

(P. 219) 2/4/94 Transportation  
(P. 312) 2/16/94 Amend/Do Pass W/  
S 5023

FILED FEB 1 1994

(P. 403) 3/2/94 House - Transport

SENATE FILE **2080**

BY COMMITTEE ON AGRICULTURE

(P. 618) 3/6/94 House Amend/Do Pass W/ H5414

(SUCCESSOR TO SSB 2044)

(P. 454) Passed Senate, Date 3/2/94 Passed House, (P. 1022) Date 4/5/94  
Vote: Ayes 46 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 19, 1994

A BILL FOR

1 An Act relating to agricultural and other motor vehicles, by  
2 defining special mobile equipment, expanding the exemption for  
3 vehicles used in combination from federal motor carrier safety  
4 regulations, and exempting oversized vehicles from certain  
5 regulations.

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

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SF 2080

1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1993, is amended to read as follows:

3 75. "Special mobile equipment" means every vehicle not  
4 designed or used primarily for the transportation of persons  
5 or property and incidentally operated or moved over the  
6 highways, but-not including road construction or maintenance  
7 machinery, loading and safety equipment, and ditch-digging  
8 apparatus. This description does not exclude other vehicles  
9 which are within the general terms of this subsection.

10 Sec. 2. Section 321.449, unnumbered paragraph 10, Code  
11 Supplement 1993, is amended to read as follows:

12 Rules adopted under this section shall not apply to  
13 vehicles used in combination provided the gross vehicle weight  
14 rating of the towing unit is ~~ten~~ twelve thousand pounds or  
15 less and the gross combination weight rating is twenty-six  
16 thousand pounds or less.

17 Sec. 3. Section 321.453, Code 1993, is amended to read as  
18 follows:

19 321.453 EXCEPTIONS.

20 The provisions of this chapter governing size, weight, and  
21 load, and the permit requirements of chapter 321E do not apply  
22 to fire apparatus, to road maintenance equipment owned by or  
23 under lease to any state or local authority, or to implements  
24 of husbandry temporarily moved upon a highway, or to  
25 implements moved from farm site to farm site or between the  
26 retail seller and a farm purchaser within a one hundred mile  
27 radius from the retail seller's place of business, or to  
28 indivisible implements of husbandry temporarily moved between  
29 the place of manufacture and a retail seller or a farm  
30 purchaser, or implements received and moved by a retail seller  
31 of implements of husbandry in exchange for an implement  
32 purchased, or implements of husbandry moved for repairs,  
33 except on any part of the interstate highway system, ~~or to a~~  
34 ~~vehicle-operating-under-the-terms-of-a-special-permit-issued~~  
35 ~~as-provided-in-chapter-321E.~~

1 Sec. 4. Section 321.454, subsection 1, Code 1993, is  
2 amended to read as follows:

3 1. The total outside width of any vehicle or the load  
4 thereon on the vehicle shall not exceed eight feet except that  
5 a motor home, commercial motor vehicle, motor truck or trailer  
6 hauling grain or livestock, or bus having a total outside  
7 width not exceeding eight feet six inches, exclusive of safety  
8 equipment, is exempt from the permit requirements of chapter  
9 321E and may be operated on the public highways of the state.  
10 However, if hay, straw or stover moved on any implement of  
11 husbandry and the total width of load of the implement of  
12 husbandry exceeds eight feet in width, the implement of  
13 husbandry is not subject to the permit requirements of chapter  
14 321E. If hay, straw or stover is moved on any other vehicle  
15 subject to registration, the moves are subject to the permit  
16 requirements for transporting loads exceeding eight feet in  
17 width as required under chapter 321E. The vehicle width  
18 limitations imposed by this subsection only apply to the  
19 public highways of the state not subject to the width  
20 limitations imposed under subsection 2.

21 Sec. 5. Section 321E.11, unnumbered paragraph 1, Code  
22 1993, is amended to read as follows:

23 Movements by permit in accordance with this chapter shall  
24 be permitted only during the hours from sunrise to sunset  
25 unless it is established by the issuing authority that the  
26 movement can be better accomplished at another period of time  
27 because of traffic volume conditions. The restrictions in  
28 this paragraph shall not apply to motor vehicles with widths  
29 of ten feet seven inches or less.

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#### EXPLANATION

31 This bill makes several changes relating to transportation.  
32 Section 1 expands the current definition of "special mobile  
33 equipment" to include rather than exclude road construction or  
34 maintenance machinery, loading and safety equipment, and ditch  
35 digging apparatus. Vehicles defined as special mobile

1 equipment are exempted from certain registration requirements  
2 under section 321.18 and are issued special plates under  
3 section 321.21.

4 Section 321.449 exempts vehicles used in combination  
5 provided the gross vehicle weight rating of the towing unit is  
6 10,000 pounds or less and the gross combination weight rating  
7 is 26,000 pounds or less from federal motor carrier safety  
8 regulations. This bill changes the gross vehicle weight  
9 rating of the towing unit from 10,000 pounds to 12,000 pounds.

