

# REPRINTED

FEB 27 1996

Place On Calendar

HOUSE FILE 2350  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 635)

Passed House, (P. 843) Date 3/20/96 Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 100 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved April 15, 1996

## A BILL FOR

1 An Act relating to motor vehicle dimensional and weight  
2 requirements and certificates of title for commercial  
3 vehicles.

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

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HF 2350

1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1995, is amended by adding the following new unnumbered  
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. "Special mobile equipment"  
5 includes mobile cranes. A mobile crane includes, but is not  
6 limited to, a self-propelled crane, truck crane, all-terrain  
7 crane, or rough-terrain crane.

8 Sec. 2. Section 321.20A, Code Supplement 1995, is amended  
9 to read as follows:

10 321.20A CERTIFICATE OF TITLE -- COMMERCIAL MOTOR VEHICLES.

11 1. Notwithstanding other provisions of this chapter, the  
12 owner of a commercial motor vehicle ~~with a gross vehicle~~  
13 ~~weight rating of twenty-six thousand one pounds or more,~~  
14 subject to the proportional registration provisions of chapter  
15 326, may make application to the department for a certificate  
16 of title. The application for certificate of title shall be  
17 made within fifteen days of purchase or transfer and  
18 accompanied by a ten dollar title fee and appropriate use tax.

19 2. A commercial motor vehicle issued a certificate of  
20 title under this section shall not be subject to registration  
21 fees until the commercial motor vehicle is driven or moved  
22 upon the highways. The registration fee due shall be prorated  
23 for the remaining unexpired months of the registration year.  
24 Ownership of a commercial motor vehicle issued a certificate  
25 of title under this section shall not be transferred until  
26 registration fees have been paid to the department.

27 3. The certificate of title provision for commercial motor  
28 vehicles with a gross vehicle weight rating of twenty-six  
29 thousand one pounds or more shall apply to owners with fleets  
30 of more than fifty commercial motor vehicles based in Iowa  
31 under the proportional registration provisions of chapter 326.  
32 The original certificate of title shall be delivered to the  
33 owner if no security interest or encumbrance appears on the  
34 certificate, otherwise the certificate of title shall be  
35 delivered by the department to the person holding the first

1 security interest or encumbrance as shown on the certificate  
2 of title.

3 Sec. 3. Section 321.457, subsection 2, paragraph d, Code  
4 1995, is amended by striking the paragraph.

5 Sec. 4. Section 321.457, subsection 2, paragraphs g and i,  
6 Code 1995, are amended to read as follows:

7 g. A trailer or semitrailer, laden or unladen, shall not  
8 have an overall length in excess of fifty-three feet when  
9 operating in a truck tractor-semitrailer combination exclusive  
10 of retractable extensions used to support the load. However,  
11 when a trailer or semitrailer is used exclusively for the  
12 transportation of passenger vehicles, light delivery trucks,  
13 panel delivery trucks, pickup trucks, recreational vehicle  
14 chassis, or boats, the load carried on the trailer or  
15 semitrailer may extend up to three feet beyond the front  
16 bumper and up to four feet beyond the rear bumper of the  
17 trailer or semitrailer.

18 i. Power units designed to carry cargo, when used in  
19 combination with a trailer or semitrailer shall not exceed  
20 sixty-five feet in overall length for the combination  
21 exclusive of retractable extensions used to support the load.  
22 However, if a combination of vehicles is used exclusively for  
23 the transportation of passenger vehicles, light delivery  
24 trucks, panel delivery trucks, pickup trucks, recreational  
25 vehicle chassis, or boats, the load may extend up to three  
26 feet beyond the front bumper of the power unit and up to four  
27 feet beyond the rear bumper of the trailer or semitrailer.

28 Sec. 5. Section 321.463, Code Supplement 1995, is amended  
29 to read as follows:

30 321.463 MAXIMUM GROSS WEIGHT -- EXCEPTIONS -- PENALTIES.

31 1. For purposes of this section, axles which are less than  
32 forty inches apart center-to-center shall be considered a  
33 single axle. The maximum gross weight of any vehicle shall  
34 not exceed eighty thousand pounds.

35 2. An axle may be divided into two or more parts, except

1 that all parts in the same vertical transverse plane shall be  
2 considered as one axle.

3 3. The gross weight on any one axle of a vehicle, or of a  
4 combination of vehicles, operated on the highways of this  
5 state, shall not exceed twenty thousand pounds on an axle  
6 equipped with pneumatic tires, and shall not exceed fourteen  
7 thousand pounds on an axle equipped with solid rubber tires.  
8 The gross weight on any tandem axle of a vehicle, or any  
9 combination of vehicles, shall not exceed thirty-four thousand  
10 pounds on an axle equipped with pneumatic tires.

11 Notwithstanding other provisions of this chapter to the  
12 contrary, indivisible loads operating under the permit  
13 requirements of sections 321E.7, 321E.8, and 321E.9 shall be  
14 allowed a maximum of twenty thousand pounds per axle.

15 4. A group of two or more consecutive axles of any vehicle  
16 or combination of vehicles, shall not carry a load in pounds  
17 in excess of the overall gross weight determined by  
18 application of the following formula:  $W \text{ equals } 500 (LN/N-1 +$   
19  $12N + 36)$ . W equals the overall gross weight on any group of  
20 two or more consecutive axles to the nearest five hundred  
21 pounds, L equals the distance in feet, rounded to the nearest  
22 whole foot, between the extreme of any group of two or more  
23 consecutive axles, and N equals the number of axles in the  
24 group under consideration. ~~The following are exceptions to~~  
25 ~~application of the formula:~~

26 ~~1.---~~ However, two consecutive sets of tandem axles may  
27 carry a gross load of thirty-four thousand pounds each  
28 providing the overall distance between the first and last  
29 axles of the consecutive sets of tandem axles is thirty-six  
30 feet or more.

31 ~~2.---~~ ~~On highways not part of the interstate system, a~~  
32 ~~vehicle or combination of vehicles having:~~

- 33 ~~a.---~~ Four axles where the extreme axles are eighteen feet
- 34 ~~apart may carry a gross load of fifty-three thousand pounds.~~
- 35 ~~b.---~~ Five axles where the extreme axles are thirty-two feet

1 apart may carry a gross load of sixty-seven thousand five  
2 hundred pounds.

3 c.---Six or more axles where the extreme axles are forty-one  
4 feet apart may carry a gross load of seventy-eight thousand  
5 pounds.

6 For every foot of distance between extreme axles less than the  
7 above axle spacings, the overall gross weight of the vehicle  
8 or combination of vehicles shall be determined by deducting  
9 one thousand pounds from the gross loads specified in  
10 paragraphs "a", "b" and "c".--All measurements between extreme  
11 axles shall be rounded to the nearest whole foot.

12 The maximum gross weight shall not exceed eighty thousand  
13 pounds.

14 5. The weight on any one axle, including a tandem axle, of  
15 a vehicle which is transporting livestock on highways not part  
16 of the interstate system may exceed the legal maximum weight  
17 given in under this chapter providing that if the gross weight  
18 on any particular group of axles on such vehicle does not  
19 exceed the gross weight allowable under this chapter for such  
20 groups that group of axles.

21 6. ~~In addition, the~~ The weight on any one axle, including  
22 a tandem axle, of a vehicle which is transporting raw  
23 materials from a designated borrow site to a construction  
24 project or transporting raw materials from a construction  
25 project, may exceed the legal maximum weight otherwise allowed  
26 under this chapter by ten percent if the gross weight on any  
27 particular group of axles on the vehicle does not exceed the  
28 gross weight allowed under this chapter for that group of  
29 axles. However, if the vehicle exceeds the ten percent  
30 tolerance allowed for any one axle or tandem axle under this  
31 paragraph the fine to be assessed for the axle or tandem axle  
32 shall be computed on the difference between the actual weight  
33 and the ten percent tolerance weight allowed for the axle or  
34 tandem axle under this paragraph. This paragraph applies only  
35 to vehicles operating along a route of travel approved by the

1 department.

2 7. A vehicle designed to tow wrecked or disabled vehicles  
3 shall be exempt from the weight limitations in this section  
4 while the vehicle is towing a wrecked or disabled vehicle.

5 8. a. A person who operates a vehicle in violation of the  
6 provisions of this section, and an owner, or any other person,  
7 employing or otherwise directing the operator of a vehicle,  
8 who requires or knowingly permits the operation of a vehicle  
9 in violation of the provisions of this section shall be fined  
10 according to the following schedule:

11 AXLE, TANDEM AXLE, AND GROUP OF AXLES WEIGHT VIOLATIONS

12 Pounds Overloaded	Amount of Fine
13 Up to and including	\$10 plus one-half cent
14 1,000 pounds	per pound
15 Over 1,000 pounds to and	\$15 plus one-half cent
16 including 2,000 pounds	per pound
17 Over 2,000 pounds to and	\$80 plus three cents
18 including 3,000 pounds	per pound
19 Over 3,000 pounds to and	\$100 plus four cents
20 including 4,000 pounds	per pound
21 Over 4,000 pounds to and	\$150 plus five cents
22 including 5,000 pounds	per pound
23 Over 5,000 pounds to and	\$200 plus seven cents
24 including 6,000 pounds	per pound
25 Over 6,000 pounds	\$200 plus ten cents
26	per pound

27 b. Fines for gross weight violations for vehicles or  
28 combinations of vehicles shall be assessed at one-half of the  
29 fine rate schedule for axle, tandem axle, and groups of axles  
30 weight violations.

31 c. Except as otherwise provided, the amount of the fine to  
32 be assessed shall be computed on the difference between the  
33 actual weight and the maximum legal weight specified in this  
34 section by applying the appropriate rate in the preceding  
35 schedule for the total amount of overload.

1 d. The schedule of fines may be assessed in addition to  
2 any other penalties provided for in this chapter.

3 e. Overloads on axles and tandem axles and overloads on  
4 groups of axles or on an entire vehicle or combination of  
5 vehicles shall be considered as separate violations of the  
6 provisions of this section.

7 f. A person who issues or executes, or causes to be issued  
8 or executed, a bill of lading, manifest, or shipping document  
9 of any kind which states a false weight of the cargo set forth  
10 on such bill, manifest, or document, which is less than the  
11 actual weight of the cargo, shall, upon conviction, be guilty  
12 of a simple misdemeanor.

13 Sec. 6. Section 321.473, unnumbered paragraph 2, Code  
14 1995, is amended to read as follows:

15 The department may issue annual special permits for the  
16 operation of compacted rubbish vehicles and vehicles which  
17 transport compacted rubbish from a rubbish collection point to  
18 a landfill area, exceeding the weight limitation of section  
19 321.463, but not exceeding a rear axle gross weight for two-  
20 axle vehicles of twenty-two thousand pounds ~~for the period~~  
21 ~~commencing July 1, 1978 and ending June 30, 1986 and twenty~~  
22 ~~thousand pounds commencing July 1, 1986 and thereafter,~~ and  
23 for tandem axle vehicles or transferable auxiliary axle  
24 vehicles not exceeding a gross weight on the rear axles of  
25 thirty-six thirty-eight thousand pounds. Annual special  
26 permits for the operation on secondary roads shall be approved  
27 by the county engineer. Annual special permits for a  
28 particular vehicle shall not be issued by the department  
29 unless prior approval is given by the county engineer of the  
30 county in which the vehicle will be operated. Annual special  
31 permits for operation on primary roads shall be approved by  
32 the state department of transportation. Compacted rubbish  
33 vehicles and vehicles which transport compacted rubbish from a  
34 rubbish collection point to a landfill area operated pursuant  
35 to an annual special permit shall be operated only over routes

1 designated by the local authority. Annual special permits for  
2 a particular vehicle shall not be issued by the department  
3 unless approved by the local authority responsible for the  
4 roads over which the vehicle will be operated. Annual special  
5 permits approved by the issuing authority shall be issued upon  
6 payment of an annual fee, in addition to other registration  
7 fees imposed, of one hundred dollars to be paid to the  
8 department for all nongovernmental vehicles.

9 Sec. 7. Section 321E.7, subsection 2, Code 1995, is  
10 amended to read as follows:

11 2. Special mobile equipment, as defined in section 321.1,  
12 subsection 75, is not subject to the requirements for distance  
13 in feet between the extremes of any group of axles or the  
14 extreme axles of the vehicle or combination of vehicles as  
15 required by this chapter when being moved upon the highways  
16 ~~except the interstate road system, as defined in section~~  
17 ~~306-37-subsection-4.~~

18 Sec. 8. Section 321E.7, Code 1995, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 2A. A mobile crane, operating under the  
21 permit requirements of this chapter, shall not exceed a gross  
22 weight on any axle of twenty-six thousand five hundred pounds.  
23 A mobile crane, as manufactured or equipped by the owner for a  
24 particular purpose, is a vehicle with an indivisible load  
25 pursuant to section 321E.1.

26 Sec. 9. Section 321E.7, subsection 3, Code 1995, is  
27 amended by striking the subsection.

28 Sec. 10. Section 805.8, subsection 2, paragraph m, Code  
29 Supplement 1995, is amended to read as follows:

30 m. For height, weight, length, width and load violations  
31 and towed vehicle violations under sections 321.309, 321.310,  
32 321.381, 321.394, 321.437, 321.454, 321.455, 321.456, 321.457,  
33 321.458, 321.461, and 321.462, the scheduled fine is twenty-  
34 five dollars. For weight violations under ~~sections-321-459~~  
35 and section 321.466, the scheduled fine is twenty dollars for



1 each two thousand pounds or fraction thereof of overweight.

