

JAN 19 1973

HOUSE FILE 41

Place On Calendar

BY COMMITTEE ON TRANSPORTATION

Iowa State Gov. 1-27-73

House File 41
Nolin, Chairman
Nystrom
Murray

Passed House, Date 1-25-73 (197) Passed Senate, Date 4-6-73 (825)
Vote: Ayes 82 Nays 15 Vote: Ayes 41 Nays 3
House Enacted: Approved 4-26-73
87-3 4-16-73 (881) *motion to reconsider filed 3-26 passed 4-6*

A BILL FOR

1 An Act relating to temporary restrictions on weight and
2 load of certain motor vehicles, and to provide penalties
3 for violation of temporary restrictions.
4 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 seventy-one (321.471), unnumbered paragraph two (2),
3 Code 1973, is amended to read as follows:

4 Any person who violates the provisions of such ordinance
5 or resolution shall ~~be punished by a fine as provided in the~~
6 ~~schedule for gross or group of axes weight violations in~~
7 ~~section 321.463,--The violation shall be that weight in excess~~
8 ~~of the maximum weight established by the ordinance or~~
9 ~~resolution, and the fine shall be imposed accordingly,~~ upon
10 conviction or a plea of guilty, be subject to a fine determined
11 by dividing the difference between the actual weight and the
12 maximum weight established by the ordinance or resolution
13 by one hundred, and multiplying the quotient by two dollars.
14 Local authorities may issue special permits, during periods
15 such restrictions are in effect, to permit limited operation
16 of vehicles upon specified routes with loads in excess of
17 any restrictions imposed under this section, but not in excess
18 of load restrictions ~~imposed by any other provision of this~~
19 chapter, and such authorities shall issue such permits upon
20 a showing that there is a need to move to market farm produce
21 of the type subject to rapid spoilage and or loss of value
22 or to move to any farm feeds or fuel for home heating purposes.

23 Sec. 2. Section three hundred twenty-one point four hun-
24 dred seventy-four (321.474), Code 1973, is amended to read
25 as follows:

26 321.474 HIGHWAY COMMISSION MAY RESTRICT. The state high-
27 way commission shall likewise have authority as hereinabove
28 granted to local authorities to determine by resolution and
29 to impose restrictions as to the weight of vehicles operated
30 upon any highway under the jurisdiction of said commission
31 and such restrictions shall be effective when signs giving
32 notice thereof are erected upon the highway or portion of
33 any highway affected by such resolution. Resolutions imposing
34 restrictions under section three hundred twenty-one point
35 four hundred seventy-three (321.473) of the Code shall be

1 for a definite period of time not to exceed twelve months.
2 The expiration date of the resolution shall appear on all
3 signs posted as required by this section.

4 Any person who violates the provisions of such resolution
5 shall ~~be punished by a fine as provided in the schedule for~~
6 ~~gross or group of axles weight violations in section 321.463.~~
7 ~~The violation shall be that weight in excess of the maximum~~
8 ~~weight established by the resolution, and the fine shall be~~
9 ~~imposed accordingly, upon conviction or a plea of guilty,~~
10 be subject to a fine determined by dividing the difference
11 between the actual weight and the maximum weight established
12 by the resolution by one hundred, and multiplying the quotient
13 by two dollars. The highway commission may issue special
14 permits, during periods such restrictions are in effect, to
15 permit limited operation of vehicles upon specified routes
16 with loads in excess of any restrictions imposed under this
17 section, but not in excess of load restrictions imposed by
18 any other provision of this chapter. The highway commission
19 shall issue special permits in accordance with the foregoing
20 to trucks moving farm produce, which decays and or loses its
21 value if not speedily put to its intended use, to market upon
22 a showing to the highway commission that there is a requirement
23 for trucking such produce or to trucks moving to any farm
24 feeds or fuel necessary for home heating purposes.

25 EXPLANATION

26 This bill provides that penalties for violation of tempo-
27 rary restrictions of weight and load limits, imposed by local
28 authorities, shall be computed by dividing the difference
29 between the actual weight and the maximum weight established
30 by one hundred and multiplying the quotient by two dollars.
31 The present law provides for a fine as determined under section
32 321.463.

33 In addition the bill provides that resolutions of local
34 authorities shall be for a specified period of time not to
35 exceed 12 months and requires that the expiration date appear

1 on all signs posted under section 321.474.

2 This bill also provides for mandatory special permits for
3 trucks moving farm feeds or fuel necessary for home heating
4 purposes.

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SENATE AMENDMENT TO HOUSE FILE 41

1 Amend House File 41 as follows:

2 1. Page 2 by inserting before line one the following:

3 Sec. ____ Section three hundred twenty-one point
4 four hundred seventy-one (321.471), unnumbered paragraph
5 one (1), Code 1973, is amended to read as follows:

6 321.471 LOCAL AUTHORITIES MAY RESTRICT. Local
7 authorities with respect to highways under their
8 jurisdiction
9 may by ordinance or resolution prohibit the operation of
10 vehicles upon any such highway or impose restrictions as
11 to the weight of vehicles to be operated upon any such
12 highway, except farm tractors as defined in section three
hundred twenty-one point one (321.1), subsection seven

13 (7),
14 of the Code, for a total period of not to exceed ninety
15 days in any one calendar year, whenever any said highway
16 by
17 reason of deterioration, rain, snow, or other climatic
18 condition will be seriously damaged or destroyed unless
19 the use of vehicles thereon is prohibited or the per-
20 missible weights thereof reduced.

21 2. Page 2, line 29 by inserting after the word "vehicles"
22 the words "except farm tractors as defined in section
23 three hundred twenty-one point one (321.1), subsection
24 seven (7) of the Code".

25 3. By renumbering the sections to comply with this
26 amendment.

House Concurred 4/12

Received from the Senate
April 12, 1973

House

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S--358

1 Amend House File 41 as follows:

2 1. Page 2 by inserting before line one the following:

3 Sec. ____ . Section three hundred twenty-one point four
hundred

4 seventy-one (321.471), unnumbered paragraph one (1),

5 Code 1973, is amended to read as follows:

6 321.471 LOCAL AUTHORITIES MAY RESTRICT.

7 Local authorities with respect to highways under their
8 jurisdiction may by ordinance or resolution prohibit the
9 operation of vehicles upon any such highway or impose
10 restrictions as to the weight of vehicles to be operated
11 upon any such highway, except farm tractors as defined
12 in Section three hundred twenty one point one subsection
13 seven, 321.1(7), of the Code, for a total period of not
14 to exceed ninety days in any one calendar year, whenever
15 any said highway by reason of deterioration, rain, snow,
16 or other climatic conditions will be seriously damaged
17 or destroyed unless the use of vehicles thereon is pro-
18 hibited or the permissible weights thereof reduced.

19 2. Page 2, line 29 by inserting after the word
20 "vehicles" the words "except farm tractors as defined
21 in Section three hundred twenty one point one (321.1)
22 subsection seven (7) of the code.

23 3. By renumbering the sections to comply with this
24 amendment.
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S--358 Filed and adopted
April 6, 1973

By PRIEBE and SCHABEN

Senate