

326.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "*Base state*" with respect to commercial vehicles subject to proportional registration means the state from which the vehicle is most frequently dispatched, garaged, serviced, maintained, operated, or otherwise controlled, or also in the case of a fleet vehicle the state to which allocated for registration under statutory requirements.
2. "*Broker*" for purposes of section 326.23 means any person who, as principal or agent, sells or offers for sale any transportation, or negotiates for, or claims for solicitation, advertisement, or otherwise to be one who sells, provides, furnishes, contracts, or arranges for such transportation. The term "*broker*" shall not include motor carriers and employees or agents thereof.
3. "*Commercial vehicle*" means any vehicle which is operated in interstate commerce or combined intrastate and interstate commerce and used for the transportation of persons for hire, compensation or profit, or designed or used primarily for the transportation of property.
4. "*Compact miles*" means the total miles a fleet operates in this state and in all states with whom Iowa has an apportionment registration agreement and with whom the fleet owner has or will register vehicles on an apportioned registration basis.
5. "*Department*" means the department of transportation.
6. "*Director*" means the director of transportation or the director's designee.
7. "*Fleet*" means one or more commercial vehicles.
8. "*In-state miles*" means the mileage generated within this state by commercial vehicles in the fleet subject to proportional registration; except that, with respect to fleet vehicles based in Iowa, "*in-state miles*" shall also include all mileage traveled by such vehicles in states with whom Iowa has a proportional registration agreement but with whom the owner elects not to apportion registration fees and mileage traveled by such vehicles under reciprocity obtained by virtue of Iowa registration.
9. "*Jurisdiction*" means any county, state, territory, federal district, foreign country, or political subdivision thereof.
10. "*Preceding year*" means a period of twelve consecutive months fixed by the department, which period shall be within the sixteen months immediately preceding the commencement of the registration year for which proportional registration is sought.
11. "*Proportional registration*" or "*proration*" means division and distribution of registration fees imposed on commercial vehicles between two or more jurisdictions in accordance with a formula based on miles traveled by such vehicles.
12. "*Total fleet miles*" means the mileage generated by any truck or truck tractor which was part of a prorate fleet during the fiscal year period of September 1 through August 31 preceding the year for which proportional registration is sought. Total fleet mileage to be reported for any truck or truck tractor which was deleted from or added to the prorate fleet during the fiscal year reporting period shall be only those miles generated by such truck or truck tractor while the vehicle was part of the prorated fleet during such fiscal year reporting period. "*Total fleet miles*" in relation to trailers or semitrailers which are part of a prorate fleet means the mileage generated by the power units of the fleet; provided, however, that if such trailers or semitrailers were towed during the fiscal year reporting period by the power units which collectively were

proportionally registered by the same fleet owner during the fiscal year reporting period as part of two or more fleets, *"total fleet miles"* in relation to such trailers or semitrailers means the total mileage generated by the several power fleets during the fiscal year reporting period even though some of the power units did not actually travel a portion of their total miles in contracting states where the proportional registration of such trailers or semitrailers is sought.

13. *"Trip"* for purposes of section 326.23 means:

- a. A one-way movement from one point originating outside this state and destined to another point outside this state.
- b. A round trip movement between two points within this state.
- c. A round trip movement originating in this state or destined for a point within this state.

14. The words *"vehicle"*, *"motor vehicle"*, *"motor truck"*, *"truck tractor"*, *"road tractor"*, *"trailer"*, *"semitrailer"*, *"combination"* or *"combination of vehicles"*, *"gross weight"*, *"person"*, *"owner"*, *"nonresident"*, *"street"* or *"highway"*, and *"auxiliary axle"* shall have the meanings ascribed in section 321.1.

[C71, 73, 75, 77, 79, 81, § 326.2]

2006 Acts, ch 1068, §40