10 This bill exempts vehicles that are currently exempted from  
11 the size, weight, and load requirements of chapter 321 from  
12 the oversize permit requirements of chapter 321E.

13 In addition, the bill allows commercial motor vehicles,  
14 motor trucks, or trailers hauling grain or livestock to  
15 operate on any public highway of the state and exempts a  
16 vehicle from the permit requirements of chapter 321E if the  
17 truck or trailer width does not exceed eight feet six inches.  
18 Currently, only vehicles which do not exceed eight feet can be  
19 operated on any highway of the state. Current law provides  
20 this exemption for motor homes and buses.

21 Finally, current law allows movement by vehicles with  
22 permits issued under chapter 321E only during the hours from  
23 sunrise to sunset unless the issuing authority thinks that  
24 movement is better accomplished during nighttime hours. This  
25 bill exempts motor vehicles with widths of ten feet, seven  
26 inches or less from these restrictions.

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## SENATE FILE 2080

S-5052

Amend the amendment, S-5023, to Senate File 2080,  
as follows:

3 1. Page 1, by inserting after line 28 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 321E.1, Code 1993, is amended  
6 to read as follows:

7 321E.1 PERMITS BY DEPARTMENT AND LOCAL  
8 AUTHORITIES.

9 The department and local authorities may in their  
10 discretion and upon application and with good cause  
11 being shown issue permits for the movement of  
12 construction machinery or asphalt repavers being  
13 temporarily moved on streets, roads or highways and  
14 for vehicles with indivisible loads which exceed the  
15 maximum dimensions and weights specified in sections  
16 321.452 to 321.466, but not to exceed the limitations  
17 imposed in sections 321E.1 to 321E.15 except as  
18 provided in sections 321E.29 and 321E.30. Vehicles  
19 permitted to transport indivisible loads may exceed  
20 the width and length limitations specified in sections  
21 321.454 and 321.457 for the purpose of picking up an  
22 indivisible load or returning from delivery of the  
23 indivisible load. Permits issued may be single-trip  
24 permits or annual permits. Permits shall be in  
25 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 a peace officer or an authorized  
agent of 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 for denial endorsed 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 a  
county on other than primary roads.

44 Sec. \_\_\_\_\_. Section 321E.2, Code 1993, is amended by  
45 adding the following new unnumbered paragraph:

46 NEW UNNUMBERED PARAGRAPH. At the request of a  
47 local authority, the department shall issue annual and  
48 single-trip permits that are under the jurisdiction of  
49 the local authority."

50 2. By renumbering as necessary.

By WAYNE BENNETT  
MERLIN E. BARTZ

S-5052 FILED FEBRUARY 24, 1994

(p.454) adapted 3/2/94

## SENATE FILE 2080

S-5023

Amend Senate File 2080 as follows:

1. Page 1, line 7, by striking the words "loading and safety equipment,".

2. Page 1, by striking lines 10 through 16.

3. Page 2, by inserting after line 20 the following:

"Sec. \_\_\_\_ . Section 321.465, unnumbered paragraph 2, Code 1993, is amended to read as follows:

If an officer upon weighing a vehicle and load determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator. The owner or operator of an overweight vehicle, designed to ~~compact and~~ transport solid waste and domiciled within the state, which is transporting solid waste, shall not be required to unload any portion of the load, if the load is indivisible, in a place other than a facility which is permitted to handle solid waste disposal, processing, or recycling. For purposes of this section "solid waste" means waste which is acceptable at a local sanitary landfill and the solid waste which has been compacted shall be considered to be an indivisible load.

Sec. \_\_\_\_ . Section 321E.9, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Subject to the discretion and judgment provided for in section 321E.1, single-trip permits, which may include a round-trip to and from a job or delivery site, shall be issued in accordance with the following provisions:"

4. Page 2, by striking lines 25 through 29 and inserting the following: "~~unless it is established by~~ the issuing authority determines that the movement can be better accomplished at another period of time because of traffic volume conditions or the vehicle subject to the permit has an overall length not to exceed one hundred feet, an overall width not to exceed eleven feet, and an overall height not to exceed fourteen feet, four inches, and the permit requires the vehicle to operate only on the designated highway system. Additional safety lighting and escorts may be required for movement at night."

5. Title page, by striking lines 2 through 4 and inserting the following: "defining special mobile equipment and exempting oversized vehicles from

S-5023

S-5023

Page 2

1 certain".

2 6. By renumbering as necessary.

By COMMITTEE ON TRANSPORTATION  
JEAN LLOYD-JONES, Chairperson

S-5023 FILED FEBRUARY 16, 1994

*(p. 454) adopted  
3/2/94*

## SENATE FILE 2080

S-5026

1 Amend Senate File 2080 as follows:

2 1. Page 2, by inserting after line 29 the

3 following:

4 "Sec. \_\_\_\_ . 1991 Iowa Acts, chapter 127, section 2,  
5 is amended to read as follows:6 SEC. 2. Section 1 of this Act is repealed July 1,  
7 1994 1996. On that date the Code editor shall return  
8 the language in section 1 of this Act to the language  
9 appearing in the 1991 Code."

