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FILED MAR 15 1989

SENATE FILE 442 BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 246)

Passed Senate, Date 321-81(p.928) Passed House, Date 4/12/89 (P.1513) Vote: Ayes 34 Nays 10 Vote: Ayes 79 Nays 14Approved 4/27/89

## A BILL FOR

1 An Act relating to rules adopted under section 321.450 as they 2 relate to physical and medical qualifications of drivers of 3 commercial vehicles engaged in intrastate commerce and to 35344 retail dealers and their employees delivering fertilizers and 5 pesticides to farm customers and providing an effective date. 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 7

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22 23 SENATE FILE 442

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S-3334
       Amend Senate File 442 as follows:
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        1. Page 1, line 14, by striking the word
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   3 "fertilizers" and inserting the following:
   4 "fertilizers, petroleum products,".
        2. Page 1, line 15, by striking the word
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   6 "fertilizers" and inserting the following:
   7 "fertilizers, petroleum products,".
        3. Page 1, line 16, by striking the word "fifty-
   8
   9 mile" and inserting the following: "one-hundred-
  10 mile".
         4. Title page, line 4, by striking the word
  11
  12 "fertilizers" and inserting the following:
13 "fertilizers, petroleum products,".
  5-3334 FILED MARCH 20, 1989 Adopted 3-21-SI (p. 928)
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S.F. 442 H.F.

Section 1. Section 321.450, Code 1989, is amended by 2 adding the following new unnumbered paragraph:

3 <u>NEW UNNUMBERED PARAGRAPH</u>. 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 1989, is amended by adding 11 the following new unnumbered paragraph:

3334 12 <u>NEW UNNUMBERED PARAGRAPH</u>. Notwithstanding other provisions 13 of this section, rules adopted under this section shall not -14 apply to retail dealers of fertilizers and pesticides and 15 their employees while delivering fertilizers and pesticides to 16 farm customers within a fifty-mile radius of their retail 17 place of business.

18 Sec. 3. This Act, being deemed of immediate importance, 19 takes effect upon its enactment.

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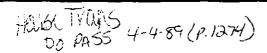
#### EXPLANATION

This bill provides that rules regarding the transportation of hazardous material under section 321.450 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.

This bill also provides that rules adopted by the state department of transportation under section 321.450 regarding transportation of hazardous material do not apply to retail dealers of fertilizers and pesticides and their employees while delivering fertilizers and pesticides to farm customers within a fifty-mile radius of their retail place of business. The bill takes effect upon its enactment.

> LSB 2287SV 73 gk/jw/5

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SENATE FILE <u>442</u> BY COMMITTEE ON TRANSPORTATION

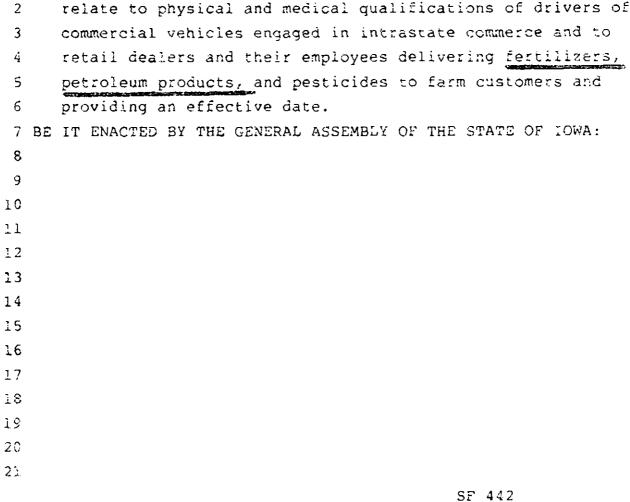
(SUCCESSOR TO SSB 246)

(AS AMENDED AND PASSED BY THE SENATE MARCH 21, 1989)

Passed Senate, Date  $\frac{3/21/87(p.928)}{passed House}$ , Date  $\frac{1-12.89(p.5/3)}{passed House}$ Vote: Ayes 34 Nays 10 Vote: Ayes 19 Nays 14Approved 427-89 (P.1740)

## A BILL FOR

39471 An Act relating to rules adopted under section 321.450 as they



S.F. 447 H.F.

Section 1. Section 321.450, Code 1989, is amended by
 adding the following new unnumbered paragraph:

3 <u>NEW UNNUMBERED PARAGRAPH</u>. 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 1989, is amended by adding 11 the following new unnumbered paragraph:

396-12 NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions 13 of this section, rules adopted under this section shall not 14 apply to retail dealers of fertilizers, petroleum products, 15 and pesticides and their employees while delivering 16 fertilizers, petroleum products, and pesticides to farm 17 customers within a one-hundred-mile radius of their retail 3967,<sup>18</sup> place of business.

