

Gen. Trans.  
DO pass 5-4-89 (p1941)

MAY 2 1989

TRANSPORTATION  
DO pass 5-4-89 (p2403)

HOUSE FILE 792  
BY ARNOULD and STROMER

Passed House, Date 5-4-89 (p.2418) Passed Senate, Date 5-5-89 (p.1993)  
Vote: Ayes 82 Nays 7 Vote: Ayes 48 Nays 0  
Approved May 22, 1989

A BILL FOR

1 An Act relating to transportation of hazardous materials and  
2 providing an effective date.  
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 792

1 Section 1. 1989 Iowa Acts, Senate File 442, section 2, is  
2 amended by striking the section and inserting in lieu thereof  
3 the following:

4 SEC. 2. Section 321.450, Code 1989, is amended by adding  
5 the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions  
7 of this section, or the age requirements under section  
8 321.449, the age requirements under section 321.449 and the  
9 rules adopted under this section pertaining to compliance with  
10 regulations adopted under U.S.C., Title 49, and found in 49  
11 C.F.R. § 177.804, shall not apply to retail dealers of  
12 fertilizers, petroleum products, and pesticides and their  
13 employees while delivering fertilizers, petroleum products,  
14 and pesticides to farm customers within a one-hundred-mile  
15 radius of their retail place of business. Notwithstanding  
16 contrary provisions of this chapter, motor vehicles registered  
17 for a maximum gross weight of five tons or less shall be  
18 exempt from the requirements of placarding and of carrying  
19 hazardous materials shipping papers if the hazardous materials  
20 which are transported are clearly labeled.

21 Sec. 2. This Act, being deemed of immediate importance,  
22 takes effect upon its enactment.

23 EXPLANATION

24 1989 Iowa Acts, Senate File 442, section 2, provides that  
25 rules adopted under section 321.450 do not apply to retail  
26 dealers of fertilizers, petroleum products, and pesticides and  
27 their employees while delivering fertilizers, petroleum  
28 products, and pesticides to farm customers within a one-  
29 hundred-mile radius of their retail place of business. This  
30 bill strikes that section and replaces it with provisions  
31 exempting these dealers and their employees from the minimum  
32 age requirements of section 321.449 and the rules adopted  
33 under section 321.450 pertaining to compliance with  
34 regulations adopted under U.S.C., Title 49, and found in 49  
35 C.F.R. § 177.804, while delivering fertilizers, petroleum

1 products, and pesticides to farm customers within a one-  
2 hundred-mile radius of their retail place of business.

3 This bill also provides that motor vehicles registered for  
4 a maximum gross weight of five tons or less are exempt from  
5 the requirements of placarding and of carrying hazardous  
6 materials shipping papers if the hazardous materials which are  
7 transported are clearly labeled.

8 This bill takes effect upon enactment.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Sec. 2. This Act, being deemed of immediate importance, takes effect upon its enactment.

HOUSE FILE 792

AN ACT

RELATING TO TRANSPORTATION OF HAZARDOUS MATERIALS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. 1989 Iowa Acts, Senate File 442, section 2, is amended by striking the section and inserting in lieu thereof the following:

SEC. 2. Section 321.450, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, or the age requirements under section 321.449, the age requirements under section 321.449 and the rules adopted under this section pertaining to compliance with regulations adopted under U.S.C., Title 49, and found in 49 C.F.R. § 177.804, shall not apply to retail dealers of fertilizers, petroleum products, and pesticides and their employees while delivering fertilizers, petroleum products, and pesticides to farm customers within a one-hundred-mile radius of their retail place of business. Notwithstanding contrary provisions of this chapter, motor vehicles registered for a maximum gross weight of five tons or less shall be exempt from the requirements of placarding and of carrying hazardous materials shipping papers if the hazardous materials which are transported are clearly labeled.

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 792, Seventy-third General Assembly.

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House  
Approved May 22, 1989

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor