

FILED FEB 04 1992

SENATE FILE 2094  
BY COMMITTEE ON TRANSPORTATION  
*Approved (p. 210)*  
(SUCCESSOR TO SSB 2058)  
*Substituted for H.R. 2142*

Passed Senate, Date 2/11/92 (p. 367) Passed House, Date 2/10/92 (p. 452)  
Vote: Ayes 49 Nays 0 Vote: Ayes 73 Nays 1

Approved April 21, 1992 (p. 1520)  
*motion to reconsider (369)*  
*2/18/92*

*Referred Senate 2/6/92 (p. 1220)*  
*ay 45 reap 5* A BILL FOR

1 An Act relating to the regulation of transportation and the  
2 placement of special event signs, the recalculation of needs  
3 on transferred roads, the maximum speed limits for movement of  
4 certain truck trailers, mobile homes, and factory-built  
5 structures, and the penalty for failure to maintain adequate  
6 records.

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

SENATE FILE 2094

H-5194

1 Amend Senate File 2094, as passed by the Senate, as  
2 follows:  
3 1. Page 3, by inserting after line 19, the  
4 following:  
5 "The department shall adopt rules specifying the  
6 records and other information required for an audit  
7 under section 326.19."

By KOENIGS of Mitchell

H-5194 FILED MARCH 4, 1992  
*Adopted 3/5 (p. 452)*

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1 Section 1. Section 306C.23, Code 1991, is amended to read  
2 as follows:

3 306C.23 SPECIAL EVENT SIGNS.

4 It is lawful to place a special event sign on private  
5 property with permission of the owner or person in charge of  
6 the property at any time during the period beginning thirty  
7 sixty days prior to the date of the special event to which the  
8 sign pertains and ending on the day of the special event.  
9 Special event signs shall be removed not later than twenty-  
10 four hours following the end of the special event. This  
11 section does not authorize placement of a special event sign  
12 at a location where it may, because of its size, location,  
13 content, coloring, or lighting, constitute a traffic hazard or  
14 a detriment to traffic safety by obstructing the vision of  
15 drivers, by detracting from the visibility of a traffic-  
16 control device or by being confused with an authorized  
17 traffic-control device.

18 Sec. 2. Section 307A.2, Code 1991, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 14A. Annually recalculate the  
21 construction and maintenance needs of roads under the  
22 jurisdiction of each county to take into account the needs of  
23 a road whose jurisdiction has been transferred from the  
24 department to a county or from a county to the department  
25 during the previous year. The recalculation shall be reported  
26 by January 1 of the year following the transfer and shall take  
27 effect the following July 1 for the purposes of allocating  
28 moneys under sections 312.3 and 312.5.

5703929 Sec. 3. Section 312.3, subsection 1, Code Supplement 1991,  
30 is amended by adding the following new paragraph:

31 NEW PARAGRAPH. e. "Latest quadrennial need study report"  
32 includes the annual recalculation of construction and  
33 maintenance needs of roads whose jurisdiction has been  
34 transferred from the department to a county or from a county  
35 to the department during the previous year as recalculated

1 pursuant to section 307A.2, subsection 14A.

2 Sec. 4. Section 312.5, subsection 4, Code Supplement 1991,  
3 is amended by adding the following new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. "Latest quadrennial need study  
5 report" includes the annual recalculation of construction and  
6 maintenance needs of roads whose jurisdiction has been  
7 transferred from the department to a county or from a county  
8 to the department during the prior year as recalculated  
9 pursuant to section 307A.2, subsection 14A.

