

CHAPTER 100**TRUCKS AND OTHER LARGE MOTOR VEHICLES***H.F. 416*

AN ACT relating to regulation of trucks and certain other large motor vehicles, including maximum vehicle weights, defining terms, providing effective dates, and making penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.1, Code 1997, is amended by adding the following new subsections:

NEW SUBSECTION. 15A. "Crane" means a machine for raising, shifting, and lowering heavy weights by means of a projecting swinging arm.

NEW SUBSECTION. 63A. "Retractable axle" means an axle designed with the capability of manipulation or adjustment of the weight on the axle.

Sec. 2. Section 321.440, subsection 7, Code 1997, is amended to read as follows:

7. Been regrooved or recut below the original tread design depth, excepting special tires which have extra under tread rubber and are identified as such, or if a pneumatic tire was originally designed without grooves or tread, ~~the safety standards therefor shall be established by the director.~~

Sec. 3. Section 321.440, Code 1997, is amended by adding the following new unnumbered paragraph after subsection 7:

NEW UNNUMBERED PARAGRAPH. A vehicle, except an implement of husbandry, equipped with either solid rubber or pneumatic tires shall not be operated where the weight per inch of tire width is greater than five hundred seventy-five pounds per inch of tire width based on the tire width rating, except on a steering axle, in which case six hundred pounds per inch of tire width is permitted based on the tire width rating.

Sec. 4. Section 321.456, Code 1997, is amended to read as follows:

321.456 HEIGHT OF VEHICLES — PERMITS — EXEMPTION.

A vehicle unladen or with load shall not exceed a height of thirteen feet, six inches, except by permit as provided in this section. However, a vehicle or combination of vehicles coupled together used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, or recreational vehicle chassis may operate without a permit provided that the height of the vehicle or vehicles coupled together does not exceed fourteen feet. This section shall not be construed to require any railroad or public authorities to provide sufficient vertical clearance to permit the operation of such vehicle upon the highways of this state. Any damage to highways, highway or railroad structures or underpasses caused by the height of any vehicle provided for by this section shall be borne by the operator or owner of the vehicle. Vehicles unladen or with load exceeding a height of thirteen feet, six inches but not exceeding fourteen feet may be operated with a permit issued by the department or jurisdictional local authorities. The permits shall be issued annually for a fee of twenty-five dollars and subject to rules adopted by the department. The state or a political subdivision shall not be liable for damage to any vehicle or its cargo if changes in vertical clearance of a structure are made subsequent to the issuance of a permit during the term of the permit.

Sec. 5. Section 321.463, Code 1997, is amended to read as follows:

321.463 MAXIMUM GROSS WEIGHT — EXCEPTIONS — PENALTIES.

1. An axle may be divided into two or more parts, except that all parts in the same vertical transverse plane shall be considered as one axle.

2. The gross weight on any one axle of a vehicle, or of a combination of vehicles, operated

on the highways of this state, shall not exceed twenty thousand pounds on an axle equipped with pneumatic tires, and shall not exceed fourteen thousand pounds on an axle equipped with solid rubber tires. The gross weight on any tandem axle of a vehicle, or any combination of vehicles, shall not exceed thirty-four thousand pounds on an axle equipped with pneumatic tires. This subsection does not apply to implements of husbandry.

3. Notwithstanding other provisions of this chapter to the contrary, indivisible loads operating under the permit requirements of sections 321E.7, 321E.8, and 321E.9 shall be allowed a maximum of twenty thousand pounds per axle.

~~A group of two or more consecutive axles of any vehicle or combination of vehicles, shall not carry a load in pounds in excess of the overall gross weight determined by application of the following formula: $W \text{ equals } 500 (LN/N + 12N + 36)$. W equals the overall gross weight on any group of two or more consecutive axles to the nearest five hundred pounds, L equals the distance in feet, rounded to the nearest whole foot, between the extreme of any group of two or more consecutive axles, and N equals the number of axles in the group under consideration. The following are exceptions to application of the formula:~~

~~1. Two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each providing the overall distance between the first and last axles of the consecutive sets of tandem axles is thirty-six feet or more.~~

