

## CHAPTER 325A

### MOTOR CARRIER AUTHORITY

Referred to in [§307.27](#), [805.8A\(13\)\(e\)](#)

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### SUBCHAPTER I

#### GENERAL PROVISIONS

Referred to in [§325A.11](#)

#### 325A.1 Definitions.

As used in [this chapter](#):

1. “*Bulk liquid commodities*” means liquid commodities or compressed gases transported in a vehicle having a total cargo tank shell capacity of more than two thousand gallons.
2. “*Department*” means the state department of transportation.
3. “*Highway*” means a street, road, bridge, or thoroughfare of any kind in this state.
4. “*Interstate motor carrier number*” means a United States department of transportation number or motor carrier number issued by the federal highway administration to a motor carrier engaged in interstate commerce.
5. “*Intrastate*” means a movement of property or passengers from one location to another within this state. “*Intrastate*” does not include transportation of property or passengers which is a furtherance of an interstate movement.
6. “*Intrastate motor carrier number*” means a United States department of transportation number or motor carrier number issued by the federal highway administration to a motor carrier engaged only in intrastate commerce.
7. “*Motor carrier*” means a person defined in [subsection 9, 10, 11, or 12](#), but does not include a transportation network company or a transportation network company driver, as defined in [section 321N.1](#).
8. “*Motor carrier certificate*” means a certificate issued by the department to a motor carrier of passengers. This certificate is transferable.
9. “*Motor carrier of bulk liquid commodities*” means a person engaged in the transportation, for hire, of bulk liquid commodities upon a highway in this state.
10. “*Motor carrier of household goods*” means a person engaged in the transportation,

for hire, of personal effects and property used or to be used in a dwelling, and includes the following:

a. Furniture, fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supply of such establishment; except, this paragraph shall not be construed to include the stock-in-trade of any establishment, except when transported as an incident to the removal of the establishment from one location to another.

b. Articles including objects of art, displays, and exhibits, which because of their unusual nature or value, require the specialized handling and equipment usually employed in moving household goods.

11. “*Motor carrier of passengers*” means any person transporting passengers on any highway of this state for hire, other than a transportation network company or a transportation network company driver, as defined in [section 321N.1](#).

12. “*Motor carrier of property*” means a person engaged in the transportation, for hire, of property by motor vehicle including a carrier transporting liquid commodities or compressed gases in a vehicle having a total cargo tank shell capacity of two thousand gallons or less.

13. “*Motor carrier permit*” means a permit issued by the department to any person operating any motor vehicle on any highway of this state to transport property for hire. A motor carrier permit is not transferable unless it was issued to a motor carrier of household goods.

14. “*Motor vehicle*” means an automobile, motor truck, truck tractor, road tractor, motor bus, or other self-propelled vehicle, or a trailer, semitrailer, or other device used in connection with the transportation of property or passengers. “*Motor vehicle*” does not include a motor vehicle owned by a school district or used exclusively in conveying school children to and from school or school activities.

15. “*Private carrier*” means a person who provides transportation of property or passengers by motor vehicle or who transports commodities of which the person is the owner, lessee, or bailee and the transportation is a furtherance of the person’s primary business or occupation, but is not a for-hire motor carrier or a transportation network company or a transportation network company driver, as defined in [section 321N.1](#).

16. “*Transportation for hire*” means all transportation of property or passengers made available by a person for compensation.

[97 Acts, ch 104, §32, 61; 2001 Acts, ch 132, §18, 19; 2016 Acts, ch 1101, §17, 24; 2017 Acts, ch 29, §101; 2018 Acts, ch 1070, §1, 2](#)

Referred to in [§8C.7A, 15.274, 321.514, 321.518, 321E.27, 321N.3, 325B.1](#)

### **325A.2 Duties of department and local authorities.**

1. The department shall do all of the following:

a. Prescribe and enforce safety and financial responsibility regulations for motor carriers and require the filing of reports regarding safety and financial responsibility.

b. Approve a tariff for motor carriers of household goods.

c. Issue, amend, suspend, or revoke motor carrier permits and certificates.

