

**MAR 16 1983**

SENATE FILE 452

BY COMMITTEE ON TRANSPORTATION  
*Approved per 3244 3/16 (p. 784)*

Passed Senate, Date 3-31-83 (p. 1072) Passed House, Date 4-14-83 (p. 1307)  
Vote: Ayes 43 Nays 1 Vote: Ayes 93 Nays 6  
Approved May 12, 1983

### A BILL FOR

1 An Act relating to certain vehicles, which deletes the  
2 requirement that a person transporting a mobile home  
3 provide a copy of a tax clearance statement to the  
4 state department of transportation, provides for an  
5 increase in the permit fees charged vehicles of  
6 excessive size and weight, increases the suspension  
7 period for violators, requires certain vehicles to  
8 carry a warning device, eliminates the length restric-  
9 tion of seventy feet for Iowa manufactured vehicles,  
10 and permits the department of transportation to require  
11 an escort for overdimensional vehicles.

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

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S.F. 452

1 Section 1. Section 321.21, subsection 1, Code 1983, is  
2 amended to read as follows:

3 1. A person owning any special mobile equipment may make  
4 application to the department, upon the appropriate form  
5 furnished by the department, for a certificate containing  
6 a general distinguishing number and for one or more special  
7 mobile equipment plates. The applicant shall also submit  
8 proof of the status of the vehicle as special mobile equipment  
9 as may reasonably be required by the department. ~~if the~~  
10 ~~application is for a mobile home, one copy of the tax clearance~~  
11 ~~form issued to the owner of the mobile home must be submitted~~  
12 ~~by the person transporting the mobile home or other evidence~~  
13 ~~of current taxes being paid as prescribed by the department.~~

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

16 321E.1 PERMITS BY DEPARTMENT. The department and local  
17 authorities may in their discretion and upon application and  
18 with good cause being shown ~~therefor~~ issue permits for the  
19 movement of construction machinery being temporarily moved  
20 on streets, roads or highways and for vehicles with indivisible  
21 loads ~~carried thereon~~ which exceed the maximum dimensions  
22 and weights specified in sections 321.452 to 321.466, but  
23 not to exceed the limitations imposed in sections 321E.1 to  
24 321E.15 except as provided in sections 321E.29 and 321E.30.  
25 Vehicles permitted to transport indivisible loads may exceed  
26 the width and length limitations specified in sections 321.454  
27 and 321.457 for the purpose of picking up an indivisible load  
28 or returning from delivery of the indivisible load. Permits  
29 ~~so~~ issued may be single-trip permits or annual permits. ~~All~~  
30 ~~permits~~ Permits shall be in writing and shall be carried in  
31 the cab of the vehicle for which the permit has been issued  
32 and shall be available for inspection at all times. The  
33 vehicle and load for which the permit has been issued shall  
34 be open to inspection by any a peace officer or ~~to any an~~  
35 authorized agent of any a permit granting authority. When

1 in the judgment of the issuing local authority in cities and  
2 counties the movement of a vehicle with an indivisible load  
3 or construction machinery which exceeds the maximum dimensions  
4 and weights will be unduly hazardous to public safety or will  
5 cause undue damage to streets, avenues, boulevards,  
6 thoroughfares, highways, curbs, sidewalks, trees, or other  
7 public or private property, the permit shall be denied and  
8 the reasons ~~therefor~~ for denial endorsed ~~upon~~ on the  
9 application. Permits issued by local authorities shall  
10 designate the days when and routes upon which loads and  
11 construction machinery may be moved within the county on other  
12 than primary roads.

13 Sec. 3. Section 321E.10, unnumbered paragraph 1, Code  
14 1983, is amended to read as follows:

15 The department or local authorities may ~~in their discretion~~  
16 ~~and~~ upon application issue annual trip permits for the movement  
17 of truck trailers manufactured or assembled in this state  
18 that exceed the maximum length specified in section 321.457  
19 and the maximum width specified in section 321.454. Movement  
20 of ~~such~~ the truck trailers shall be solely for the purpose  
21 of delivery or transfer from the point of manufacture or  
22 assembly to another point of manufacture or assembly within  
23 the state or to a point outside the state, shall be only on  
24 roadways of twenty-four feet or more in width or on four-lane  
25 highways, shall be on the most direct route necessary for  
26 such movement, and shall display the special plates designated  
27 in section 321.57. All truck trailers under permit for such  
28 movement shall not contain ~~no~~ freight or additional load.  
29 ~~All-truck~~ Truck trailers under permit for ~~such~~ movement shall  
30 ~~be-at-a-speed~~ not ~~to~~ exceed forty-five miles an hour or the  
31 established speed limit whichever is lower. ~~No~~ A vehicle  
32 or combination of two or more vehicles inclusive of front  
33 and rear bumpers, including towing units, involved in the  
34 movement of truck trailers shall not exceed ~~seventy-feet-in~~  
35 ~~length-and~~ an overall width of ten feet. ~~All-such-vehicles~~

