

FILED APR 21 1986

SENATE FILE 2296
BY COMMITTEE ON WAYS AND MEANS
Approved (p. 1308)

Passed Senate, Date 4-24-86 (p. 1377) Passed House, Date 5-1-86 (p. 2030)
Vote: Ayes 46 Nays 3 Vote: Ayes 60 Nays 34

Approved May 22, 1986

Motion to reconsider (p. 1386) w/d 4/29

A BILL FOR

- 1 An Act relating to the movement of vehicles of excessive size and
- 2 weight.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2296

S-5736

- 1 Amend Senate File 2296 as follows:
- 2 1. By striking page 2, line 12 through page 3,
- 3 line 15.

S-5736 Filed April 23, 1986

BY HOLDEN, RIORDAN, HOLT, HALL, DIELEMAN, HESTER

Adopted 4/24 (p. 1376) Motion to reconsider (p. 1407)

S.F. 2296

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1 Section 1. Section 321.1, subsection 71, Code 1985, is
2 amended to read as follows:

3 71. A "special truck" means a motor truck or truck tractor
4 not used for hire with a gross weight registration of six
5 through twenty thirty-two tons used by a person engaged in
6 farming to transport commodities produced only by the owner,
7 or to transport commodities purchased by the owner for use in
8 the owner's own farming operation or occasional use for
9 charitable purposes. ~~"Special-truck"-also-means-a-truck~~
10 ~~tractor-which-is-modified-by-removal-of-a-fifth-wheel-and~~
11 ~~carries-the-full-load-on-the-motor-truck-and-which-by-reason~~
12 ~~of-its-conversion-becomes-a-motor-truck.~~

13 Sec. 2. Section 321.121, Code 1985, is amended by adding
14 the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. The additional registration fee
16 for a special truck for a gross weight in excess of twenty
17 tons is twenty-five dollars for each ton over twenty tons and
18 not exceeding thirty-two tons.

19 Sec. 3. Section 321.437, Code 1985, is amended by adding
20 the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. Notwithstanding this chapter or
22 chapter 321E, a combination of vehicles coupled together which
23 is used exclusively for the transportation of passenger
24 vehicles, light delivery trucks, panel delivery trucks,
25 pickups, boats, and recreational chassis, may permanently
26 attach a convex-type mirror on either or both of the vertical
27 supports, forward of the steering axle of the power unit,
28 provided that the mirror shall not extend beyond the limit of
29 any other rearview mirror on the vehicle.

30 Sec. 4. Section 321.453, Code 1985, is amended to read as
31 follows:

32 321.453 EXCEPTIONS.

33 The provisions of this chapter governing size, weight, and
34 load do not apply to fire apparatus, to road maintenance
35 equipment owned by or under lease to any state or local

1 authority, or to implements of husbandry temporarily moved
 2 upon a highway, or to implements moved between the retail
 3 seller and a farm purchaser within a fifty mile radius from
 4 the retail seller's place of business, or to indivisible
 5 implements of husbandry temporarily moved between the place of
 6 manufacture and a retail seller or a farm purchaser, or
 7 implements received and moved by a retail seller of implements
 8 of husbandry in exchange for an implement purchased, except on
 9 any part of the interstate highway system, or to a vehicle
 10 operating under the terms of a special permit issued as
 11 provided in chapter 321E.

5736 12 Sec. 5. Section 321.473, unnumbered paragraph 2, Code
 13 1985, is amended to read as follows:

14 The department may issue annual special permits for the
 15 operation of ~~compacted-rubbish~~ compacted-rubbish vehicles and
 16 vehicles which transport compacted rubbish from a rubbish
 17 collection point to a landfill area, exceeding the weight
 18 ~~limitation provisions~~ of section 321.463, but not exceeding a
 19 rear axle gross weight for two-axle vehicles of ~~twenty-two~~
 20 twenty-four thousand pounds ~~for the period commencing July 1,~~
 21 ~~1978 and ending June 30, 1986 and twenty thousand pounds~~
 22 ~~commencing July 1, 1986 and thereafter,~~ and for tandem axle
 23 vehicles or transferable auxiliary axle vehicles not exceeding
 24 a gross weight on the rear axles of ~~thirty-six~~ forty thousand
 25 pounds. The maximum gross weight of the vehicle shall not
 26 exceed sixty thousand pounds. Annual special permits for the
 27 operation on secondary roads shall be approved by the county
 28 engineer. Annual special permits for a particular vehicle
 29 shall not be issued by the department unless prior approval is
 30 given by the county engineer of the county in which the
 31 vehicle will be operated. Annual special permits for
 32 operation on primary roads shall be approved by the state
 33 department of transportation. ~~Compacted-rubbish~~ Compacted-
 34 rubbish vehicles and vehicles which transport compacted
 35 rubbish from a rubbish collection point to a landfill area