5014.5038

10 Sec. 5. Section 321E.10, unnumbered paragraph 1, Code  
11 1991, is amended to read as follows:

12 The department or local authorities may upon application  
13 issue annual trip permits for the movement of truck trailers  
14 manufactured or assembled in this state that exceed the  
15 maximum length specified in section 321.457 and the maximum  
16 width specified in section 321.454. Movement of the truck  
17 trailers shall be solely for the purpose of delivery or  
18 transfer from the point of manufacture or assembly to another  
19 point of manufacture or assembly within the state or to a  
20 point outside the state, shall be only on roadways of twenty-  
21 four feet or more in width or on four-lane highways, shall be  
22 on the most direct route necessary for such movement, and  
23 shall display the special plates designated in section 321.57.  
24 All truck trailers under permit for such movement shall not  
25 contain freight or additional load. ~~Truck-trailers-under~~  
26 ~~permit-for-movement-shall-not-exceed-forty-five-miles-an-hour~~  
27 ~~or-the-established-speed-limit-whichever-is-lower.~~ A vehicle  
28 or combination of two or more vehicles inclusive of front and  
29 rear bumpers, including towing units, involved in the movement  
30 of truck trailers shall not exceed an overall width of ten  
31 feet. Vehicles or combinations shall be distinctly marked on  
32 both the front and rear of the unit in a manner the director  
33 of transportation designates to indicate that the vehicles or  
34 combinations are being moved for delivery or transfer purposes  
35 only.

1 Sec. 6. Section 321E.28, subsection 4, Code Supplement  
2 1991, is amended to read as follows:

3 4. A permit may be issued to allow the movement of a  
4 mobile home or factory-built structure on a fully controlled-  
5 access, divided, multilaned highway ~~at-a-speed-exceeding~~  
6 ~~forty-miles-per-hour-but-not-exceeding-forty-five-miles-per~~  
7 ~~hour.~~

8 Sec. 7. NEW SECTION. 326.19A FAILURE TO MAINTAIN RECORDS  
9 -- PENALTY.

10 The department may assess a penalty in an amount equal to  
11 twenty percent of the amount calculated under section 326.6,  
12 subsection 2, paragraph "b", if the audit of the apportioned  
13 fleet owner under section 326.19, confirms that the fleet  
14 owner has failed to maintain records on all of the following:

- 15 1. Verification of miles for the preceding year.
- 16 2. Jurisdictional percentages claimed pursuant to section  
17 326.6, subsection 1.
- 18 3. Reciprocity agreements to which the department may be a  
19 party.

20 EXPLANATION

21 Section 306C.23 is amended to allow the placement of  
22 special event signs on private property 60 days prior to the  
23 date of the special event. Prior law allowed placement no  
24 more than 30 days prior to the date of the special event.

25 Sections 307A.2, 312.3, and 312.5 are amended to require  
26 that the state transportation commission annually recalculate  
27 needs on roads whose jurisdiction has been transferred from  
28 the state department of transportation to a county or from a  
29 county to the state department of transportation during the  
30 previous year. For the purposes of allocating need allotments  
31 for the secondary road fund and the need allotment farm-to-  
32 market road funds, the annual recalculation goes into effect  
33 on July 1 of each year.

34 Sections 321E.10 and 321E.28 are amended to remove the  
35 maximum speed restriction of 45 miles per hour for movement of

1 truck trailers, mobile homes, and factory-built structures.  
2 Movement of these vehicles and structures will be governed by  
3 the posted speed limits.

4 Section 326.19A is created to authorize the state  
5 department of transportation to assess a penalty for  
6 commercial vehicle fleet owners who fail to adequately  
7 maintain records verifying miles traveled in the previous  
8 year, jurisdictional percentages claimed, and regarding  
9 reciprocity agreements. The amount of the penalty is equal to  
10 20 percent of the proportional registration fee as calculated  
11 under section 326.6. The penalty may only be assessed when an  
12 audit confirms that the fleet owner failed to maintain  
13 adequate records.