10 2. By renumbering as necessary.

By JOHN P. KIBBIE  
MERLIN E. BARTZ

S-5026 FILED FEBRUARY 21, 1994

*(p. 454) 3/2/94 adopted*

## SENATE FILE 2080

S-5053

1 Amend the amendment, S-5023, to Senate File 2080 as  
2 follows:3 1. Page 1, by inserting after line 28 the  
4 following:5 "Sec. \_\_\_\_ . Section 321E.1, Code 1993, is amended  
6 by adding the following new unnumbered paragraph:7 NEW UNNUMBERED PARAGRAPH. Local authorities shall  
8 allow persons requesting permits under this chapter to  
9 do so by means of a telephone or facsimile machine,  
10 authorizing payment for the permits to be made upon  
11 receipt of an invoice sent to the persons by the local  
12 authorities."

13 2. By renumbering as necessary.

By EUGENE FRAISE  
RICHARD F. DRAKE

S-5053 FILED FEBRUARY 28, 1994

*(p. 454) adopted 3/2/94*

## SENATE FILE 2080

H-5414

1 Amend Senate File 2080, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 9 the  
4 following:

5 "Sec. \_\_\_\_ . Section 321.423, subsection 6, Code  
6 1993, is amended to read as follows:

7 6. AMBER FLASHING LIGHT. A farm tractor, farm  
8 tractor with towed equipment, self-propelled implement  
9 of husbandry, road construction or maintenance  
10 vehicle, road grader, or other vehicle principally  
11 designed for use off the highway which, when operated  
12 on a primary or secondary road, is operated at a speed  
13 of twenty-five miles an hour or less, shall be  
14 equipped with and display an amber flashing light  
15 visible from the rear at any time from sunset to  
16 sunrise. If the amber flashing light is obstructed by  
17 the towed equipment, the towed equipment shall also be  
18 equipped with and display an amber flashing light as  
19 required under this subsection. All vehicles  
20 specified in this subsection which are manufactured  
21 for sale or sold in this state shall be equipped with  
22 an amber flashing light. The type, number,  
23 dimensions, and method of mounting of the lights shall  
24 be determined by the director. The director, when  
25 approving the light, shall be guided as far as  
26 practicable by the standards of the American society  
27 of agricultural engineers."

28 2. Page 1, line 28, by inserting after the figure  
29 "32+E:" the following: "A vehicle exempted from the  
30 permit requirements under this section shall be  
31 equipped with an amber flashing light under section  
32 321.423, shall be equipped with warning flags on that  
33 portion of the vehicle which protrudes into oncoming  
34 traffic, and shall only operate from thirty minutes  
35 prior to sunrise to thirty minutes following sunset."

36 3. Page 1, line 34, by inserting after the word  
37 "livestock," the following: "travel trailer, fifth-  
38 wheel travel trailer,".

39 4. Page 2, by inserting after line 13 the  
40 following:

41 "Sec. \_\_\_\_ . Section 321.454, subsection 2, Code  
42 1993, is amended by striking the subsection.

43 Sec. \_\_\_\_ . Section 321.457, subsection 2, paragraph  
44 h, Code Supplement 1993, is amended by striking the  
45 paragraph.

46 Sec. \_\_\_\_ . Section 321.457, subsection 3, Code  
47 Supplement 1993, is amended to read as follows:

48 3. The maximum length of any motor vehicle or  
49 combination of vehicles operated on the highways of  
50 this state ~~which are designated by the transportation~~

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Page 2

1 commission shall be as follows:

2 a. A trailer or semitrailer, laden or unladen,  
3 shall not have an overall length in excess of fifty-  
4 three feet when operating in a truck tractor-  
5 semitrailer combination.  
6 b. A trailer or semitrailer, laden or unladen,  
7 shall not have an overall length in excess of twenty-  
8 eight feet six inches when operating in a truck  
9 tractor-semitrailer-trailer combination or truck  
10 tractor-semitrailer-semitrailer combination. When the  
11 semitrailers in a truck tractor-semitrailer-  
12 semitrailer combination are connected by a rigid frame  
13 extension including a fifth-wheel connection point  
14 attached to the rear frame of the first semitrailer,  
15 the length of the frame extension shall not be  
16 included when determining the overall length of the  
17 first semitrailer.

18 c. Power units designed to carry cargo, when used  
19 in combination with a trailer or semitrailer shall not  
20 exceed sixty-five feet in overall length for the  
21 combination.

22 ~~d. In a combination of vehicles used principally  
23 for hauling livestock or a stinger-steered automobile  
24 transporter operating under this subsection and  
25 section 321.4547 subsection 2, the combination of  
26 vehicles used principally for hauling livestock or the  
27 stinger-steered automobile transporter may depart from  
28 the designated highway system by the most direct route  
29 to points of pickup and delivery. Vehicles operating  
30 under this paragraph are not exempt from posted size  
31 and weight restrictions on highway structures.~~

32 e d. A stinger-steered automobile transporter  
33 shall not have an overall length exceeding seventy-  
34 five feet, except that the load may extend up to three  
35 feet beyond the front bumper and up to four feet  
36 beyond the rear bumper.

