ARC 0745D

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to special permits and providing an opportunity for public comment

The Transportation Department hereby proposes to amend Chapter 511, "Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321E.29B.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321E.29B.

Purpose and Summary

The purpose of the proposed amendments is to align the rules with 2026 Iowa Acts, Senate File 2429, which authorizes permit-issuing authorities to issue annual overweight permits for vehicles transporting fluid milk products with a gross vehicle weight of up to 136,000 pounds. The legislation directs the Department to establish, through administrative rulemaking, the required minimum distances of axle configurations for vehicles operating under these permits. The amendments also update the chapter's citations to federal regulations.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on August 19, 2026. A public hearing was held on the following date(s):

- September 8, 2026

No public comments were received.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 2504.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on December 15, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

December 15, 2026 9 to 9:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 967 148 419#
December 15, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 820 092 850#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 761—511.16(321,321E) as follows:

761—511.16(321,321E) Annual fluid milk products permits. Annual fluid milk products permits are issued for indivisible loads of fluid milk products for travel when the weight of the vehicle or load exceeds statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the ~~department~~ permit-issuing authority. Route, detour and road embargo for fluid milk products information may be found online at www.511ia.org or the department's website for the embargo bridge maps at www.iowadot.gov/mvd/motorcarriers/bridgemap.pdf. For travel on secondary roads, the owner or operator shall contact the local authority to verify any additional restrictions. Annual fluid milk products permits are issued for the following:

511.16(1) Vehicles with indivisible loads of fluid milk products provided the following are not exceeded.

a. to *d.* No change.

e. Distance. Movement is allowed for unlimited distance on the primary road system, including the interstate, provided the vehicle is transporting fluid milk products to or from a milk plant, receiving station, or transfer station; routing through the ~~motor vehicle division~~ permit-issuing authority is not required.

511.16(2) Reserved.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8, 321E.10, 321E.15 and 321E.29A and section 321E.29B as amended by 2026 Iowa Acts, Senate File 2429, section 1.

ITEM 2. Rescind subrule 511.17(6) and adopt the following **new** subrule in lieu thereof:

511.17(6) *Annual fluid milk products permits.*

a. For movement under an annual fluid milk products permit, the gross weight on any axle cannot exceed 20,000 pounds with a maximum of 136,000 pounds total gross weight.

b. Vehicles operating under annual fluid milk products permits with a total gross weight of between 0 and 96,000 pounds shall have a minimum axle distance of at least 26 feet from the center of the front axle to the center of the rear axle.

c. Vehicles operating under annual fluid milk products permits with a total gross weight of between 96,001 and 116,000 pounds shall have a minimum axle distance of at least 46 feet from the center of the front axle to the center of the rear axle. If the weight of any axle groups exceeds 96,000 pounds, the minimum distance within those axle groups must be at least 26 feet.

d. Vehicles operating under annual fluid milk products permits with a total gross weight of between 116,001 and 136,000 pounds shall have a minimum axle distance of at least 56 feet from the center of the front axle to the center of the rear axle. If the weight of any axle groups exceeds 96,000 pounds, the minimum distance of those axle groups must be at least 26 feet. If the weight of any axle groups exceeds 116,000 pounds, the minimum distance of those axle groups must be at least 46 feet.