1 Vehicles or combinations shall be distinctly marked on both  
2 the front and rear of the unit in ~~such~~ a manner as the director  
3 of transportation ~~shall designate~~ designates to indicate that  
4 the vehicles or combinations are being moved for delivery  
5 or transfer purposes only.

6 Sec. 4. Section 321E.14, Code 1983, is amended to read  
7 as follows:

8 321E.14 FEES FOR PERMITS. The department or local  
9 authorities issuing the permits shall charge a fee of ~~ten~~  
10 twenty-five dollars for an annual permit and a fee of ~~five~~  
11 ten dollars for a single-trip permit and shall determine  
12 charges for special permits issued pursuant to section 321E.29  
13 by rules adopted pursuant to chapter 17A. Fees for the  
14 movement of buildings, parts of buildings, or unusual vehicles  
15 or loads may be increased to cover the costs of inspections  
16 by the issuing authority. A fee not to exceed eighty one  
17 hundred twenty dollars per ten-hour day or a prorated fraction  
18 ~~thereof~~ of that fee per person and car for escort service  
19 may be charged when requested or when required under this  
20 chapter. Proration of escort fees between state and local  
21 authorities when more than one governmental authority provides  
22 or is required to provide escort for a movement during the  
23 period of a day shall be determined by rule under section  
24 321E.15. The department and local authorities may charge  
25 ~~any~~ a permit applicant for the cost of trimming trees and  
26 removal and replacement of natural obstructions or official  
27 signs and signals or other public or private property required  
28 to be removed during the movement of a vehicle and load.  
29 In addition to the fees provided in this section, the annual  
30 fee for a permit for special mobile equipment, as defined  
31 in section 321.1, subsection 17, operated pursuant to section  
32 321E.7, subsection 2, with a combined gross weight up to and  
33 including eighty thousand pounds shall be twenty-five dollars  
34 and for a combined gross weight exceeding eighty thousand  
35 pounds, fifty dollars.

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

3       321E.16 VIOLATIONS--PENALTIES. ~~A person shall not commit~~  
4 ~~any act forbidden or fail to perform any act required by the~~  
5 ~~provisions of this chapter or any provision of rules adopted~~  
6 ~~pursuant to section 321E.15.~~ Any person who is convicted  
7 of a violation of any provision of this chapter or of rules  
8 adopted under section 321E.15, other than length, height,  
9 width, or weight of allowed by any permit issued under this  
10 chapter shall be punished by a fine of not less than one  
11 hundred dollars for the first conviction, not more than five  
12 two hundred fifty dollars for a second conviction, and five  
13 hundred dollars for a third conviction. The fine for violation  
14 of the length, height, width, and weight allowed by permit  
15 shall be based upon the difference between the actual length,  
16 height, width, and weight of the vehicle and load and the  
17 maximum allowable by permit and in accordance with section  
18 321.482 for violations of length, height, or width limitations  
19 and sections 321.482 and 321.463 for violation of weight  
20 limitations. If a vehicle with indivisible load traveling  
21 under permit is found to be in violation of weight limitations,  
22 the vehicle operator shall be allowed a reasonable amount  
23 of time to remove any ice, mud, snow, and other weight  
24 attributable to climatic conditions accumulated along the  
25 route prior to application of the penalties prescribed in  
26 sections 321.463 and 321.482. The department shall adopt  
27 rules to require peace officer escorts for permit holders  
28 convicted for the third time in a calendar year of violating  
29 a provision of this chapter or a provision of rules adopted  
30 pursuant to section 321E.15.

31       Sec. 6. Section 321E.19, Code 1983, is amended to read  
32 as follows:

33       321E.19 PERMIT SUSPENDED, CHANGED OR REVOKED. Upon  
34 complaint by local authorities or on the department's own  
35 initiative and after notice and hearing before one or more

1 members of the permit issuing body, ~~any~~ permit issued  
2 privileges under this chapter may be suspended, changed, or  
3 revoked in whole or in part by the issuing authority for  
4 willful failure to comply with any provisions of this chapter  
5 or with any rule ~~or regulation~~ adopted under authority of  
6 this chapter or with any term, condition, or limitation of  
7 the permit.

