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.3 and 321E.15
State or federal law(s) implemented by the rulemaking: Iowa Code sections 321E.3 and 321E.12

Public Hearing

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

December 30, 2025 9 to 9:30 a.m.	Microsoft Teams Dial: 515.817.6093 Conference ID: 362 988 514#

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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Ames, Iowa 50010
Email: ryan.pell@iowadot.us

Purpose and Summary

The purpose of the proposed amendments is to comply with 2025 Iowa Acts, House File 979 (HF 979), sections 1 and 4.

HF 979 amends Iowa Code section 321E.3, including an alteration in the routes for which the Department may issue all-systems permits under Iowa Code section 321E.8, a requirement for secondary roads and designated truck routes to be valid unless the local authority communicates the non-valid designation to the Department in writing, and a requirement for a local authority to work with the Department to find an alternate route for a permitted vehicle if all roads to the loading or unloading destination are not valid. The Iowa Code now states that all not-valid designations are subject to Department review and requires the Department to adopt rules to resolve exemption determination disputes and establish a process for alternate route requests.

HF 979 also amends Iowa Code section 321E.12 to allow a vehicle traveling under a single-trip permit to meet the statutory requirement to be registered for the gross weight of the vehicle and load by collecting the required tonnage fees along with the permit application.

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 chapter beyond what is required by the underlying statute. The statutory fee set forth in Iowa Code section 321E.12(1)"b" is $4 per ton exceeding 40 tons.

- **Classes of persons that will benefit from the proposed rulemaking:**

Local authorities will benefit by having a defined process for exemption disputes.

Motor carriers seeking to utilize the all-systems overweight permit will benefit by having a defined process for alternate route requests. Motor carriers seeking to utilize the new tonnage fee registration process will benefit by having the rule conform to the statutory provisions.

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 additional quantitative impacts that were not already anticipated as a result of the underlying statute.

- **Qualitative description of impact:**

There are no additional qualitative impacts that were not already anticipated as a result of the underlying statute.

3. **Costs to the State:**

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

There are no additional implementation or enforcement costs in the proposed amendments that were not already required as a result of the underlying statute.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues beyond 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. The amendments to this chapter are required to conform with 2025 Iowa Acts, House File 979.

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

Regarding HF 979, section 1, inclusion of the content in the rules is required by statute.

Regarding HF 979, section 4, there are no less costly or less intrusive methods to achieve the purpose of the proposed amendments.

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

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

Regarding HF 979, section 1, the Department balanced content between instructional memorandums and the proposed amendments as appropriate.

Regarding HF 979, section 4, the Department did not consider alternatives for the proposed amendments.

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

Regarding HF 979, section 1, statute requires content to be included in the administrative rule.

Regarding HF 979, section 4, this is 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 small business impact beyond what was already anticipated under the statute.

Text of Proposed Rulemaking

ITEM 1. Amend rule **761—511.1(321E)**, definitions of "Emergency interstate permit" and "Permit-issuing authority," as follows:

"Emergency interstate permit" means a permit issued under Iowa Code section ~~321E.29B~~ 321E.27.

"Permit-issuing authority" means the:

1. Department's motor vehicle division for permits for movement on the primary road system.
2. Authority responsible for the maintenance of a nonprimary system of highways or streets for permits for movement on that system. However, the motor vehicle division may issue single-trip permits on primary road extensions in cities in conjunction with movement on the rural primary road system. The department may also issue all-systems permits on the secondary road and municipal systems.

ITEM 2. Adopt the following **new** definition of "Designated truck route" in rule **761—511.1(321E)**:

"Designated truck route" when used in relation to the all-systems overweight permit in Iowa Code section 321E.8(2) means one or more of the following:

1. A route designated in a city's code of ordinances as a truck route.
2. A route physically signed as a truck route.
3. A route designated by a city as valid for this permit, whether for a single occurrence or on a short-term or long-term basis.