2 Sec. 11. Section 321.459, Code 1995, is repealed.

3

EXPLANATION

4 This bill makes several changes to motor vehicle weight and  
5 dimensional requirements and makes other transportation-  
6 related changes.

7 Current law allows the owner of a commercial motor vehicle  
8 with a gross vehicle weight rating of 26,000 pounds or more,  
9 subject to proportional registration under chapter 326, to  
10 apply to the state department of transportation for a  
11 certificate of title. The commercial motor vehicle is not  
12 subject to a registration fee until it is driven upon the  
13 highway and only owners with fleets of more than 50 commercial  
14 motor vehicles may apply for a certificate under section  
15 321.20A. Section 2 of the bill changes section 321.20A by  
16 referring to commercial vehicles rather than commercial motor  
17 vehicles, thus including within its provisions, trailers and  
18 semitrailers and eliminating the restriction of 26,000 pounds  
19 or more.

20 This bill amends several sections relating to length and  
21 width and maximum gross weights on various vehicles. The bill  
22 repeals a provision that required different vehicle axle  
23 weights for operation on highways that are not part of the  
24 interstate system than is required for the operation on  
25 highways that are part of the interstate system.

26 This bill changes the legal length limit for trailers,  
27 semitrailers, and power units designed to carry cargo when  
28 used in combination with a trailer or semitrailer. Current  
29 law limits trailers and semitrailers to 53 feet and power  
30 units to 65 feet in overall length. This bill provides that  
31 this measurement excludes retractable extensions used to  
32 support the load. The bill provides that the load may extend  
33 up to three feet beyond the front bumper and up to four feet  
34 beyond the rear bumper of the trailer, semitrailer, or power  
35 unit if the vehicles carrying the load are used exclusively

1 for the transportation of passenger vehicles, light delivery  
2 trucks, panel delivery trucks, pickup trucks, recreational  
3 vehicle chassis, or boats.

4 The bill increases the maximum axle weight for garbage  
5 trucks from 20,000 pound to 22,000 pounds for a rear axle  
6 gross weight for two-axle vehicles and from 36,000 pounds to  
7 38,000 pounds for rear axle gross weights for tandem axle  
8 vehicles or transferable auxiliary axle vehicles. The bill  
9 allows for a maximum gross weight on any axle of a mobile  
10 crane of 26,500 pounds per axle under permit and defines  
11 mobile crane.

12 The bill also makes several technical changes, including  
13 repealing section 321.459 and moving its contents to section  
14 321.463.

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H-5423

1 Amend House File 2350 as follows:

2 1. Page 2, line 5, by striking the words "and i"  
3 and inserting the following: ", i, and j".

4 2. Page 2, by inserting after line 27 the  
5 following:

6 "j. A stinger-steered automobile transporter shall  
7 not have an overall length exceeding seventy-five  
8 feet, exclusive of retractable extensions used to  
9 support the load and all other devices or  
10 appurtenances related to the safe and efficient  
11 operation of the vehicle, except that the load may  
12 extend up to three feet beyond the front bumper and up  
13 to four feet beyond the rear bumper."

14 3. By striking page 2, line 28, through page 6,  
15 line 12, and inserting the following:

16 "Sec. \_\_\_\_ . Section 321.463, Code Supplement 1995,  
17 is amended by adding the following new unnumbered  
18 paragraph after unnumbered paragraph 7:

19 NEW UNNUMBERED PARAGRAPH. A vehicle or combination  
20 of vehicles transporting materials to or from a  
21 construction project or commercial plant site shall  
22 comply with the formula under this section which is  
23 used for travel on highways that are part of the  
24 interstate system. This paragraph applies only to a  
25 vehicle or combination of vehicles operating along a  
26 route of travel approved by the department."

27 4. By striking page 6, line 13, through page 7,  
28 line 8.

29 5. By striking page 7, line 28, through page 8,  
30 line 2.

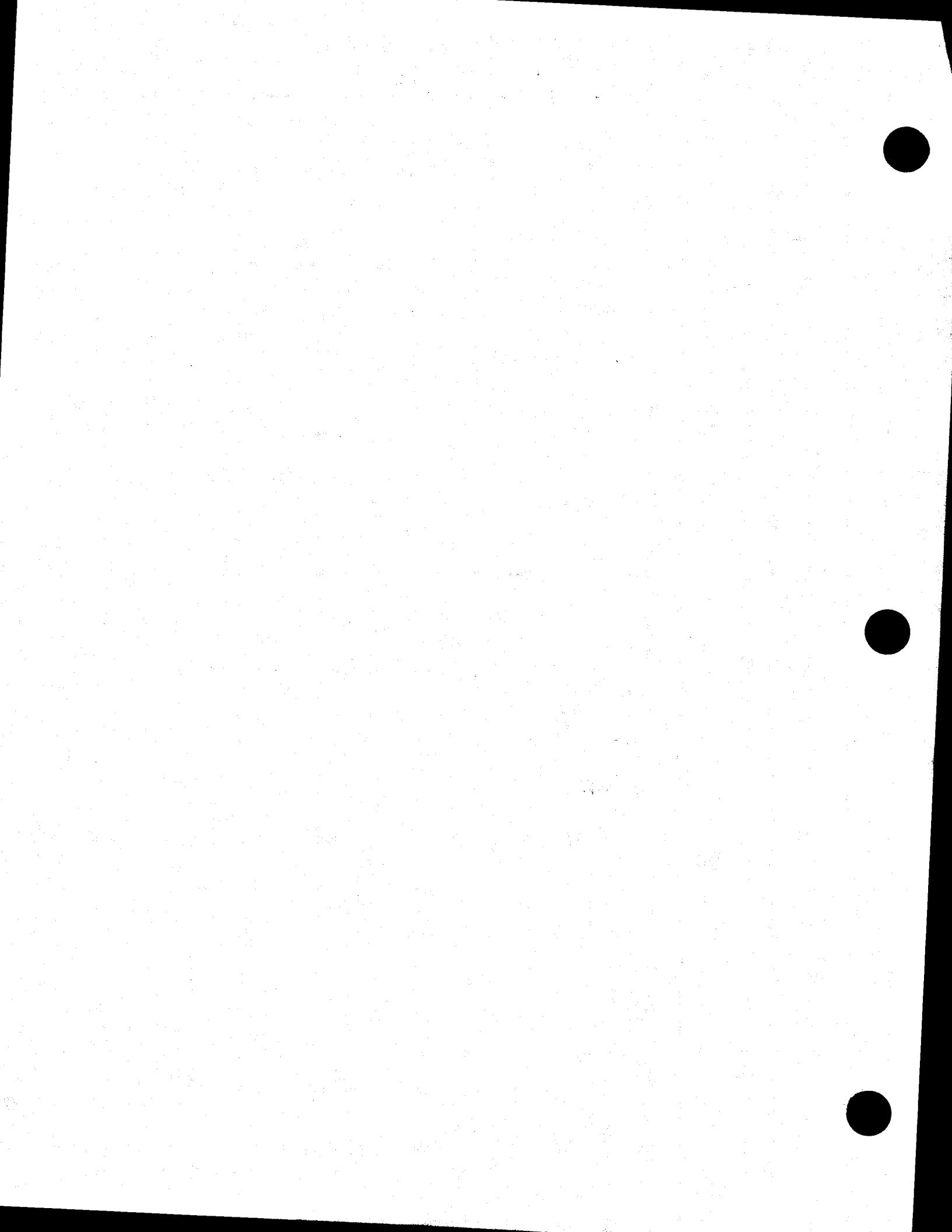
31 6. By renumbering as necessary.