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SENATE FILE 2094

S-5038

- 1 Amend Senate File 2094 as follows:  
2 1. Page 2, by inserting after line 9, the  
3 following:  
4 "Sec. \_\_\_\_ . Section 321E.8, subsection 4, Code  
5 Supplement 1991, is amended to read as follows:  
6 4. All movements of mobile homes and other  
7 vehicles the width of which, including any load,  
8 exceeds the roadway lane width of the street or  
9 highway being traversed, shall be under escort except  
10 that mobile homes and other factory-built structures  
11 with an overall width not exceeding sixteen feet six  
12 inches shall not be required to have an escort if  
13 travel is on an interstate or four-lane highway".  
14 2. By renumbering as necessary.

By DON E. GETTINGS

S-5038 FILED FEBRUARY 7, 1992

*Amended to 4/7 (p. 357)*

SENATE FILE 2094

S-5076

- 1 Amend Senate File 2094 as follows:  
2 1. Page 1, by striking lines 29 through 31 and  
3 inserting the following:  
4 "Sec. \_\_\_\_ . Section 312.3, subsection 1, Code  
5 Supplement 1991, is amended by striking the subsection  
6 and inserting in lieu thereof the following:  
7 1. Apportion among the counties in the ratio that  
8 the needs of the secondary roads of each county bear  
9 to the total needs of the secondary roads of the state  
10 for each fiscal year based upon the total needs of  
11 secondary roads of the state as shown in the latest  
12 quadrennial need study report developed by the state  
13 department of transportation, and which is on record  
14 at the department, seventy percent of the allocation  
15 from road use tax funds which is credited to the  
16 secondary road fund of the counties, and apportion  
17 among the counties in the ratio that the area of each  
18 county bears to the total area of the state, thirty  
19 percent of the allocation from road use tax funds  
20 which is credited to the secondary road fund of the  
21 counties.  
22 "Latest quadrennial need study report".  
23 2. Page 2, by inserting after line 9 the  
24 following:  
25 "Sec. \_\_\_\_ . Section 312.5, subsection 5, Code  
26 Supplement 1991, is amended by striking the  
27 subsection."

By SHELDON RITTNER  
RICHARD F. DRAKE  
JIM LIND  
JOHN P. KIBBIE  
WALLY E. HORN  
MICHAEL W. CONNOLLY

RICHARD V. RUNNING  
EMIL J. HUSAK  
PAUL D. PATE  
BERL E. PRIEBE  
GEORGE R. KINLEY  
JOHN E. SOORHOLTZ

S-5076 FILED FEBRUARY 17, 1992

HOUSE AMENDMENT TO  
SENATE FILE 2094

S-5144

1 Amend Senate File 2094, as passed by the Senate, as  
2 follows:

3 1. Page 3, by inserting after line 19, the  
4 following:

5 "The department shall adopt rules specifying the  
6 records and other information required for an audit  
7 under section 326.19."

RECEIVED FROM THE HOUSE

S-5144 FILED MARCH 6, 1992

GETTINGS, CH.  
LLOYD-JONES 1.23 92  
DRAKE

SSB 2058  
TRANSPORTATION Now -  
SENATE/HOUSE FILE 2094  
BY (PROPOSED DEPARTMENT OF  
TRANSPORTATION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the regulation of transportation and the  
2 placement of special event signs, the recalculation of needs  
3 on transferred roads, the maximum speed limits for movement of  
4 certain truck trailers, mobile homes, and factory-built  
5 structures, and the penalty for failure to maintain adequate  
6 records.

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

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js/jw/5



1 Section 1. Section 306C.23, Code 1991, is amended to read  
2 as follows:

3 306C.23 SPECIAL EVENT SIGNS.

4 It is lawful to place a special event sign on private  
5 property with permission of the owner or person in charge of  
6 the property at any time during the period beginning thirty  
7 sixty days prior to the date of the special event to which the  
8 sign pertains and ending on the day of the special event.  
9 Special event signs shall be removed not later than twenty-  
10 four hours following the end of the special event. This  
11 section does not authorize placement of a special event sign  
12 at a location where it may, because of its size, location,  
13 content, coloring, or lighting, constitute a traffic hazard or  
14 a detriment to traffic safety by obstructing the vision of  
15 drivers, by detracting from the visibility of a traffic-  
16 control device or by being confused with an authorized  
17 traffic-control device.