8 Sec. 7. Section 321E.20, Code 1983, is amended to read  
9 as follows:

10 321E.20 SUSPENSION PERIOD. Whenever the issuing authority  
11 ~~shall find~~ finds from the evidence adduced at such hearing  
12 that a permit holder has willfully operated or caused to be  
13 operated a vehicle or vehicles in violation of this chapter,  
14 the authority may enter an order suspending, modifying, or  
15 revoking the permit in whole or in part at its discretion  
16 for a period ~~of not more than ninety~~ to exceed one hundred  
17 eighty days. If the issuing authority finds in a subsequent  
18 proceeding within twelve months from the date of the initial  
19 suspension, modification, or revocation that a permit holder  
20 has again willfully operated in violation of this chapter,  
21 the issuing authority shall order suspension, modification,  
22 or revocation of ~~the~~ permit privileges in whole or in part  
23 for a period not to exceed ~~one year~~ two years.

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

26 321E.24 WARNING DEVICE ON LONG LOADS. Any vehicle and  
27 load which, including load, exceeds the exceed the limits  
28 provided in section 321.457 and do not exceed a length of  
29 seventy-five feet shall carry a warning device clearly visible  
30 to a motorist approaching from the rear for a distance of  
31 five hundred feet.

32 EXPLANATION

33 The bill strikes the requirement that a person transporting  
34 a mobile home provide a copy of the tax clearance statement  
35 to the state department of transportation.

1 The bill also provides for an increase in permit fees  
2 charged vehicles of excessive size. The bill provides a  
3 longer suspension period for permit privileges for violation  
4 of the provisions of the chapter and allows the department  
5 of transportation to require an escort for third time  
6 violators. The seventy foot length limitation in section  
7 321E.10 is eliminated and vehicles under seventy-five feet  
8 in length but in excess of the limitations under section  
9 321.457 are required to carry a warning device. This bill  
10 takes effect July 1 following enactment.

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SENATE FILE 452  
FISCAL NOTE

REQUESTED BY SENATOR DRAKE

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 452 pursuant to Joint Rule 17.

Senate File 452 strikes the requirement that a person transporting a mobile home provide a copy of the tax clearance statement to the state department of transportation.

This bill also provides for an increase in permit fees charged vehicles of excessive size. The bill provides a longer suspension period for permit privileges for violation of the provisions of the Chapter and allows the department of transportation to require an escort for third time violations. The seventy foot length limitation in Section 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.

<u>TYPE OF TRIP</u>	<u>Number</u>	<u>Current Fee</u>
Single Trip	31,031 x 5 =	\$ 155,155
Annual	10,183 x 10 =	101,830
		<u>\$ 256,985</u>

<u>TYPE OF TRIP</u>	<u>Number</u>	<u>Under S.F. 452</u>
Single Trip	31,031 x 10 =	\$ 310,310
Annual	10,183 x 25 =	254,575
		<u>\$ 564,885</u>

Fiscal Impact. The increased fees for permits provided for in this bill increases the annual income to the Road Use Tax Fund by \$307,900. However, the fiscal impact of the change in the graduated fine schedule cannot be determined.

The increase in RUFT will cause a proportionate increase in funds distributed to affected political subdivisions.

(1609S, 83-400, TAF)

SOURCE: DEPT OF TRANSPORTATION

FILED

MARCH 24, 1983

BY LEGISLATIVE FISCAL BUREAU  
DENNIS C. PROUTY, DIRECTOR

S-3244

1 Amend Senate File 452 as follows:

- 2 1. Page 3, line 10, by striking the word "twenty-  
 3 five" and inserting in lieu thereof the word "twenty".  
 4 2. Page 3, line 17, by striking the word "twenty".  
 5 3. Page 4, line 12, by inserting after the word  
 6 "conviction" the words "within a twelve month period".  
 7 4. Page 4, line 13, by inserting after the word  
 8 "conviction" the words "within a twelve month period".  
 9 5. Page 4, line 28, by striking the words "calendar  
 10 year" and inserting in lieu thereof the words "twelve  
 11 month period".  
 12 6. Page 5, line 28, by striking the words "do  
 13 not exceed" and inserting in lieu thereof the words  
 14 "in excess of".