By HEATON of Henry

H-5423 FILED MARCH 18, 1996

*Adopted*  
*3/20/96*

*(p. 843)*



S-3/20/96 Transportation  
S-3/21/96 W/5-5482

HOUSE FILE 2350  
BY COMMITTEE ON TRANSPORTATION  
(SUCCESSOR TO HSB 635)

(As Amended and Passed by the House, March 20, 1996)

Passed House, <sup>(P.1369)</sup> Date 4/3/96 Passed Senate, <sup>(P.1142)</sup> Date 4/1/96  
Vote: Ayes 98 Nays 0 Vote: Ayes 48 Nays 0  
Approved April 15, 1996

A BILL FOR

1 An Act relating to motor vehicle dimensional and weight  
2 requirements and certificates of title for commercial  
3 vehicles.

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

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House Amendments \_\_\_\_\_

Deleted Language \*

1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1995, is amended by adding the following new unnumbered  
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. "Special mobile equipment"  
5 includes mobile cranes. A mobile crane includes, but is not  
6 limited to, a self-propelled crane, truck crane, all-terrain  
7 crane, or rough-terrain crane.

8 Sec. 2. Section 321.20A, Code Supplement 1995, is amended  
9 to read as follows:

10 321.20A CERTIFICATE OF TITLE -- COMMERCIAL MOTOR VEHICLES.

11 1. Notwithstanding other provisions of this chapter, the  
12 owner of a commercial motor vehicle ~~with a gross vehicle~~  
13 ~~weight rating of twenty-six thousand one pounds or more,~~  
14 subject to the proportional registration provisions of chapter  
15 326, may make application to the department for a certificate  
16 of title. The application for certificate of title shall be  
17 made within fifteen days of purchase or transfer and  
18 accompanied by a ten dollar title fee and appropriate use tax.

19 2. A commercial motor vehicle issued a certificate of  
20 title under this section shall not be subject to registration  
21 fees until the commercial motor vehicle is driven or moved  
22 upon the highways. The registration fee due shall be prorated  
23 for the remaining unexpired months of the registration year.  
24 Ownership of a commercial motor vehicle issued a certificate  
25 of title under this section shall not be transferred until  
26 registration fees have been paid to the department.

27 3. The certificate of title provision for commercial motor  
28 vehicles with a gross vehicle weight rating of twenty-six  
29 thousand one pounds or more shall apply to owners with fleets  
30 of more than fifty commercial motor vehicles based in Iowa  
31 under the proportional registration provisions of chapter 326.  
32 The original certificate of title shall be delivered to the  
33 owner if no security interest or encumbrance appears on the  
34 certificate, otherwise the certificate of title shall be  
35 delivered by the department to the person holding the first

1 security interest or encumbrance as shown on the certificate  
2 of title.

3 Sec. 3. Section 321.457, subsection 2, paragraph d, Code  
4 1995, is amended by striking the paragraph.

5 Sec. 4. Section 321.457, subsection 2, paragraphs g, i,  
6 and j, Code 1995, are amended to read as follows:

7 g. A trailer or semitrailer, laden or unladen, shall not  
8 have an overall length in excess of fifty-three feet when  
9 operating in a truck tractor-semitrailer combination exclusive  
10 of retractable extensions used to support the load. However,  
11 when a trailer or semitrailer is used exclusively for the  
12 transportation of passenger vehicles, light delivery trucks,  
13 panel delivery trucks, pickup trucks, recreational vehicle  
14 chassis, or boats, the load carried on the trailer or  
15 semitrailer may extend up to three feet beyond the front  
16 bumper and up to four feet beyond the rear bumper of the  
17 trailer or semitrailer.

18 \* i. Power units designed to carry cargo, when used in  
19 combination with a trailer or semitrailer shall not exceed  
20 sixty-five feet in overall length for the combination  
21 exclusive of retractable extensions used to support the load.  
22 However, if a combination of vehicles is used exclusively for  
23 the transportation of passenger vehicles, light delivery  
24 trucks, panel delivery trucks, pickup trucks, recreational  
25 vehicle chassis, or boats, the load may extend up to three  
26 feet beyond the front bumper of the power unit and up to four  
27 feet beyond the rear bumper of the trailer or semitrailer.

28 j. A stinger-steered automobile transporter shall not have  
29 an overall length exceeding seventy-five feet, exclusive of  
30 retractable extensions used to support the load and all other  
31 devices or appurtenances related to the safe and efficient  
32 operation of the vehicle, except that the load may extend up  
33 to three feet beyond the front bumper and up to four feet  
34 beyond the rear bumper.

35 Sec. 5. Section 321.463, Code Supplement 1995, is amended

1 by adding the following new unnumbered paragraph after  
2 unnumbered paragraph 7:

3 NEW UNNUMBERED PARAGRAPH. A vehicle or combination of  
4 vehicles transporting materials to or from a construction  
5 project or commercial plant site shall comply with the formula  
6 under this section which is used for travel on highways that  
7 are part of the interstate system. This paragraph applies  
8 only to a vehicle or combination of vehicles operating along a  
9 route of travel approved by the department.

\* 10 Sec. 6. Section 321E.7, subsection 2, Code 1995, is  
11 amended to read as follows:

12 2. Special mobile equipment, as defined in section 321.1,  
13 subsection 75, is not subject to the requirements for distance  
14 in feet between the extremes of any group of axles or the  
15 extreme axles of the vehicle or combination of vehicles as  
16 required by this chapter when being moved upon the highways,  
17 ~~except the interstate road system, as defined in section~~  
18 ~~306.37, subsection 4.~~

19 Sec. 7. Section 321E.7, Code 1995, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 2A. A mobile crane, operating under the  
22 permit requirements of this chapter, shall not exceed a gross  
23 weight on any axle of twenty-six thousand five hundred pounds.  
24 A mobile crane, as manufactured or equipped by the owner for a  
25 particular purpose, is a vehicle with an indivisible load  
26 pursuant to section 321E.1.