18 Sec. 2. Section 307A.2, Code 1991, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 14A. Annually recalculate the  
21 construction and maintenance needs of roads under the  
22 jurisdiction of each county to take into account the needs of  
23 a road whose jurisdiction has been transferred from the  
24 department to a county or from a county to the department  
25 during the previous year. The recalculation shall be reported  
26 by January 1 of the year following the transfer and shall take  
27 effect the following July 1 for the purposes of allocating  
28 moneys under sections 312.3 and 312.5.

29 Sec. 3. Section 312.3, subsection 1, Code Supplement 1991,  
30 is amended by adding the following new paragraph:

31 NEW PARAGRAPH. e. "Latest quadrennial need study report"  
32 includes the annual recalculation of construction and  
33 maintenance needs of roads whose jurisdiction has been  
34 transferred from the department to a county or from a county  
35 to the department during the previous year as recalculated

1 pursuant to section 307A.2, subsection 14A.

2 Sec. 4. Section 312.5, subsection 4, Code Supplement 1991,  
3 is amended by adding the following new unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. "Latest quadrennial need study  
5 report" includes the annual recalculation of construction and  
6 maintenance needs of roads whose jurisdiction has been  
7 transferred from the department to a county or from a county  
8 to the department during the prior year as recalculated  
9 pursuant to section 307A.2, subsection 14A.

10 Sec. 5. Section 321E.10, unnumbered paragraph 1, Code  
11 1991, is amended to read as follows:

12 The department or local authorities may upon application  
13 issue annual trip permits for the movement of truck trailers  
14 manufactured or assembled in this state that exceed the  
15 maximum length specified in section 321.457 and the maximum  
16 width specified in section 321.454. Movement of the truck  
17 trailers shall be solely for the purpose of delivery or  
18 transfer from the point of manufacture or assembly to another  
19 point of manufacture or assembly within the state or to a  
20 point outside the state, shall be only on roadways of twenty-  
21 four feet or more in width or on four-lane highways, shall be  
22 on the most direct route necessary for such movement, and  
23 shall display the special plates designated in section 321.57.  
24 All truck trailers under permit for such movement shall not  
25 contain freight or additional load. ~~Truck-trailers-under~~  
26 ~~permit-for-movement-shall-not-exceed-forty-five-miles-an-hour~~  
27 ~~or-the-established-speed-limit-whichever-is-lower.~~ A vehicle  
28 or combination of two or more vehicles inclusive of front and  
29 rear bumpers, including towing units, involved in the movement  
30 of truck trailers shall not exceed an overall width of ten  
31 feet. Vehicles or combinations shall be distinctly marked on  
32 both the front and rear of the unit in a manner the director  
33 of transportation designates to indicate that the vehicles or  
34 combinations are being moved for delivery or transfer purposes  
35 only.

1 Sec. 6. Section 321E.28, subsection 4, Code Supplement  
2 1991, is amended to read as follows:

3 4. A permit may be issued to allow the movement of a  
4 mobile home or factory-built structure on a fully controlled-  
5 access, divided, multilaned highway ~~at a speed exceeding~~  
6 ~~forty miles per hour but not exceeding forty-five miles per~~  
7 hour.

8 Sec. 7. NEW SECTION. 326.19A FAILURE TO MAINTAIN RECORDS  
9 -- PENALTY.

10 The department may assess a penalty in an amount equal to  
11 twenty percent of the amount calculated under section 326.6,  
12 subsection 2, paragraph "b", if the audit of the apportioned  
13 fleet owner under section 326.19, confirms that the fleet  
14 owner has failed to maintain records on all of the following:

- 15 1. Verification of miles for the preceding year.
- 16 2. Jurisdictional percentages claimed pursuant to section  
17 326.6, subsection 1.
- 18 3. Reciprocity agreements to which the department may be a  
19 party.

