

See Summary 4/17 Do. 9 am 4/28 (p. 1277)

HOUSE FILE 437

Transportation
Drake, Chairperson
Ashcraft
Coleman
Hatchin
Robinson

12 1311

On Calendar

HOUSE FILE 437

By COMMITTEE ON COUNTY GOVERNMENT

(Formerly Study Bill 56)

Passed House, Date 4-14-77 (p. 1350) Passed Senate, Date 5-5-77 (p. 1355)

Vote: Ayes 74 Nays 14 Vote: Ayes 44 Nays 2

Approved 7/7/77

A BILL FOR

1 An Act to permit local authorities to issue special permits for
 2 limited movement of vehicles on highways for which restric-
 3 tions have been imposed and providing penalties for trucks
 4 and other commercial vehicles operating in violation of local
 5 ordinances or resolutions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA.

FISCAL NOTE
HOUSE FILE 437

Date Prepared February 15, 1977

Requested by Representative Hullinger

Prepared in regard to H.F. 437, An Act to permit local authorities to issue special permits for limited movement of vehicles on highways for which restrictions have been imposed and providing penalties for trucks and other commercial vehicles operating in violation of local ordinances or resolutions. Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16:

Although present law gives local authorities the right to limit truck operations on highways under their jurisdiction, no provision is made for a penalty for violations which may occur. LSB 291H provides the same penalties which exist in present law for violations on a primary highway.

LSB 291H also allows issuance of special permits for transporting certain products when restrictions have been imposed.

Counties do not plan to charge for permits issued under this proposed legislation. It is not possible to estimate the amount of money that would be generated from the penalty provision.

Source: Department of Transportation

FILED
MARCH 22, 1977

GERRY D. RANKIN
LEGISLATIVE FISCAL BUREAU

H-3590

1 Amend House File 437 as follows:
2 1. Page 1, by striking line 19.

H-3590 FILED. *Adopted 4/14* BY WYCKOFF of Benton
APRIL 14, 1977 (*p. 1380*)

1 Section 1. Section three hundred twenty-one point four
2 hundred seventy-three (321.473), Code 1977, is amended by
3 adding the following new unnumbered paragraphs:

4 NEW UNNUMBERED PARAGRAPH. Any person who violates the
5 provisions of the ordinance or resolution shall, upon conviction
6 or a plea of guilty, be subject to a fine determined
7 by dividing the difference between the actual weight and the
8 maximum weight established by the ordinance or resolution
9 by one hundred, and multiplying the quotient by two dollars.

10 NEW UNNUMBERED PARAGRAPH. Local authorities may issue
11 special permits, during periods such restrictions are in
12 effect, to permit limited operation of vehicles upon specified
13 routes with loads in excess of any restrictions imposed
14 under this section, but not in excess of load restrictions
15 imposed by any other provision of this chapter, and such
16 authorities shall issue such permits upon a showing that there
17 is a need to move to market farm produce or to move to any
18 farm, feeds or fuel for home heating purposes.

19 Sec. 2. This Act shall take effect January 1, 1978.

20 EXPLANATION

21 Although present law gives local authorities the right
22 to limit truck operations on highways under their jurisdiction,
23 no provision is made for a penalty for violations which
24 may occur. This bill provides the same penalties which exist
25 in present law for violations on a primary highway.

26 The bill also allows issuance of special permits for
27 transporting certain products when restrictions have been
28 imposed.

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is a need to move to market farm produce or to move to any farm, feeds or fuel for home heating purposes.

HOUSE FILE 437

DALE M. COCHRAN
Speaker of the House

AN ACT

TO PERMIT LOCAL AUTHORITIES TO ISSUE SPECIAL PERMITS FOR LIMITED MOVEMENT OF VEHICLES ON HIGHWAYS FOR WHICH RESTRICTIONS HAVE BEEN IMPOSED AND PROVIDING PENALTIES FOR TRUCKS AND OTHER COMMERCIAL VEHICLES OPERATING IN VIOLATION OF LOCAL ORDINANCES OR RESOLUTIONS.

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 437, Sixty-seventh General Assembly.

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

Section 1. Section three hundred twenty-one point four hundred seventy-three (321.473), Code 1977, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. Any person who violates the provisions of the ordinance or resolution shall, upon conviction or a plea of guilty, be subject to a fine determined by dividing the difference between the actual weight and the maximum weight established by the ordinance or resolution by one hundred, and multiplying the quotient by two dollars.

NEW UNNUMBERED PARAGRAPH. Local authorities may issue special permits, during periods such restrictions are in effect, to permit limited operation of vehicles upon specified routes with loads in excess of any restrictions imposed under this section, but not in excess of load restrictions imposed by any other provision of this chapter, and such authorities shall issue such permits upon a showing that there

DAVID L. WRAY
Chief Clerk of the House

Approved July 7, 1977.

ROBERT D. RAY
Governor