27 Sec. 8. Section 321E.7, subsection 3, Code 1995, is  
28 amended by striking the subsection.

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## HOUSE FILE 2350

S-5586

1 Amend House File 2350, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 3, by inserting after line 9 the  
4 following:

5 "Sec. \_\_\_\_ . Section 321E.1, unnumbered paragraph 1,  
6 Code 1995, is amended to read as follows:

7 The department and local authorities may in their  
8 discretion and upon application and with good cause  
9 being shown issue permits for the movement of  
10 construction machinery or asphalt repavers being  
11 temporarily moved on streets, roads or highways and  
12 for vehicles with indivisible loads which exceed the  
13 maximum dimensions and weights specified in sections  
14 321.452 to 321.466, but not to exceed the limitations  
15 imposed in sections 321E.1 to 321E.15 except as  
16 provided in sections 321E.29 and 321E.30. Vehicles  
17 permitted to transport indivisible loads may exceed  
18 the width and length limitations specified in sections  
19 321.454 and 321.457 for the purpose of picking up an  
20 indivisible load or returning from delivery of the  
21 indivisible load. Permits issued may be single-trip  
22 permits, multi-trip, or annual permits. Permits shall  
23 be in writing and shall be carried in the cab of the  
24 vehicle for which the permit has been issued and shall  
25 be available for inspection at all times. The vehicle  
26 and load for which the permit has been issued shall be  
27 open to inspection by a peace officer or an authorized  
28 agent of a permit granting authority. When in the  
29 judgment of the issuing authority in cities and  
30 counties the movement of a vehicle with an indivisible  
31 load or construction machinery which exceeds the  
32 maximum dimensions and weights will be unduly  
33 hazardous to public safety or will cause undue damage  
34 to streets, avenues, boulevards, thoroughfares,  
35 highways, curbs, sidewalks, trees, or other public or  
36 private property, the permit shall be denied and the  
37 reasons for denial endorsed on the application.  
38 Permits shall designate the days when and routes upon  
39 which loads and construction machinery may be moved  
40 within a county on other than primary roads.

41 Sec. \_\_\_\_ . Section 321E.2, Code 1995, is amended to  
42 read as follows:

43 321E.2 PERMIT-ISSUING AUTHORITIES.

44 Annual permits, multi-trip, and single-trip permits  
45 shall be issued by the authority responsible for the  
46 maintenance of the system of highways or streets.  
47 However, the department may issue permits on primary  
48 road extensions in cities in conjunction with  
49 movements on the rural primary road system. The  
50 department may issue an all-system permit under

S-5586

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Page 2

1 section 321E.8 which is valid for movements on all  
2 highways or streets under the jurisdiction of either  
3 the state or those local authorities which have  
4 indicated in writing to the department those streets  
5 or highways for which an all-system permit is not  
6 valid.

7 At the request of a local authority, the department  
8 shall issue annual, multi-trip, and single-trip  
9 permits that are under the jurisdiction of the local  
10 authority."

11 2. Page 3, by inserting after line 28 the  
12 following:

13 "Sec. \_\_\_\_ . NEW SECTION. 321E.9A MULTI-TRIP  
14 PERMITS.

15 Subject to the discretion and judgment provided for  
16 in section 321E.1, a multi-trip permit shall be issued  
17 for operation of vehicles, in accordance with the  
18 following:

19 1. Vehicles with indivisible loads having an  
20 overall length not to exceed one hundred feet, an  
21 overall width not to exceed eleven feet, and an  
22 overall height not to exceed fourteen feet, four  
23 inches, may be moved, provided the gross weight on any  
24 one axle shall not exceed the maximum prescribed in  
25 section 321.463.

26 2. Vehicles or combinations of vehicles consisting  
27 of construction machinery not exceeding the height,  
28 length, and width limitations of this section being  
29 temporarily moved on highways with a maximum total  
30 gross weight limitation and a single axle weight  
31 limitation in accordance with section 321E.7, may be  
32 moved.

33 3. The department shall adopt rules pursuant to  
34 chapter 17A governing the issuance of permits under  
35 this section.

36 Sec. \_\_\_\_ . Section 321E.14, unnumbered paragraph 1,  
37 Code 1995, is amended to read as follows:

38 The department or local authorities issuing the  
39 permits shall charge a fee of twenty-five dollars for  
40 an annual permit, one hundred dollars for a multi-trip  
41 permit, and a fee of ten dollars for a single-trip  
42 permit and shall determine charges for special permits  
43 issued pursuant to section 321E.29 by rules adopted  
44 pursuant to chapter 17A. Fees for the movement of  
45 buildings, parts of buildings, or unusual vehicles or  
46 loads may be increased to cover the costs of  
47 inspections by the issuing authority. A fee not to  
48 exceed two hundred fifty dollars per day or a prorated  
49 fraction of that fee per person and car for escort  
50 service may be charged when requested or when required

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1 under this chapter. Proration of escort fees between  
2 state and local authorities when more than one  
3 governmental authority provides or is required to  
4 provide escort for a movement during the period of a  
5 day shall be determined by rule under section 321E.15.  
6 The department and local authorities may charge a  
7 permit applicant for the cost of trimming trees and  
8 removal and replacement of natural obstructions or  
9 official signs and signals or other public or private  
10 property required to be removed during the movement of  
11 a vehicle and load. In addition to the fees provided  
12 in this section, the annual fee for a permit for  
13 special mobile equipment, as defined in section 321.1,  
14 subsection 75, operated pursuant to section 321E.7,  
15 subsection 2, with a combined gross weight up to and  
16 including eighty thousand pounds shall be twenty-five  
17 dollars and for a combined gross weight exceeding  
18 eighty thousand pounds, fifty dollars.

19 Sec. \_\_\_\_ . Section 321E.28, unnumbered paragraph 1,  
20 Code 1995, is amended to read as follows:

21 The department and local authorities may, upon  
22 application and with good cause shown, issue single-  
23 trip, multi-trip, or annual permits for the movement  
24 of mobile homes or factory-built structures of widths  
25 including appurtenances exceeding twelve feet five  
26 inches subject to the following conditions:

27 Sec. \_\_\_\_ . There is appropriated from the road use  
28 tax fund under section 312.1, for the fiscal year  
29 beginning July 1, 1996, and ending June 30, 1997, one  
30 hundred twenty-five thousand dollars to the state  
31 department of transportation for the purposes of  
32 automating the permitting system authorized under  
33 chapter 321E in order to improve communication between  
34 carriers and the department regarding changing road  
35 conditions, including construction zones."

36 3. Title page, line 3, by inserting after the  
37 word "vehicles" the following: "and providing an  
38 appropriation".

By DON E. GETTINGS

S-5586 FILED MARCH 28, 1996

*Adopted 4/1/96 (P. 1142)*

HOUSE FILE 2350

S-5595

1 Amend the amendment, S-5586, to House File 2350, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

- 4 1. Page 3, by striking lines 27 through 38.
- 5 2. By renumbering as necessary.

