

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rulemaking related to towing wrecked or disabled vehicles

The Transportation Department hereby rescinds Chapter 454, “Towing Wrecked or Disabled Vehicles,” 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 321.463.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.463 and 23 U.S.C. Section 141(a) and (b).

Purpose and Summary

This rulemaking repromulgates Chapter 454 in compliance with Executive Order 10. Chapter 454 aims to provide a clearer definition of the terms “tow” and “wrecked or disabled vehicle” within the context of Iowa Code section 321.463. Specifically, the chapter limits the weight exemption under Iowa Code section 321.463 to situations where a disabled vehicle is being removed from a crash scene to a location for repair or storage.

Additionally, this chapter ensures compliance with federal law (specifically 23 U.S.C. Section 141(a) and (b)), which pertains to the enforcement of vehicle size and weight laws.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 11, 2024, as **ARC 8488C**. A public hearing was held on the following date(s):

- January 6, 2025
- January 7, 2025

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 March 11, 2025.

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 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 May 21, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 454 and adopt the following **new** chapter in lieu thereof:

CHAPTER 454
TOWING WRECKED OR DISABLED VEHICLES

761—454.1(307,321) Definitions. For the purpose of Iowa Code section 321.463, the following definitions are established:

“*Tow*” means the transportation by a vehicle designed to tow or transport wrecked or disabled vehicles directly from the scene of a crash, disablement, or impoundment to any place of repair, storage, or safekeeping.

“*Wrecked or disabled vehicle*” means a vehicle upon a highway involved in a crash or having mechanical failure, broken parts, or other defects, any of which prevent the vehicle from moving safely under its own power, or any vehicle impounded by the order of a peace officer.

This rule is intended to implement Iowa Code sections 307.12(1)“j” and 321.463 and 23 U.S.C. §141(a) and (b).

[Filed 3/17/25, effective 5/21/25]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/16/25.