

Reprinted

HOUSE FILE 252
BY COMMITTEE ON TRANSPORTATION

FEB 13 1991

(SUCCESSOR TO HF 162)

Place On Calendar

(COMPANION TO SF 113
BY GETTINGS)

Passed House, Date 2/21/91 (p. 413) Passed Senate, Date 4/18/91 (P135)
Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 0
Approved May 7, 1991

A BILL FOR

5071 An Act relating to exempting certain cargo tank motor vehicles
2 from hazardous materials transportation regulations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 252

1 Section 1. Section 321.450, unnumbered paragraph 1, Code
2 1991, is amended to read as follows:

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

9 However, rules adopted under this section concerning tank
10 specifications shall not apply to cargo tank motor vehicles
11 with a capacity of four thousand gallons or less used to
12 transport gasoline in intrastate commerce, which were
13 manufactured between 1950 and ~~1979~~ 1989 and are in compliance
14 with the American society of mechanical engineers
15 specifications in effect at the time of manufacture.

16 EXPLANATION

17 This bill exempts from current hazardous materials trans-
18 portation regulations, cargo tank motor vehicles with a
19 capacity of 4,000 gallons or less used to transport gasoline
20 in intrastate commerce, which were manufactured between 1950
21 and 1989 in compliance with the American society of mechanical
22 engineers specifications. Present law exempts cargo tank
23 motor vehicles manufactured between 1950 and 1979.

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HOUSE FILE 252

H-3074

- 1 Amend House File 252 as follows:
- 2 1. Page 1, line 13, by inserting after the figure
- 3 "1989" the following: "and were domiciled in Iowa
- 4 prior to July 1, 1991,".

By MUHLBAUER of Crawford

H-3074 FILED FEBRUARY 19, 1991

Adopted as amended by 3082 2/19/91 (p 4/8)

HOUSE FILE 252

H-3079

- 1 Amend House File 252 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 321.285, subsection 8, Code
- 5 1991, is amended to read as follows:
- 6 8. Notwithstanding any other speed restrictions,
- 7 the speed limit for all vehicular traffic, except
- 8 vehicles subject to the provisions of section 321.286
- 9 on fully controlled-access, divided, multilaned
- 10 highways including the national system of interstate
- 11 highways designated by the federal highway
- 12 administration and this state (23 U.S.C. sec. 103 (e))
- 13 is ~~sixty-five~~ fifty-five miles per hour. However, the
- 14 department or cities with the approval of the
- 15 department may establish a lower speed limit upon such
- 16 highways located within the corporate limits of a city
- 17 and used as city alternate routes, commonly referred
- 18 to as "freeways." For the purposes of this subsection
- 19 a fully controlled-access highway is a highway that
- 20 gives preference to through traffic by providing
- 21 access connections with selected public roads only and
- 22 by prohibiting crossings at grade or direct private
- 23 driveway connections. A minimum speed of forty miles
- 24 per hour, road conditions permitting, is established
- 25 on the highways referred to in this subsection.
- 26 Sec. _____. Section 321.286, subsection 1, Code
- 27 1991, is amended to read as follows:
- 28 1. ~~Sixty-five~~ Fifty-five miles per hour on all
- 29 fully controlled-access, divided, multilaned highways
- 30 including interstate highways."
- 31 2. Page 1, by inserting after line 15 the
- 32 following:
- 33 "Sec. _____. Section 805.8, subsection 2, paragraph
- 34 g, subparagraph (4), Code 1991, is amended by striking
- 35 the subparagraph."
- 36 3. Title page, line 1, by inserting after the
- 37 word "to" the following: "lowering the maximum speed
- 38 limit to fifty-five miles per hour and".
- 39 4. By renumbering as necessary.

By CORBETT of Linn

H-3079 FILED FEBRUARY 20, 1991

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HOUSE FILE 252

H-3082

1 Amend the amendment H-3074, to House file 252 as
2 follows:

3 1. Page 1, line 3, by striking the word "and" and
4 inserting the following: "L".