~~2. On highways not part of the interstate system, a vehicle or combination of vehicles having:~~

~~a. Four axles where the extreme axles are eighteen feet apart may carry a gross load of fifty-three thousand pounds.~~

~~b. Five axles where the extreme axles are thirty-two feet apart may carry a gross load of sixty-seven thousand five hundred pounds.~~

~~c. Six or more axles where the extreme axles are forty-one feet apart may carry a gross load of seventy-eight thousand pounds. For every foot of distance between extreme axles less than the above axle spacings, the overall gross weight of the vehicle or combination of vehicles shall be determined by deducting one thousand pounds from the gross loads specified in paragraphs "a", "b" and "c". All measurements between extreme axles shall be rounded to the nearest whole foot.~~

~~The maximum gross weight shall not exceed eighty thousand pounds.~~

4. a. The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on highways which are part of the interstate system is as follows:

MAXIMUM GROSS WEIGHT TABLE
INTERSTATE HIGHWAYS

<u>Distance</u> <u>in feet</u>	<u>2 Axles</u>	<u>3 Axles</u>	<u>4 Axles</u>	<u>5 Axles</u>	<u>6 Axles</u>	<u>7 Axles</u>
4	34,000					
5	34,000					
6	34,000					
7	34,000	34,000				
8	34,000	34,000				
8'1"	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500	48,500			
11		44,000	49,500			
12		45,000	50,000			
13		45,500	50,500	56,000		
14		46,500	51,500	57,000		
15		47,000	52,000	57,500		
16		48,000	52,500	58,000		
17		48,500	53,500	58,500	64,000	
18		49,500	54,000	59,000	65,000	
19		50,000	54,500	60,000	65,500	

20	51,000	55,500	60,500	66,000	71,500
21	51,500	56,000	61,000	66,500	72,500
22	52,500	56,500	61,500	67,000	73,000
23	53,000	57,500	62,500	68,000	73,500
24	54,000	58,000	63,000	68,500	74,000
25	54,500	58,500	63,500	69,000	74,500
26	55,500	59,500	64,000	69,500	75,000
27	56,000	60,000	65,000	70,000	76,000
28	57,000	60,500	65,500	71,000	76,500
29	57,500	61,500	66,000	71,500	77,000
30	58,500	62,000	66,500	72,000	77,500
31	59,000	62,500	67,500	72,500	78,000
32	60,000	63,500	68,000	73,000	78,500
33		64,000	68,500	74,000	79,500
34		64,500	69,500	74,500	80,000
35		65,500	70,000	75,000	
36		68,000	70,500	75,500	
37		68,000	71,000	76,000	
38		68,000	72,000	77,000	
39		68,000	72,500	77,500	
40		68,500	73,000	78,000	
41		69,500	73,500	78,500	
42		70,000	74,000	79,000	
43		70,500	75,000	80,000	
44		71,500	75,500		
45		72,000	76,000		
46		72,500	76,500		
47		73,500	77,500		
48		74,000	78,000		
49		74,500	78,500		
50		75,500	79,000		
51		76,000	80,000		
52		76,500			
53		77,500			
54		78,000			
55		78,500			
56		79,500			
57		80,000			

b. The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on noninterstate highways is as follows:

NONINTERSTATE HIGHWAYS
MAXIMUM GROSS WEIGHT TABLE

<u>Distance</u> <u>in feet</u>	<u>2 Axles</u>	<u>3 Axles</u>	<u>4 Axles</u>	<u>5 Axles</u>	<u>6 Axles</u>	<u>7 Axles</u>
4	34,000					
5	34,000					
6	34,000					
7	34,000	34,000				
8	34,000	34,000				
8'1"	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500	45,000			
11		44,000	46,000			
12		45,000	47,000			

