

TRANSPORTATION: Drake, Chair; Kinley and Hall

FEB 20 1985

Amended (3-4-85) by 250 Passed 3/20/85 (p. 908)

Place On Calendar

HOUSE FILE 378

BY COMMITTEE ON TRANSPORTATION

(Formerly Study Bill 41)

Passed House, Date 3-1-85 (p. 613) Passed Senate, Date 4-15-85 (p. 1368)

Vote: Ayes 97 Nays 0 Vote: Ayes 43 Nays

Approved May 22, 1985

*Referred House 4-26-85 (p. 1110)
94-0*

A BILL FOR

1 An Act exempting road workers from the forty miles per hour
2 minimum speed limit.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 378

1 Section 1. Section 321.233, unnumbered paragraph 1, Code
2 1985, is amended to read as follows:

3 This chapter, except section 321.277 and sections 321.280
4 to 321.282 does not apply to persons and motor vehicles and
5 other equipment while actually engaged in work upon the
6 surface of a highway officially closed to traffic but does
7 apply to such persons and vehicles when traveling to or from
8 such work. Sections 321.285, subsection 8, and the provisions of sections 321.297
9 and 321.298 do not apply to road workers operating maintenance
10 equipment owned by or under lease to any state or local
11 authority while engaged in road maintenance, road blading,
12 snow and ice control and removal, and granular resurfacing
13 work on a highway, whether or not the highway is closed to
14 traffic.

16 EXPLANATION

17 This bill exempts road workers operating maintenance
18 equipment from the 40 miles per hour minimum speed limit which
19 applies to fully controlled-access, divided, multilaned high-
20 ways while the workers are doing road maintenance.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

1 Amend House File 378 as passed by the House
2 follows:
3 1. Page 1, by inserting after line 15 the
4 following:
5 "Sec. 2. Section 321.288, Code 1985, is amended to
6 read as follows:
7 321.288 CONTROL OF VEHICLE.
8 1. A person operating a motor vehicle shall have
9 the same vehicle under control at all times and.
10 2. A person operating a motor vehicle shall reduce
11 the speed to a reasonable and proper rate:
12 ± a. When approaching and passing a person walking
13 in the traveled portion of the public highway.
14 2 b. When approaching and passing an animal which
15 is being led, ridden, or driven upon a public highway.
16 3 c. When approaching and traversing a crossing or
17 intersection of public highways, or a bridge, or-a
18 sharp turn, or-a curve, or a steep descent, in a
19 public highway.
20 4 d. When approaching and passing a fusee, flares,
21 red reflector electric lanterns, red reflectors or red
22 flags displayed in accordance with section 321.448, or
23 n emergency vehicle displaying a revolving or
24 flashing light.
25 5 e. When approaching and passing a slow moving
26 vehicle displaying a reflective device as provided by
27 section 321.383.
28 f. When approaching and passing through a sign
29 posted construction or maintenance zone upon the
30 public highway."
31 2. Amend the title, by striking the title after
32 the word "Act" in line 1 and inserting the following:
33 "relating to the safety of road maintenance workers."

SENATE AMENDMENT TO HOUSE FILE 378

H-3855

1 Amend House File 378 as passed by the House
2 follows:

3 1. Page 1, by inserting after line 15 the
4 following:

5 "Sec. 2. Section 321.288, Code 1985, is amended to
6 read as follows:

7 321.288 CONTROL OF VEHICLE.

8 1. A person operating a motor vehicle shall have
9 the same vehicle under control at all times and.

10 2. A person operating a motor vehicle shall reduce
11 the speed to a reasonable and proper rate:

12 1 a. When approaching and passing a person walking
13 in the traveled portion of the public highway.

14 2 b. When approaching and passing an animal which
15 is being led, ridden, or driven upon a public highway.

16 3 c. When approaching and traversing a crossing or
17 intersection of public highways, or a bridge, or a
18 sharp turn, or a curve, or a steep descent, in a
19 public highway.