19 Sec. 3. This Act, being deemed of immediate importance,

20 takes effect upon its enactment.

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SF 442 gk/cc/26

Page 35

SENATE FILE 442 -3964 Amend Senate File 442, as amended, passed, and 2 reprinted by the Senate, as follows: 3 1. Page 1, line 13, by inserting before the word 4 "shall" the following: "pertaining to physical and 5 medical qualifications of drivers of commercial 6 vehicles". 7 2. Page 1, line 15, by inserting after the word 8 "pesticides" the following: "intrastate". By CONNORS of Polk FILED APRIL 11, 1989 (DSF 4 12 891 (21511) H-3964 SENATE FILE 442 H-3967 1 Amend Senate File 442, as amended, passed, and 2 reprinted by the Senate, as follows: 3 1. Page 1, by inserting before line 19 the 4 following: 5 "Sec. . Section 321.450, Code 1989, is amended 6 by adding the following new unnumbered paragraph: 7 NEW UNNUMBERED PARAGRAPH. Municipal sewage sludge 8 ash is deemed to be a potentially hazardous waste. 9 Municipal sewage sludge ash shall not be transported 10 by a person on the highways beyond a thirty-mile I radius from its point of origin." 2. Title page, line 1, by inserting after the 13 word "to" the following: "transportation of hazardous 14 materials, including". 15 3. Title page, line 6, by inserting after the 16 word "date" the following: "and making penalties 17 applicable." By BROWN of Lucas FEY of Scott JESSE of Jasper SCHRADER of Marion ROSENBERG of Story BEATTY of Warren BLACK of Jasper HAMMOND of Story not Chermane 4-12-89 (p.1512) Rules Supported 1057 Ayes 41 Nays 18\_ E-3967 FILED APRIL 11, 1989

Seorr, CH. Doyce Goodwind SSB 246 TRANSPORTATION

SENATE FILE 442BY (PROPOSED COMMITTEE ON TRANSPORTATION BILL)

Passed	Senate,	Date	Passed	House,	Date
Vote:	Ayes	Nays	Vote:	Ayes	Nays
	Ag	pproved			

# A BILL FOR

1 An Act relating to physical and medical qualifications of drivers of commercial vehicles engaged in intrastate commerce as 2 required by rules adopted under section 321.450 regarding 3 transportation of hazardous material and providing an 4 effective date. 5 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 7 8 9 10 11 12 13 14 15 16 17 18 19 . 20 21 22 23 24 TLSB 2287SC 73

S.F. \_\_\_\_\_ H.F. \_\_\_\_

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2 adding the following new unnumbered paragraph: NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions 3 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. Sec. 2. This Act, being deemed of immediate importance, 10 11 takes effect upon its enactment. 12 EXPLANATION 13 This bill provides that rules regarding the transportation 14 of hazardous material under section 321.450 concerning physi-15 cal and medical qualifications for drivers of commercial ve-16 hicles engaged in intrastate commerce shall not be construed 17 as disqualifying any individual who was employed as a driver 18 of commercial vehicles engaged in intrastate commerce prior to 19 January 1, 1988. 20 The bill takes effect upon its enactment. 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35

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Section 1. Section 321.450, Code 1989, is amended by

LSB 2287SC 73 gk/jw/5



Sec. 3. This Act, being deemed of immediate importance, takes effect upon its enactment.

SENATE FILE 442

#### AN ACT

RELATING TO RULES ADOPTED UNDER SECTION 321.450 AS THEY RE-LATE TO PHYSICAL AND MEDICAL QUALIFICATIONS OF DRIVERS OF COMMERCIAL VEHICLES ENGAGED IN INTRASTATE COMMERCE AND TO RETAIL DEALERS AND THEIR EMPLOYEES DELIVERING FERTILIZERS, PETROLEUM PRODUCTS, AND PESTICIDES TO FARM CUSTOMERS AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 321.450, Code 1989, is amended by adding the following new unnumbered paragraph:

<u>NEW UNNUMBERED PARAGRAPH</u>. 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.

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, rules adopted under this section 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. JO ANN ZIMMERMAN President of the Secate

DONALD D. AVENSON Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate Tile 442, Seventy-third General Assembly.

Approved 4/27 , 1989

JOHN P. DWYER Secretary of the Senate

TERRY E. BRANSTAD Governor