S-3244 FILED

MARCH 16, 1983

*B-Adopted; A. Time 3/21/83 (p.1061)*BY COMMITTEE ON TRANSPORTATION  
C. JOSEPH COLEMAN, CHAIR

SENATE FILE 452

S-3415

1 Amend Senate File 452 as follows:

- 2 1. Page 2, by inserting after line 12 the following  
 3 section:  
 4 "Sec. \_\_\_\_ Section 321E.7, Code 1983, is amended  
 5 by adding the following new subsection:  
 6 NEW SUBSECTION. 3. Trailers registered in the  
 7 state for the 1983 registration year used in the  
 8 transportation of soil conservation equipment are  
 9 not subject to the requirements for distance in feet  
 10 between the extremes of any group of axles or the  
 11 extreme axles of the vehicle or combination of vehicles as  
 12 are required under section 321.463, except on the  
 13 interstate road system as defined in section 306.3,  
 14 subsection 3."  
 15 2. Page 3, by inserting after line 35 the  
 16 following:  
 17 "In addition to the fees provided in this section,  
 18 the annual fee for a permit for a trailer transporting  
 19 soil conservation equipment operated under section  
 20 321E.7, subsection 3, shall be one hundred dollars."  
 21 3. Renumber sections and correct internal  
 22 references as are necessary in accordance with this  
 23 amendment.

S-3415 FILED

MARCH 30, 1983

*Adopted 3/31 (p.1061)*BY BILL HUTCHINS  
RICHARD F. DRAKE  
JOHN N. NYSTROM

Transportation: Cooper, Chair; Pavich and Van Camp.

No Pass 4/7/83

SENATE FILE 452

BY COMMITTEE ON TRANSPORTATION



(AS AMENDED AND PASSED BY THE SENATE MARCH 31, 1983)

Passed Senate, Date 4-19-83 (p. 1314) Passed House, Date 4-14-83 (p. 1307)

Vote: Ayes 45 Nays 1 Vote: Ayes 93 Nays 6

Approved May 12, 1983 (p. 1719)

### A BILL FOR

1 An Act relating to certain vehicles, which deletes the  
 2 requirement that a person transporting a mobile home  
 3 provide a copy of a tax clearance statement to the  
 4 state department of transportation, provides for an  
 5 increase in the permit fees charged vehicles of  
 6 excessive size and weight, increases the suspension  
 7 period for violators, requires certain vehicles to  
 8 carry a warning device, eliminates the length restric-  
 9 tion of seventy feet for Iowa manufactured vehicles,  
 10 and permits the department of transportation to require  
 11 an escort for overdimensional vehicles.

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

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\_\_\_\_\_ = New Language  
by the Senate

\* = Language stricken by the Senate

1 Section 1. Section 321.21, subsection 1, Code 1983, is  
2 amended to read as follows:

3 1. A person owning any special mobile equipment may make  
4 application to the department, upon the appropriate form  
5 furnished by the department, for a certificate containing  
6 a general distinguishing number and for one or more special  
7 mobile equipment plates. The applicant shall also submit  
8 proof of the status of the vehicle as special mobile equipment  
9 as may reasonably be required by the department. ~~If the~~  
10 ~~application is for a mobile home, one copy of the tax clearance~~  
11 ~~form issued to the owner of the mobile home must be submitted~~  
12 ~~by the person transporting the mobile home or other evidence~~  
13 ~~of current taxes being paid as prescribed by the department.~~

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

16 321E.1 PERMITS BY DEPARTMENT. The department and local  
17 authorities may in their discretion and upon application and  
18 with good cause being shown ~~therefor~~ issue permits for the  
19 movement of construction machinery being temporarily moved  
20 on streets, roads or highways and for vehicles with indivisible  
21 loads ~~carried thereon~~ which exceed the maximum dimensions  
22 and weights specified in sections 321.452 to 321.466, but  
23 not to exceed the limitations imposed in sections 321E.1 to  
24 321E.15 except as provided in sections 321F.29 and 321E.30.  
25 Vehicles permitted to transport indivisible loads may exceed  
26 the width and length limitations specified in sections 321.454  
27 and 321.457 for the purpose of picking up an indivisible load  
28 or returning from delivery of the indivisible load. Permits  
29 ~~so~~ issued may be single-trip permits or annual permits. ~~All~~  
30 ~~permits~~ Permits shall be in writing and shall be carried in  
31 the cab of the vehicle for which the permit has been issued  
32 and shall be available for inspection at all times. The  
33 vehicle and load for which the permit has been issued shall  
34 be open to inspection by ~~any~~ a peace officer or ~~to any~~ an  
35 authorized agent of ~~any~~ a permit granting authority. When

1 in the judgment of the issuing local authority in cities and  
2 counties the movement of a vehicle with an indivisible load  
3 or construction machinery which exceeds the maximum dimensions  
4 and weights will be unduly hazardous to public safety or will  
5 cause undue damage to streets, avenues, boulevards,  
6 thoroughfares, highways, curbs, sidewalks, trees, or other  
7 public or private property, the permit shall be denied and  
8 the reasons ~~therefor~~ for denial endorsed ~~upon~~ on the  
9 application. Permits issued by local authorities shall  
10 designate the days when and routes upon which loads and  
11 construction machinery may be moved within the county on other  
12 than primary roads.

