

Am. Amend. 2/13, Amend + Do Pass (H-2470) 3/24

FILED JAN 27 1992

SENATE FILE **2061**
BY COMMITTEE ON TRANSPORTATION
Approved (p. 124)
(SUCCESSOR TO SSB 2001)

Passed Senate, Date 2/7/92 (p. 246) Passed House, Date 4/2/92 (p. 975)
Vote: Ayes 46 Nays 0 Vote: Ayes 89 Nays 10

Approved April 24, 1992 (p. 1724)
Proposed Senate 4/16/92 (p. 1462) 49-0 *Proposed House 4/20/92 (p. 1635) aye 94, Nay 2*

A BILL FOR

1 An Act exempting overweight vehicles transporting solid waste
2 from unloading requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2061

1 Section 1. Section 321.465, unnumbered paragraph 2, Code
2 1991, is amended to read as follows:

3 Whenever if an officer upon weighing a vehicle and load, as
4 above provided, determines that the weight is unlawful, such
5 the officer may require the driver to stop the vehicle in a
6 suitable place and remain standing until such portion of the
7 load is removed as may be necessary to reduce the gross weight
8 of such the vehicle to such the limit as pertained under this
9 chapter. All material so unloaded shall be cared for by the
10 owner or operator of such the vehicle at the risk of such the
11 owner or operator. The owner or operator of an overweight
12 vehicle, domiciled within the state, which is transporting
13 solid waste shall not be required to unload any portion of the
14 load in a place other than a facility which is permitted to
15 handle solid waste disposal, processing, or recycling. For
16 purposes of this section "solid waste" means waste which is
17 acceptable at a local sanitary landfill.

18 EXPLANATION

19 This bill exempts overweight vehicles, domiciled within the
20 state, which are transporting solid waste from requirements
21 that the materials be unloaded until the vehicle and load are
22 within established weight limitations. The bill defines solid
23 waste as waste which is acceptable at a local sanitary
24 landfill.

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SENATE FILE 2061

H-5470

1 Amend Senate File 2061, as passed by the Senate, as
2 follows:

3 1. Page 1, line 11, by inserting after the word
4 "operator." the following: "The owner or operator of
5 an overweight vehicle, domiciled within the state,
6 which is transporting grain or livestock shall not be
7 required to unload any portion of the load but shall
8 be allowed to continue to the owner's or operator's
9 point of destination."

10 2. Page 1, line 14, by inserting after the word
11 "load" the following: ", except as provided in this
12 paragraph,".

13 3. Page 1, line 15, by inserting after the word
14 "recycling." the following: "A vehicle transporting
15 solid waste shall not be exempted from the unloading
16 requirement of this section if the amount of the fine
17 assessed under section 321.463 is one thousand dollars
18 or more unless the vehicle is transporting hazardous
19 or medical wastes."

20 4. Title page, line 1, by inserting after the
21 word "transporting" the following: "grain,
22 livestock,".

By COMMITTEE ON TRANSPORTATION
KOENIGS of Mitchell, Chairperson

H-5470 FILED MARCH 24, 1992

not germane 4/2 (p. 994) Rules Suspended (p. 995)
A- Adopted (p. 995)
B- lost "

SENATE FILE 2061

H-5560

1 Amend the amendment, H-5470, to Senate File 2061,
2 as passed by the Senate, as follows:

3 1. Page 1, by striking line 6 and inserting the
4 following: "which is transporting grain from land
5 used for farming, as defined in section 172C.1, to a
6 warehouse for the storage of grain as regulated under
7 chapter 543 or which is transporting livestock to a
8 public stockyard, auction market, street market, state
9 or federal market, consignment sales location, buying
10 station, or a livestock dealer's yard, truck, or
11 facility shall not be".

