

JAN 23 1973

HOUSE FILE 48

Place On Calendar

By COMMITTEE ON TRANSPORTATION

Sen. Comm. 1-30-73

as amended by Senate 3-27-73 (638)
 Passed Houseⁿ, Date 1-26-73 (504) Passed Senate, Date 3-23-73 (639)
 Vote: Ayes 88 Nays 3 Vote: Ayes 43 Nays 0
 Approved 4-6-73

Published in Hampton Chronicle 4/4 Motion to reconsider filed 3/30 (603) adopted 3/23
and in Pol. Ed. Express 4/14 (792)

A BILL FOR

1 An Act relating to the weight of vehicles operated on Iowa's
2 roads.

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

4 Section 1. Section three hundred twenty-one point one
5 (321.1), Code 1973, is amended by adding the following new
6 subsection:

7 NEW SUBSECTION. "Tandem axle" means a group of two or
8 more axles, arranged one behind another, the distance be-
9 tween the centers of which is more than forty inches and not
10 more than eighty-four inches apart.

EXPLANATION

12 This bill provides a definition of tandem axle which term
13 is used in section 321.463. The definition clarifies the
14 tolerance that is to be allowed on the weight of tandem axles.

15 Section 321.463 provides for the maximum weights allowed
16 on the axles of a vehicle and the maximum gross weights to
17 be allowed. This section also provides for tolerances which
18 may be allowed above the maximum legal weight. A tolerance
19 of 3% on any axle, including tandem axles and a tolerance
20 of 8% on the weight of a group of axles and on the total gross
21 weight of a vehicle, is allowed.

22 Chapter 321 does provide a definition of an axle, however
23 there is no definition of tandem axle. Since a tandem axle
24 is a group of axles, it is questionable whether to allow a
25 3% tolerance or an 8% tolerance. The highway commission en-

1 enforcement procedure is to consider two or more axles measuring
2 84" or less apart as a tandem axle and allow a 3% tolerance,
3 and to consider two or more axles measuring more than 84"
4 apart as a group of axles and allow an 8% tolerance.

5 A recent district court decision ruled that since there
6 is no definition of tandem axle in the Code, an 8% tolerance
7 should be allowed. This would mean that all tandem axle
8 assemblies would be allowed 34,560 pounds rather than the
9 32,960 pounds presently allowed.

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11 H-16

12 1 Amend House File 48 by adding thereto the
13 2 following new section:
14 3 "Sec. 2. Section three hundred twenty-one point
15 4 four hundred sixty three (321.463), unnumbered
16 5 paragraph six (6), Code 1973, is amended to read
17 6 as follows:
18 7 A tolerance above the maximum legal weight of
19 8 any axle or vehicle or combination of vehicles
20 9 may be allowed as follows:
21 10 Three Eight percent on any axle, including
22 11 tandem axles.
23 12 Eight percent of the gross weight on any
24 13 particular group of axles.
25 14 Eight percent on the total gross weight of a
26 15 vehicle or combination of vehicles."

27 Filed *Handwritten* January 25, 1973 By SCHROEDER of Pottawattamie

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29 H-19

30 1 Amend the title to House File 48 by striking
31 2 all after the word "Act" and inserting in lieu
32 3 thereof the following:
33 4 "defining the term tandem axle."

34 Filed and adopted January 26, 1973 By DRAKE of Muscatine

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Senote

S-42

1 Amend House File 48, as amended and passed by the
House,
2 as follows:
3 1. Page 1, by adding after line 10 the following:
4 Sec. 2. Section three hundred twenty-one point four
5 hundred sixty-three (321.463), unnumbered paragraph
seven
6 (7), Code 1973, is amended to read as follows:
7 The weight on any one axle or group of two or more
8 axles of a vehicle which is transporting livestock may
9 exceed the legal maximum weight given in this chapter
10 providing that the gross weight on any particular
11 group of axles on such vehicle does not exceed the gross
12 weight allowable under this chapter for such group of
13 axles.

Filed - *Withdrawn 3/5*
February 7, 1973

By HULTMAN

S-72

1 Amend House File 48, as amended and passed by the
House
2 by adding thereto the following new section:
3 "Sec. ___ Section three hundred twenty-one point four
4 hundred sixty three (321.463), unnumbered paragraph six
(6),
5 Code 1973, is amended to read as follows:
6 A tolerance above the maximum legal weight of any
7 or vehicle or combination of vehicles may be allowed as
axle
8 ~~Three~~ Ten percent of any axle, including tandem
follows:
9 ~~Eight~~ Ten percent of the gross weight on any
axles.
10 group of axles. particular
11 ~~Eight~~ Ten percent on the total gross weight of a
vehicle
12 or combination of vehicles."