13	45,500	48,000	48,500		
14	46,500	49,000	49,500		
15	47,000	50,000	50,500		
16	48,000	51,000	51,500		
17	48,500	52,000	52,500	54,000	
18	49,500	53,000	53,500	55,000	
19	50,000	54,500	54,500	56,000	
20	51,000	55,500	55,500	57,000	
21	51,500	56,000	56,500	58,000	
22	52,500	56,500	57,500	59,000	
23	53,000	57,500	58,500	60,000	
24	54,000	58,000	59,500	61,000	
25	54,500	58,500	60,500	62,000	
26	55,500	59,500	61,500	63,000	
27	56,000	60,000	62,500	64,000	
28	57,000	60,500	63,500	65,000	
29	57,500	61,500	64,500	66,000	
30	58,500	62,000	65,500	67,000	
31	59,000	62,500	66,500	68,000	
32	60,000	63,500	67,500	69,000	
33		64,000	68,500	70,000	
34		64,500	69,500	71,000	
35		65,500	70,000	72,000	
36		68,000	70,500	73,000	
37		68,000	71,000	74,000	
38		68,000	72,000	75,000	
39		68,000	72,500	76,000	
40		68,500	73,000	77,000	
41		69,500	73,500	78,000	78,000
42		70,000	74,000	79,000	79,000
43		70,500	75,000	80,000	80,000
44		71,500	75,500		
45		72,000	76,000		
46		72,500	76,500		
47		73,500	77,500		
48		74,000	78,000		
49		74,500	78,500		
50		75,500	79,000		
51		76,000	80,000		
52		76,500			
53		77,500			
54		78,000			
55		78,500			
56		79,500			
57		80,000			

c. The maximum gross weight allowed to be carried on a livestock or construction vehicle on noninterstate highways is as follows:

**NONINTERSTATE HIGHWAYS
MAXIMUM GROSS WEIGHT TABLE
LIVESTOCK OR CONSTRUCTION VEHICLE**

<u>Distance in feet</u>	<u>6 Axles</u>	<u>7 Axles</u>
44	80,500	80,500
45	81,000	81,500

46	81,500	82,500
47	82,000	83,500
48	83,000	84,000
49	83,500	85,000
50	84,000	86,000
51	84,500	87,000
52	85,000	88,000
53	86,000	88,500
54	86,500	89,500
55	87,000	90,500
56	87,500	91,500
57	88,000	92,000
58	89,000	93,000
59	89,500	94,000
60	90,000	95,000
61		95,500
62		96,000

5. The weight on any one axle, including a tandem axle, of a vehicle which is transporting livestock on highways not part of the interstate system may exceed the legal maximum weight given in this chapter providing that the gross weight on any particular group of axles on such vehicle does not exceed the gross weight allowable under this chapter for such groups of axles.

6. In addition, the weight on any one axle, including a tandem axle, of a vehicle which is transporting raw materials from a designated borrow site to a construction project or transporting raw materials from a construction project, may exceed the legal maximum weight otherwise allowed under this chapter by ten percent if the gross weight on any particular group of axles on the vehicle does not exceed the gross weight allowed under this chapter for that group of axles. However, if the vehicle exceeds the ten percent tolerance allowed for any one axle or tandem axle under this paragraph the fine to be assessed for the axle or tandem axle shall be computed on the difference between the actual weight and the ten percent tolerance weight allowed for the axle or tandem axle under this paragraph. This paragraph applies only to vehicles operating along a route of travel approved by the department.

7. A vehicle or combination of vehicles transporting materials to or from a construction project or commercial plant site ~~shall comply with the formula under this section which is used for travel on highways that are part of the interstate system. This paragraph applies only to a vehicle or combination of vehicles operating along a route of travel approved by the department or appropriate local authority shall comply with subsection 4, paragraph "a".~~

8. A vehicle designed to tow wrecked or disabled vehicles shall be exempt from the weight limitations in this section while the vehicle is towing a wrecked or disabled vehicle.

