

**761—520.1 (321) Safety and hazardous materials regulations.****520.1(1) Regulations.**

*a. Motor carrier safety regulations.* The Iowa department of transportation adopts the Federal Motor Carrier Safety Regulations, 49 CFR Parts 385 and 390-399 (October 1, 2016).

*b. Hazardous materials regulations.* The Iowa department of transportation adopts the Federal Hazardous Materials Regulations, 49 CFR Parts 107, 171-173, 177, 178, and 180 (October 1, 2016).

*c. Copies of regulations.* Copies of the federal regulations may be reviewed at the state law library or through the Internet at <http://www.fmcsa.dot.gov>.

**520.1(2) Carriers subject to regulations.**

*a.* Operators of commercial vehicles, as defined in Iowa Code section 321.1, are subject to the Federal Motor Carrier Safety Regulations adopted in this rule unless exempted under Iowa Code section 321.449.

*b.* Operators of vehicles transporting hazardous materials in commerce are subject to the Federal Hazardous Materials Regulations adopted in this rule unless exempted under Iowa Code section 321.450.

*c.* Operators of vehicles for hire, designed to transport 7 or more persons, but fewer than 16, including the driver, must comply with 49 CFR Part 395 of the Federal Motor Carrier Safety Regulations. In addition, operators of vehicles for hire designed to transport 7 or more persons, but fewer than 16, including the driver, are not exempt from logbook requirements afforded the 100-air-mile radius driver under 49 CFR 395.1(e). However, the provisions of 49 CFR Part 395 shall not apply to vehicles offered to the public for hire that are used principally in intracity operation and are regulated by local authorities.

**520.1(3) Declaration of knowledge of regulations.** Operators of commercial vehicles who are subject to the regulations adopted in this rule shall at the time of application for authority to operate in Iowa or upon receipt of their Iowa registration declare knowledge of the Federal Motor Carrier Safety Regulations and Federal Hazardous Materials Regulations adopted in this rule.

This rule is intended to implement Iowa Code sections 321.1, 321.449 and 321.450.

[ **ARC 7750B** , IAB 5/6/09, effective 6/10/09; **ARC 8720B** , IAB 5/5/10, effective 6/9/10; **ARC 9493B** , IAB 5/4/11, effective 6/8/11; **ARC 0034C** , IAB 3/7/12, effective 4/11/12; **ARC 0660C** , IAB 4/3/13, effective 5/8/13; **ARC 2019C** , IAB 6/10/15, effective 7/15/15; **ARC 2525C** , IAB 5/11/16, effective 6/15/16; **ARC 2986C** , IAB 3/15/17, effective 4/19/17]