2. A local authority, as defined in [section 321.1](#), shall not impose any regulations, including special registration or inspection requirements, upon the operation of motor carriers that are more restrictive than any of the provisions of [this chapter](#), or [section 321.449](#) or [321.450](#). [This subsection](#) does not, however, prohibit a local authority from exercising the home rule power of the local authority to impose additional or more restrictive regulations or requirements upon the operation of taxicabs or limousines engaged in nonfixed route transportation for hire, except to the extent such regulations or requirements conflict with [section 321.241](#), [section 325A.6](#), or any other provision of the Code.

[97 Acts, ch 104, §33, 61; 98 Acts, ch 1178, §10; 2000 Acts, ch 1016, §30; 2010 Acts, ch 1035, §11; 2016 Acts, ch 1101, §18, 24](#)

Referred to in [§325A.7B](#)

### **325A.3 Application and issuance of permit or certificate.**

1. Upon the filing of an application by a motor carrier and compliance with the terms and

conditions of [this chapter](#), the department shall issue to the applicant a permit or certificate. The actual operation by a motor carrier of a motor vehicle shall not begin without the permit or certificate being issued by the department.

2. All applications shall be in writing and contain the following:
  - a. The name and tax identification number of the person making the application.
  - b. The applicant's principal place of business.
  - c. The type of permit or certificate being requested.
  - d. A signed statement agreeing to comply with all applicable safety regulations as prescribed by the department.
  - e. A copy of all existing tariffs provided to the department for approval by motor carriers of household goods.
  - f. A financial statement completed by motor carriers of bulk liquid commodities or passengers from which the department can determine the financial fitness of the applicant to engage in the transport of bulk liquid commodities or passengers.
  - g. A verification of liability and property damage insurance coverage as required in [section 325A.6](#), in a form prescribed by the department.
3. In addition to the application requirements set forth in [subsection 2](#), all applications for a taxicab service passenger certificate shall include the applicant's interstate motor carrier number or intrastate motor carrier number. If the applicant has both an interstate and intrastate motor carrier number, only the interstate motor carrier number must be included.
4. The provisions of [subsection 2](#), paragraph "f", and [subsection 5](#) shall not apply to the transportation of dairy products.
5. Motor carriers of bulk liquid commodities or passengers shall complete a motor carrier safety education seminar provided by or approved by the department. This seminar must be completed within six months of the permit or certificate issuance.
6. A motor carrier shall keep a permit or certificate issued to the motor carrier under [this section](#), or a copy of such permit or certificate, in the vehicle being operated by the motor carrier and shall show the permit or certificate, or copy thereof, to any peace officer upon request.
7. The department may deny issuance of a permit or certificate if the department determines that evidence exists showing that the motor carrier cannot comply with the requirements of [this chapter](#) or the rules adopted pursuant to [this chapter](#), including safety regulations and financial fitness and insurance requirements.

[97 Acts, ch 104, §34, 61; 2000 Acts, ch 1016, §27, 31, 32; 2001 Acts, ch 132, §20, 21; 2018 Acts, ch 1070, §3](#)

Referred to in [§805.8A\(13\)\(d\)](#), [805.8A\(13\)\(e\)](#)

For applicable scheduled fines, see [§805.8A](#), subsection 13, paragraph d

### **325A.3A Hearings.**

A person whose application for a permit or certificate under [this chapter](#) has been denied, or whose permit or certificate has been suspended, may contest the decision under [chapter 17A](#) and in accordance with rules adopted by the department. The request for a hearing shall be submitted in writing to the department's office of vehicle and motor carrier services.

[97 Acts, ch 104, §47, 61](#)

[CS97, §325A.16](#)

[2000 Acts, ch 1016, §36; 2000 Acts, ch 1232, §93](#)

[C2001, §325A.3A](#)

[2018 Acts, ch 1070, §4; 2019 Acts, ch 24, §46](#)

### **325A.4 Fees.**

1. The department shall charge the following fees:
  - a. One hundred fifty dollars for a new application.
  - b. One hundred fifty dollars for a reinstatement.
  - c. Twenty-five dollars to change an address or name.
  - d. Ten dollars for tariff updates.
  - e. Twenty-five dollars for a duplicate permit or certificate.

2. Changes in ownership of motor carrier permits require a new application and the new application fee of one hundred fifty dollars shall be assessed.

3. The department shall collect a fee of two hundred dollars to cover the cost of the motor carrier safety education seminar.

