

FILED JAN 21 1988

Original 2/15

SENATE FILE 2070
BY COMMITTEE ON TRANSPORTATION
(formerly 55B# 2053)
Amendment (p. 118)

Passed Senate, Date 2/1/88 (p. 220) Passed House, Date 3/28/88
Vote: Ayes 36 Nays 6 Vote: Ayes 78 Nays 16
Approved April 14, 1988

A BILL FOR

1 An Act relating to the application of certain transportation
2 safety regulations.

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

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SF 2070

1 Section 1. Section 321.449, Code Supplement 1987, is
2 amended by adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
4 of this section, rules adopted under this section concerning
5 physical and medical qualifications for drivers of commercial
6 vehicles engaged in intrastate commerce shall not be construed
7 as disqualifying any individual who was employed as a driver
8 of commercial vehicles engaged in intrastate commerce prior to
9 January 1, 1988.

10 Sec. 2. Section 321.450, Code Supplement 1987, is amended
11 to read as follows:

12 321.450 HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS.

13 A person shall not transport or have transported or shipped
14 within this state any hazardous material except in compliance
15 with rules adopted by the department under chapter 17A. The
16 rules shall be consistent with the federal hazardous materials
17 regulations promulgated under United States Code, Title 49,
18 and found in 49 C.F.R. §§ 107, 171 to 173, 177, and 178.

19 However, rules adopted under this section shall not apply to
20 petroleum cargo tank motor vehicles used to transport gasoline
21 in intrastate commerce with a capacity of four thousand
22 gallons or less which were manufactured between 1950 and 1979
23 according to the American Society of Mechanical Engineers
24 specifications in effect at the time of manufacture.

25 EXPLANATION

26 Section 1 prohibits certain motor carrier safety regulation
27 rules concerning physical and medical qualifications for
28 drivers of commercial vehicles from disqualifying drivers who
29 were employed as drivers of commercial vehicles engaged in
30 intrastate commerce prior to January 1, 1988.

31 Section 2 exempts hazardous materials transportation
32 regulation rules from applying to petroleum cargo tank motor
33 vehicles used to transport gasoline in intrastate commerce
34 with a capacity of 4,000 gallons or less which were
35 manufactured between 1950 and 1979 according to the American

1 Society of Mechanical Engineers specifications in effect at
2 the time of manufacture.

3 SUCCESSOR TO SENATE STUDY BILL 2053 (LSB 7729SC)

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SENATE FILE 2070

S-5022

1 Amend Senate File 2070 as follows:
2 1. Page 1, line 2, by striking the word
3 "paragraph" and inserting the following:
4 "paragraphs".
5 2. Page 1, by inserting after line 9 the
6 following:
7 "NEW UNNUMBERED PARAGRAPH. Notwithstanding other
8 provisions of this section, rules adopted under this
9 section shall not impose any requirements which
10 impose any restrictions upon a person operating an
11 implement of husbandry or pickup to transport
12 fertilizers and pesticides in that person's
13 agricultural operations."

S-5022

Filed January 26, 1988

Adopted 2/1/88 (p. 220)

BY BERL E. PRIEBE
C. JOSEPH COLEMAN
KENNETH D. SCOTT
EMIL J. HUSAK
JACK W. HESTER
RICHARD VANDE HOEF

SENATE FILE 2070

S-5027

1 Amend Senate File 2070 as follows:
2 1. Page 1, by inserting before line 1, the
3 following:
4 "Sec. ____ Section 321.449, unnumbered paragraph
5 2, Code Supplement 1987, is amended to read as
6 follows:
7 Rules adopted under this section concerning driver
8 qualifications, hours of service, and recordkeeping
9 requirements do not apply to the operators of public
10 utility trucks, trucks hauling gravel, construction
11 trucks and equipment, trucks moving implements of
12 husbandry, and special trucks, other than a truck
13 tractor, operating intrastate. ~~However, construction~~
14 ~~trucks shall not be construed to include gravel~~
15 ~~hauling trucks--Gravel-hauling trucks and trucks~~
16 Trucks for hire on construction projects are not
17 exempt from this section."
18 2. Renumber sections as necessary.