1 operated pursuant to an annual special permit shall be
2 operated only over routes designated by the local authority.
3 Annual special permits for a particular vehicle shall not be
4 issued by the department unless approved by the local
5 authority responsible for the roads over which the vehicle
6 will be operated. Annual special permits approved by the
7 issuing authority shall be issued upon payment of an annual
8 fee, in addition to other registration fees imposed, of one
9 hundred dollars to be paid to the department for all
10 nongovernmental vehicles. As used in this section, a
11 compacted-rubbish vehicle includes such vehicles utilizing
12 roll-off systems. If a violation occurs relating to the
13 weight limitations imposed under this paragraph, the weight
14 limitations of section 321.463 shall apply to the vehicle and
15 the fine shall be assessed in accordance with that section.

16 Sec. 6. Section 321E.2, Code 1985, is amended to read as
17 follows:

18 321E.2 PRIMARY-ROAD-EXTENSIONS PERMIT-ISSUING AUTHORITIES.

19 Annual permits and single-trip permits shall be issued by
20 the authority responsible for the maintenance of ~~such the~~
21 system of highways or streets ~~except-that.~~ However, the
22 department ~~shall-have-authority-to~~ may issue permits on
23 primary road extensions in cities in conjunction with
24 movements on the rural primary road system. The department
25 may issue an all-system permit under section 321E.8 which is
26 valid for movements on all highways or streets under the
27 jurisdiction of either the state or those local authorities
28 which have indicated in writing to the department those
29 streets or highways for which an all-system permit is not
30 valid.

31 Sec. 7. Section 321E.14, Code 1985, is amended by adding
32 the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. The annual fee for an all-system
34 permit is two hundred fifty dollars which shall be deposited
35 in the road use tax fund.

EXPLANATION

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The bill revises the definition of a special truck to increase the maximum gross weight registration from 20 to 32 tons. The special truck definition is also revised to disallow a motor truck modified by removal of a fifth-wheel to be classified as a special truck. The registration fee is also modified for special trucks to require an additional registration fee of \$25 per ton over 20 tons.

The bill also authorizes certain mirrors to be mounted on the power unit of a truck forward of the steering axle, subject to certain restrictions.

The bill increases the weight limits on compacted-rubbish vehicles to 22,000 pounds on the rear axle of a two-axle vehicle, 40,000 pounds on tandem axles or transferrable auxiliary axle vehicles and places a 60,000 pound maximum gross weight limit on these vehicles.

The bill allows the state department of transportation to issue a permit for oversize vehicles and loads valid for all road systems. Operation under the all-system permit is subject to the same restrictions as annual permits. The \$250 all-system permit fee is to be deposited in the road use tax fund. The bill also permits the movement of implements of husbandry between a retail seller and a farm purchaser within a 50-mile radius from the retail seller's place of business.

See Ways & Means 4/29 Do Pass 4/30 (p. 1914)
(prev 6060)

SENATE FILE 2296
BY COMMITTEE ON WAYS AND MEANS

(AS AMENDED AND PASSED BY THE SENATE APRIL 24, 1986)

* - Language Stricken by the Senate

Be Passed Senate, Date 5-2-86 (p. 1564) Passed House, Date 5-1-86 (p. 2030)
Vote: Ayes 44 Nays 1 Vote: Ayes 60 Nays 34
Approved May 22, 1986

