

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rulemaking related to special mobile equipment

The Transportation Department hereby rescinds Chapter 410, “Special Mobile Equipment,” Iowa Administrative Code, and adopts a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code sections 307.12(1)“j” and 321E.15.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.1, 321.18, 321.20, 321E.12 and 321E.15.

Purpose and Summary

This rulemaking repromulgates Chapter 410 in compliance with Executive Order 10. Chapter 410 provides information on special mobile equipment (SME) for customers in two main areas: (1) titling and registering SME attached to a motor vehicle and (2) requirements when transporting SME on a registered vehicle. These rules provide transparency on some of the common scenarios that arise for customers who own or transport SME.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on October 30, 2024, as **ARC 8262C**. A public hearing was held on the following date(s):

- November 19, 2024
- November 20, 2024

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on December 10, 2024.

Fiscal Impact

This rulemaking has a minimal fiscal impact to the State of Iowa. Although the volume of SME owners seeking title and registration under this optional process is low (approximately 20 vehicles annually), if title and registration are issued, the Department estimates a revenue increase of approximately \$10,200 annually (\$490 annual reg fee + \$20 title fee x 20 vehicles). There is no fiscal impact to the State of Iowa for issuing permits for vehicles required to be moved by permit under Iowa Code chapter 321E that was not already required as a result of underlying statute.

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 11.

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).

Effective Date

This rulemaking will become effective on February 12, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 410 and adopt the following **new** chapter in lieu thereof:

CHAPTER 410
SPECIAL MOBILE EQUIPMENT

761—410.1(321) General.

410.1(1) “Special mobile equipment” means the same as defined in Iowa Code section 321.1.

410.1(2) Special mobile equipment is exempt from titling and registration pursuant to Iowa Code sections 321.18 and 321.20. However, a certificate of title and registration may be obtained in accordance with Iowa Code chapter 321 for a motor truck, trailer or semitrailer with special mobile equipment permanently attached.

410.1(3) Questions about special mobile equipment may be directed by mail to the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.237.3268; or by email at omcs@iowadot.us.

This rule is intended to implement Iowa Code sections 321.1, 321.18 and 321.20.

761—410.2(321E) Special mobile equipment transported on a registered vehicle. The movement of special mobile equipment or component parts of special mobile equipment transported on a vehicle registered for the gross weight of the vehicle without load, as provided in Iowa Code section 321E.12, is subject to the following:

410.2(1) If the special mobile equipment is leased, the lease agreement or a certified copy of the lease agreement is to be carried in the cab of the transporting vehicle.

410.2(2) The size and weight limits in Iowa Code chapter 321 are applicable unless a permit to exceed these limits is obtained in accordance with Iowa Code chapter 321E.

This rule is intended to implement Iowa Code sections 321E.12 and 321E.15.

[Filed 12/17/24, effective 2/12/25]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/8/25.