S-5027

Filed February 1, 1988

ADOPTED

(p. 220)

BY DALE TIEDEN

Sen. Transportation 2/4 Amend per 5/9/84 to Senate 2/26 (p. 496)

SENATE FILE 2070
BY COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 1, 1988)
_____ - New Language by the Senate

Passed Senate, Date 4/6/88 (p. 1276) Passed House, Date 3/28/88 (p. 1099)
Vote: Ayes 46 Nays 1 Vote: Ayes 79 Nays 16
Approved April 14, 1988 (p. 1685)
*Written to reconsider (p. 1124)
" w/d 3/30 (p. 1278)*

A BILL FOR

1 An Act relating to the application of certain transportation
2 safety regulations.

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

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SF 2070

6/17
1 Section 1. Section 321.449, unnumbered paragraph 2, Code
2 Supplement 1987, is amended to read as follows:
3 Rules adopted under this section concerning driver
4 qualifications, hours of service, and recordkeeping
5 requirements do not apply to the operators of public utility
6 trucks, trucks hauling gravel, construction trucks and
7 equipment, trucks moving implements of husbandry, and special
8 trucks, other than a truck tractor, operating intrastate.
9 ~~However, construction trucks shall not be construed to include~~
10 ~~gravel-hauling trucks.--Gravel-hauling trucks and trucks~~
11 Trucks for hire on construction projects are not exempt from
12 this section.

6/17
13 Sec. 2. Section 321.449, Code Supplement 1987, is amended
14 by adding the following new unnumbered paragraphs:

15 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
16 of this section, rules adopted under this section concerning
17 physical and medical qualifications for drivers of commercial
18 vehicles engaged in intrastate commerce shall not be construed
19 as disqualifying any individual who was employed as a driver
20 of commercial vehicles engaged in intrastate commerce prior to
21 January 1, 1988.

22 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
23 of this section, rules adopted under this section shall not
24 impose any requirements which impose any restrictions upon a
25 person operating an implement of husbandry or pickup to
26 transport fertilizers and pesticides in that person's
27 agricultural operations.

6/17
28 Sec. 3. Section 321.450, Code Supplement 1987, is amended
29 to read as follows:

30 321.450 HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS.

31 A person shall not transport or have transported or shipped
32 within this state any hazardous material except in compliance
33 with rules adopted by the department under chapter 17A. The
34 rules shall be consistent with the federal hazardous materials
35 regulations promulgated under United States Code, Title 49,

1 and found in 49 C.F.R. §§ 107, 171 to 173, 177, and 178.

2 However, rules adopted under this section shall not apply to
3 petroleum cargo tank motor vehicles used to transport gasoline
4 in intrastate commerce with a capacity of four thousand
5 gallons or less which were manufactured between 1950 and 1979
6 according to the American Society of Mechanical Engineers
7 specifications in effect at the time of manufacture.

8 SUCCESSOR TO SENATE STUDY BILL 2053 (LSB 7729SC)

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SENATE FILE 2070

H-5191

1 Amend Senate File 2070 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 16, Code
6 Supplement 1987, is amended by adding the following
7 new lettered paragraph immediately following paragraph
8 d:

9 NEW LETTERED PARAGRAPH. e. (1) Portable tanks,
10 nurse tanks, trailers, and bulk spreaders which are
11 not self-propelled and which have gross weights of not
12 more than twelve tons and are used for the
13 transportation of fertilizer and chemicals used for
14 farm crop production.

15 (2) Other types of equipment than those listed in
16 subparagraph (1) which are used primarily for the
17 application of fertilizers and chemicals in farm
18 fields or for farm storage."

19 2. Page 1, by striking lines 14 through 27 and
20 inserting the following: "by adding the following new
21 unnumbered paragraph:

22 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
23 provisions of this section, an individual who is
24 employed as a driver of a commercial vehicle engaged
25 in intrastate commerce, whose physical or medical
26 qualifications may endanger the individual's
27 employment status, may apply for a medical waiver. A
28 driver license examiner may grant a medical waiver, on
29 an individual basis, for drivers with physical
30 restrictions. Medical restrictions shall be reviewed
31 on an individual basis by the department's medical
32 advisory board."