13 Sec. 3. Section 321E.7, Code 1983, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 3. Trailers registered in the state for  
16 the 1983 registration year used in the transportation of soil  
17 conservation equipment are not subject to the requirements  
18 for distance in feet between the extremes of any group of  
19 axles or the extreme axles of the vehicle or combination of  
20 vehicles as are required under section 321.463, except on  
21 the interstate road system as defined in section 306.3,  
22 subsection 3.

23 Sec. 4. Section 321E.10, unnumbered paragraph 1, Code  
24 1983, is amended to read as follows:

25 The department or local authorities may ~~in their discretion~~  
26 ~~and~~ upon application issue annual trip permits for the movement  
27 of truck trailers manufactured or assembled in this state  
28 that exceed the maximum length specified in section 321.457  
29 and the maximum width specified in section 321.454. Movement  
30 of ~~such~~ the truck trailers shall be solely for the purpose  
31 of delivery or transfer from the point of manufacture or  
32 assembly to another point of manufacture or assembly within  
33 the state or to a point outside the state, shall be only on  
34 roadways of twenty-four feet or more in width or on four-lane  
35 highways, shall be on the most direct route necessary for

1 such movement, and shall display the special plates designated  
2 in section 321.57. All truck trailers under permit for such  
3 movement shall not contain ~~no~~ freight or additional load.  
4 ~~All-truck~~ Truck trailers under permit for ~~such~~ movement shall  
5 ~~be-at-a-speed~~ not ~~to~~ exceed forty-five miles an hour or the  
6 established speed limit whichever is lower. ~~No~~ A vehicle  
7 or combination of two or more vehicles inclusive of front  
8 and rear bumpers, including towing units, involved in the  
9 movement of truck trailers shall not exceed ~~seventy-feet-in~~  
10 ~~length-and~~ an overall width of ten feet. ~~All-such-vehicles~~  
11 Vehicles or combinations shall be distinctly marked on both  
12 the front and rear of the unit in ~~such~~ a manner as the director  
13 of transportation ~~shall-designate~~ designates to indicate that  
14 the vehicles or combinations are being moved for delivery  
15 or transfer purposes only.

16 Sec. 5. Section 321E.14, Code 1983, is amended to read  
17 as follows:

18 321E.14 FEES FOR PERMITS. The department or local  
19 authorities issuing the permits shall charge a fee of ~~ten~~  
20 twenty-five dollars for an annual permit and a fee of ~~five~~  
21 ten dollars for a single-trip permit and shall determine  
22 charges for special permits issued pursuant to section 321E.29  
23 by rules adopted pursuant to chapter 17A. Fees for the  
24 movement of buildings, parts of buildings, or unusual vehicles  
25 or loads may be increased to cover the costs of inspections  
26 by the issuing authority. A fee not to exceed eighty one  
\* 27 hundred dollars per ten-hour day or a prorated fraction ~~thereof~~  
28 of that fee per person and car for escort service may be  
29 charged when requested or when required under this chapter.  
30 Proration of escort fees between state and local authorities  
31 when more than one governmental authority provides or is  
32 required to provide escort for a movement during the period  
33 of a day shall be determined by rule under section 321E.15.  
34 The department and local authorities may charge ~~any~~ a permit  
35 applicant for the cost of trimming trees and removal and

1 replacement of natural obstructions or official signs and  
2 signals or other public or private property required to be  
3 removed during the movement of a vehicle and load. In addition  
4 to the fees provided in this section, the annual fee for a  
5 permit for special mobile equipment, as defined in section  
6 321.1, subsection 17, operated pursuant to section 321E.7,  
7 subsection 2, with a combined gross weight up to and including  
8 eighty thousand pounds shall be twenty-five dollars and for  
9 a combined gross weight exceeding eighty thousand pounds,  
10 fifty dollars.

11 In addition to the fees provided in this section, the  
12 annual fee for a permit for a trailer transporting soil  
13 conservation equipment operated under section 321E.7,  
14 subsection 3, shall be one hundred dollars.