37 f e. Power units saddle mounted or full mounted on  
38 other power units shall not exceed seventy-five feet  
39 in overall length.

40 ~~The commission shall adopt rules to designate the  
41 highways. The rules adopted by the department under  
42 this paragraph are exempt from chapter 17A, the Iowa  
43 administrative procedure Act.~~

44 5. Page 3, line 33, by striking the word "shall"  
45 and inserting the following: "may".

46 6. By renumbering as necessary.

By COMMITTEE ON TRANSPORTATION  
SPENNER of Henry, Chairperson

H-5414 FILED MARCH 16, 1994

SENATE FILE 2080  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 2044)

(AS AMENDED AND PASSED BY THE SENATE MARCH 2, 1994)

\_\_\_\_\_ - New Language by the Senate  
\* - Language Stricken by the Senate

Passed Senate, Date <sup>(p. 454)</sup> 3/2/94 Passed House, Date <sup>p. 1022</sup> 4/5/94  
Vote: Ayes 46 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 19, 1994

A BILL FOR

1 An Act relating to agricultural and other motor vehicles, by  
2 defining special mobile equipment and exempting oversized  
3 vehicles from certain regulations.

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

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S.F. 2080

1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1993, is amended to read as follows:

3 75. "Special mobile equipment" means every vehicle not  
4 designed or used primarily for the transportation of persons  
5 or property and incidentally operated or moved over the  
6 highways, ~~but-not~~ including road construction or maintenance  
\*7 machinery and ditch-digging apparatus. This description does  
8 not exclude other vehicles which are within the general terms  
9 of this subsection.

\*10 Sec. 2. Section 321.453, Code 1993, is amended to read as  
11 follows:

12 321.453 EXCEPTIONS.

13 The provisions of this chapter governing size, weight, and  
14 load, and the permit requirements of chapter 321E do not apply  
15 to fire apparatus, to road maintenance equipment owned by or  
16 under lease to any state or local authority, or to implements  
17 of husbandry temporarily moved upon a highway, or to  
18 implements moved from farm site to farm site or between the  
19 retail seller and a farm purchaser within a one hundred mile  
20 radius from the retail seller's place of business, or to  
21 indivisible implements of husbandry temporarily moved between  
22 the place of manufacture and a retail seller or a farm  
23 purchaser, or implements received and moved by a retail seller  
24 of implements of husbandry in exchange for an implement  
25 purchased, or implements of husbandry moved for repairs,  
26 except on any part of the interstate highway system, ~~or-to-a~~  
27 ~~vehicle-operating-under-the-terms-of-a-special-permit-issued~~  
28 ~~as-provided-in-chapter-321E.~~

29 Sec. 3. Section 321.454, subsection 1, Code 1993, is  
30 amended to read as follows:

31 1. The total outside width of any vehicle or the load  
32 thereon on the vehicle shall not exceed eight feet except that  
33 a motor home, commercial motor vehicle, motor truck or trailer  
34 hauling grain or livestock, or bus having a total outside  
35 width not exceeding eight feet six inches, exclusive of safety

1 equipment, is exempt from the permit requirements of chapter  
2 321E and may be operated on the public highways of the state.  
3 However, if hay, straw or stover moved on any implement of  
4 husbandry and the total width of load of the implement of  
5 husbandry exceeds eight feet in width, the implement of  
6 husbandry is not subject to the permit requirements of chapter  
7 321E. If hay, straw or stover is moved on any other vehicle  
8 subject to registration, the moves are subject to the permit  
9 requirements for transporting loads exceeding eight feet in  
10 width as required under chapter 321E. The vehicle width  
11 limitations imposed by this subsection only apply to the  
12 public highways of the state not subject to the width  
13 limitations imposed under subsection 2.

14 Sec. 4. Section 321.465, unnumbered paragraph 2, Code  
15 1993, is amended to read as follows:

16 If an officer upon weighing a vehicle and load determines  
17 that the weight is unlawful, the officer may require the  
18 driver to stop the vehicle in a suitable place until such  
19 portion of the load is removed as may be necessary to reduce  
20 the gross weight of the vehicle to the limit as permitted  
21 under this chapter. All material so unloaded shall be cared  
22 for by the owner or operator of the vehicle at the risk of the  
23 owner or operator. The owner or operator of an overweight,  
24 vehicle, designed to compact-and transport solid waste and  
25 domiciled within the state, which is transporting solid waste,  
26 shall not be required to unload any portion of the load, if  
27 the load is indivisible, in a place other than a facility  
28 which is permitted to handle solid waste disposal, processing,  
29 or recycling. For purposes of this section "solid waste"  
30 means waste which is acceptable at a local sanitary landfill  
31 and the solid waste which-has-been-compacted shall be  
32 considered to be an indivisible load.