33 3. Page 2, by striking lines 2 through 7 and
34 inserting the following: "However, rules adopted
35 under this section concerning tank specifications
36 shall not apply to cargo tank motor vehicles with a
37 capacity of four thousand gallons or less used to
38 transport gasoline in intrastate commerce, which were
39 manufactured between 1950 and 1979 and are in
40 compliance with the American society of mechanical
41 engineers specifications in effect at the time of
42 manufacture."

43 4. Renumber sections as necessary.

H-5191 FILED FEBRUARY 26, 1988 BY COMMITTEE ON TRANSPORTATION

A. Adopted as amended by 5650 3/28 (f. 1096) Reconsidered - re-adopted (f. 1096)
B. 3/15 (f. 1098)

SENATE FILE 2070

H-5227

1 Amend the Committee on Transportation amendment, H-
2 5191, to Senate File 2070 as amended, passed, and
3 reprinted by the Senate as follows:

4 1. Page 1, by striking line 42 and inserting the
5 following: "manufacture.

6 Sec. ____ . Section 422.45, subsection 26,
7 paragraph b, Code Supplement 1987, is amended to read
8 as follows:

9 b. The farm machinery and equipment shall
10 constitute self-propelled implements or implements
11 customarily drawn or attached to self-propelled
12 implements or the farm machinery or equipment is a
13 grain dryer. Implements of husbandry, as defined in
14 section 321.1, subsection 16, paragraph "e", are
15 exempt from the requirements of this paragraph."

H-5227 FILED MARCH 2, 1988 BY MUHLBAUER of Crawford
w/d 3/28 (3 1096)

SENATE FILE 2070

H-5650

1 Amend the Committee amendment, H-5191, to Senate
2 File 2070 as amended, passed, and reprinted by the
3 Senate as follows:

4 1. Page 1, by striking line 18 and inserting the
5 following: "fields or for farm storage.

6 Sec. ____ . Section 321.1, subsection 17, Code
7 Supplement 1987, is amended to read as follows:

8 17. "Special mobile equipment" means every vehicle
9 not designed or used primarily for the transportation
10 of persons or property and incidentally operated or
11 moved over the highways, ~~including-trailers-and-bulk~~
12 ~~spreaders-which-are-not-self-propelled-having-a-gross~~
13 ~~weight-of-not-more-than-twelve-tens-used-for-the~~
14 ~~transportation-of-fertilizers-and-chemicals-used-for~~
15 ~~farm-crop-production, and other equipment used~~
16 ~~primarily-for-the-application-of-fertilizers-and~~
17 ~~chemicals-in-farm-fields-or-for-farm-storage, but not~~
18 ~~including trucks-mounted-with-applicators-of-such~~
19 ~~products, road construction or maintenance machinery~~
20 ~~and ditch-digging apparatus. The foregoing~~
21 ~~enumeration shall be deemed partial and shall~~ This
22 description does not operate to exclude other such
23 vehicles which are within the general terms of this
24 subsection, provided that nothing contained in.
25 However, this section shall be construed to does not
26 include portable mills or cornshellers mounted upon a
27 motor vehicle or semitrailer."

H-5650 FILED MARCH 16, 1988 BY MUHLBAUER of Crawford
Adopted 3/28 (3 1096)

SENATE FILE 2070

H-5655

1 Amend Senate File 2070, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 28 the
4 following:

5 "Sec. ____ . Section 321.449, Code Supplement 1987,
6 is amended by adding the following new unnumbered
7 paragraph:

8 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
9 provisions of this section, rules adopted under this
10 section concerning physical and medical qualifications
11 for a driver shall not apply to a farmer or a farmer's
12 hired help when operating a vehicle owned by the
13 farmer while it is being used in connection with the
14 intrastate transportation of agricultural commodities
15 or feed."

16 2. Page 1, by inserting before line 28 the
17 following:

18 "Sec. ____ . Section 321.449, Code Supplement 1987,
19 is amended by adding the following new unnumbered
20 paragraph:

21 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
22 provisions of this section, rules adopted under this
23 section concerning physical and medical qualifications
24 for a driver shall not apply to a farmer or a farmer's
25 hired help when operating a vehicle owned by the
26 farmer while it is being used in connection with the
27 intrastate transportation of fertilizers and chemicals
28 used in the farmer's crop production."