15 Sec. 6. Section 321E.16, Code 1983, is amended to read  
16 as follows:

17 321E.16 VIOLATIONS--PENALTIES. ~~A person shall not commit~~  
18 ~~any act forbidden or fail to perform any act required by the~~  
19 ~~provisions of this chapter or any provision of rules adopted~~  
20 ~~pursuant to section 321E.15.~~ Any person who is convicted  
21 of a violation of any provision of this chapter or of rules  
22 adopted under section 321E.15, other than length, height,  
23 width, or weight of allowed by any permit issued under this  
24 chapter shall be punished by a fine of not less than one  
25 hundred dollars for the first conviction, nor more than five  
26 two hundred fifty dollars for a second conviction within a  
27 twelve month period, and five hundred dollars for a third  
28 conviction within a twelve month period. The fine for  
29 violation of the length, height, width, and weight allowed  
30 by permit shall be based upon the difference between the  
31 actual length, height, width, and weight of the vehicle and  
32 load and the maximum allowable by permit and in accordance  
33 with section 321.482 for violations of length, height, or  
34 width limitations and sections 321.482 and 321.463 for  
35 violation of weight limitations. If a vehicle with indivisible

1 load traveling under permit is found to be in violation of  
2 weight limitations, the vehicle operator shall be allowed  
3 a reasonable amount of time to remove any ice, mud, snow,  
4 and other weight attributable to climatic conditions  
5 accumulated along the route prior to application of the  
6 penalties prescribed in sections 321.463 and 321.482. The  
7 department shall adopt rules to require peace officer escorts  
8 for permit holders convicted for the third time in a twelve  
9 month period of violating a provision of this chapter or a  
10 provision of rules adopted pursuant to section 321E.15.

11 Sec. 7. Section 321E.19, Code 1983, is amended to read  
12 as follows:

13 321E.19 PERMIT SUSPENDED, CHANGED OR REVOKED. Upon  
14 complaint by local authorities or on the department's own  
15 initiative and after notice and hearing before one or more  
16 members of the permit issuing body, any permit issued  
17 privileges under this chapter may be suspended, changed, or  
18 revoked in whole or in part by the issuing authority for  
19 willful failure to comply with any provisions of this chapter  
20 or with any rule ~~or-regulation~~ adopted under authority of  
21 this chapter or with any term, condition, or limitation of  
22 the permit.

23 Sec. 8. Section 321E.20, Code 1983, is amended to read  
24 as follows:

25 321E.20 SUSPENSION PERIOD. Whenever the issuing authority  
26 ~~shall-find~~ finds from the evidence adduced at ~~such~~ hearing  
27 that a permit holder has willfully operated or caused to be  
28 operated a vehicle or vehicles in violation of this chapter,  
29 the authority may enter an order suspending, modifying, or  
30 revoking the permit in whole or in part at its discretion  
31 for a period ~~of not more-than-ninety~~ to exceed one hundred  
32 eighty days. If the issuing authority finds in a subsequent  
33 proceeding within twelve months from the date of the initial  
34 suspension, modification, or revocation that a permit holder  
35 has again willfully operated in violation of this chapter,

1 the issuing authority shall order suspension, modification,  
2 or revocation of ~~the~~ permit privileges in whole or in part  
3 for a period not to exceed ~~one-year~~ two years.

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

6 321E.24 WARNING DEVICE ON LONG LOADS. Any vehicle and  
7 load which~~including load, exceeds the~~ exceed the limits  
8 provided in section 321.457 and in excess of a length of  
9 seventy-five feet shall carry a warning device clearly visible  
10 to a motorist approaching from the rear for a distance of  
11 five hundred feet.

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SF 452  
sb/slc/26c

SENATE FILE 452

H-3676

- 1 Amend Senate File 452, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 13 the following  
4 section:  
5 "Sec. \_\_\_\_ . Acts of the Seventieth General Assembly,  
6 1983 Session, Senate File 207, section 6, subsection  
7 1, amending section 321.457, Code 1983, is amended  
8 to read as follows:  
9 1. A combination of four vehicles is not allowed  
10 on the highways of this state, except for power units  
11 saddle mounted on other power units which shall be  
12 restricted to a maximum overall length of sixty-five  
13 feet".  
14 2. Page 2, line 15, by inserting after the word  
15 "state" the words and figures "as of March 31, 1983".  
16 3. Page 2, line 16, by inserting after the word  
17 "used" the word "exclusively".  
18 4. Renumber sections and correct internal  
19 references as necessary in accordance with this  
20 amendment.

