

House File 463 - Enrolled

House File 463

AN ACT

RELATING TO THE ENFORCEMENT OF MOTOR VEHICLE LAWS AND THE  
REGULATION OF COMMERCIAL MOTOR VEHICLES AND CERTAIN  
OPERATORS BY THE DEPARTMENT OF TRANSPORTATION, AND INCLUDING  
EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.180, subsection 2, paragraph c, Code 2017, is amended to read as follows:

c. A commercial learner's permit shall be valid for a period not to exceed ~~one hundred eighty days~~ the period provided in 49 C.F.R. §383.25(c) and 49 C.F.R. §383.73(a)(2)(iii). A ~~commercial learner's permit may be renewed for an additional one hundred eighty days without retaking the general and endorsement knowledge tests required by~~ section 321.188.

Sec. 2. Section 321.463, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. a. Notwithstanding any provision of law to the contrary, a motor vehicle equipped with an engine

fueled primarily by natural gas may exceed any applicable maximum gross weight limit under this chapter, up to a maximum gross weight of eighty-two thousand pounds, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system installed in the vehicle and the weight of a comparable diesel fuel tank and fueling system.

*b.* Notwithstanding any provision of law to the contrary, a motor vehicle described in paragraph *a* equipped with an auxiliary power or idle reduction technology unit that reduces fuel use and emissions during engine idling may exceed any applicable maximum gross weight limit under this chapter by five hundred fifty pounds or the weight of the auxiliary power or idle reduction technology unit, whichever is less. This paragraph *b* shall not apply unless the operator of the vehicle provides to the department a written certification of the weight of the auxiliary power or idle reduction technology unit, demonstrates or certifies to the department that the idle reduction technology unit is fully functional at all times, and carries with the operator the written certification of the weight of the auxiliary power or idle reduction technology unit in the vehicle at all times to present to law enforcement in the event the vehicle is suspected of violating any applicable weight restrictions.

Sec. 3. Section 321.477, Code 2017, is amended to read as follows:

**321.477 Employees as peace officers — maximum age.**

1. The department may designate by resolution certain of its employees upon each of whom there is hereby conferred the authority of a peace officer to ~~control and direct traffic and weigh vehicles, and to make arrests for violations of~~ enforce all laws of the state including but not limited to the rules and regulations of the department. Employees designated as peace officers pursuant to this section shall have the same powers conferred by law on peace officers for the enforcement of all laws of this state and the apprehension of violators.

2. Employees designated as peace officers pursuant to this section who are assigned to the supervision of the highways

of this state shall spend the preponderance of their time conducting enforcement activities that assure the safe and lawful movement and operation of commercial motor vehicles and vehicles transporting loads, including but not limited to the enforcement of motor vehicle laws relating to the operating authority, registration, size, weight, and load of motor vehicles and trailers, and registration of a motor carrier's interstate transportation service with the department.

3. Employees designated as peace officers pursuant to this section shall not exercise the general powers of a peace officer within the limits of any city, except as follows:

a. When so ordered by the direction of the governor.

b. When request is made by the mayor of any city, with the approval of the director.

c. When request is made by the sheriff or county attorney of any county, with the approval of the director.

d. While in the pursuit of law violators or in investigating law violations.

e. While making any inspection provided by this chapter, or any additional inspection ordered by the director.

f. When engaged in the investigation and enforcement of laws relating to narcotic, counterfeit, stimulant, and depressant drugs.

4. The limitations specified in subsection 3 shall in no way be construed as a limitation on the power of employees designated as peace officers pursuant to this section when a public offense is being committed in their presence.

5. The department shall submit a report to the general assembly on or before December 1 of each year that details the nature and scope of enforcement activities conducted in the previous fiscal year by employees designated as peace officers pursuant to this section who are assigned to the supervision of the highways of this state. The report shall include a comparison of commercial and noncommercial motor vehicle enforcement activities conducted by such employees.

6. The maximum age for a person employed as a peace officer pursuant to this section is sixty-five years of age.

Sec. 4. REPEAL. The section of this Act amending section 321.477 is repealed July 1, 2018.

Sec. 5. EFFECTIVE UPON ENACTMENT. The section of this Act amending section 321.477, being deemed of immediate importance, takes effect upon enactment.

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LINDA UPMEYER  
Speaker of the House

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JACK WHITVER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 463, Eighty-seventh General Assembly.

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CARMINE BOAL  
Chief Clerk of the House

Approved \_\_\_\_\_, 2017

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TERRY E. BRANSTAD  
Governor