BY SKOW of Winne
MUHLBAUER of Crawford
SVOBODA of Tama
DE GROOT of Lyon
FOGARTY of Palo Alto
GRUHN of Dickinson

BRANSTAD of Winnebago
BENNETT of Ida
KOENIGS of Mitchell
COOPER of Lucas
MAY of Worth
McKINNEY of Dallas

H-5655 FILED MARCH 16, 1988

Adjusted 3/28 (p. 1097)

SENATE FILE 2070

H-5656

1 Amend Senate File 2070 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 28 the
4 following:

5 "Sec. . . . Section 321.449, Code Supplement 1987,
6 is amended by adding the following new unnumbered
7 paragraph:

8 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
9 provisions of this section, rules adopted under this
10 section concerning physical and medical qualifications
11 for a driver of a commercial vehicle shall not apply
12 to a truck driver engaged exclusively in intrastate
13 commerce when the driver's truck is not operated more
14 than one hundred miles from the truck driver's place
15 of business."

SKOW of Guthrie
MUHLBAUER of Crawford
SVOBODA of Tama
FOGARTY of Palo Alto
GRUHN of Dickinson
DE GROOT of Lyon

BRANSTAD of Winnebago
BENNETT of Ida
KOENIGS of Mitchell
COOPER of Lucas
MAY of Worth
MCKINNEY of Dallas

H-5656 FILED MARCH 16, 1988

Adopted as amended by S 764 3/28 (p. 1098)

SENATE FILE 2070

H-5764

1 Amend the Skow et al amendment, H-5656, to Senate
2 File 2070, as amended, passed, and reprinted by the
3 Senate, as follows:

4 1. Page 1, line 10, by striking the words
5 "concerning physical and medical qualifications".

BY MUHLBAUER of Crawford

H-5764 FILED MARCH 21, 1988

SKOW of Guthrie

Adopted 3/28 (p. 1098)

SENATE FILE 2070

S-5781

1 Amend the House amendment, S-5739, to Senate File
2 2070, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 49 through page 2,
5 line 2, and inserting the following: "apply to a
6 driver for a private carrier, which is not for hire
7 and which is engaged exclusively in intrastate
8 commerce, when the driver's commercial vehicle is not
9 operated more than one hundred miles from the driver's
10 work reporting location."

S-5781

Filed April 5, 1988

Lower 4/6 (p. 1275)

BY RICHARD F. DRAKE

HOUSE AMENDMENT TO
SENATE FILE 2070

39

1 Amend Senate File 2070 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 16, Code
6 Supplement 1987, is amended by adding the following
7 new lettered paragraph immediately following paragraph
8 d:

9 NEW LETTERED PARAGRAPH. e. (1) Portable tanks,
10 nurse tanks, trailers, and bulk spreaders which are
11 not self-propelled and which have gross weights of not
12 more than twelve tons and are used for the
13 transportation of fertilizer and chemicals used for
14 farm crop production.

15 (2) Other types of equipment than those listed in
16 subparagraph (1) which are used primarily for the
17 application of fertilizers and chemicals in farm
18 fields or for farm storage.

19 Sec. ____ . Section 321.1, subsection 17, Code
20 Supplement 1987, is amended to read as follows:

21 17. "Special mobile equipment" means every vehicle
22 not designed or used primarily for the transportation
23 of persons or property and incidentally operated or
24 moved over the highways, including-trailers-and-bulk
25 spreaders-which-are-not-self-propelled-having-a-gross
26 weight-of-not-more-than-twelve-tons-used-for-the
27 transportation-of-fertilizers-and-chemicals-used-for
28 farm-crop-production, and other equipment used
29 primarily-for-the-application-of-fertilizers-and
30 chemicals-in-farm-fields-or-for-farm-storage, but not
31 including trucks-mounted-with-applicators-of-such
32 products, road construction or maintenance machinery
33 and ditch-digging apparatus. ~~The foregoing~~
34 ~~enumeration shall be deemed partial and shall~~ This
35 description does not operate to exclude other such
36 vehicles which are within the general terms of this
37 subsection, provided that nothing contained in.
38 However, this section shall be construed to does not
39 include portable mills or cornshellers mounted upon a
40 motor vehicle or semitrailer."