9. a. A person who operates a vehicle in violation of the provisions of this section, and an owner, or any other person, employing or otherwise directing the operator of a vehicle, who requires or knowingly permits the operation of a vehicle in violation of the provisions of this section shall be fined according to the following schedule:

AXLE, TANDEM AXLE, AND GROUP OF AXLES WEIGHT VIOLATIONS	
Pounds Overloaded	Amount of Fine
Up to and including 1,000 pounds	\$10 plus one-half cent per pound
Over 1,000 pounds to and including 2,000 pounds	\$15 plus one-half cent per pound
Over 2,000 pounds to and including 3,000 pounds	\$80 plus three cents per pound

Over 3,000 pounds to and including 4,000 pounds	\$100 plus four cents per pound
Over 4,000 pounds to and including 5,000 pounds	\$150 plus five cents per pound
Over 5,000 pounds to and including 6,000 pounds	\$200 plus seven cents per pound
Over 6,000 pounds	\$200 plus ten cents per pound

b. Fines for gross weight violations for vehicles or combinations of vehicles shall be assessed at one-half of the fine rate schedule for axle, tandem axle, and groups of axles weight violations.

c. Except as otherwise provided, the amount of the fine to be assessed shall be computed on the difference between the actual weight and the maximum legal weight specified in this section by applying the appropriate rate in the preceding schedule for the total amount of overload.

d. The schedule of fines may be assessed in addition to any other penalties provided for in this chapter.

10. Overloads on axles and tandem axles and overloads on groups of axles or on an entire vehicle or combination of vehicles shall be considered as separate violations of the provisions of this section.

11. A person who issues or executes, or causes to be issued or executed, a bill of lading, manifest, or shipping document of any kind which states a false weight of the cargo set forth on such bill, manifest, or document, which is less than the actual weight of the cargo, shall, upon conviction, be guilty of a simple misdemeanor.

Sec. 6. **NEW SECTION. 321.467 RETRACTABLE AXLES.**

A vehicle which is a model year 1999 or later vehicle shall not operate on a highway of this state with a retractable axle unless the weight on the retractable axle can only be adjusted by means of a manual device located on the vehicle that is not accessible to the operator of the vehicle during operation of the vehicle. However, the controls for raising and lowering the retractable axle may be accessible to the operator of the vehicle while the vehicle is in operation.

Sec. 7. Section 321E.7, subsection 1, Code 1997, is amended to read as follows:

1. The gross weight on any axle of any vehicle or combination of vehicles traveling under a permit issued in accordance with the provisions of this chapter shall not exceed the maximum axle load prescribed in section 321.463; except that, cranes being temporarily moved on streets, roads, or highways may have a gross weight of twenty-four thousand pounds on any single axle; and construction machinery being temporarily moved on streets, roads, or highways may have a gross weight of thirty-six thousand pounds on any single axle equipped with a minimum size twenty-six point five-inch by twenty-five-inch flotation pneumatic tires and a maximum gross weight of twenty thousand pounds on any single axle equipped with minimum size eighteen-inch by twenty-five-inch flotation pneumatic tires, with the department authorized to adopt rules to permit the use of tire sizes and weights within the minimum and maximum specifications provided in this section, provided that the total gross weight of the vehicle or a combination of vehicles does not exceed a maximum of one hundred twenty-six thousand pounds; and except that a manufacturer of machinery or equipment manufactured or assembled in Iowa may be granted a permit for the movement of such machinery or equipment mounted on pneumatic tires with axle loads exceeding the maximum axle load prescribed in section 321.463 for distances not to exceed twenty-five miles at a speed not greater than twenty miles per hour. The movement of such machinery or equipment shall be over a specified route between the place of assembly or manufacture and a storage area, shipping point, proving ground, experimental area, weighing station, or another manufacturing plant.

Sec. 8. Section 321E.8, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Vehicles with indivisible loads having an overall width not to exceed twelve feet five inches or mobile homes, including appurtenances, having an overall width not to exceed twelve feet five inches and an overall length not to exceed one hundred feet zero inches may be moved on highways specified by the permitting authority for unlimited distances if the height of the vehicle and load does not exceed fourteen feet zero inches and the total gross weight of the vehicle does not exceed one hundred thirty-six thousand pounds. The vehicle owner or operator shall verify with the permitting authority prior to movement of the load that highway conditions have not changed so as to prohibit movement of the vehicle. Any cost to repair damage to highways or highway structures shall be borne by the owner or operator of the vehicle causing the damage. Permitted vehicles under this subsection shall not be allowed to travel on any portion of the interstate highway system.