By HIBBARD of Madison

H-5560 FILED MARCH 26, 1992

Out of order 4/2 (p. 994)

SENATE FILE 2061

H-5577

1 Amend the amendment, H-5470, to Senate File 2061,
2 as passed by the Senate, as follows:

3 1. Page 1, by striking lines 5 and 6 and
4 inserting the following: "an overweight vehicle,
5 domiciled within the state, which is transporting
6 grain from land used for farming, as defined in
7 section 172C.1, to a warehouse for the storage of
8 grain as regulated under chapter 543 or the owner or
9 operator of an overweight vehicle which is
10 transporting livestock to a public stockyard, auction
11 market, street market, state or federal market,
12 consignment sales location, buying station, or a
13 livestock dealer's yard, truck, or facility shall not
14 be".

By HIBBARD of Madison

H-5577 FILED MARCH 27, 1992

Adopted 4/2 (p. 994)

HOUSE AMENDMENT TO
SENATE FILE 2061

S-5512

1 Amend Senate File 2061, as passed by the Senate, as
2 follows:

3 1. Page 1, line 11, by inserting after the word
4 "operator." the following: "The owner or operator of
5 an overweight vehicle, domiciled within the state,
6 which is transporting grain from land used for
7 farming, as defined in section 172C.1, to a warehouse
8 for the storage of grain as regulated under chapter
9 543 or the owner or operator of an overweight vehicle
10 which is transporting livestock to a public stockyard,
11 auction market, street market, state or federal
12 market, consignment sales location, buying station, or
13 a livestock dealer's yard, truck, or facility shall
14 not be required to unload any portion of the load but
15 shall be allowed to continue to the owner's or
16 operator's point of destination."

17 2. Page 1, line 14, by inserting after the word
18 "load" the following: ", except as provided in this
19 paragraph."

20 3. Title page, line 1, by inserting after the
21 word "transporting" the following: "grain,
22 livestock,".

RECEIVED FROM THE HOUSE

S-5512 FILED APRIL 2, 1992

*+1/6 (p. 1461)
Adopted as amended by 5688*

SENATE FILE 2061

S-5622

1 Amend the House amendment, S-5512, to Senate File
2 2061, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 3 through 22 and
5 inserting the following:

6 "____. Page 1, line 12, by inserting after the
7 word "vehicle," the following: "designed to compact
8 and transport solid waste and".

9 "____. Page 1, line 14, by inserting after the word
10 "load" the following: "if the load is compacted to
11 the extent that it cannot be easily dismantled or
12 divided,"."

By EUGENE FRAISE
DON E. GETTINGS

S-5622 FILED APRIL 9, 1992

w/10 4/16 (p. 1461)

SENATE FILE 2061

S-5645

1 Amend the House amendment, S-5512, to Senate File
2 2061, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 3 through 22 and
5 inserting the following:

6 "____. Page 1, line 12, by inserting after the
7 word "vehicle," the following: "designed to compact
8 and transport solid waste and".

9 _____. Page 1, line 14, by inserting after the word
10 "load" the following: "if the load is compacted to
11 the extent that it cannot be easily dismantled or
12 divided".

13 _____. Page 1, line 17, by inserting after the word
14 "landfill" the following: "and compacted solid
15 waste shall be considered to be an indivisible
16 load"."

By EUGENE FRAISE
DON E. GETTINGS

S-5645 FILED APRIL 13, 1992

H/S 4/16 (p. 1461)

SENATE FILE 2061

S-5688

1 Amend the House amendment, S-5512, to Senate File
2 2061, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 3 through 22 and
5 inserting the following:

6 "____. Page 1, line 12, by inserting after the
7 word "vehicle," the following: "designed to compact
8 and transport solid waste and".

9 _____. Page 1, line 14, by inserting after the word
10 "load" the following: ", if the load is
11 indivisible".

12 _____. Page 1, line 17, by inserting after the word
13 "landfill" the following: "and solid waste which has
14 been compacted shall be considered to be an
15 indivisible load"."