By DON E. GETTINGS

S-5595 FILED MARCH 28, 1996

*Adopted 4/1/96 (P. 1142)*

## HOUSE FILE 2350

S-5585

- 1 Amend House File 2350, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 3, line 9, by inserting after the word  
4 "department" the following: "or appropriate local  
5 authority".  
6 2. Page 3, by inserting after line 28 the  
7 following:  
8 "Sec. \_\_\_\_ . EFFECTIVE DATE. Section 5 of this Act,  
9 being deemed of immediate importance, takes effect  
10 upon enactment."  
11 3. Title page, line 3, by inserting after the  
12 word "vehicles" the following: "and providing an  
13 effective date".

By DON E. GETTINGS

S-5585 FILED MARCH 28, 1996

*Adopted 4/1/96 (P.1142)*

## HOUSE FILE 2350

S-5482

- 1 Amend House File 2350 as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, by striking lines 1 through 7.  
4 2. Page 3, by striking lines 19 through 26.  
5 3. By renumbering as necessary.

By COMMITTEE ON TRANSPORTATION  
DON GETTINGS, Chairperson

S-5482 FILED MARCH 21, 1996

*Adopted 4/1/96  
(P.1142)*

## SENATE AMENDMENT TO HOUSE FILE 2350

H-5758

1 Amend House File 2350 as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 1 through 7.

4 2. Page 3, line 9, by inserting after the word  
5 "department" the following: "or appropriate local  
6 authority".

7 3. Page 3, by inserting after line 9 the  
8 following:

9 "Sec. \_\_\_\_\_. Section 321E.1, unnumbered paragraph 1,  
10 Code 1995, is amended to read as follows:

11 The department and local authorities may in their  
12 discretion and upon application and with good cause  
13 being shown issue permits for the movement of  
14 construction machinery or asphalt repavers being  
15 temporarily moved on streets, roads or highways and  
16 for vehicles with indivisible loads which exceed the  
17 maximum dimensions and weights specified in sections  
18 321.452 to 321.466, but not to exceed the limitations  
19 imposed in sections 321E.1 to 321E.15 except as  
20 provided in sections 321E.29 and 321E.30. Vehicles  
21 permitted to transport indivisible loads may exceed  
22 the width and length limitations specified in sections  
23 321.454 and 321.457 for the purpose of picking up an  
24 indivisible load or returning from delivery of the  
25 indivisible load. Permits issued may be single-trip  
26 permits, multi-trip, or annual permits. Permits shall  
27 be in writing and shall be carried in the cab of the  
28 vehicle for which the permit has been issued and shall  
29 be available for inspection at all times. The vehicle  
30 and load for which the permit has been issued shall be  
31 open to inspection by a peace officer or an authorized  
32 agent of a permit granting authority. When in the  
33 judgment of the issuing authority in cities and  
34 counties the movement of a vehicle with an indivisible  
35 load or construction machinery which exceeds the  
36 maximum dimensions and weights will be unduly  
37 hazardous to public safety or will cause undue damage  
38 to streets, avenues, boulevards, thoroughfares,  
39 highways, curbs, sidewalks, trees, or other public or  
40 private property, the permit shall be denied and the  
41 reasons for denial endorsed on the application.  
42 Permits shall designate the days when and routes upon  
43 which loads and construction machinery may be moved  
44 within a county on other than primary roads.

45 Sec. \_\_\_\_\_. Section 321E.2, Code 1995, is amended to  
46 read as follows:

47 321E.2 PERMIT-ISSUING AUTHORITIES.

48 Annual permits, multi-trip, and single-trip permits  
49 shall be issued by the authority responsible for the  
50 maintenance of the system of highways or streets.

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1 However, the department may issue permits on primary  
2 road extensions in cities in conjunction with  
3 movements on the rural primary road system. The  
4 department may issue an all-system permit under  
5 section 321E.8 which is valid for movements on all  
6 highways or streets under the jurisdiction of either  
7 the state or those local authorities which have  
8 indicated in writing to the department those streets  
9 or highways for which an all-system permit is not  
10 valid.

11 At the request of a local authority, the department  
12 shall issue annual, multi-trip, and single-trip  
13 permits that are under the jurisdiction of the local  
14 authority."

15 4. Page 3, by striking lines 19 through 26.

16 5. Page 3, by inserting after line 28 the  
17 following:

18 "Sec. \_\_\_\_ . NEW SECTION. 321E.9A MULTI-TRIP  
19 PERMITS.

20 Subject to the discretion and judgment provided for  
21 in section 321E.1, a multi-trip permit shall be issued  
22 for operation of vehicles, in accordance with the  
23 following:

24 1. Vehicles with indivisible loads having an  
25 overall length not to exceed one hundred feet, an  
26 overall width not to exceed eleven feet, and an  
27 overall height not to exceed fourteen feet, four  
28 inches, may be moved, provided the gross weight on any  
29 one axle shall not exceed the maximum prescribed in  
30 section 321.463.

31 2. Vehicles or combinations of vehicles consisting  
32 of construction machinery not exceeding the height,  
33 length, and width limitations of this section being  
34 temporarily moved on highways with a maximum total  
35 gross weight limitation and a single axle weight  
36 limitation in accordance with section 321E.7, may be  
37 moved.

38 3. The department shall adopt rules pursuant to  
39 chapter 17A governing the issuance of permits under  
40 this section.

41 Sec. \_\_\_\_ . Section 321E.14, unnumbered paragraph 1,  
42 Code 1995, is amended to read as follows:

43 The department or local authorities issuing the  
44 permits shall charge a fee of twenty-five dollars for  
45 an annual permit, one hundred dollars for a multi-trip  
46 permit, and a fee of ten dollars for a single-trip  
47 permit and shall determine charges for special permits  
48 issued pursuant to section 321E.29 by rules adopted  
49 pursuant to chapter 17A. Fees for the movement of  
50 buildings, parts of buildings, or unusual vehicles or

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1 loads may be increased to cover the costs of  
2 inspections by the issuing authority. A fee not to  
3 exceed two hundred fifty dollars per day or a prorated  
4 fraction of that fee per person and car for escort  
5 service may be charged when requested or when required  
6 under this chapter. Proration of escort fees between  
7 state and local authorities when more than one  
8 governmental authority provides or is required to  
9 provide escort for a movement during the period of a  
10 day shall be determined by rule under section 321E.15.  
11 The department and local authorities may charge a  
12 permit applicant for the cost of trimming trees and  
13 removal and replacement of natural obstructions or  
14 official signs and signals or other public or private  
15 property required to be removed during the movement of  
16 a vehicle and load. In addition to the fees provided  
17 in this section, the annual fee for a permit for  
18 special mobile equipment, as defined in section 321.1,  
19 subsection 75, operated pursuant to section 321E.7,  
20 subsection 2, with a combined gross weight up to and  
21 including eighty thousand pounds shall be twenty-five  
22 dollars and for a combined gross weight exceeding  
23 eighty thousand pounds, fifty dollars.