97 Acts, ch 104, §35, 61; 2011 Acts, ch 38, §24

#### **325A.5 Fees — credited to road use tax fund — seminar receipts.**

All fees received for applications and permits or certificates under [this chapter](#) shall be remitted to the treasurer of state and credited to the road use tax fund. All fees collected for the motor carrier safety education seminar shall be considered a repayment receipt as defined in [section 8.2](#), and shall be remitted to the department to be used to pay for the seminars.

97 Acts, ch 104, §36, 61

#### **325A.6 Insurance.**

1. Except as provided in [subsection 2](#), all motor carriers subject to [this chapter](#) shall have minimum insurance coverage which meets the limits established in the federal motor carrier safety regulations in [49 C.F.R. pt. 387](#).

2. All motor vehicles providing taxicab services, having a seating capacity of less than seven passengers, and not operating on a regular route or between specified points shall maintain primary automobile insurance in the amount of at least one million dollars because of bodily injury to or death of one or more persons and injury to or destruction of property of others in any one accident. A political subdivision of the state shall not enact an ordinance requiring insurance coverage for such vehicles in an amount different than the amount required by [this subsection](#).

97 Acts, ch 104, §37, 61; 2014 Acts, ch 1092, §178; 2016 Acts, ch 1101, §19, 24

Referred to in [§321.20B](#), [321.236](#), [321A.33](#), [322.7B](#), [325A.2](#), [325A.3](#)

#### **325A.7 Charges.**

All charges filed under the tariff by any motor carrier of household goods for any service shall be just, reasonable, and nondiscriminating and every unjust, unreasonable, or discriminating charge for such service or any part thereof is prohibited and declared unlawful.

97 Acts, ch 104, §38, 61

Referred to in [§325A.7B](#)

#### **325A.7A Tariffs — approval by department.**

1. *Transportation prohibited.* A motor carrier of household goods shall not undertake to perform any service for, engage in, or participate in the transportation of personal effects or property between points within this state until the motor carrier's tariff has been filed, posted, and approved by the department.

2. *Change in tariff.* Unless the department orders otherwise, a motor carrier of household goods shall give thirty days' notice to the department and to the public, as provided by rules adopted by the department, prior to making a change in a tariff.

3. *Changes without notice.* The department, for good cause shown, may allow changes in a tariff without the thirty days' notice required in [subsection 2](#) by issuing an order specifying the changes to be made and the time they shall take effect.

4. *Power to revise tariff.* Any time a tariff is filed with the department, the department may hold a hearing for the purpose of determining that the tariff is just, reasonable, and nondiscriminating. The hearing shall be conducted by the director or the director's designee.

5. *Suspension of tariff.* Pending the hearing and the decision of the department, the tariff shall not be put into effect; however, this period of suspension of the tariff shall not exceed one hundred twenty days beyond the time the tariff would otherwise have been effective after filing and thirty days' notice.

6. *Decision.* Following the hearing, the department shall establish the tariff changes proposed by the motor carrier in whole or in part, or establish other changes the department determines to be just, reasonable, and nondiscriminating.

2003 Acts, ch 8, §24, 29

**325A.7B Agency tariffs.**

1. *Authorization.* Sections 325A.2 and 325A.7 shall not be construed to prohibit the making of rates by two or more motor carriers of household goods.

2. *Agency tariffs.* The names of the several motor carriers that are parties to an agency tariff shall be specified in the tariff. Unless otherwise required by the department, the agency tariff may be filed by only one of the parties to the agency tariff, or by a tariff filing agent, under a power of attorney granted by each of the parties to the agency tariff not doing the filing and filed with the department on forms prescribed by the department.

2003 Acts, ch 8, §25, 29

**325A.8 Required marking.**

1. The motor carrier shall attach distinctive markings or tags to each motor vehicle. If a motor vehicle has both an interstate and intrastate motor carrier number, only the interstate motor carrier number must be displayed.

2. If a motor carrier is renting a vehicle on a daily basis, a copy of the lease must be carried in the vehicle. Violation of this section is a scheduled violation subject to the fine provided in section 805.8A, subsection 13, paragraph “d”.

97 Acts, ch 104, §39, 61; 2001 Acts, ch 137, §5

Referred to in §805.8A(13)(d), 805.8A(13)(e)

**325A.9 Advertising.**

An advertisement to the general public concerning for-hire transportation must include the permit or motor carrier certificate number issued under this chapter.

