

HOUSE FILE 1046

By COMMITTEE ON TRANSPORTATION

JAN 23 1974
Calendar
House File 1046
Commerce—
McCartney, Chairman 1-31, Pass 1-28
Curtis
Palmer

Passed House, Date 1-29-74 (229) Passed Senate, Date 3-12-74 (733)
Vote: Ayes 88 Nays 0 Vote: Ayes 46 Nays 1
Approved 3-29-74

A BILL FOR

1 An Act relating to the use of warning devices.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section three hundred twenty-one point four
2 hundred forty-seven (321.447), Code 1973, is amended to read
3 as follows:

4 321.447 TRUCKS TO CARRY FLARES. No person shall operate
5 any motor truck or truck tractor upon a highway outside of
6 a business or residence district at any time from a half hour
7 after sunset to a half hour before sunrise unless there shall
8 be carried in such vehicle a sufficient number, not less than
9 three, of flares, red reflector electric lanterns, red
10 reflectors, reflective triangles or other signals capable
11 of continuously producing three warning lights each visible
12 from a distance of at least five hundred feet for a period
13 of at least 8 hours, except that a motor vehicle transporting
14 flammables shall carry red reflectors or, red reflector
15 electric lanterns or reflective triangles in place of the
16 other signals above mentioned, and during daylight hours every
17 truck shall carry a sufficient number of red flags, not less
18 than three, unless equipped with three reflective triangles.

19 Every such flare, lantern, signal, or reflector shall be
20 of a type approved by the commissioner and he shall publish
21 lists of those devices which he has approved as adequate for
22 the purposes of this section and reflective triangles that
23 conform to the requirements of the United States Department
24 of transportation standard number one hundred twenty-five.

25 Sec. 2. Section three hundred twenty-one point four hun-
26 dred forty-eight (321.448), Code 1973, is amended to read
27 as follows:

28 321.448 DISPLAY OF FLARES OR LANTERNS. Whenever a motor
29 truck, or a truck tractor, a trailer or a semitrailer drawn
30 by a motor truck or a truck tractor is stopped upon or im-
31 mediately adjacent to the main traveled portion of a highway
32 outside of a business or residence district, during the times
33 when lighted lamps must be displayed, then the driver or other
34 person in charge of such vehicle shall, in addition to the
35 requirements of section 321.395, cause a lighted fusee to

1 be immediately placed on the roadway at the traffic side of
2 such vehicle; as soon thereafter as possible, and in any case
3 within the burning period of the fusee, three lighted flares,
4 or three red reflector electric lanterns or three red re-
5 flectors or three reflective triangles shall be placed on
6 the roadway, one at a distance of not less than one hundred
7 feet in advance of such vehicle, one at a distance of not
8 less than one hundred feet to the rear of such vehicle, and
9 the third upon the traffic side of such vehicle; provided
10 that if such vehicle is stopped within three hundred feet
11 of a curve, crest of a hill, or other obstruction to view,
12 the flare, red reflector electric lanterns ~~or~~, red reflectors,
13 or reflective triangles, in that direction shall be so placed
14 as to afford ample warning to other users of the highway,
15 but in no case less than one hundred feet from such vehicle.
16 When such flares are taken up, during the times when lighted
17 lamps must be displayed, a lighted fusee shall be placed at
18 the traffic side of such vehicle.

19 In the event such vehicle is used in the transportation
20 of flammable liquids or gases, whether loaded or empty, no
21 open burning flares or fusees shall be used and red reflector
22 electric lanterns or red reflectors or reflective triangles
23 shall be used in lieu thereof.

24 During the times lighted lamps are not required, red flags
25 or reflective triangles shall be used in place of flares or
26 red reflector electric lanterns or red reflectors, provided
27 that if such parking continues into the period when lighted
28 lamps are required, flares or red reflector electric lanterns
29 or red reflectors, or reflective triangles shall be placed
30 as above provided. Each of the red flags required under this
31 section shall be not less than sixteen inches square.

32 Sec. 3. Section three hundred twenty-one point four hun-
33 dred forty-nine (321.449), Code 1973, is amended to read as
34 follows:

35 321.449 EXPLOSIVES. No person shall at any time operate

1 a motor truck or truck tractor transporting explosives as
2 a cargo or part of a cargo upon a highway unless it carries
3 flares or electric lanterns or reflective triangles as herein
4 required, but such flares or electric lanterns or reflective
5 triangles must be capable of producing a red light and shall
6 be displayed upon the roadway when and as required in section
7 321.448.

8 EXPLANATION

9 The use of emergency warning devices apply, with few
10 exceptions, to motor truck traffic. Inasmuch as a large
11 percent of this traffic operates under permit from the United
12 States Department of Transportation and is required to comply
13 with regulations of that department, this bill provides that
14 these truck operators may lawfully comply with both state
15 and federal law.

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