

April 3, 1969

HOUSE FILE 767

Placed on Calendar

Transportation - Passed as amended 1-21, Jan " 1-30, Pass 3-18

By COMMITTEE ON TRANSPORTATION

Passed House, Date *1-27-70* Passed Senate, Date *4-8-70*

Vote: Ayes *108* Nays *0* Vote: Ayes *55* Nays *1*

Approved

A BILL FOR

1 An Act relating to temporary restrictions on the weight and
2 load of motor vehicles, and to provide penalties for
3 violation of such temporary restrictions.

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

5 Section 1. Section three hundred twenty-one point four
6 hundred seventy-one (321.471), Code 1966, is hereby amended
7 by adding thereto the following:

8 "Any person who violates the provisions of such ordinance
9 or resolution shall be punished by a fine as provided in the
10 schedule for gross or group of axles weight violations in sec-
11 tion three hundred twenty-one point four hundred sixty-three
12 (321.463) of the Code. The violation shall be that weight
13 in excess of the maximum weight established by the ordinance
14 or resolution, and the fine shall be imposed accordingly."

15 Sec. 2. Section three hundred twenty-one point four hun-
16 dred seventy-four (321.474), Code 1966, is hereby amended
17 by adding thereto the following:

18 "Any person who violates the provisions of such resolution
19 shall be punished by a fine as provided in the schedule for
20 gross or group of axles weight violations in section three
21 hundred twenty-one point four hundred sixty-three (321.463)
22 of the Code. The violation shall be that weight in excess
23 of the maximum weight established by the resolution, and the
24 fine shall be imposed accordingly."

EXPLANATION OF HOUSE FILE 767

At the present time it is practically impossible to enforce the statutes permitting local authorities to impose use restrictions on roads for ninety day periods, for the reason that the statutes provide no penalty. To punish a violator it is necessary for the highway commission or the counties to take civil action against the violator and prove the actual damage to the roadway or bridge. This is impossible to do because there may be a number of violators who have caused the damage to the roadway, but only one violator that was apprehended.

- 1 Amend House File 767 as follows:
 2 1. By inserting in line fourteen (14) after the word
 3 "accordingly." the following:
 4 "Local authorities may issue special permits, during
 5 periods such restrictions are in effect, to permit limited
 6 operation of vehicles upon specified routes with loads
 7 in excess of any restrictions imposed under this section,
 8 but not in excess of load restrictions imposed by any
 9 other provision of this chapter."
 10 2. By inserting in line twenty-four (24) after the
 11 word "accordingly." the following:
 12 "The highway commission may issue special permits,
 13 during periods such restrictions are in effect, to permit
 14 limited operation of vehicles upon specified routes with
 15 loads in excess of any restrictions imposed under this
 16 section, but not in excess of load restrictions imposed
 17 by any other provision of this chapter."

Filed - *Adopted 1-27*
 January 21, 1970

COMMITTEE ON TRANSPORTATION
 Leroy S. Miller, Chairman

SENATE AMENDMENT TO HOUSE FILE 767

- 1 Amend House File 767, as amended and passed by the House,
 2 as follows:
 3 1. Line 20, by inserting after the word "chapter" the
 4 following words: ", and such authorities shall issue
 5 such permits upon a showing that there is a need to move
 6 to market farm produce of the type subject to rapid spoilage
 7 and loss of value".
 8 2. Line 35, by inserting after the period the following:
 9 "The highway commission shall issue special permits in
 10 accordance with the foregoing to trucks moving farm produce,
 11 which decays and loses its value if not speedily put to its
 12 intended use, to market upon a showing to the highway com-
 13 mission that there is a requirement for trucking such
 14 produce."

*House
 concurred
 4/13*

Received from the Senate
 April 9, 1970

1 Amend House File 767, as passed by the House, as follows:

2 1. Line 20, by inserting after the word "Chapter" the
3 following words:

4 ", and such authorities shall issue such permits upon
5 a showing that there is a need to move to market farm
6 produce of the type subject to rapid spoilage and loss of
7 value".

8 2. Line 35, by inserting after the period the words
9 "The highway commission shall issue special permits in
10 accordance with the foregoing to trucks moving farm pro-
11 duce, which decays and loses its value if not speedily put
12 to its intended use, to market upon a showing to the highway
13 commission that there is a requirement for trucking such
14 produce."

Filed - *adapted 4/9*
March 19, 1970

By KEITH, DeKOSTER and KLINK