33 Sec. 5. Section 321E.1, Code 1993, is amended to read as  
34 follows:

35 321E.1 PERMITS BY DEPARTMENT AND LOCAL AUTHORITIES.

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

31     Sec. 6. Section 321E.1, Code 1993, is amended by adding  
32 the following new unnumbered paragraph:

33     NEW UNNUMBERED PARAGRAPH. Local authorities shall allow  
34 persons requesting permits under this chapter to do so by  
35 means of a telephone or facsimile machine, authorizing payment

1 for the permits to be made upon receipt of an invoice sent to  
2 the persons by the local authorities.

3 Sec. 7. Section 321E.2, Code 1993, is amended by adding  
4 the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. At the request of a local  
6 authority, the department shall issue annual and single-trip  
7 permits that are under the jurisdiction of the local  
8 authority.

9 Sec. 8. Section 321E.9, unnumbered paragraph 1, Code 1993,  
10 is amended to read as follows:

11 Subject to the discretion and judgment provided for in  
12 section 321E.1, single-trip permits, which may include a  
13 round-trip to and from a job or delivery site, shall be issued  
14 in accordance with the following provisions:

15 Sec. 9. Section 321E.11, unnumbered paragraph 1, Code  
16 1993, is amended to read as follows:

17 Movements by permit in accordance with this chapter shall  
18 be permitted only during the hours from sunrise to sunset  
19 unless it-is-established-by the issuing authority determines  
20 that the movement can be better accomplished at another period  
21 of time because of traffic volume conditions or the vehicle  
22 subject to the permit has an overall length not to exceed one  
23 hundred feet, an overall width not to exceed eleven feet, and  
24 an overall height not to exceed fourteen feet, four inches,  
25 and the permit requires the vehicle to operate only on the  
26 designated highway system. Additional safety lighting and  
27 escorts may be required for movement at night.

28 Sec. 10. 1991 Iowa Acts, chapter 127, section 2, is  
29 amended to read as follows:

30 SEC. 2. Section 1 of this Act is repealed July 1, 1994  
31 1996. On that date the Code editor shall return the language  
32 in section 1 of this Act to the language appearing in the 1991  
33 Code.

34

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HOUSE AMENDMENT TO  
SENATE FILE 2080

S-5398

1 Amend Senate File 2080, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 9 the  
4 following:

5 "Sec. \_\_\_\_ . Section 321.423, subsection 6, Code  
6 1993, is amended to read as follows:

7 6. AMBER FLASHING LIGHT. A farm tractor, farm  
8 tractor with towed equipment, self-propelled implement  
9 of husbandry, road construction or maintenance  
10 vehicle, road grader, or other vehicle principally  
11 designed for use off the highway which, when operated  
12 on a primary or secondary road, is operated at a speed  
13 of twenty-five miles an hour or less, shall be  
14 equipped with and display an amber flashing light  
15 visible from the rear at any time from sunset to  
16 sunrise. If the amber flashing light is obstructed by  
17 the towed equipment, the towed equipment shall also be  
18 equipped with and display an amber flashing light as  
19 required under this subsection. All vehicles  
20 specified in this subsection which are manufactured  
21 for sale or sold in this state shall be equipped with  
22 an amber flashing light. The type, number,  
23 dimensions, and method of mounting of the lights shall  
24 be determined by the director. The director, when  
25 approving the light, shall be guided as far as  
26 practicable by the standards of the American society  
27 of agricultural engineers."

28 2. Page 1, line 28, by inserting after the figure  
29 "321E-" the following: "A vehicle exempted from the  
30 permit requirements under this section shall be  
31 equipped with an amber flashing light under section  
32 321.423, shall be equipped with warning flags on that  
33 portion of the vehicle which protrudes into oncoming  
34 traffic, and shall only operate from thirty minutes  
35 prior to sunrise to thirty minutes following sunset."

36 3. Page 1, line 34, by inserting after the word  
37 "livestock," the following: "travel trailer, fifth-  
38 wheel travel trailer,".

39 4. Page 2, by inserting after line 13 the  
40 following:

41 "Sec. \_\_\_\_ . Section 321.454, subsection 2, Code  
42 1993, is amended by striking the subsection.

43 Sec. \_\_\_\_ . Section 321.457, subsection 2, paragraph  
44 h, Code Supplement 1993, is amended by striking the  
45 paragraph.

46 Sec. \_\_\_\_ . Section 321.457, subsection 3, Code  
47 Supplement 1993, is amended to read as follows:

48 3. The maximum length of any motor vehicle or  
49 combination of vehicles operated on the highways of  
50 this state ~~which are designated by the transportation~~

S-5398

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S-5398

Page 2

1 commission shall be as follows:

2 a. A trailer or semitrailer, laden or unladen,  
3 shall not have an overall length in excess of fifty-  
4 three feet when operating in a truck tractor-  
5 semitrailer combination.