24 Sec. \_\_\_\_\_. Section 321E.28, unnumbered paragraph 1,  
25 Code 1995, is amended to read as follows:

26 The department and local authorities may, upon  
27 application and with good cause shown, issue single-  
28 trip, multi-trip, or annual permits for the movement  
29 of mobile homes or factory-built structures of widths  
30 including appurtenances exceeding twelve feet five  
31 inches subject to the following conditions:

32 6. Page 3, by inserting after line 28 the  
33 following:

34 "Sec. \_\_\_\_\_. EFFECTIVE DATE. Section 5 of this Act,  
35 being deemed of immediate importance, takes effect  
36 upon enactment."

37 7. Title page, line 3, by inserting after the  
38 word "vehicles" the following: "and providing an  
39 effective date".

40 8. By renumbering, relettering, or redesignating  
41 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-5758 FILED APRIL 1, 1996

*House Consumed**4-3-96**(p. 1369)*

CHAIR HEATON  
WELTER  
MAY

HSB 635

TRANSPORTATION

By  
SF IF 350

HOUSE FILE

BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL  
BY CHAIRPERSON WELTER)

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

A BILL FOR

1 An Act relating to motor vehicle dimensional and weight  
2 requirements and certificates of title for commercial  
3 vehicles.

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

5  
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23



1 Section 1. Section 321.1, subsection 75, Code Supplement  
2 1995, is amended by adding the following new unnumbered  
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. "Special mobile equipment"  
5 includes mobile cranes. A mobile crane includes, but is not  
6 limited to, a self-propelled crane, truck crane, all-terrain  
7 crane, or rough-terrain crane.

8 Sec. 2. Section 321.20A, Code Supplement 1995, is amended  
9 to read as follows:

10 321.20A CERTIFICATE OF TITLE -- COMMERCIAL MOTOR VEHICLES.

11 1. Notwithstanding other provisions of this chapter, the  
12 owner of a commercial motor vehicle with a gross vehicle  
13 weight rating of twenty-six thousand one pounds or more,  
14 subject to the proportional registration provisions of chapter  
15 326, may make application to the department for a certificate  
16 of title. The application for certificate of title shall be  
17 made within fifteen days of purchase or transfer and  
18 accompanied by a ten dollar title fee and appropriate use tax.

19 2. A commercial motor vehicle issued a certificate of  
20 title under this section shall not be subject to registration  
21 fees until the commercial motor vehicle is driven or moved  
22 upon the highways. The registration fee due shall be prorated  
23 for the remaining unexpired months of the registration year.  
24 Ownership of a commercial motor vehicle issued a certificate  
25 of title under this section shall not be transferred until  
26 registration fees have been paid to the department.

27 3. The certificate of title provision for commercial motor  
28 vehicles with a gross vehicle weight rating of twenty-six  
29 thousand one pounds or more shall apply to owners with-fleets  
30 of more-than-fifty commercial motor vehicles based in Iowa  
31 under the proportional registration provisions of chapter 326.  
32 The original certificate of title shall be delivered to the  
33 owner if no security interest or encumbrance appears on the  
34 certificate, otherwise the certificate of title shall be  
35 delivered by the department to the person holding the first

1 security interest or encumbrance as shown on the certificate  
2 of title.

3 Sec. 3. Section 321.456, Code 1995, is amended to read as  
4 follows:

5 321.456 HEIGHT OF VEHICLES -- PERMITS.

6 A vehicle unladen or with load shall not exceed a height of  
7 thirteen fourteen feet, six-inches, except by permit as  
8 provided in this section 321E.9. This section shall not be  
9 construed to require any railroad or public authorities to  
10 provide sufficient vertical clearance to permit the operation  
11 of such vehicle upon the highways of this state. Any damage  
12 to highways, highway or railroad structures or underpasses  
13 caused by the height of any vehicle provided for by this  
14 section shall be borne by the operator or owner of the  
15 vehicle. Vehicles unladen or with load exceeding a height of  
16 thirteen fourteen feet, six-inches-but-not-exceeding-fourteen  
17 feet may be operated with a permit issued by the department or  
18 jurisdictional local authorities in accordance with section  
19 321E.9. The-permits-shall-be-issued-annually-for-a-fee-of  
20 twenty-five-dollars-and-subject-to-rules-adopted-by-the  
21 department. The state or a political subdivision shall not be  
22 liable for damage to any vehicle or its cargo if changes in  
23 vertical clearance of a structure are made subsequent to the  
24 issuance of a permit during the term of the permit.

25 Sec. 4. Section 321.457, subsection 2, paragraph d, Code  
26 1995, is amended by striking the paragraph.

27 Sec. 5. Section 321.457, subsection 2, paragraphs g and i,  
28 Code 1995, are amended to read as follows:

29 g. A trailer or semitrailer, laden or unladen, shall not  
30 have an overall length in excess of fifty-three feet when  
31 operating in a truck tractor-semitrailer combination exclusive  
32 of retractable extensions used to support the load. However,  
33 when a trailer or semitrailer is used exclusively for the  
34 transportation of passenger vehicles, light delivery trucks,  
35 panel delivery trucks, pickup trucks, recreational vehicle

1 chassis, or boats, the load carried on the trailer or  
2 semitrailer may extend up to three feet beyond the front-  
3 bumper and up to four feet beyond the rear bumper of the  
4 trailer or semitrailer.

5 i. Power units designed to carry cargo, when used in  
6 combination with a trailer or semitrailer shall not exceed  
7 sixty-five feet in overall length for the combination  
8 exclusive of retractable extensions used to support the load.  
9 However, if a combination of vehicles is used exclusively for  
10 the transportation of passenger vehicles, light delivery  
11 trucks, panel delivery trucks, pickup trucks, recreational  
12 vehicle chassis, or boats, the load may extend up to three  
13 feet beyond the front bumper of the power unit and up to four  
14 feet beyond the rear bumper of the trailer or semitrailer.

15 Sec. 6. Section 321.463, Code Supplement 1995, is amended  
16 to read as follows:

17 321.463 MAXIMUM GROSS WEIGHT -- EXCEPTIONS -- PENALTIES.

18 1. For purposes of this section, axles which are less than  
19 forty inches apart center-to-center shall be considered a  
20 single axle. The maximum gross weight of any vehicle shall  
21 not exceed eighty thousand pounds.

22 2. An axle may be divided into two or more parts, except  
23 that all parts in the same vertical transverse plane shall be  
24 considered as one axle.

25 3. The gross weight on any one axle of a vehicle, or of a  
26 combination of vehicles, operated on the highways of this  
27 state, shall not exceed twenty thousand pounds on an axle  
28 equipped with pneumatic tires, and shall not exceed fourteen  
29 thousand pounds on an axle equipped with solid rubber tires.  
30 The gross weight on any tandem axle of a vehicle, or any  
31 combination of vehicles, shall not exceed thirty-four thousand  
32 pounds on an axle equipped with pneumatic tires.