ITEM 3. Amend subrule 511.2(1) as follows:

511.2(1) Permits may be obtained electronically upon making application to the motor vehicle division at ~~www.iowadot.gov/mvd/motorcarriers/oversize-overweight-trip-permits~~ iowadot.gov/motor-carriers. Applications, forms, instructions and restrictions are also available by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Boulevard, Ankeny, Iowa; by telephone at 515.237.3264; or by facsimile at 515.237.3257.

ITEM 4. Amend paragraph **511.4(3)"d"** as follows:

d. Emergency interstate permits issued under Iowa Code section ~~321E.29B~~ 321E.27 are effective for 30 calendar days. However, the permit will not be valid past the expiration of the applicable governor's proclamation of disaster emergency issued under Iowa Code section 29C.6 in conjunction with the presidential declaration allowing interstate travel under the Stafford Act or the expiration of the declaration of major disaster under the Stafford Act, whichever expires first.

ITEM 5. Amend rule 761—511.5(321,321E) as follows:

761—511.5(321,321E) Fees and costs.

511.5(1) No change.

511.5(2) *Special or emergency oversize permit for certain divisible loads.* The fee for each single-trip permit issued pursuant to Iowa Code section ~~321E.27~~ 321E.9 is $35.

511.5(3) and **511.5(4)** No change.

511.5(5) *Registration fee for single-trip permits.* A vehicle traveling under a single-trip permit may register with the department for the combined gross weight of the vehicle and load on a single-trip basis, upon payment of the applicable statutory fees, pursuant to Iowa Code section 321E.12 as amended by 2025 Iowa Acts, House File 979, section 4. The department may access Iowa registration

records to determine the weight the vehicle is currently registered for prior to assessing the statutory fee under this subrule. The fee for single-trip registration is $4 per ton exceeding 40 tons.

~~511.5(5)~~ 511.5(6) *Registration fee for vehicles transporting buildings other than mobile homes or factory-built structures.* A registration fee will be charged for vehicles transporting buildings, except mobile homes and factory-built structures, on a single-trip basis. The vehicle shall be registered for the combined gross weight of the vehicle and load, and the fee is 5 cents per ton exceeding the weight registered under Iowa Code section 321.122 per mile of travel. Fees will not be prorated for fractions of miles.

~~511.5(6)~~ 511.5(7) *Fair and reasonable costs.* Permit-issuing authorities may charge any permit applicant:

a. A fair and reasonable cost for the removal and replacement of natural obstructions or official signs and signals.

b. A fair and reasonable cost for measures necessary to avoid damage to public property including structures and bridges.

This rule is intended to implement Iowa Code sections 321.12, 321.122, 321E.8, 321E.9, 321E.12 as amended by 2025 Iowa Acts, House File 979, section 4, 321E.14, 321E.15, 321E.29, 321E.29A and 321E.30.

ITEM 6. Amend rule 761—511.7(321,321E), introductory paragraph, as follows:

761—511.7(321,321E) Annual oversize permits. Annual oversize permits are issued for indivisible vehicles or indivisible loads for travel when the dimensions of the vehicle or load exceed statutory limits but the weight is within 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 for state roads. If the owner or operator is operating under an all-systems permit, the owner or operator shall also review the road construction and travel restrictions map provided by the Iowa county engineers service bureau. Route, detour and road embargo 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. County restriction information may be found online at www.iceasb.org/roads. Annual oversize permits are issued for the following:

ITEM 7. Amend rule 761—511.9(321,321E), introductory paragraph, as follows:

761—511.9(321,321E) Annual all-systems oversize permits. Annual all-systems oversize permits are issued by the motor vehicle division for indivisible vehicles or indivisible loads for travel on the primary road system and specified city streets and county roads when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The department will provide a map of the authorized city streets and county roads. Permit holders shall check the county 511 map available online at www.iceasb.org/roads and consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for the following:

ITEM 8. Amend rule 761—511.10(312,321,321E) as follows:

761—511.10(312,321,321E) Annual all-systems overweight permits.