By EUGENE FRAISE
DON E. GETTINGS

S-5688 FILED APRIL 14, 1992

Adopted 4/16 (p. 1461)

SENATE FILE 2061

S-5718

1 Amend the House amendment, S-5512, to Senate File
2 2061, as passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 22 and
4 inserting the following:

5 "____. Page 1, line 12, by inserting after the
6 word "vehicle" the following: "designed to compact
7 and transport solid waste"."

By RICHARD F. DRAKE

S-5718 FILED APRIL 15, 1992

Read 4/16 (p.)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2061
H-5958

1 Amend the House amendment, S-5512, to Senate File
2 2061, as passed by the Senate, as follows:
3 1. Page 1, by striking lines 3 through 22 and
4 inserting the following:
5 "_____. Page 1, line 12, by inserting after the
6 word "vehicle," the following: "designed to compact
7 and transport solid waste and".
8 _____ . Page 1, line 14, by inserting after the word
9 "load" the following: ", if the load is
10 indivisible,".
11 _____ . Page 1, line 17, by inserting after the word
12 "landfill" the following: "and solid waste which has
13 been compacted shall be considered to be an
14 indivisible load"."

RECEIVED FROM THE SENATE

H-5958 FILED APRIL 17, 1992

House concurred 4/20 (g.1625)

SSB 2001

TRANSPORTATION
~~HOUSE~~ NOW

COTTING, CH.
JENSON
DIELEMAN
1-14-92

SENATE FILE 2061
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL
BY CHAIRPERSON FRAISE)

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

A BILL FOR

1 An Act exempting overweight vehicles transporting solid waste
2 from unloading requirements.

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

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1 Section 1. Section 321.465, unnumbered paragraph 2, Code
2 1991, is amended to read as follows:

3 Whenever if an officer upon weighing a vehicle and load, as
4 above-provided, determines that the weight is unlawful, such
5 the officer may require the driver to stop the vehicle in a
6 suitable place and remain standing until such portion of the
7 load is removed as may be necessary to reduce the gross weight
8 of such the vehicle to such the limit as permitted under this
9 chapter. All material so unloaded shall be cared for by the
10 owner or operator of such the vehicle at the risk of such the
11 owner or operator. The owner or operator of an overweight
12 vehicle transporting solid waste, as defined in section
13 455B.301, shall not be required to unload any portion of the
14 load in a place other than a facility which is permitted to
15 handle solid waste disposal, processing, or recycling.

16 EXPLANATION

17 This bill exempts overweight vehicles transporting solid
18 waste from requirements that the materials be unloaded until
19 the vehicle and load are within established weight limitations
20 unless the vehicle is unloaded at a facility which is
21 permitted to recycle, process, or dispose of solid waste.

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and solid waste which has been compacted shall be considered to be an indivisible load.

SENATE FILE 2061

AN ACT

EXEMPTING OVERWEIGHT VEHICLES TRANSPORTING SOLID WASTE FROM UNLOADING REQUIREMENTS.

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

Section 1. Section 321.465, unnumbered paragraph 2, Code 1991, is amended to read as follows:

Whenever if an officer upon weighing a vehicle and load, ~~as above provided,~~ determines that the weight is unlawful, ~~such the officer~~ may require the driver to stop the vehicle in a suitable place ~~and remain standing~~ until such portion of the load is removed as may be necessary to reduce the gross weight of ~~such the~~ vehicle to ~~such the~~ limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of ~~such the~~ vehicle at the risk of ~~such the~~ owner or operator. The owner or operator of an overweight vehicle, designed to compact and transport solid waste and domiciled within the state, which is transporting solid waste shall not be required to unload any portion of the load, if the load is indivisible, in a place other than a facility which is permitted to handle solid waste disposal, processing, or recycling. For purposes of this section "solid waste" means waste which is acceptable at a local sanitary landfill

.....
MICHAEL E. GRONSTAL
President of the Senate

.....
ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2061, Seventy-fourth General Assembly.

.....
JOHN F. DWYER
Secretary of the Senate

Approved *April 29*, 1992

.....
TERRY E. BRANSTAD
Governor