A BILL FOR

1 An Act relating to the movement of vehicles of excessive size and
2 weight.

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

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S.F. 2296

61027

1 Section 1. Section 321.1, subsection 71, Code 1985, is
2 amended to read as follows:

3 71. A "special truck" means a motor truck or truck tractor
4 not used for hire with a gross weight registration of six
5 through twenty thirty-two tons used by a person engaged in
6 farming to transport commodities produced only by the owner,
7 or to transport commodities purchased by the owner for use in
8 the owner's own farming operation or occasional use for
9 charitable purposes. ~~"Special-truck"-also-means-a-truck~~
10 ~~tractor-which-is-modified-by-removal-of-a-fifth-wheel-and~~
11 ~~carries-the-full-load-on-the-motor-truck-and-which-by-reason~~
12 ~~of-its-conversion-becomes-a-motor-truck-~~

60 13 Sec. 2. Section 321.121, Code 1985, is amended by adding
14 the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. The additional registration fee
16 for a special truck for a gross weight in excess of twenty
17 tons is twenty-five dollars for each ton over twenty tons and
18 not exceeding thirty-two tons.

19 Sec. 3. Section 321.437, Code 1985, is amended by adding
20 the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. Notwithstanding this chapter or
22 chapter 321E, a combination of vehicles coupled together which
23 is used exclusively for the transportation of passenger
24 vehicles, light delivery trucks, panel delivery trucks,
25 pickups, boats, and recreational chassis, may permanently
26 attach a convex-type mirror on either or both of the vertical
27 supports, forward of the steering axle of the power unit,
28 provided that the mirror shall not extend beyond the limit of
29 any other rearview mirror on the vehicle.

30 Sec. 4. Section 321.453, Code 1985, is amended to read as
31 follows:

32 321.453 EXCEPTIONS.

33 The provisions of this chapter governing size, weight, and
34 load do not apply to fire apparatus, to road maintenance
35 equipment owned by or under lease to any state or local

1 authority, or to implements of husbandry temporarily moved
2 upon a highway, or to implements moved between the retail
3 seller and a farm purchaser within a fifty mile radius from
4 the retail seller's place of business, or to indivisible
5 implements of husbandry temporarily moved between the place of
6 manufacture and a retail seller or a farm purchaser, or
7 implements received and moved by a retail seller of implements
8 of husbandry in exchange for an implement purchased, except on
9 any part of the interstate highway system, or to a vehicle
10 operating under the terms of a special permit issued as
11 provided in chapter 321E.

660 *12 Sec. 5. Section 321E.2, Code 1985, is amended to read as
13 follows:

14 321E.2 ~~PRIMARY-ROAD-EXTENSIONS~~ PERMIT-ISSUING AUTHORITIES.

15 Annual permits and single-trip permits shall be issued by
16 the authority responsible for the maintenance of such the
17 system of highways or streets ~~except-that.~~ However, the
18 department ~~shall-have-authority-to~~ may issue permits on
19 primary road extensions in cities in conjunction with
20 movements on the rural primary road system. The department
21 may issue an all-system permit under section 321E.8 which is
22 valid for movements on all highways or streets under the
23 jurisdiction of either the state or those local authorities
24 which have indicated in writing to the department those
25 streets or highways for which an all-system permit is not
26 valid.

27 Sec. 6. Section 321E.14, Code 1985, is amended by adding
28 the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. The annual fee for an all-system
30 permit is two hundred fifty dollars which shall be deposited
31 in the road use tax fund.

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HOUSE AMENDMENT TO
SENATE FILE 2296

S-5943

1 Amend Senate File 2296, as amended, passed and
2 reprinted by the Senate, as follows:

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

5 "Sec. ____ . Section 321.1, subsection 43,
6 unnumbered paragraphs 1 and 4, Code Supplement 1985,
7 is amended to read as follows:

8 "Chauffeur" means a person who operates a motor
9 vehicle, including a school bus, in the transportation
10 of persons for wages, compensation or hire, or a
11 person who operates a truck tractor, road tractor or
12 any motor truck which is required to be registered at
13 a gross weight classification exceeding five tons, or
14 any such motor vehicle exempt from registration which
15 would be within the gross weight classification if not
16 so exempt. A person is not a chauffeur when the
17 operation of the motor vehicle, other than a truck
18 tractor, by the owner or operator is occasional and
19 merely incidental to the owner or operator's principal
20 business.

21 Subject to section 321.179, a farmer or the
22 farmer's hired help is not a chauffeur when operating
23 a truck, other than a truck tractor, owned by the
24 farmer and used exclusively in connection with the
25 transportation of the farmer's own products or
26 property."