20 4 d. When approaching and passing a fusee, flares,
21 red reflector electric lanterns, red reflectors or red
22 flags displayed in accordance with section 321.448, or
23 an emergency vehicle displaying a revolving or
24 flashing light.

25 5 e. When approaching and passing a slow moving
26 vehicle displaying a reflective device as provided by
27 section 321.383.

28 f. When approaching and passing through a sign
29 posted construction or maintenance zone upon the
30 public highway."

31 2. Amend the title, by striking the title after
32 the word "Act" in line 1 and inserting the following:
33 "relating to the safety of road maintenance workers."

H-3855 FILED APRIL 17, 1985

RECEIVED FROM THE SENATE

House concurred 4/26/85 (p. 1910)

Cooper Chair
De Groot
Fogarty

WF
378

NSB 41

TRANSPORTATION

SENATE/HOUSE FILE

378

Study Bill 41

BY (PREFILED STATE DEPARTMENT OF
TRANSPORTATION BILL)

Transportation: Cooper, Chair; De Groot and Fogarty.

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act exempting road workers from the forty miles per hour
2 minimum speed limit.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section 321.233, unnumbered paragraph 1, Code
2 1985, is amended to read as follows:

3 This chapter, except section 321.277 and sections 321.280
4 to 321.282 does not apply to persons and motor vehicles and
5 other equipment while actually engaged in work upon the
6 surface of a highway officially closed to traffic but does
7 apply to such persons and vehicles when traveling to or from
8 such work. Sections 321.285, subsection 8, and the provisions of sections 321.297
9 321.285, subsection 8, and the provisions of sections 321.297
10 and 321.298 do not apply to road workers operating maintenance
11 equipment owned by or under lease to any state or local
12 authority while engaged in road maintenance, road blading,
13 snow and ice control and removal, and granular resurfacing
14 work on a highway, whether or not the highway is closed to
15 traffic.

16 EXPLANATION

17 This bill exempts road workers operating maintenance
18 equipment from the 40 miles per hour minimum speed limit which
19 applies to fully controlled-access, divided, multilaned high-
20 ways while the workers are doing road maintenance.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 378

or a curve, or a steep descent, in a public highway.

4 d. When approaching and passing a fusee, flares, red reflector electric lanterns, red reflectors or red flags displayed in accordance with section 321.448, or an emergency vehicle displaying a revolving or flashing light.

5 e. When approaching and passing a slow moving vehicle displaying a reflective device as provided by section 321.383.

f. When approaching and passing through a sign posted construction or maintenance zone upon the public highway.

AN ACT
RELATING TO THE SAFETY OF ROAD MAINTENANCE WORKERS.

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

Section 1. Section 321.233, unnumbered paragraph 1, Code 1985, is amended to read as follows:

This chapter, except section 321.277 and sections 321.280 to 321.282 does not apply to persons and motor vehicles and other equipment while actually engaged in work upon the surface of a highway officially closed to traffic but does apply to such persons and vehicles when traveling to or from such work. Sections The minimum speed restriction of section 321.285, subsection 8, and the provisions of sections 321.297 and 321.298 do not apply to road workers operating maintenance equipment owned by or under lease to any state or local authority while engaged in road maintenance, road blading, snow and ice control and removal, and granular resurfacing work on a highway, whether or not the highway is closed to traffic.

Sec. 2. Section 321.288, Code 1985, is amended to read as follows:

321.288 CONTROL OF VEHICLE.

1. A person operating a motor vehicle shall have the same vehicle under control at all times and.

2. A person operating a motor vehicle shall reduce the speed to a reasonable and proper rate:

1 a. When approaching and passing a person walking in the traveled portion of the public highway.

2 b. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

3 c. When approaching and traversing a crossing or intersection of public highways, or a bridge, or a sharp turn,

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 378, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 22, 1985

TERRY E. BRANSTAD
Governor