511.10(1) *Issuance.* Annual all-systems overweight permits are issued by the department for indivisible vehicles or indivisible or divisible loads for travel on the primary road system and specified city streets and county roads when the weight of the vehicle or load exceeds statutory limits but the dimensions are within statutory limits. Routing is subject to embargoed bridges and roads, including highways restricted by a local authority pursuant to Iowa Code section 321.473, and posted speed limits. The department will provide a map of the authorized city streets and county roads. Permit

holders shall review route, detour and road embargo information online at www.511ia.org, check the county 511 map available online at www.iceasb.org/roads, and consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for vehicles with divisible or indivisible loads provided the following are not exceeded.

a. to *e.* No change.

511.10(2) *Distribution of monthly credit.* In accordance with Iowa Code section 312.2(18), the department will ~~allocate the monthly credit as follows:~~ divide the monthly credit among the counties as determined by the department after consultation with county officials through their representative organizations.

~~*a.* The department will maintain a list of participating counties. The list will be updated on a monthly basis as determined by the department after consultation with county officials through their representative organizations.~~

~~*b.* The monthly credit will be divided among the participating counties as determined by the department after consultation with county officials through their representative organizations.~~

~~*c.* The funds from the monthly credit will be distributed to each participating county based on the list of participating counties for the applicable month.~~

511.10(3) *Route exemption justification determinations, submittals, reviews, and appeals.* If a local authority determines a road segment needs to be designated as not valid for a permit issued under this rule, a written exemption justification must be provided to the department explaining the local authority's determination. The department will accept the submittal of exemption justifications in the form and manner prescribed by the department, including via communications between electronic systems. Criteria for exemption justifications and processes for disputes and appeals regarding the department's approval of submitted exemption justifications are determined by the department after consultation with county and city officials through their representative organizations. Additional guidance is published on the department's website.

a. For paved farm-to-market (FM) routes, designated truck routes, non-paved FM routes, and non-FM routes, the exemption justification submittal, review, and appeal process is as follows:

(1) The local authority provides the justification and any necessary explanation for exempting the road segment.

(2) The department will either approve or deny the local authority's exemption request.

(3) If the department denies the exemption request, the local authority may appeal the department's decision. If the local authority appeals the department's decision or requests further consideration, the department will gather additional information, if possible, and may consult with additional stakeholders, including but not limited to the representative organizations for county and city officials, before making a final decision.

b. Exemption approvals are reviewed periodically at a frequency determined by the department. The local authority is to submit exemption justification renewals and updates in the form and manner described by the department.

511.10(4) *Alternate route requests.* When a permit holder is unable to reach a loading or unloading destination because all routes leading to said destination have been designated as not valid, the permit holder may request establishment of an alternate route to provide access to the loading or unloading destination via the permit. The department, after consultation with county and city officials through their representative organizations, establishes a procedure for alternate route requests. The alternate route procedure is as follows:

a. The permit holder will contact the local authority to request an alternate route. Contact information for each local public agency is obtained by clicking on the desired route in the all-systems overweight permit map found on the department's website for motor carriers.

(1) If, upon further evaluation, the local authority chooses to designate the requested route as valid, the local authority must contact the department to remove the non-valid designation. The local authority notifies the permit holder of the removal of the non-valid designation.

(2) If the local authority establishes an alternate route, the local authority must provide written notice to the permit holder of the approved alternate route and the dates for which the route is valid. The written notice is given in the form and manner prescribed by the department or in an alternate form and manner approved by the department.

b. If the local authority does not respond to the request to establish an alternate route after five business days, or if the local authority does not make the existing route valid, provide an acceptable alternate route, or resolve the situation within seven business days, the permit holder may contact the department to request the department establish an alternate route.

(1) In establishing the alternate route, the department will consult with the local authority, if responsive, and may consult with stakeholders, including but not limited to the permit holder, and county and city officials through their representative organizations.

(2) Once the department has established an alternate route, the department will provide written notice to the permit holder and the local authority of the established alternate route and the dates for which the alternate route is valid.

Additional guidance is published on the department's website.

This rule is intended to implement Iowa Code sections 312.2, 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3 as amended by 2025 Iowa Acts, House File 979, section 1, 321E.8, 321E.10 and 321E.15.