27 2. Page 1, line 12, by inserting after the word
28 "truck-" the following: "A "special truck" does not
29 include a truck tractor operated more than seventy-
30 five hundred miles annually."

31 3. Page 1, by striking lines 13 through 18 and
32 inserting the following:

33 "Sec. ____ . Section 321.121, Code 1985, is amended
34 to read as follows:

35 321.121 SPECIAL TRUCKS FOR FARM USE.

36 The registration fee for a special truck shall be
37 eighty dollars for a gross weight of six tons, one
38 hundred dollars for a gross weight of seven tons, one
39 hundred twenty dollars for a gross weight of eight
40 tons, and in addition, fifteen dollars for each ton
41 over eight tons and not exceeding eighteen tons. The
42 registration fee for a special truck with a gross
43 weight registration exceeding eighteen tons but not
44 exceeding nineteen tons shall be three hundred twenty-
45 five dollars and for a gross weight registration
46 exceeding nineteen tons but not exceeding twenty tons
47 the registration fee shall be three hundred seventy-
48 five dollars. Any The additional registration fee for
49 a special truck for a gross weight registration in
50 excess of twenty tons is twenty-five dollars for each

S-5943 p. 2

1 ton over twenty tons and not exceeding thirty-two
2 tons.

3 PARAGRAPH DIVIDED. A person convicted of or found
4 by audit to be using a truck motor vehicle registered
5 as a special truck for any purpose other than
6 permitted by section 321.1, subsection 71, shall, in
7 addition to any other penalty imposed by law, be
8 required to pay regular motor truck vehicle
9 registration fees upon such truck motor vehicle.

10 Sec. ____ . Section 321.122, subsection 1,
11 unnumbered paragraph 1, Code 1985, is amended to read
12 as follows:

13 1. The annual registration fee for truck tractors,
14 road tractors, and motor trucks, except motor trucks
15 registered as special trucks, shall be based on the
16 combined gross weight of the vehicle or combination of
17 vehicles. All trucks, truck tractors, or road
18 tractors shall be registered for a gross weight equal
19 to or in excess of the unladen weight of the vehicle
20 or combination of vehicles. The annual registration
21 fee for such vehicles or combination of vehicles,
22 except special trucks, shall be:"

23 4. By renumbering, relettering, or redesignating
24 and correcting internal references as necessary.

S-5943 Filed May 2, 1986 REC'D FROM THE HOUSE

ADOPTED

SENATE FILE 2296

H-6060

1 Amend Senate File 2296 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 12, by inserting after the word
4 "truck-" the following: "A "special truck" does not
5 include a truck tractor operated more than seventy-
6 five hundred miles annually."

7 2. Page 1, by striking lines 13 through 18 and
8 inserting the following:

9 "Sec. ____ . Section 321.121, Code 1985, is amended
10 to read as follows:

11 321.121 SPECIAL TRUCKS FOR FARM USE.

12 The registration fee for a special truck shall be
13 eighty dollars for a gross weight of six tons, one
14 hundred dollars for a gross weight of seven tons, one
15 hundred twenty dollars for a gross weight of eight
16 tons, and in addition, fifteen dollars for each ton
17 over eight tons and not exceeding eighteen tons. The
18 registration fee for a special truck with a gross
19 weight registration exceeding eighteen tons but not
20 exceeding nineteen tons shall be three hundred twenty-
21 five dollars and for a gross weight registration
22 exceeding nineteen tons but not exceeding twenty tons
23 the registration fee shall be three hundred seventy-
24 five dollars. Any The additional registration fee for
25 a special truck for a gross weight registration in
26 excess of twenty tons is twenty-five dollars for each
27 ton over twenty tons and not exceeding thirty-two
28 tons.

29 PARAGRAPH DIVIDED. A person convicted of or found
30 by audit to be using a truck motor vehicle registered
31 as a special truck for any purpose other than
32 permitted by section 321.1, subsection 71, shall, in
33 addition to any other penalty imposed by law, be
34 required to pay regular motor truck vehicle
35 registration fees upon such truck motor vehicle.

