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FILED MAR 15 1989

SENATE FILE 442
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 246)

Passed Senate, Date 3-21-89 (p. 928) Passed House, Date 4/12/89 (p. 1513)
Vote: Ayes 34 Nays 10 Vote: Ayes 79 Nays 14
Approved 4/27/89

A BILL FOR

1 An Act relating to rules adopted under section 321.450 as they
2 relate to physical and medical qualifications of drivers of
3 commercial vehicles engaged in intrastate commerce and to
4 retail dealers and their employees delivering fertilizers and
5 pesticides to farm customers and providing an effective date.

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

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SENATE FILE 442

S-3334

- 1 Amend Senate File 442 as follows:
- 2 1. Page 1, line 14, by striking the word
- 3 "fertilizers" and inserting the following:
- 4 "fertilizers, petroleum products,".
- 5 2. Page 1, line 15, by striking the word
- 6 "fertilizers" and inserting the following:
- 7 "fertilizers, petroleum products,".
- 8 3. Page 1, line 16, by striking the word "fifty-
- 9 mile" and inserting the following: "one-hundred-
- 10 mile".
- 11 4. Title page, line 4, by striking the word
- 12 "fertilizers" and inserting the following:
- 13 "fertilizers, petroleum products,".

By LEONARD L. BOSWELL

S-3334 FILED MARCH 20, 1989 Adopted 3-21-89 (p. 928)

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1 Section 1. Section 321.450, Code 1989, is amended by
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
4 of this section, rules adopted under this section concerning
5 physical and medical qualifications for drivers of commercial
6 vehicles engaged in intrastate commerce shall not be construed
7 as disqualifying any individual who was employed as a driver
8 of commercial vehicles engaged in intrastate commerce prior to
9 January 1, 1988.

10 Sec. 2. Section 321.450, Code 1989, is amended by adding
11 the following new unnumbered paragraph:

3334 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
13 of this section, rules adopted under this section shall not
14 apply to retail dealers of fertilizers and pesticides and
15 their employees while delivering fertilizers and pesticides to
16 farm customers within a fifty-mile radius of their retail
17 place of business.

18 Sec. 3. This Act, being deemed of immediate importance,
19 takes effect upon its enactment.

20 EXPLANATION

21 This bill provides that rules regarding the transportation
22 of hazardous material under section 321.450 concerning physi-
23 cal and medical qualifications for drivers of commercial ve-
24 hicles engaged in intrastate commerce shall not be construed
25 as disqualifying any individual who was employed as a driver
26 of commercial vehicles engaged in intrastate commerce prior to
27 January 1, 1988.

28 This bill also provides that rules adopted by the state
29 department of transportation under section 321.450 regarding
30 transportation of hazardous material do not apply to retail
31 dealers of fertilizers and pesticides and their employees
32 while delivering fertilizers and pesticides to farm customers
33 within a fifty-mile radius of their retail place of business.

34 The bill takes effect upon its enactment.

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HOUSE TYPING
DO PASS 4-4-89 (P. 1274)

SENATE FILE 442
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 246)

(AS AMENDED AND PASSED BY THE SENATE MARCH 21, 1989)

~~_____~~ - New Language by the Senate

Passed Senate, Date 3/21/89 (p. 928) Passed House, Date 4-12-89 (P. 513)
Vote: Ayes 34 Nays 10 Vote: Ayes 79 Nays 14
Approved 427-89 (P. 1740)

A BILL FOR

37671 An Act relating to rules adopted under section 321.450 as they
2 relate to physical and medical qualifications of drivers of
3 commercial vehicles engaged in intrastate commerce and to
4 retail dealers and their employees delivering fertilizers,
5 petroleum products, and pesticides to farm customers and
6 providing an effective date.

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

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1 Section 1. Section 321.450, Code 1989, is amended by
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
4 of this section, rules adopted under this section concerning
5 physical and medical qualifications for drivers of commercial
6 vehicles engaged in intrastate commerce shall not be construed
7 as disqualifying any individual who was employed as a driver
8 of commercial vehicles engaged in intrastate commerce prior to
9 January 1, 1988.