41 2. Page 1, by inserting before line 28 the
42 following:

43 "Sec. ____ . Section 321.449, Code Supplement 1987,
44 is amended by adding the following new unnumbered
45 paragraph:

46 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
47 provisions of this section, rules adopted under this
48 section for a driver of a commercial vehicle shall not
49 apply to a truck driver engaged exclusively in
50 intrastate commerce when the driver's truck is not

S-5739 Page 2

1 operated more than one hundred miles from the truck
2 driver's place of business."

3 3. Page 1, by inserting before line 28 the
4 following:

5 "Sec. ____ . Section 321.449, Code Supplement 1987,
6 is amended by adding the following new unnumbered
7 paragraph:

8 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
9 provisions of this section, rules adopted under this
10 section concerning physical and medical qualifications
11 for a driver shall not apply to a farmer or a farmer's
12 hired help when operating a vehicle owned by the
13 farmer while it is being used in connection with the
14 intrastate transportation of agricultural commodities
15 or feed."

16 4. Page 1, by inserting before line 28 the
17 following:

18 "Sec. ____ . Section 321.449, Code Supplement 1987,
19 is amended by adding the following new unnumbered
20 paragraph:

21 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
22 provisions of this section, rules adopted under this
23 section concerning physical and medical qualifications
24 for a driver shall not apply to a farmer or a farmer's
25 hired help when operating a vehicle owned by the
26 farmer while it is being used in connection with the
27 intrastate transportation of fertilizers and chemicals
28 used in the farmer's crop production."

29 5. Page 2, by striking lines 2 through 7 and
30 inserting the following: "However, rules adopted
31 under this section concerning tank specifications
32 shall not apply to cargo tank motor vehicles with a
33 capacity of four thousand gallons or less used to
34 transport gasoline in intrastate commerce, which were
35 manufactured between 1950 and 1979 and are in
36 compliance with the American society of mechanical
37 engineers specifications in effect at the time of
38 manufacture."

39 6. By renumbering, relettering, or redesignating
40 and correcting internal references as necessary.

S-5739

Filed April 4, 1988

RECEIVED FROM THE HOUSE

Senate Journal 4/6/88 (p. 1276)

TRANSPORTATION: Scott, Chair; Coleman and Nystrom

Now

SENATE FILE 2070
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL)

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

A BILL FOR

1 An Act relating to the application of certain transportation
2 safety regulations.

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

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1 Section 1. Section 321.449, Code Supplement 1987, is
2 amended by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions
4 of this section, rules adopted under this section concerning
5 physical and medical qualifications for drivers of commercial
6 vehicles engaged in intrastate commerce shall not be construed
7 as disqualifying any individual who was employed as a driver
8 of commercial vehicles engaged in intrastate commerce prior to
9 January 1, 1988.

10 Sec. 2. Section 321.450, Code Supplement 1987, is amended
11 to read as follows:

12 321.450 HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS.

13 A person shall not transport or have transported or shipped
14 within this state any hazardous material except in compliance
15 with rules adopted by the department under chapter 17A. The
16 rules shall be consistent with the federal hazardous materials
17 regulations promulgated under United States Code, Title 49,
18 and found in 49 C.F.R. §§ 107, 171 to 173, 177, and 178.

19 However, rules adopted under this section shall not apply to
20 petroleum cargo tank motor vehicles used to transport gasoline
21 in intrastate commerce with a capacity of four thousand
22 gallons or less which were manufactured between 1950 and 1979
23 according to the American Society of Mechanical Engineers
24 specifications in effect at the time of manufacture.

25 EXPLANATION

26 Section 1 prohibits certain motor carrier safety regulation
27 rules concerning physical and medical qualifications for
28 drivers of commercial vehicles from disqualifying drivers who
29 were employed as drivers of commercial vehicles engaged in
30 intrastate commerce prior to January 1, 1988.

31 Section 2 exempts hazardous materials transportation
32 regulation rules from applying to petroleum cargo tank motor
33 vehicles used to transport gasoline in intrastate commerce
34 with a capacity of 4,000 gallons or less which were
35 manufactured between 1950 and 1979 according to the American

1 Society of Mechanical Engineers specifications in effect at
2 the time of manufacture.

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SENATE FILE 2070

AN ACT

RELATING TO THE APPLICATION OF CERTAIN TRANSPORTATION SAFETY REGULATIONS.