36 Sec. ____ . Section 321.122, subsection 1,
37 unnumbered paragraph 1, Code 1985, is amended to read
38 as follows:

39 1. The annual registration fee for truck tractors,
40 road tractors, and motor trucks, except motor trucks
41 registered as special trucks, shall be based on the
42 combined gross weight of the vehicle or combination of
43 vehicles. All trucks, truck tractors, or road
44 tractors shall be registered for a gross weight equal
45 to or in excess of the unladen weight of the vehicle
46 or combination of vehicles. The annual registration
47 fee for such vehicles or combination of vehicles,
48 except truck tractors registered as special trucks,
49 shall be:"

H-6060 FILED APRIL 30, 1986 BY COMMITTEE ON WAYS AND MEANS

Adopted as amended by 6070 5/1 (p. 2021)

1 Amend Senate File 2296 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 11 the
4 following:

5 "Sec. _____. Section 321.473, unnumbered paragraph
6 2, Code 1985, is amended to read as follows:

7 The department may issue annual special permits for
8 the operation of ~~compacted-rubbish compacted-rubbish~~
9 vehicles and vehicles which transport compacted
10 rubbish from a rubbish collection point to a landfill
11 area, exceeding the ~~weight-limitation~~ provisions of
12 section 321.463, but not exceeding a rear axle gross
13 weight for two-axle vehicles of ~~twenty-two~~ twenty-four
14 thousand pounds ~~for-the-period-commencing-July-17-1978~~
15 ~~and-ending-June-30-1986-and-twenty-thousand-pounds~~
16 ~~commencing-July-17-1986-and-thereafter~~, and for tandem
17 axle vehicles or transferable auxiliary axle vehicles
18 not exceeding a gross weight on the rear axles of
19 ~~thirty-six~~ forty thousand pounds. The maximum gross
20 weight of the vehicle shall not exceed sixty thousand
21 pounds. Annual special permits for the operation on
22 secondary roads shall be approved by the county
23 engineer. Annual special permits for a particular
24 vehicle shall not be issued by the department unless
25 prior approval is given by the county engineer of the
26 county in which the vehicle will be operated. Annual
27 special permits for operation on primary roads shall
28 be approved by the state department of transportation.
29 ~~Compacted-rubbish~~ Compacted-rubbish vehicles and
30 vehicles which transport compacted rubbish from a
31 rubbish collection point to a landfill area operated
32 pursuant to an annual special permit shall be operated
33 only over routes designated by the local authority.
34 Annual special permits for a particular vehicle shall
35 not be issued by the department unless approved by the
36 local authority responsible for the roads over which
37 the vehicle will be operated. Annual special permits
38 approved by the issuing authority shall be issued upon
39 payment of an annual fee, in addition to other
40 registration fees imposed, of one hundred dollars to
41 be paid to the department for all nongovernmental
42 vehicles. As used in this section, a compacted-
43 rubbish vehicle includes such vehicles utilizing roll-
44 off systems. If a violation occurs relating to the
45 weight limitations imposed under this paragraph, the
46 weight limitations of section 321.463 shall apply to
47 the vehicle and the fine shall be assessed in
48 accordance with that section."

BY O'KANE of Woodbury

H-6062 FILED APRIL 30, 1986 WOODS of Polk

Adopted as amended by 6070 5/1 (p. 2027)

SENATE FILE 2296

H-6070

1 Amend the committee on ways and means amendment, H-
2 6060, to Senate File 2296 as amended, passed, and
3 reprinted by the Senate as follows:

4 1. Page 1, line 48, by striking the words "truck
5 tractors registered as".

H-6070 FILED APRIL 30, 1986 BY DODERER of Johnson

Adopted 5/1 (p. 2027)

SENATE FILE 2296

H-6089

1 Amend the Committee on Ways and Means amendment, H-
2 6060, to Senate File 2296 as amended, passed, and
3 reprinted by the Senate as follows:

4 1. Page 1, by striking lines 3 through 49 and
5 inserting the following:
6 "___ . Page 1, by striking lines 1 through 18."