By SPEAR of Lee

H-3082 FILED FEBRUARY 21, 1991

ADOPTED BY UNANIMOUS CONSENT (P 418)

HOUSE FILE 252

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 162)

(COMPANION TO SF 113

BY GETTINGS)

(As Amended and Passed by the House February 21, 1991)

as amended by H-3760

Passed House, Date 4/23/91 (p. 1461) Passed Senate, Date 4/18/91 (p. 1351)
 Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 0
 Approved May 7, 1991 (p. 2192)

A BILL FOR

- 1 An Act relating to exempting certain cargo tank motor vehicles
- 2 from hazardous materials transportation regulations.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

SENATE AMENDMENT TO HOUSE FILE 252

H-3760

- 1 Amend House File 252, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 8, by striking the word and
- 4 figure "and 178" and inserting the following: and
- 5 178, and 180
- 6 2. Page 1, by inserting after line 16, the
- 7 following:
- 8 "Sec. ____ . Section 1 of this Act is repealed July
- 9 1, 1994. On that date the Code editor shall return
- 10 the language in section 1 of this Act to the language
- 11 appearing in the 1991 Code."
- 12 3. Title, line 2, by inserting after the word
- 13 "regulations" the following: ", and providing for the
- 14 repeal of the Act".

RECEIVED FROM THE SENATE

H-3760 FILED APRIL 22, 1991

House concurred 4/23/91 (p. 1460)

1 Section 1. Section 321.450, unnumbered paragraph 1, Code
2 1991, is amended to read as follows:

3 A person shall not transport or have transported or shipped
4 within this state any hazardous material except in compliance
5 with rules adopted by the department under chapter 17A. The
6 rules shall be consistent with the federal hazardous materials
7 regulations promulgated under United States Code, Title 49,
8 and found in 49 C.F.R. §§ 107, 171 to 173, 177, and 178.
9 However, rules adopted under this section concerning tank
10 specifications shall not apply to cargo tank motor vehicles
11 with a capacity of four thousand gallons or less used to
12 transport gasoline in intrastate commerce, which were
13 manufactured between 1950 and ~~1979~~ 1989, were domiciled in
14 Iowa prior to July 1, 1991, and are in compliance with the
15 American society of mechanical engineers specifications in
16 effect at the time of manufacture.

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HOUSE FILE 252

S-3309

1 Amend House File 252, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting after line 16, the
4 following:
5 "Sec. _____. Section 1 of this Act is repealed July
6 1, 1994. On that date the Code editor shall return
7 the language in section 1 of this Act to the language
8 appearing in the 1991 Code."
9 2. Title, line 2, by inserting after the word
10 "regulations" the following: ", and providing for the
11 repeal of the Act".

By COMMITTEE ON TRANSPORTATION
EUGENE FRAISE, Chairperson

S-3309 FILED APRIL 4, 1991
Adopted as amended by 3454 3/18 (p. 1351)

HOUSE FILE 252

S-3454

1 Amend amendment, S-3309, to House File 252, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by inserting before line 3 the
5 following:
6 "_____. Page 1, line 8, by striking the word and
7 figure "and 178" and inserting the following: and
8 178, and 180".

By DON GETTINGS

S-3454 FILED APRIL 17, 1991
Adopted 4/18 (p. 1351)

section 1 of this Act to the language appearing in the 1991 Code.

HOUSE FILE 252

AN ACT
RELATING TO EXEMPTING CERTAIN CARGO TANK MOTOR VEHICLES FROM
HAZARDOUS MATERIALS TRANSPORTATION REGULATIONS, AND PROVID-
ING FOR THE REPEAL OF THE ACT.

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

Section 1. Section 321.450, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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, and 180. 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 1989, were domiciled in Iowa prior to July 1, 1991, and are in compliance with the American society of mechanical engineers specifications in effect at the time of manufacture.

Sec. 2. Section 1 of this Act is repealed July 1, 1994. On that date the Code editor shall return the language in

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 252, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 7, 1991

TERRY E. BRANSTAD
Governor

HF 252