6 b. A trailer or semitrailer, laden or unladen,  
7 shall not have an overall length in excess of twenty-  
8 eight feet six inches when operating in a truck  
9 tractor-semitrailer-trailer combination or truck  
10 tractor-semitrailer-semitrailer combination. When the  
11 semitrailers in a truck tractor-semitrailer-  
12 semitrailer combination are connected by a rigid frame  
13 extension including a fifth-wheel connection point  
14 attached to the rear frame of the first semitrailer,  
15 the length of the frame extension shall not be  
16 included when determining the overall length of the  
17 first semitrailer.

18 c. Power units designed to carry cargo, when used  
19 in combination with a trailer or semitrailer shall not  
20 exceed sixty-five feet in overall length for the  
21 combination.

22 ~~d.---in-a-combination-of-vehicles-used-principally~~  
23 ~~for-hauling-livestock-or-a-stinger-steered-automobile~~  
24 ~~transporter-operating-under-this-subsection-and~~  
25 ~~section-321.4547-subsection-27-the-combination-of~~  
26 ~~vehicles-used-principally-for-hauling-livestock-or-the~~  
27 ~~stinger-steered-automobile-transporter-may-depart-from~~  
28 ~~the-designated-highway-system-by-the-most-direct-route~~  
29 ~~to-points-of-pickup-and-delivery---Vehicles-operating~~  
30 ~~under-this-paragraph-are-not-exempt-from-posted-size~~  
31 ~~and-weight-restrictions-on-highway-structures-~~

32 e d. A stinger-steered automobile transporter  
33 shall not have an overall length exceeding seventy-  
34 five feet, except that the load may extend up to three  
35 feet beyond the front bumper and up to four feet  
36 beyond the rear bumper.

37 f e. Power units saddle mounted or full mounted on  
38 other power units shall not exceed seventy-five feet  
39 in overall length.

40 ~~The-commission-shall-adopt-rules-to-designate-the~~  
41 ~~highways---The-rules-adopted-by-the-department-under~~  
42 ~~this-paragraph-are-exempt-from-chapter-17A7-the-Iowa~~  
43 ~~administrative-procedure-Act."~~

44 5. Page 3, line 33, by striking the word "shall"  
45 and inserting the following: "may".

46 6. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5398 FILED MARCH 31, 1994

*Senate Concurred*  
*4-5-94 (p.1022)*

Bartz  
Boswell  
Sorenson

SSB-2044  
Agriculture

SENATE FILE 2080  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON PRIEBE)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to motor vehicles, by defining special mobile  
2 equipment, expanding the exemption for vehicles used in  
3 combination from federal motor carrier safety regulations, and  
4 exempting oversized vehicles from certain regulations.

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

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1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1993, is amended to read as follows:

3 75. "Special mobile equipment" means every vehicle not  
4 designed or used primarily for the transportation of persons  
5 or property and incidentally operated or moved over the  
6 highways, ~~but not~~ including road construction or maintenance  
7 machinery, loading and safety equipment, and ditch-digging  
8 apparatus. This description does not exclude other vehicles  
9 which are within the general terms of this subsection.

10 Sec. 2. Section 321.449, unnumbered paragraph 10, Code  
11 Supplement 1993, is amended to read as follows:

12 Rules adopted under this section shall not apply to  
13 vehicles used in combination provided the gross vehicle weight  
14 rating of the towing unit is ~~ten~~ twelve thousand pounds or  
15 less and the gross combination weight rating is twenty-six  
16 thousand pounds or less.

17 Sec. 3. Section 321.453, Code 1993, is amended to read as  
18 follows:

19 321.453 EXCEPTIONS.

20 The provisions of this chapter governing size, weight, and  
21 load, and the permit requirements of chapter 321E do not apply  
22 to fire apparatus, to road maintenance equipment owned by or  
23 under lease to any state or local authority, or to implements  
24 of husbandry temporarily moved upon a highway, or to  
25 implements moved from farm site to farm site or between the  
26 retail seller and a farm purchaser within a one hundred mile  
27 radius from the retail seller's place of business, or to  
28 indivisible implements of husbandry temporarily moved between  
29 the place of manufacture and a retail seller or a farm  
30 purchaser, or implements received and moved by a retail seller  
31 of implements of husbandry in exchange for an implement  
32 purchased, or implements of husbandry moved for repairs,  
33 except on any part of the interstate highway system ~~or to a~~  
34 ~~vehicle operating under the terms of a special permit issued~~  
35 ~~as provided in chapter 321E.~~

1 Sec. 4. Section 321.454, subsection 1, Code 1993, is  
2 amended to read as follows:

3 1. The total outside width of any vehicle or the load  
4 thereon on the vehicle shall not exceed eight feet except that  
5 a motor home, motor truck or trailer hauling grain or  
6 livestock, or bus having a total outside width not exceeding  
7 eight feet six inches, exclusive of safety equipment, is  
8 exempt from the permit requirements of chapter 321E and may be  
9 operated on the public highways of the state. However, if  
10 hay, straw or stover moved on any implement of husbandry and  
11 the total width of load of the implement of husbandry exceeds  
12 eight feet in width, the implement of husbandry is not subject  
13 to the permit requirements of chapter 321E. If hay, straw or  
14 stover is moved on any other vehicle subject to registration,  
15 the moves are subject to the permit requirements for  
16 transporting loads exceeding eight feet in width as required  
17 under chapter 321E. The vehicle width limitations imposed by  
18 this subsection only apply to the public highways of the state  
19 not subject to the width limitations imposed under subsection  
20 2.