10 Sec. 2. Section 321.450, Code 1989, is amended by adding
11 the following new unnumbered paragraph:

3967 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
13 of this section, rules adopted under this section shall not
14 apply to retail dealers of fertilizers, petroleum products,
15 and pesticides and their employees while delivering
16 fertilizers, petroleum products, and pesticides to farm
17 customers within a one-hundred-mile radius of their retail
18 place of business.

3967 19 Sec. 3. This Act, being deemed of immediate importance,
20 takes effect upon its enactment.

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SENATE FILE 442

H-3964

1 Amend Senate File 442, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 13, by inserting before the word
 4 "shall" the following: "pertaining to physical and
 5 medical qualifications of drivers of commercial
 6 vehicles".
 7 2. Page 1, line 15, by inserting after the word
 8 "pesticides" the following: "intrastate".

By CONNORS of Polk

H-3964 FILED APRIL 11, 1989

lost 4-12-89 (p.1511)

SENATE FILE 442

H-3967

1 Amend Senate File 442, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting before line 19 the
 4 following:
 5 "Sec. ____ . Section 321.450, Code 1989, is amended
 6 by adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. Municipal sewage sludge
 8 ash is deemed to be a potentially hazardous waste.
 9 Municipal sewage sludge ash shall not be transported
 10 by a person on the highways beyond a thirty-mile
 11 radius from its point of origin."
 12 2. Title page, line 1, by inserting after the
 13 word "to" the following: "transportation of hazardous
 14 materials, including".
 15 3. Title page, line 6, by inserting after the
 16 word "date" the following: "and making penalties
 17 applicable."

By BROWN of Lucas	FEY of Scott
JESSE of Jasper	SCHRADER of Marion
ROSENBERG of Story	BEATTY of Warren
BLACK of Jasper	HAMMOND of Story

H-3967 FILED APRIL 11, 1989

not germane 4-12-89 (p.1512)

Rules suspended

lost Ayes 47 Nays 48

SCOTT, CH.
DOYLE
GOODWIN

SSB 246
TRANSPORTATION

SENATE FILE 442
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to physical and medical qualifications of drivers
2 of commercial vehicles engaged in intrastate commerce as
3 required by rules adopted under section 321.450 regarding
4 transportation of hazardous material and providing an
5 effective date.

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

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1 Section 1. Section 321.450, Code 1989, is amended by
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
4 of this section, rules adopted under this section concerning
5 physical and medical qualifications for drivers of commercial
6 vehicles engaged in intrastate commerce shall not be construed
7 as disqualifying any individual who was employed as a driver
8 of commercial vehicles engaged in intrastate commerce prior to
9 January 1, 1988.

10 Sec. 2. This Act, being deemed of immediate importance,
11 takes effect upon its enactment.

12 EXPLANATION

13 This bill provides that rules regarding the transportation
14 of hazardous material under section 321.450 concerning physi-
15 cal and medical qualifications for drivers of commercial ve-
16 hicles engaged in intrastate commerce shall not be construed
17 as disqualifying any individual who was employed as a driver
18 of commercial vehicles engaged in intrastate commerce prior to
19 January 1, 1988.

20 The bill takes effect upon its enactment.

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Sec. 3. This Act, being deemed of immediate importance, takes effect upon its enactment.

SENATE FILE 442

AN ACT

RELATING TO RULES ADOPTED UNDER SECTION 321.450 AS THEY RELATE TO PHYSICAL AND MEDICAL QUALIFICATIONS OF DRIVERS OF COMMERCIAL VEHICLES ENGAGED IN INTRASTATE COMMERCE AND TO RETAIL DEALERS AND THEIR EMPLOYEES DELIVERING FERTILIZERS, PETROLEUM PRODUCTS, AND PESTICIDES TO FARM CUSTOMERS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 321.450, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section concerning physical and medical qualifications for drivers of commercial vehicles engaged in intrastate commerce shall not be construed as disqualifying any individual who was employed as a driver of commercial vehicles engaged in intrastate commerce prior to January 1, 1988.

Sec. 2. Section 321.450, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section shall not apply to retail dealers of fertilizers, petroleum products, and pesticides and their employees while delivering fertilizers, petroleum products, and pesticides to farm customers within a one-hundred-mile radius of their retail place of business.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 442, Seventy-third General Assembly.

JOHN P. DWYER
Secretary of the Senate

Approved .. 4/27 .., 1989

TERRY E. BRANSTAD
Governor

SF 442