20 EXPLANATION

21 Section 306C.23 is amended to allow the placement of  
22 special event signs on private property 60 days prior to the  
23 date of the special event. Prior law allowed placement no  
24 more than 30 days prior to the date of the special event.

25 Sections 307A.2, 312.3, and 312.5 are amended to require  
26 that the state transportation commission annually recalculate  
27 needs on roads whose jurisdiction has been transferred from  
28 the state department of transportation to a county or from a  
29 county to the state department of transportation during the  
30 previous year. For the purposes of allocating need allotments  
31 for the secondary road fund and the need allotment farm-to-  
32 market road funds, the annual recalculation goes into effect  
33 on July 1 of each year.

34 Sections 321E.10 and 321E.28 are amended to remove the  
35 maximum speed restriction of 45 miles per hour for movement of

1 truck trailers, mobile homes, and factory-built structures.  
2 Movement of these vehicles and structures will be governed by  
3 the posted speed limits.

4 Section 326.19A is created to authorize the state  
5 department of transportation to assess a penalty for  
6 commercial vehicle fleet owners who fail to adequately  
7 maintain records verifying miles traveled in the previous  
8 year, jurisdictional percentages claimed, and regarding  
9 reciprocity agreements. The amount of the penalty is equal to  
10 20 percent of the proportional registration fee as calculated  
11 under section 326.6. The penalty may only be assessed when an  
12 audit confirms that the fleet owner failed to maintain  
13 adequate records.

14 BACKGROUND STATEMENT

15 SUBMITTED BY THE AGENCY

16 This bill extends the time period for placing special event  
17 signing from 30 to 60 days prior to the event. A task force  
18 composed of representatives from the tourism industry, the  
19 department of economic development, the state department of  
20 transportation, and the federal highway administration was  
21 formed to recommend changes to Iowa Code chapter 306C relating  
22 to Iowa junkyard beautification and billboard control. The  
23 task force recommended extending the time period for placing  
24 the special event signing prior to the special event in order  
25 to allow local communities to promote their special events  
26 further in advance of the event.

27 This bill requires the state transportation commission to  
28 annually recalculate the needs of roads under the jurisdiction  
29 of each county. The quadrennial needs study, which is a study  
30 of all roads and streets in the state, is conducted every four  
31 years and is used to determine the need portion of the  
32 allocations from the road use tax fund for secondary roads and  
33 allocations for need allotment farm-to-market road funds.  
34 Some counties are reluctant to accept jurisdiction of a road  
35 because the increased need is not reflected by an increase in

1 the secondary road fund distribution or need allotment farm-  
2 to-market road fund distribution received by the county until  
3 the next quadrennial needs study is conducted.

4 This bill removes the maximum speed limits of 45 miles per  
5 hour for movement of a mobile home or factory-built structure  
6 and truck trailers manufactured in Iowa.

7 This bill establishes a penalty for failure of a commercial  
8 vehicle fleet owner to maintain adequate records. A mechanism  
9 to encourage fleet owners to maintain adequate records is  
10 needed. Currently, the only sanction Iowa can apply is to  
11 prohibit the fleet owner from prorating registration fees.  
12 This would require payment of full license fees in every state  
13 of operation. This sanction has not been applied because the  
14 economic effect might put a fleet owner out of business. This  
15 proposal provides a less onerous penalty for lack of proper  
16 recordkeeping.

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SENATE FILE 2094

AN ACT

RELATING TO THE REGULATION OF TRANSPORTATION AND THE PLACEMENT OF SPECIAL EVENT SIGNS, THE RECALCULATION OF NEEDS ON TRANSFERRED ROADS, THE MAXIMUM SPEED LIMITS FOR MOVEMENT OF CERTAIN TRUCK TRAILERS, MOBILE HOMES, AND FACTORY-BUILT STRUCTURES, AND THE PENALTY FOR FAILURE TO MAINTAIN ADEQUATE RECORDS.