BY COOPER of Lucas  
WOODS of Polk

H-3676 FILED APRIL 11, 1983

*Adopted 4/14/83 (p. 1307)*

HOUSE AMENDMENT TO SENATE FILE 452

S-3590

- 1 Amend Senate File 452, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 13 the following  
4 section:  
5 "Sec. \_\_\_\_ . Acts of the Seventieth General Assembly,  
6 1983 Session, Senate File 207, section 6, subsection  
7 1, amending section 321.457, Code 1983, is amended  
8 to read as follows:  
9 1. A combination of four vehicles is not allowed  
10 on the highways of this state, except for power units  
11 saddle mounted on other power units which shall be  
12 restricted to a maximum overall length of sixty-five  
13 feet".  
14 2. Page 2, line 15, by inserting after the word  
15 "state" the words and figures "as of March 31, 1983".  
16 3. Page 2, line 16, by inserting after the word  
17 "used" the word "exclusively".  
18 4. Renumber sections and correct internal  
19 references as necessary in accordance with this  
20 amendment.

S-3590 FILED  
APRIL 18, 1983

RECEIVED FROM THE HOUSE

*Senate concurred 4/18/83 (p. 1214)*

SENATE FILE 452

AN ACT

RELATING TO CERTAIN VEHICLES, WHICH DELETES THE REQUIREMENT THAT A PERSON TRANSPORTING A MOBILE HOME PROVIDE A COPY OF A TAX CLEARANCE STATEMENT TO THE STATE DEPARTMENT OF TRANSPORTATION, PROVIDES FOR AN INCREASE IN THE PERMIT FEES CHARGED VEHICLES OF EXCESSIVE SIZE AND WEIGHT, INCREASES THE SUSPENSION PERIOD FOR VIOLATORS, REQUIRES CERTAIN VEHICLES TO CARRY A WARNING DEVICE, ELIMINATES THE LENGTH RESTRICTION OF SEVENTY FEET FOR IOWA MANUFACTURED VEHICLES, AND PERMITS THE DEPARTMENT OF TRANSPORTATION TO REQUIRE AN ESCORT FOR OVERDIMENSIONAL VEHICLES.

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

Section 1. Section 321.21, subsection 1, Code 1983, is amended to read as follows:

1. A person owning any special mobile equipment may make application to the department, upon the appropriate form furnished by the department, for a certificate containing a general distinguishing number and for one or more special mobile equipment plates. The applicant shall also submit proof of the status of the vehicle as special mobile equipment as may reasonably be required by the department. ~~if the application is for a mobile home, one copy of the tax clearance form issued to the owner of the mobile home must be submitted by the person transporting the mobile home or other evidence of current taxes being paid as prescribed by the department.~~

Sec. 2. Acts of the Seventieth General Assembly, 1983 Session, Senate File 207, section 6, subsection 1, amending section 321.457, Code 1983, is amended to read as follows:

1. A combination of four vehicles is not allowed on the highways of this state, except for power units saddle mounted

on other power units which shall be restricted to a maximum overall length of sixty-five feet.

Sec. 3. Section 321E.1, Code 1983, is amended to read as follows:

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

construction machinery may be moved within the county on other than primary roads.

Sec. 4. Section 321E.7, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Trailers registered in the state as of March 31, 1983 for the 1983 registration year used exclusively in the transportation of soil conservation equipment are not subject to the requirements for distance in feet between the extremes of any group of axles or the extreme axles of the vehicle or combination of vehicles as are required under section 321.463, except on the interstate road system as defined in section 306.3, subsection 3.

Sec. 5. Section 321E.10, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The department or local authorities may ~~in their discretion~~ and upon application issue annual trip permits for the movement of truck trailers manufactured or assembled in this state that exceed the maximum length specified in section 321.457 and the maximum width specified in section 321.454. Movement of ~~such the~~ truck trailers shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state, shall be only on roadways of twenty-four feet or more in width or on four-lane highways, shall be on the most direct route necessary for such movement, and shall display the special plates designated in section 321.57. All truck trailers under permit for such movement shall not contain ~~no~~ freight or additional load. ~~All-truck~~ Truck trailers under permit for ~~such~~ movement shall ~~be-at-a-speed~~ not ~~to~~ exceed forty-five miles an hour or the established speed limit whichever is lower. ~~No~~ A vehicle or combination of two or more vehicles inclusive of front and rear bumpers, including towing units, involved in the movement of truck trailers shall not exceed ~~seventy-feet-in~~

~~length-and~~ an overall width of ten feet. ~~All-such-vehicles~~ Vehicles or combinations shall be distinctly marked on both the front and rear of the unit in ~~such~~ a manner as the director of transportation ~~shall-designate~~ designates to indicate that the vehicles or combinations are being moved for delivery or transfer purposes only.