Sec. 9. Section 321E.9, Code 1997, is amended by adding the following new subsection: **NEW SUBSECTION. 4.** Cranes, exceeding the maximum gross weight on any axle as prescribed in section 321.463, but not exceeding twenty-four thousand pounds, may be moved in accordance with rules adopted pursuant to chapter 17A.

Sec. 10. Section 321E.9A, subsection 1, Code 1997, is amended to read as follows:

1. Vehicles with indivisible loads having an overall length not to exceed one hundred ~~twenty~~ feet, an overall width not to exceed ~~eleven sixteen~~ feet, and ~~an overall of any height not to exceed fourteen feet, four inches,~~ may be moved on highways specified by the permitting authority, provided the gross weight on any one axle shall not exceed the maximum prescribed in section 321.463 and the total gross weight is not greater than one hundred fifty-six thousand pounds.

Sec. 11. Section 321E.14, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The department or local authorities issuing permits shall charge a fee of twenty-five dollars for an annual permit issued under section 321E.8, subsection 1, 2, or 3, a fee of ~~one three hundred dollars for an annual permit issued under section 321E.8, subsection 1A,~~ a fee of two hundred dollars for a multi-trip permit, and a fee of ten dollars for a single-trip permit, and shall determine charges for special permits issued pursuant to section 321E.29 by rules adopted pursuant to chapter 17A. Fees for the movement of buildings, parts of buildings, or unusual vehicles or loads may be increased to cover the costs of inspections by the issuing authority. A fee not to exceed two hundred fifty dollars per day or a prorated fraction of that fee per person and car for escort service may be charged when requested or when required under this chapter. Proration of escort fees between state and local authorities when more than one governmental authority provides or is required to provide escort for a movement during the period of a day shall be determined by rule under section 321E.15. The department and local authorities may charge a permit applicant for the cost of trimming trees and removal and replacement of natural obstructions or official signs and signals or other public or private property required to be removed during the movement of a vehicle and load. In addition to the fees provided in this section, the annual fee for a permit for special mobile equipment, as defined in section 321.1, subsection 75, operated pursuant to section 321E.7, subsection 2, with a combined gross weight up to and including eighty thousand pounds shall be twenty-five dollars and for a combined gross weight exceeding eighty thousand pounds, fifty dollars.

Sec. 12. EFFECTIVE DATES.

1. Section 3 of this Act takes effect July 1, 1999.

2. The maximum gross vehicle weight provisions in section 321.463, subsection 4, paragraph "c", take effect for vehicles operating on the primary road system on July 1, 1997, and take effect for vehicles operating on the urban and secondary road system on December 31, 1998. However, prior to December 31, 1998, routes of travel on the urban and

secondary system by vehicles weighing ninety-six thousand pounds may be approved by local authorities.

Approved May 1, 1997

CHAPTER 101

REPOSITORY FOR LICENSING, REGISTRY, AND CRIMINAL HISTORY INFORMATION

H.F. 439

AN ACT relating to the development of a repository for criminal history, abuse and sex offender registries, and nurse aide and other health profession certification and licensing information.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. SINGLE CONTACT REPOSITORY.

1. The department of inspections and appeals shall lead a joint effort with the departments of human services, public health, elder affairs, and public safety to plan the development of a single contact repository to permit employers, political subdivisions, and state agencies to obtain the following information with one contact:

- a. Health professional licensing.
- b. Nurse aide registry.
- c. Child abuse registry.
- d. Dependent adult abuse registry.
- e. Criminal history data.
- f. Sex offender registry.

2. The department of inspections and appeals, in cooperation with the other departments listed in subsection 1, shall report to the general assembly on or before January 15, 1998, concerning progress in planning for the development of the repository. The report shall address any statutory changes and funding necessary for implementation of the repository, accessibility requirements, and a proposed implementation schedule.

Approved May 1, 1997

CHAPTER 102

ELECTION OF MAYORS IN CERTAIN CITIES

H.F. 680

AN ACT relating to election of mayors in certain cities and providing an immediate effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. MAYORS — STAGGERED TERMS FOR 1997 AND 1999 CITY ELECTIONS. Any city which has changed the term of council members or mayor under section