

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 511

“Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321E.29B

State or federal law(s) implemented by the rulemaking: Iowa Code section 321E.29B

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 8, 2026
3:30 to 4 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 911 174 41#

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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6310 SE Convenience Boulevard
Ankeny, Iowa 50021
Email: sara.siedsma@iowadot.us

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.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

There are no costs or fees associated with this proposed rulemaking beyond those of the underlying statute. The legislation did not change the existing permit fees.

• Classes of persons that will benefit from the proposed rulemaking:

Persons applying for annual fluid milk permits will benefit from having the required minimum distances of axle configurations set forth in administrative rules.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• Quantitative description of impact:

There are no quantitative impacts beyond those of the underlying statute.

- **Qualitative description of impact:**

There are no qualitative impacts beyond those of the underlying statute.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no implementation or enforcement costs beyond that of the underlying statute.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues beyond those of the underlying statute.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

There is no benefit of inaction. Adopting rules to set forth minimum distances for axle configurations of vehicles operating under the fluid milk permit is required by the underlying statute.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or less intrusive methods to achieve the purpose of the proposed amendments, which is to conform with underlying statute.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Department did not consider alternatives for the proposed rules.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no impact on small business beyond those of the underlying statute.

Text of Proposed Rulemaking

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.