-6089 FILED MAY 1, 1986 BY BLACK of Jasper
w/d 5/1 (p. 2027)

SENATE FILE 2296

I-6102

1 Amend Senate File 2296, as amended, passed and
2 reprinted by the Senate, as follows:

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

5 "Sec. ___ . Section 321.1, subsection 43,
6 unnumbered paragraphs 1 and 4, Code Supplement 1985,
7 is amended to read as follows:

8 "Chauffeur" means a person who operates a motor
9 vehicle, including a school bus, in the transportation
10 of persons for wages, compensation or hire, or a
11 person who operates a truck tractor, road tractor or
12 any motor truck which is required to be registered at
13 a gross weight classification exceeding five tons, or
14 any such motor vehicle exempt from registration which
15 would be within the gross weight classification if not
16 so exempt. A person is not a chauffeur when the
17 operation of the motor vehicle, other than a truck
18 tractor, by the owner or operator is occasional and
19 merely incidental to the owner or operator's principal
20 business.

21 Subject to section 321.179, a farmer or the
22 farmer's hired help is not a chauffeur when operating
23 a truck, other than a truck tractor, owned by the
24 farmer and used exclusively in connection with the
25 transportation of the farmer's own products or
property."

27 2. Renumber as necessary.

-6102 FILED MAY 1, 1986 BY BLANSHAN of Greene
ADOPTED (p. 2029)

Ruled not germane, rule suspended

April 24, 1986

STATE OF IOWA

FISCAL NOTE TO
SENATE FILE 2296LSB No. 8415S
Staff ID. RJH

in compliance with a written request received April 22, 1986, a fiscal note for SENATE FILE 2296 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2296 revises the definition of a special truck to increase the maximum gross weight registration from 20 to 32 tons. The special truck definition is also revised to disallow a motor truck modified by removal of a fifth wheel to be classified as a special truck. The registration fee is also modified for special trucks to require an additional registration fee of \$25 per ton over 20 tons.

The bill increases the weight limits on compacted-rubbish vehicles to 22,000 pounds on the rear axle of a two-axle vehicle, 40,000 pounds on tandem axles or transferrable auxiliary axle vehicle and places a 60,000-pound maximum gross weight limit on these vehicles.

Under the provisions of Senate File 2296, the Department of Transportation would be allowed to issue a permit for oversize vehicles and loads valid for all road systems. Operation under the all-system permit is subject to the same restrictions as those applicable to annual permits. The \$250 all-system permit fee is to be deposited in the Road Use Tax Fund. Senate File 2296 also permit the movement of implements of husbandry between a retail seller and a farm purchaser within a 50-mile radius of the retailer's place of business.

ASSUMPTIONS:

1. There are presently 169 permits issued and valid for heavier rubbish vehicles operating at increased axle weights. It is estimated that this number of permits will increase to approximately 200.
2. It is estimated that each vehicle will travel 12,000 miles per year. Approximately 25 percent of the miles traveled will occur at the maximum axle weights permitted.
3. The current maximum axle weights for vehicles other than rubbish vehicles are 20,000 pounds for single axle vehicles, and 34,000 pounds for tandem axle vehicles.
4. It is estimated that the travel of these vehicles in the fully loaded condition will occur as follows:

State Primary Highways	20%
Paved County Roads	10%
Municipal City Streets	70%

FISCAL EFFECT: The Department of Transportation estimates the additional annual highway pavement wear resulting from the increased axle weights as follows:

State Primary Highways (rural and urban)	\$ 22,300
Paved County Roads	26,400
Municipal City Streets	771,500
TOTAL	\$ 820,200

Additionally, it is estimated that approximately 50 percent of the special permits will be issued to non-governmental organizations, which would generate approximately \$10,000 annually.

Filed April 23, 1986

SENATE FILE 2296

AN ACT

RELATING TO THE MOVEMENT OF VEHICLES OF EXCESSIVE SIZE AND WEIGHT.

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

Section 1. Section 321.1, subsection 43, unnumbered paragraphs 1 and 4, Code Supplement 1985, are amended to read as follows:

"Chauffeur" means a person who operates a motor vehicle, including a school bus, in the transportation of persons for wages, compensation or hire, or a person who operates a truck tractor, road tractor or any motor truck which is required to be registered at a gross weight classification exceeding five

tons, or any such motor vehicle exempt from registration which would be within the gross weight classification if not so exempt. A person is not a chauffeur when the operation of the motor vehicle, other than a truck tractor, by the owner or operator is occasional and merely incidental to the owner or operator's principal business.

Subject to section 321.179, a farmer or the farmer's hired help is not a chauffeur when operating a truck, other than a truck tractor, owned by the farmer and used exclusively in connection with the transportation of the farmer's own products or property.