21 Sec. 5. Section 321E.11, unnumbered paragraph 2, Code  
22 1993, is amended to read as follows:

23 Except as provided in section 321.457, no movement by  
24 permit shall be permitted on holidays, after twelve o'clock  
25 noon on days preceding holidays and holiday weekends, or  
26 special events when abnormally high traffic volumes can be  
27 expected. Such restrictions shall not be applicable to urban  
28 transit systems as defined in section 321.19, subsection 2, or  
29 to motor vehicles with widths of twelve feet five inches or  
30 less. For the purposes of this chapter, holidays shall  
31 include Memorial Day, Independence Day, and Labor Day.

32

#### EXPLANATION

33 This bill makes several changes relating to transportation.  
34 Section 1 expands the current definition of "special mobile  
35 equipment" to include rather than exclude road construction or

1 maintenance machinery, loading and safety equipment, and ditch  
2 digging apparatus. Vehicles defined as special mobile  
3 equipment are exempted from certain registration requirements  
4 under section 321.18 and are issued special plates under  
5 section 321.21.

6 Section 321.449 exempts vehicles used in combination  
7 provided the gross vehicle weight rating of the towing unit is  
8 10,000 pounds or less and the gross combination weight rating  
9 is 26,000 pounds or less from federal motor carrier safety  
10 regulations. This bill changes the gross vehicle weight  
11 rating of the towing unit from 10,000 pounds to 12,000 pounds.

12 This bill exempts vehicles that are currently exempted from  
13 the size, weight, and load requirements of chapter 321 from  
14 the oversize permit requirements of chapter 321E.

15 In addition, the bill allows motor trucks or trailers  
16 hauling grain or livestock to operate on any public highway of  
17 the state and exempts the vehicle from the permit requirements  
18 of chapter 321E if the truck or trailer width does not exceed  
19 eight feet six inches. Currently, only vehicles which do not  
20 exceed eight feet can be operated on any highway of the state.  
21 Current law provides this exemption for motor homes and buses.

22 Finally, current law prohibits movement by vehicles with  
23 permits on holidays, after noon on days preceding holidays and  
24 holiday weekends, or special events when abnormally high  
25 traffic volumes can be expected. This bill adds motor  
26 vehicles with widths of 12 feet 5 inches or less to the  
27 exemption from these restrictions.

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SENATE FILE 2080

AN ACT

RELATING TO AGRICULTURAL AND OTHER MOTOR VEHICLES, BY DEFINING SPECIAL MOBILE EQUIPMENT AND EXEMPTING OVERSIZED VEHICLES FROM CERTAIN REGULATIONS.

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

Section 1. Section 321.1, subsection 75, Code Supplement 1993, is amended to read as follows:

75. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, but not including road construction or maintenance machinery and ditch-digging apparatus. This description does not exclude other vehicles which are within the general terms of this subsection.

Sec. 2. Section 321.423, subsection 6, Code 1993, is amended to read as follows:

6. AMBER FLASHING LIGHT. A farm tractor, farm tractor with towed equipment, self-propelled implement of husbandry, road construction or maintenance vehicle, road grader, or other vehicle principally designed for use off the highway which, when operated on a primary or secondary road, is operated at a speed of twenty-five miles an hour or less, shall be equipped with and display an amber flashing light visible from the rear at any time from sunset to sunrise. If the amber flashing light is obstructed by the towed equipment, the towed equipment shall also be equipped with and display an amber flashing light as required under this subsection. All vehicles specified in this subsection which are manufactured for sale or sold in this state shall be equipped with an amber flashing light. The type, number, dimensions, and method of mounting of the lights shall be determined by the director.

The director, when approving the light, shall be guided as far as practicable by the standards of the American society of agricultural engineers.

Sec. 3. Section 321.453, Code 1993, is amended to read as follows:

321.453 EXCEPTIONS.

The provisions of this chapter governing size, weight, and load, and the permit requirements of chapter 321E 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 from farm site to farm site or between the retail seller and a farm purchaser within a one hundred mile radius from the retail seller's place of business, or to indivisible implements of husbandry temporarily moved between the place of manufacture and a retail seller or a farm purchaser, or implements received and moved by a retail seller of implements of husbandry in exchange for an implement purchased, or implements of husbandry moved for repairs, 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. A vehicle exempted from the permit requirements under this section shall be equipped with an amber flashing light under section 321.423, shall be equipped with warning flags on that portion of the vehicle which protrudes into oncoming traffic, and shall only operate from thirty minutes prior to sunrise to thirty minutes following sunset.