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

Section 1. Section 306C.23, Code 1991, is amended to read as follows:

306C.23 SPECIAL EVENT SIGNS.

It is lawful to place a special event sign on private property with permission of the owner or person in charge of the property at any time during the period beginning thirty sixty days prior to the date of the special event to which the sign pertains and ending on the day of the special event. Special event signs shall be removed not later than twenty-four hours following the end of the special event. This section does not authorize placement of a special event sign at a location where it may, because of its size, location, content, coloring, or lighting, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by detracting from the visibility of a traffic-control device or by being confused with an authorized traffic-control device.

Sec. 2. Section 307A.2, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 14A. Annually recalculate the construction and maintenance needs of roads under the jurisdiction of each county to take into account the needs of a road whose jurisdiction has been transferred from the department to a county or from a county to the department during the previous year. The recalculation shall be reported by January 1 of the year following the transfer and shall take effect the following July 1 for the purposes of allocating moneys under sections 312.3 and 312.5.

Sec. 3. Section 312.3, subsection 1, Code Supplement 1991, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. "Latest quadrennial need study report" includes the annual recalculation of construction and maintenance needs of roads whose jurisdiction has been transferred from the department to a county or from a county to the department during the previous year as recalculated pursuant to section 307A.2, subsection 14A.

Sec. 4. Section 312.5, subsection 4, Code Supplement 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. "Latest quadrennial need study report" includes the annual recalculation of construction and maintenance needs of roads whose jurisdiction has been transferred from the department to a county or from a county to the department during the prior year as recalculated pursuant to section 307A.2, subsection 14A.

Sec. 5. Section 321E.10, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The department or local authorities may upon application issue annual trip permits for the movement of truck trailers manufactured or assembled in this state that exceed the maximum length specified in section 321.457 and the maximum width specified in section 321.454. Movement of the truck trailers shall be solely for the purpose of delivery or

transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state, shall be only on roadways of twenty-four feet or more in width or on four-lane highways, shall be on the most direct route necessary for such movement, and shall display the special plates designated in section 321.57. All truck trailers under permit for such movement shall not contain freight or additional load. ~~Truck-trailers-under permit-for-movement-shall-not-exceed-forty-five-miles-an-hour-or-the-established-speed-limit-whichever-is-lower.~~ A vehicle or combination of two or more vehicles inclusive of front and rear bumpers, including towing units, involved in the movement of truck trailers shall not exceed an overall width of ten feet. Vehicles or combinations shall be distinctly marked on both the front and rear of the unit in a manner the director of transportation designates to indicate that the vehicles or combinations are being moved for delivery or transfer purposes only.

Sec. 6. Section 321E.28, subsection 4, Code Supplement 1991, is amended to read as follows:

4. A permit may be issued to allow the movement of a mobile home or factory-built structure on a fully controlled-access, divided, multilaned highway ~~at-a-speed-exceeding-forty miles-per-hour-but-not-exceeding-forty-five-miles-per-hour.~~

Sec. 7. NEW SECTION. 326.19A FAILURE TO MAINTAIN RECORDS -- PENALTY.

The department may assess a penalty in an amount equal to twenty percent of the amount calculated under section 326.6, subsection 2, paragraph "b", if the audit of the apportioned fleet owner under section 326.19, confirms that the fleet owner has failed to maintain records on all of the following:

1. Verification of miles for the preceding year.
2. Jurisdictional percentages claimed pursuant to section 326.6, subsection 1.

3. Reciprocity agreements to which the department may be a party.

The department shall adopt rules specifying the records and other information required for an audit under section 326.19.

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

\_\_\_\_\_  
ROBERT C. ARNGULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2094, Seventy-fourth General Assembly.

\_\_\_\_\_  
JOHN P. DWYER  
Secretary of the Senate

Approved April 21, 1992

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