Sec. 6. Section 321E.14, Code 1983, is amended to read as follows:

321E.14 FEES FOR PERMITS. The department or local authorities issuing the permits shall charge a fee of ~~ten~~ twenty-five dollars for an annual permit and a fee of ~~five~~ ten dollars for a single-trip permit and shall determine charges for special permits issued pursuant to section 321E.29 by rules adopted pursuant to chapter 17A. Fees for the movement of buildings, parts of buildings, or unusual vehicles or loads may be increased to cover the costs of inspections by the issuing authority. A fee not to exceed ~~eighty one~~ hundred dollars per ten-hour day or a prorated fraction ~~thereof~~ of that fee per person and car for escort service may be charged when requested or when required under this chapter. Proration of escort fees between state and local authorities when more than one governmental authority provides or is required to provide escort for a movement during the period of a day shall be determined by rule under section 321E.15. The department and local authorities may charge ~~any~~ a permit applicant for the cost of trimming trees and removal and replacement of natural obstructions or official signs and signals or other public or private property required to be removed during the movement of a vehicle and load. In addition to the fees provided in this section, the annual fee for a permit for special mobile equipment, as defined in section 321.1, subsection 17, operated pursuant to section 321E.7, subsection 2, with a combined gross weight up to and including eighty thousand pounds shall be twenty-five dollars and for

a combined gross weight exceeding eighty thousand pounds, fifty dollars.

In addition to the fees provided in this section, the annual fee for a permit for a trailer transporting soil conservation equipment operated under section 321E.7, subsection 3, shall be one hundred dollars.

Sec. 7. Section 321E.16, Code 1983, is amended to read as follows:

~~321E.16 VIOLATIONS--PENALTIES. A person shall not commit any act forbidden or fail to perform any act required by the provisions of this chapter or any provision of rules adopted pursuant to section 321E.15.~~ Any person who is convicted of a violation of any provision of this chapter or of rules adopted under section 321E.15, other than length, height, width, or weight ~~of~~ allowed by any permit issued under this chapter shall be punished by a fine of not less than one hundred dollars ~~for the first conviction, nor more than five~~ two hundred fifty dollars for a second conviction within a twelve month period, and five hundred dollars for a third conviction within a twelve month period. The fine for violation of the length, height, width, and weight allowed by permit shall be based upon the difference between the actual length, height, width, and weight of the vehicle and load and the maximum allowable by permit and in accordance with section 321.482 for violations of length, height, or width limitations and sections 321.482 and 321.463 for violation of weight limitations. If a vehicle with indivisible load traveling under permit is found to be in violation of weight limitations, the vehicle operator shall be allowed a reasonable amount of time to remove any ice, mud, snow, and other weight attributable to climatic conditions accumulated along the route prior to application of the penalties prescribed in sections 321.463 and 321.482. The department shall adopt rules to require peace officer escorts

for permit holders convicted for the third time in a twelve month period of violating a provision of this chapter or a provision of rules adopted pursuant to section 321E.15.

Sec. 8. Section 321E.19, Code 1983, is amended to read as follows:

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

Sec. 9. Section 321E.20, Code 1983, is amended to read as follows:

321E.20 SUSPENSION PERIOD. Whenever the issuing authority ~~shall find~~ finds from the evidence adduced at ~~such~~ hearing that a permit holder has willfully operated or caused to be operated a vehicle or vehicles in violation of this chapter, the authority may enter an order suspending, modifying, or revoking the permit in whole or in part at its discretion for a period of not ~~more than ninety~~ to exceed one hundred eighty days. If the issuing authority finds in a subsequent proceeding within twelve months from the date of the initial suspension, modification, or revocation that a permit holder has again willfully operated in violation of this chapter, the issuing authority shall order suspension, modification, or revocation of ~~the~~ permit privileges in whole or in part for a period not to exceed ~~one year~~ two years.

Sec. 10. Section 321E.24, Code 1983, is amended to read as follows:

321E.24 WARNING DEVICE ON LONG LOADS. Any vehicle and  
load which, including load, exceeds the exceed the limits  
provided in section 321.457 and in excess of a length of  
seventy-five feet shall carry a warning device clearly visible  
to a motorist approaching from the rear for a distance of  
five hundred feet.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 452, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved May 12, 1983

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TERRY E. BRANSTAD  
Governor