, but
10 not to exceed the limitations imposed in sections 321E.1 to
11 321E.15 except as provided in sections 321E.29 and 321E.30.
12 Vehicles permitted to transport indivisible loads may exceed
13 the width and length limitations specified in sections 321.454
14 and 321.457 for the purpose of picking up an indivisible load
15 or returning from delivery of the indivisible load. Permits
16 ~~se~~ issued may be single-trip permits or annual permits. ~~All~~
17 ~~permits~~ Permits shall be in writing and shall be carried in
18 the cab of the vehicle for which the permit has been issued
19 and shall be available for inspection at all times. The
20 vehicle and load for which the permit has been issued shall
21 be open to inspection by any a peace officer or ~~to-any an~~
22 authorized agent of any a permit granting authority. When
23 in the judgment of the issuing local authority in cities and
24 counties the movement of a vehicle with an indivisible load
25 or construction machinery which exceeds the maximum dimensions
26 and weights will be unduly hazardous to public safety or will
27 cause undue damage to streets, avenues, boulevards,
28 thoroughfares, highways, curbs, sidewalks, trees, or other
29 public or private property, the permit shall be denied and
30 the reasons ~~therefor~~ for denial endorsed ~~upon~~ on the
31 application. Permits issued by local authorities shall
32 designate the days when and routes upon which loads and
33 construction machinery may be moved within the county on other
34 than primary roads.

35 Sec. 2. Section 321E.10, unnumbered paragraph 1, Code

1 1983, is amended to read as follows:

2 The department or local authorities may ~~in-their-discretion~~
3 ~~and~~ upon application issue annual trip permits for the movement
4 of truck trailers manufactured or assembled in this state
5 that exceed the maximum length specified in section 321.457
6 and the maximum width specified in section 321.454. Movement
7 of ~~such~~ the truck trailers shall be solely for the purpose
8 of delivery or transfer from the point of manufacture or
9 assembly to another point of manufacture or assembly within
10 the state or to a point outside the state, shall be only on
11 roadways of twenty-four feet or more in width or on four-lane
12 highways, shall be on the most direct route necessary for
13 such movement, and shall display the special plates designated
14 in section 321.57. All truck trailers under permit for such
15 movement shall not contain ~~no~~ freight or additional load.
16 ~~All-truck~~ Truck trailers under permit for ~~such~~ movement shall
17 ~~be-at-a-speed~~ not ~~to~~ exceed forty-five miles an hour or the
18 established speed limit whichever is lower. ~~No~~ A vehicle
19 or combination of two or more vehicles inclusive of front
20 and rear bumpers, including towing units, involved in the
21 movement of truck trailers shall not exceed ~~seventy-feet-in~~
22 ~~length-and~~ an overall width of ten feet. ~~All-such-vehicles~~
23 Vehicles or combinations shall be distinctly marked on both
24 the front and rear of the unit in ~~such~~ a manner as the director
25 of transportation ~~shall-designate~~ designates to indicate that
26 the vehicles or combinations are being moved for delivery
27 or transfer purposes only.

28 Sec. 3. Section 321E.14, Code 1983, is amended to read
29 as follows:

30 321E.14 FEES FOR PERMITS. The department or local
31 authorities issuing the permits shall charge a fee of ~~ten~~
32 twenty-five dollars for an annual permit and a fee of ~~five~~
33 ten dollars for a single-trip permit and shall determine
34 charges for special permits issued pursuant to section 321E.29
35 by rules adopted pursuant to chapter 17A. Fees for the

1 movement of buildings, parts of buildings, or unusual vehicles
2 or loads may be increased to cover the costs of inspections
3 by the issuing authority. A fee not to exceed eighty one
4 hundred twenty dollars per ten-hour day or a prorated fraction
5 ~~thereof of that fee~~ per person and car for escort service
6 may be charged when requested or when required under this
7 chapter. Proration of escort fees between state and local
8 authorities when more than one governmental authority provides
9 or is required to provide escort for a movement during the
10 period of a day shall be determined by rule under section
11 321E.15. The department and local authorities may charge
12 ~~any~~ a permit applicant for the cost of trimming trees and
13 removal and replacement of natural obstructions or official
14 signs and signals or other public or private property required
15 to be removed during the movement of a vehicle and load.
16 In addition to the fees provided in this section, the annual
17 fee for a permit for special mobile equipment, as defined
18 in section 321.1, subsection 17, operated pursuant to section
19 321E.7, subsection 2, with a combined gross weight up to and
20 including eighty thousand pounds shall be twenty-five dollars
21 and for a combined gross weight exceeding eighty thousand
22 pounds, fifty dollars.