Filed - *Revised and of order 3/20*
February 13, 1973

By PRIEBE

S-205

1 Amend Commerce Committee amendment S-74 to House
2 File 48, filed February 13, 1973 by striking lines
3 12 through 21.

S-205 Filed - *Withdrawn 3/20*
March 5, 1973

By COLEMAN

Senate

S-74

- 1 Amend House File 48, as amended and passed by the
2 House as follows:
3 1. Page 1, line 7, by striking the words "a group
4 of two or".
5 2. Page 1, by striking lines 8 through 10 and in-
6 serting in lieu thereof the words "any two or more con-
7 secutive axles whose centers are more than forty inches
8 but not more than eighty-four inches apart, and are in-
9 dividually attached to or articulated from a common at-
10 tachment to the vehicle including a connecting mechanism
11 designed to equalize the load between axles."
12 3. Page 1, by adding after line 10 the following:
13 Sec. 2. Section three hundred twenty-one point four
14 hundred sixty-three (321.463), unnumbered paragraph seven
15 (7), Code 1973, is amended to read as follows:
16 The weight on any one axle, including a tandem axle,
17 of a vehicle which is transporting livestock may exceed
18 the legal maximum weight given in this chapter providing
19 that the gross weight on any particular group of axles
20 on such vehicle does not exceed the gross weight allow-
21 able under this chapter for such group of axles.

Filed - *Adopted 3/5, Motion to recommit filed 3/5*
February 13, 1973 *u & 3/20* By COMMITTEE ON COMMERCE
Adopted an amended by 4-276 5/23

S-83

- 1 Amend S-72 by Priebe filed February 13, 1973 to House
File 48
2 by adding after line 12 the following new paragraph:
3 "The tolerances shown above for any axle or vehicle
4 or combination of vehicles are not applicable where pro-
5 hibited by federal law."

Filed *Filed out of order 3/20* By PRIEBE
February 16, 1973

S-276

- 1 Amend Committee on Commerce Amendment S-74 to House File
2 48 by striking the following in lines 8, 9, 10 and 11:
3 " , and are individually attached to or articulated
4 from a common attachment to the vehicle including a
5 connecting mechanism designed to equalize the load
6 between axles".

S-276 Filed *Adopted 3-23* By DODERER and KINLEY
March 22, 1973

S-186

1 House File 48, as amended and passed by the House,
2 is amended as follows:

3 1. By adding after line 10 the following new
4 section:

5 Sec. _____. Chapter three hundred twenty-one E
6 (321E), Code 1973, is amended by adding the following
7 new section:

8 NEW SECTION. Subject to the provisions of section
9 three hundred twenty-one E point three (321E.3) of the
10 Code, the commission may, upon application and good
11 cause being shown, issue a special permit to allow the
12 operation of a vehicle with loads up to the maximum
13 gross weights specified in section three hundred twenty-
14 one point four hundred sixty-three (321.463) of the Code
15 to transport grain and other seasonally harvested agri-
16 cultural products from the field in which the crops are
17 harvested to a market or storage facility when failure
18 to move the grain or other seasonally harvested agri-
19 cultural products in abundant quantities would cause
20 economic loss to the person whose products are being
21 transported or when failure to move the products in as
22 large a quantity as possible would not be in the best
23 interests of the national defense or general welfare.
24 The special permit shall be issued for a period not to
25 exceed ninety days at a fee of ten dollars. However, a

Page 2

1 tolerance of twenty-five percent above the maximum gross
2 weight permitted by law shall be allowed on all vehicles
3 operating under special permit issued pursuant to this
4 section.

5 2. Amend the title, line 1, by striking everything
6 after the word "Act" and inserting in lieu thereof the
7 words "relating to the weight of vehicles operated on
8 Iowa's roads by defining tandem axle and providing
9 for movement of harvested agricultural products."

Filed *Public out of order 3/20*
February 28, 1973

By SCHABEN

S-281

1 Amend House File 48, page 1, after line 10, by adding
the

2 following new section:

3 Sec. _____. This Act, being deemed of immediate
importance,
4 shall take effect and be in force from and after its
publication
5 in the Hampton Chronicle, a newspaper published in
Hampton,
6 Iowa, and The Red Oak Express, a newspaper published in
Red Oak,
7 Iowa.

S-281 Filed and adopted
March 23, 1973

By HULTMAN

SENATE AMENDMENT TO HOUSE FILE 48

1 Amend House File 48, as amended and passed by the House,
as

2 follows:

3 1. Page 1, line 7, by striking the words "a group of two
4 or".

5 2. Page 1, by striking lines 8 through 10 and inserting
in

6 lieu thereof the following:

7 "any two or more consecutive axles whose centers are more
8 than forty inches but not more than eighty-four inches
apart."

9 3. Page 1, by adding after line 10 the following new
10 sections:

11 Sec. 2. Section three hundred twenty-one point four
12 hundred sixty-three (321.463), unnumbered paragraph seven
13 (7), Code 1973, is amended to read as follows:

14 The weight on any one axle, including a tandem axle,
15 of a vehicle which is transporting livestock may exceed
16 the legal maximum weight given in this chapter providing
17 that the gross weight on any particular group of axles
18 on such vehicle does not exceed the gross weight allow-
19 able under this chapter for such group of axles.

20 Sec. 3. This Act, being deemed of immediate importance,
21 shall take effect and be in force from and after its publi-
22 cation in the Hampton Chronicle, a newspaper published in
23 Hampton, Iowa, and The Red Oak Express, a newspaper

24 in Red Oak, Iowa.

published

House adopted 3/27

Received from the Senate
March 23, 1973