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

Section 1. Section 321.1, subsection 16, Code Supplement 1987, is amended by adding the following new lettered paragraph immediately following paragraph d:

NEW LETTERED PARAGRAPH. e. (1) Portable tanks, nurse tanks, trailers, and bulk spreaders which are not self-propelled and which have gross weights of not more than twelve tons and are used for the transportation of fertilizer and chemicals used for farm crop production.

(2) Other types of equipment than those listed in subparagraph (1) which are used primarily for the application of fertilizers and chemicals in farm fields or for farm storage.

Sec. 2. Section 321.1, subsection 17, Code Supplement 1987, is amended to read as follows:

17. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, ~~including trailers and bulk spreaders which are not self-propelled having a gross weight of not more than twelve tons used for the transportation of fertilizers and chemicals used for farm crop production; and other equipment used primarily for the application of fertilizers and chemicals in farm fields or for farm storage;~~ but not including trucks ~~equipped with applicators of such products;~~ road construction or maintenance machinery and ditch-digging apparatus. ~~The foregoing enumeration shall be deemed partial and shall This description does not operate to exclude other such vehicles~~

which are within the general terms of this subsection; ~~provided that nothing contained in.~~ However, this section ~~shall be construed to does not~~ include portable mills or cornshellers mounted upon a motor vehicle or semitrailer.

Sec. 3. Section 321.449, unnumbered paragraph 2, Code Supplement 1987, is amended to read as follows:

Rules adopted under this section concerning driver qualifications, hours of service, and recordkeeping requirements do not apply to the operators of public utility trucks, trucks hauling gravel, construction trucks and equipment, trucks moving implements of husbandry, and special trucks, other than a truck tractor, operating intrastate. ~~However, construction trucks shall not be construed to include gravel-hauling trucks.~~ ~~Gravel-hauling trucks and trucks~~ Trucks for hire on construction projects are not exempt from this section.

Sec. 4. Section 321.449, Code Supplement 1987, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section concerning physical and medical qualifications for drivers of commercial vehicles engaged in intrastate commerce shall not be construed as disqualifying any individual who was employed as a driver of commercial vehicles engaged in intrastate commerce prior to January 1, 1988.

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section shall not impose any requirements which impose any restrictions upon a person operating an implement of husbandry or pickup to transport fertilizers and pesticides in that person's agricultural operations.

Sec. 5. Section 321.449, Code Supplement 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section concerning

SF 2070

physical and medical qualifications for a driver shall not apply to a farmer or a farmer's hired help when operating a vehicle owned by the farmer while it is being used in connection with the intrastate transportation of fertilizers and chemicals used in the farmer's crop production.

Sec. 6. Section 321.449, Code Supplement 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section concerning physical and medical qualifications for a driver shall not apply to a farmer or a farmer's hired help when operating a vehicle owned by the farmer while it is being used in connection with the intrastate transportation of agricultural commodities or feed.

Sec. 7. Section 321.449, Code Supplement 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section for a driver of a commercial vehicle shall not apply to a truck driver engaged exclusively in intrastate commerce when the driver's truck is not operated more than one hundred miles from the truck driver's place of business.

Sec. 8. Section 321.450, Code Supplement 1987, is amended to read as follows:

321.450 HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS.

A person shall not transport or have transported or shipped within this state any hazardous material except in compliance with rules adopted by the department under chapter 17A. The rules shall be consistent with the federal hazardous materials regulations promulgated under United States Code, Title 49, and found in 49 C.F.R. §§ 107, 171 to 173, 177, and 178. However, rules adopted under this section concerning tank specifications shall not apply to cargo tank motor vehicles with a capacity of four thousand gallons or less used to transport gasoline in intrastate commerce, which were

manufactured between 1950 and 1979 and are in compliance with the American society of mechanical engineers specifications in effect at the time of manufacture.

JO ANN ZIMMERMAN
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 2070, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 14, 1988

TERRY E. BRANSTAD
Governor