23 Sec. 4. Section 321E.16, Code 1983, is amended to read
24 as follows:

25 321E.16 VIOLATIONS--PENALTIES. ~~A-person-shall-not-commit~~
26 ~~any-act-forbidden-or-fail-to-perform-any-act-required-by-the~~
27 ~~provisions-of-this-chapter-or-any-provision-of-rules-adopted~~
28 ~~pursuant-to-section-321E-15.~~ Any person who is convicted
29 of a violation of any provision of this chapter or of rules
30 adopted under section 321E.15, other than length, height,
31 width, or weight of allowed by any permit issued under this
32 chapter shall be punished by a fine of not less than one five
33 hundred dollars, nor more than five-hundred one thousand
34 dollars. The fine for violation of the length, height, width,
35 and weight allowed by permit shall be based upon the difference

1 between the actual length, height, width, and weight of the
2 vehicle and load and the maximum allowable by permit and in
3 accordance with section 321.482 for violations of length,
4 height, or width limitations and sections 321.482 and 321.463
5 for violation of weight limitations. If a vehicle with
6 indivisible load traveling under permit is found to be in
7 violation of weight limitations, the vehicle operator shall
8 be allowed a reasonable amount of time to remove any ice,
9 mud, snow, and other weight attributable to climatic conditions
10 accumulated along the route prior to application of the
11 penalties prescribed in sections 321.463 and 321.482. The
12 department shall adopt rules to require peace officer escorts
13 for permit holders violating a provision of this chapter or
14 a provision of rules adopted pursuant to section 321E.15.

15 Sec. 5. Section 321E.19, Code 1983, is amended to read
16 as follows:

17 321E.19 PERMIT SUSPENDED, CHANGED OR REVOKED. Upon
18 complaint by local authorities or on the department's own
19 initiative and after notice and hearing before one or more
20 members of the permit issuing body, any permit issued
21 privileges under this chapter may be suspended, changed, or
22 revoked in whole or in part by the issuing authority for
23 willful failure to comply with any provisions of this chapter
24 or with any rule ~~ex-regulation~~ adopted under authority of
25 this chapter or with any term, condition, or limitation of
26 the permit.

27 Sec. 6. Section 321E.20, Code 1983, is amended to read
28 as follows:

29 321E.20 SUSPENSION PERIOD. Whenever the issuing authority
30 ~~shall find~~ finds from the evidence adduced at such hearing
31 that a permit holder has willfully operated or caused to be
32 operated a vehicle or vehicles in violation of this chapter,
33 the authority may enter an order suspending, modifying, or
34 revoking the permit in whole or in part at its discretion
35 for a period of not ~~more than ninety~~ to exceed one hundred

1 eighty days. If the issuing authority finds in a subsequent
2 proceeding within twelve months from the date of the initial
3 suspension, modification, or revocation that a permit holder
4 has again willfully operated in violation of this chapter,
5 the issuing authority shall order suspension, modification,
6 or revocation of the permit privileges in whole or in part
7 for a period not to exceed ~~one-year~~ two years.

8 Sec. 7. Section 321E.24, Code 1983, is amended to read
9 as follows:

10 321E.24 WARNING DEVICE ON LONG LOADS. Any vehicle and
11 load which,--including-load,--exceeds-the exceed the limits
12 provided in section 321.457 and do not exceed a length of
13 seventy-five feet shall carry a warning device clearly visible
14 to a motorist approaching from the rear for a distance of
15 five hundred feet.

16 EXPLANATION

17 This bill provides for an increase in permit fees charged
18 vehicles of excessive size. The bill provides a longer
19 suspension period for permit privileges for violation of the
20 provisions of the chapter and allows the department of
21 transportation to require an escort for violators. The seventy
22 foot length limitation in section 321E.10 is eliminated and
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