Sec. 2. Section 321.1, subsection 71, Code 1985, is amended to read as follows:

71. A "special truck" means a motor truck or truck tractor not used for hire with a gross weight registration of six through twenty thirty-two tons used by a person engaged in farming to transport commodities produced only by the owner, or to transport commodities purchased by the owner for use in the owner's own farming operation or occasional use for charitable purposes. ~~"Special-truck"-also-means-a-truck tractor-which-is-modified-by-removal-of-a-fifth-wheel-and carries-the-full-load-on-the-motor-truck-and-which-by-reason of-its-conversion-becomes-a-motor-truck.~~ A "special truck" does not include a truck tractor operated more than seventy-five hundred miles annually.

Sec. 3. Section 321.121, Code 1985, is amended to read as follows:

321.121 SPECIAL TRUCKS FOR FARM USE.

The registration fee for a special truck shall be eighty dollars for a gross weight of six tons, one hundred dollars for a gross weight of seven tons, one hundred twenty dollars for a gross weight of eight tons, and in addition, fifteen dollars for each ton over eight tons and not exceeding eighteen tons. The registration fee for a special truck with a gross weight registration exceeding eighteen tons but not

exceeding nineteen tons shall be three hundred twenty-five dollars and for a gross weight registration exceeding nineteen tons but not exceeding twenty tons the registration fee shall be three hundred seventy-five dollars. Any The additional registration fee for a special truck for a gross weight registration in excess of twenty tons is twenty-five dollars for each ton over twenty tons and not exceeding thirty-two tons.

PARAGRAPH DIVIDED. A person convicted of or found by audit to be using a truck motor vehicle registered as a special truck for any purpose other than permitted by section 321.1, subsection 71, shall, in addition to any other penalty imposed by law, be required to pay regular motor truck vehicle registration fees upon such truck motor vehicle.

Sec. 4. Section 321.122, subsection 1, unnumbered paragraph 1, Code 1985, is amended to read as follows:

1. The annual registration fee for truck tractors, road tractors, and motor trucks, except motor trucks registered as special trucks, shall be based on the combined gross weight of the vehicle or combination of vehicles. All trucks, truck tractors, or road tractors shall be registered for a gross weight equal to or in excess of the unladen weight of the vehicle or combination of vehicles. The annual registration fee for such vehicles or combination of vehicles, except special trucks, shall be:

Sec. 5. Section 321.437, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding this chapter or chapter 321E, a combination of vehicles coupled together which is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickups, boats, and recreational chassis, may permanently attach a convex-type mirror on either or both of the vertical supports, forward of the steering axle of the power unit, provided that the mirror shall not extend beyond the limit of any other rearview mirror on the vehicle.

Sec. 6. Section 321.453, Code 1985, is amended to read as follows:

321.453 EXCEPTIONS.

The provisions of this chapter governing size, weight, and load do not apply to fire apparatus, to road maintenance equipment owned by or under lease to any state or local authority, or to implements of husbandry temporarily moved upon a highway, or to implements moved between the retail seller and a farm purchaser within a fifty mile radius from the retail seller's place of business, or to indivisible implements of husbandry temporarily moved between the place of manufacture and a retail seller or a farm purchaser, or implements received and moved by a retail seller of implements of husbandry in exchange for an implement purchased, except on any part of the interstate highway system, or to a vehicle operating under the terms of a special permit issued as provided in chapter 321E.

Sec. 7. Section 321E.2, Code 1985, is amended to read as follows:

321E.2 PRIMARY-ROAD-EXTENSIONS PERMIT-ISSUING AUTHORITIES.

Annual permits and single-trip permits shall be issued by the authority responsible for the maintenance of such the system of highways or streets ~~except that.~~ However, the department shall have authority to may issue permits on primary road extensions in cities in conjunction with movements on the rural primary road system. The department may issue an all-system permit under section 321E.8 which is valid for movements on all highways or streets under the jurisdiction of either the state or those local authorities which have indicated in writing to the department those streets or highways for which an all-system permit is not valid.

Sec. 8. Section 321E.14, Code 1985, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The annual fee for an all-system permit is two hundred fifty dollars which shall be deposited in the road use tax fund.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2296, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 22, 1986

TERRY E. BRANSTAD
Governor

S.F. 2296