Sec. 4. Section 321.454, subsection 1, Code 1993, is amended to read as follows:

1. The total outside width of any vehicle or the load thereon on the vehicle shall not exceed eight feet except that a motor home, commercial motor vehicle, motor truck or trailer hauling grain or livestock, travel trailer, fifth-wheel travel trailer, or bus having a total outside width not exceeding

eight feet six inches, exclusive of safety equipment, is exempt from the permit requirements of chapter 321E and may be operated on the public highways of the state. However, if hay, straw or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry is not subject to the permit requirements of chapter 321E. If hay, straw or stover is moved on any other vehicle subject to registration, the moves are subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter 321E. The vehicle width limitations imposed by this subsection only apply to the public highways of the state not subject to the width limitations imposed under subsection 2.

Sec. 5. Section 321.454, subsection 2, Code 1993, is amended by striking the subsection.

Sec. 6. Section 321.457, subsection 2, paragraph h, Code Supplement 1993, is amended by striking the paragraph.

Sec. 7. Section 321.457, subsection 3, Code Supplement 1993, is amended to read as follows:

3. The maximum length of any motor vehicle or combination of vehicles operated on the highways of this state which are designated by the transportation commission shall be as follows:

a. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of fifty-three feet when operating in a truck tractor-semitrailer combination.

b. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of twenty-eight feet six inches when operating in a truck tractor-semitrailer-trailer combination or truck tractor-semitrailer-semitrailer combination. When the semitrailers in a truck tractor-semitrailer-semitrailer combination are connected by a rigid frame extension including a fifth-wheel connection point attached to the rear frame of the first semitrailer, the

length of the frame extension shall not be included when determining the overall length of the first semitrailer.

c. Power units designed to carry cargo, when used in combination with a trailer or semitrailer shall not exceed sixty-five feet in overall length for the combination.

~~d. In a combination of vehicles used principally for hauling livestock or a stinger-steered automobile transporter operating under this subsection and section 321.454, subsection 2, the combination of vehicles used principally for hauling livestock or the stinger-steered automobile transporter may depart from the designated highway system by the most direct route to points of pickup and delivery. Vehicles operating under this paragraph are not exempt from posted size and weight restrictions on highway structures.~~

e. A stinger-steered automobile transporter shall not have an overall length exceeding seventy-five feet, except that the load may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper.

f. Power units saddle mounted or full mounted on other power units shall not exceed seventy-five feet in overall length.

~~The commission shall adopt rules to designate the highways. The rules adopted by the department under this paragraph are exempt from chapter 17A, the Iowa administrative procedure Act.~~

Sec. 8. Section 321.465, unnumbered paragraph 2, Code 1993, is amended to read as follows:

If an officer upon weighing a vehicle and load determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator. The owner or operator of an overweight

vehicle, designed to compact and transport solid waste and domiciled within the state, which is transporting solid waste, shall not be required to unload any portion of the load, if the load is indivisible, in a place other than a facility which is permitted to handle solid waste disposal, processing, or recycling. For purposes of this section "solid waste" means waste which is acceptable at a local sanitary landfill and ~~the solid waste which has been compacted~~ shall be considered to be an indivisible load.

Sec. 9. Section 321E.1, Code 1993, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT AND LOCAL AUTHORITIES.

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads 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 issued may be single-trip permits or annual 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 a peace officer or an authorized agent of 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 for denial endorsed 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 a county on other than primary roads.

Sec. 10. Section 321E.1, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Local authorities may allow persons requesting permits under this chapter to do so by means of a telephone or facsimile machine, authorizing payment for the permits to be made upon receipt of an invoice sent to the persons by the local authorities.

Sec. 11. Section 321E.2, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. At the request of a local authority, the department shall issue annual and single-trip permits that are under the jurisdiction of the local authority.

Sec. 12. Section 321E.9, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Subject to the discretion and judgment provided for in section 321E.1, single-trip permits, which may include a round-trip to and from a job or delivery site, shall be issued in accordance with the following provisions:

Sec. 13. Section 321E.11, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Movements by permit in accordance with this chapter shall be permitted only during the hours from sunrise to sunset unless it is established by the issuing authority determines that the movement can be better accomplished at another period of time because of traffic volume conditions or the vehicle subject to the permit has an overall length not to exceed one hundred feet, an overall width not to exceed eleven feet, and

an overall height not to exceed fourteen feet, four inches, and the permit requires the vehicle to operate only on the designated highway system. Additional safety lighting and escorts may be required for movement at night.

Sec. 14. 1991 Iowa Acts, chapter 127, section 2, is amended to read as follows:

SEC. 2. Section 1 of this Act is repealed July 1, ~~1994~~ 1996. On that date the Code editor shall return the language in section 1 of this Act to the language appearing in the 1991 Code.

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LEONARD L. BOSWELL  
President of the Senate

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HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2080, Seventy-fifth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 19, 1994

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TERRY E. BRANSTAD  
Governor