97 Acts, ch 104, §40, 61

**325A.10 Rules for operation.**

The department shall adopt rules pursuant to chapter 17A as necessary to govern and control the operation, maintenance, and inspection of vehicles covered by this chapter upon the highways.

97 Acts, ch 104, §41, 61

## SUBCHAPTER II

## PASSENGER TRANSPORTATION

**325A.11 Passenger transportation.**

In addition to the requirements of subchapter I, motor carriers of passengers and charter carriers shall comply with the requirements of this subchapter. A transportation network company or a transportation network company driver, as defined in section 321N.1, need not comply with the requirements of subchapter I or this subchapter.

97 Acts, ch 104, §42, 61; 2016 Acts, ch 1101, §20, 24

**325A.12 Definitions.**

As used in this subchapter:

1. “*Car pool*” means transportation of a group of at least two riders in a motor vehicle having a seating capacity of not more than eight passengers between a rider’s, owner’s, or operator’s residence or other designated location and a rider’s, owner’s, or operator’s place of employment or other common destination of the group, if the motor vehicle is driven by one of the members of the group.

2. “*Charter*” means an agreement whereby the owner of a motor vehicle lets the motor vehicle to a group of persons as one party for a specified sum and for a specified act of transportation at a specified time and over an irregular route.

3. “*Charter carrier*” means a person engaged in the business of transporting the public by motor vehicle under charter. “*Charter carrier*” does not include any of the following:

a. Taxicabs with a seating capacity of less than seven passengers, or persons having a

license, contract, or franchise with a city in this state to carry or transport passengers for hire while operating within the guidelines of the license, contract, or franchise.

b. A city engaged in the business of carrying or transporting passengers for hire over regular routes.

c. School bus operators when engaged in transportation involving any school activity.

d. A regular-route motor carrier of passengers.

e. A transportation network company or a transportation network company driver, as defined in [section 321N.1](#).

4. “*Regional transit system*” means a public transit system serving one county or all or part of a multicounty area whose boundaries correspond to the same boundaries as those of the regional planning areas designated by the governor except as agreed upon by the county or the department. Each county board of supervisors within the region is responsible for determining the service and funding within its county. However, the administration and overhead support services for the overall regional transit system shall be consolidated into one existing or new agency to be mutually agreed upon by the participating members. Privately chartered bus services and uses other than providing services that are open and public on a shared-ride basis shall not be construed to be a regional transit system.

5. “*Regular-route motor carrier of passengers*” means a person engaged in the for-hire transportation of passengers by motor vehicle over regular routes by scheduled service and available to the general public.

6. “*Taxicab service*” means a person engaged in the for-hire transportation of passengers in a taxicab having a seating capacity of less than seven passengers and not operating on a regular route or between specified points.

7. “*Van pool*” means transportation of a group of riders in a vehicle having a seating capacity of not less than eight passengers and not more than fifteen passengers between a rider’s, owner’s, or operator’s residence or other designated location and a rider’s, owner’s, or operator’s place of employment or other common destination of the group, if the vehicle is driven by one of the members of the group.

[97 Acts, ch 104, §43, 61; 2016 Acts, ch 1101, §21, 24; 2018 Acts, ch 1070, §5, 6](#)

Referred to in [§321N.3, 327C.2, 327D.1](#)

### **325A.13 Passenger certificate required — exceptions.**

1. It is unlawful for a charter carrier to transport passengers by motor vehicle for hire from any place in this state to another place in this state irrespective of the route or highway traversed, without first having obtained a charter passenger certificate from the department.

2. a. It is unlawful for a regular-route motor carrier of passengers to transport passengers for hire upon the highways of this state in intrastate commerce without first having obtained from the department a regular-route passenger certificate. The department shall issue a regular-route passenger certificate if the department finds that the applicant is fit, willing, and able.

b. In determining whether a regular-route motor carrier of passengers is fit, willing, and able, the department shall only consider the applicant’s compliance with safety, financial fitness, and insurance requirements.

c. A regular-route passenger certificate authorizing the transportation of passengers includes the authority to transport newspapers, baggage of passengers, express packages, or mail in the same motor vehicle with passengers.

d. A regular-route motor carrier of passengers holding a regular-route passenger certificate may at any time commence scheduled service over any regular route from any point or place in this state to another place in this state irrespective of the route or highway traversed and may at any time discontinue any part of its regular-route service.

e. A regular-route motor carrier of passengers granted a certificate prior to January 1, 1998, which authorized motor carrier passenger operations, may continue to provide motor carrier passenger service with all rights and privileges granted by a regular-route passenger certificate issued under [this section](#).

f. An Iowa urban transit system as defined in [section 452A.57, subsection 6](#), may operate within the metropolitan area which it serves and between its service area and another

city which is located not more than ten miles from its service area without obtaining a regular-route passenger certificate if the other city is not served by another motor carrier of passengers operating under a regular-route passenger certificate.

3. It is unlawful for a taxicab service to transport passengers by motor vehicle for hire from any place in this state to another place in this state, irrespective of the route or highway traversed, without first having obtained a taxicab service passenger certificate from the department. However, a taxicab service passenger certificate issued by the department does not authorize a taxicab service to transport passengers within the boundaries of an area governed by a local authority that licenses or regulates such vehicles pursuant to [section 321.236, subsection 7](#), unless the taxicab service is in compliance with all applicable regulations of the local authority.

4. A person shall not operate as a charter carrier, regular-route motor carrier of passengers, or taxicab service in this state unless the person possesses a certificate issued by the department applicable to the type of operation in which the person is engaged.

5. A motor carrier providing primarily passenger service for persons who are elderly, persons with disabilities, and other transportation-disadvantaged persons is exempt from the certification requirements of [this section](#) if it satisfies all of the following requirements:

a. The motor carrier is not a corporation organized for profit under the laws of Iowa or any other state or the motor carrier is a governmental organization.

b. The motor carrier received or receives operating funds from federal, state, or local government sources.

c. The motor carrier does not duplicate a transportation service provided by a motor carrier issued a regular-route passenger certificate.

6. A person operating a motor vehicle in a car pool or van pool is exempt from the requirements of [this chapter](#).

7. Except for a person operating a car pool or van pool, each motor carrier exempt from the requirement for obtaining a certificate under [this section](#) shall obtain a nontransferable permit from the department. Such motor carriers shall comply with all safety, insurance, and other rules of the department pertaining to a publicly funded transit system.

[97 Acts, ch 70, §15; 97 Acts, ch 104, §44, 61; 2000 Acts, ch 1016, §33 – 35; 2018 Acts, ch 1070, §7, 8; 2019 Acts, ch 59, §100](#)

**325A.14 and 325A.15** Repealed by 2000 Acts, ch 1016, §38.

**325A.16** Reserved.

**325A.17 through 325A.20** Repealed by 2000 Acts, ch 1016, §38.

**325A.21 Regular-route certificate nontransferable.**

A regular-route passenger certificate shall not be sold, transferred, leased, or assigned.

[97 Acts, ch 104, §52, 61; 2000 Acts, ch 1016, §37; 2011 Acts, ch 38, §25](#)

**325A.22 Riding on outside part.**

Passengers shall not ride on the running boards, fenders, or on any other outside part of passenger-carrying motor vehicles.

[97 Acts, ch 104, §53, 61](#)

## SUBCHAPTER III

### SANCTIONS

**325A.23 Suspension or revocation of permit or certificate.**

The department may, in addition to other penalties, revoke or suspend the permit or certificate of a motor carrier for a violation of [this chapter](#) or a rule adopted under [this chapter](#). For flagrant or persistent violations of safety or hazardous materials rules by the

holder of a permit or certificate or the holder's agent, the department may suspend the permit or certificate of necessity until the rules adopted by the department are complied with, or the department may revoke the permit or certificate for continued noncompliance.

[97 Acts, ch 104, §54, 61](#)

**325A.24 Scheduled fines — penalty.**

A person who violates [this chapter](#) or a rule adopted pursuant to [this chapter](#) for which a penalty is not otherwise established, or who aids or abets a person in a failure to comply with [this chapter](#) or a rule adopted pursuant to [this chapter](#), is subject to the fine provided in [section 805.8A, subsection 13](#), paragraph “e”.

[97 Acts, ch 104, §55, 61; 2001 Acts, ch 137, §5](#)

SUBCHAPTER IV  
TRANSITION PROVISIONS

**325A.25 Certificates prior to January 1, 1998.** Repealed by 2019 Acts, ch 59, §238.