33 Notwithstanding other provisions of this chapter to the  
34 contrary, indivisible loads operating under the permit  
35 requirements of sections 321E.7, 321E.8, and 321E.9 shall be

1 allowed a maximum of twenty thousand pounds per axle.

2 4. A group of two or more consecutive axles of any vehicle  
3 or combination of vehicles, shall not carry a load in pounds  
4 in excess of the overall gross weight determined by  
5 application of the following formula:  $W$  equals  $500 (LN/N-1 +$   
6  $12N + 36)$ .  $W$  equals the overall gross weight on any group of  
7 two or more consecutive axles to the nearest five hundred  
8 pounds,  $L$  equals the distance in feet, rounded to the nearest  
9 whole foot, between the extreme of any group of two or more  
10 consecutive axles, and  $N$  equals the number of axles in the  
11 group under consideration. ~~The following are exceptions to~~  
12 ~~application of the formula:~~

13 ~~1.--Two~~ However, two consecutive sets of tandem axles may  
14 carry a gross load of thirty-four thousand pounds each  
15 providing the overall distance between the first and last  
16 axles of the consecutive sets of tandem axles is thirty-six  
17 feet or more.

18 ~~2.--On highways not part of the interstate system, a~~  
19 ~~vehicle or combination of vehicles having:~~

20 ~~a.--Four axles where the extreme axles are eighteen feet~~  
21 ~~apart may carry a gross load of fifty-three thousand pounds.~~

22 ~~b.--Five axles where the extreme axles are thirty-two feet~~  
23 ~~apart may carry a gross load of sixty-seven thousand five~~  
24 ~~hundred pounds.~~

25 ~~c.--Six or more axles where the extreme axles are forty-one~~  
26 ~~feet apart may carry a gross load of seventy-eight thousand~~  
27 ~~pounds.~~

28 ~~For every foot of distance between extreme axles less than the~~  
29 ~~above axle spacings, the overall gross weight of the vehicle~~  
30 ~~or combination of vehicles shall be determined by deducting~~  
31 ~~one thousand pounds from the gross loads specified in~~  
32 ~~paragraphs "a", "b" and "c". All measurements between extreme~~  
33 ~~axles shall be rounded to the nearest whole foot.~~

34 ~~The maximum gross weight shall not exceed eighty thousand~~  
35 ~~pounds.~~

1     5. The weight on any one axle, including a tandem axle, of  
2 a vehicle which is transporting livestock on highways not part  
3 of the interstate system may exceed the legal maximum weight  
4 ~~given-in~~ under this chapter ~~providing-that~~ if the gross weight  
5 on any particular group of axles ~~on-such-vehicle~~ does not  
6 exceed the gross weight allowable under this chapter for ~~such~~  
7 ~~groups~~ that group of axles.

8     6. ~~In-addition,-the~~ The weight on any one axle, including  
9 a tandem axle, of a vehicle which is transporting raw  
10 materials from a designated borrow site to a construction  
11 project or transporting raw materials from a construction  
12 project, may exceed the legal maximum weight otherwise allowed  
13 under this chapter by ten percent if the gross weight on any  
14 particular group of axles on the vehicle does not exceed the  
15 gross weight allowed under this chapter for that group of  
16 axles. However, if the vehicle exceeds the ten percent  
17 tolerance allowed for any one axle or tandem axle under this  
18 paragraph the fine to be assessed for the axle or tandem axle  
19 shall be computed on the difference between the actual weight  
20 and the ten percent tolerance weight allowed for the axle or  
21 tandem axle under this paragraph. This paragraph applies only  
22 to vehicles operating along a route of travel approved by the  
23 department.

24     7. A vehicle designed to tow wrecked or disabled vehicles  
25 shall be exempt from the weight limitations in this section  
26 while the vehicle is towing a wrecked or disabled vehicle.

27     8. a. A person who operates a vehicle in violation of the  
28 provisions of this section, and an owner, or any other person,  
29 employing or otherwise directing the operator of a vehicle,  
30 who requires or knowingly permits the operation of a vehicle  
31 in violation of the provisions of this section shall be fined  
32 according to the following schedule:

33     AXLE, TANDEM AXLE, AND GROUP OF AXLES WEIGHT VIOLATIONS	
34     Pounds Overloaded	Amount of Fine
35     Up to and including	\$10 plus one-half cent

1	1,000 pounds	per pound
2	Over 1,000 pounds to and	\$15 plus one-half cent
3	including 2,000 pounds	per pound
4	Over 2,000 pounds to and	\$80 plus three cents
5	including 3,000 pounds	per pound
6	Over 3,000 pounds to and	\$100 plus four cents
7	including 4,000 pounds	per pound
8	Over 4,000 pounds to and	\$150 plus five cents
9	including 5,000 pounds	per pound
10	Over 5,000 pounds to and	\$200 plus seven cents
11	including 6,000 pounds	per pound
12	Over 6,000 pounds	\$200 plus ten cents
13		per pound

14 b. Fines for gross weight violations for vehicles or  
 15 combinations of vehicles shall be assessed at one-half of the  
 16 fine rate schedule for axle, tandem axle, and groups of axles  
 17 weight violations.

18 c. Except as otherwise provided, the amount of the fine to  
 19 be assessed shall be computed on the difference between the  
 20 actual weight and the maximum legal weight specified in this  
 21 section by applying the appropriate rate in the preceding  
 22 schedule for the total amount of overload.

23 d. The schedule of fines may be assessed in addition to  
 24 any other penalties provided for in this chapter.

25 e. Overloads on axles and tandem axles and overloads on  
 26 groups of axles or on an entire vehicle or combination of  
 27 vehicles shall be considered as separate violations of the  
 28 provisions of this section.

29 f. A person who issues or executes, or causes to be issued  
 30 or executed, a bill of lading, manifest, or shipping document  
 31 of any kind which states a false weight of the cargo set forth  
 32 on such bill, manifest, or document, which is less than the  
 33 actual weight of the cargo, shall, upon conviction, be guilty  
 34 of a simple misdemeanor.

35 Sec. 7. Section 321.473, unnumbered paragraph 2, Code

1 1995, is amended to read as follows:

2 The department may issue annual special permits for the  
3 operation of compacted rubbish vehicles and vehicles which  
4 transport compacted rubbish from a rubbish collection point to  
5 a landfill area, exceeding the weight limitation of section  
6 321.463, but not exceeding a rear axle gross weight for two-  
7 axle vehicles of twenty-two thousand pounds ~~for the period~~  
8 ~~commencing July 1, 1978 and ending June 30, 1986 and twenty~~  
9 ~~thousand pounds commencing July 1, 1986 and thereafter,~~ and  
10 for tandem axle vehicles or transferable auxiliary axle  
11 vehicles not exceeding a gross weight on the rear axles of  
12 ~~thirty-six~~ thirty-eight thousand pounds. Annual special  
13 permits for the operation on secondary roads shall be approved  
14 by the county engineer. Annual special permits for a  
15 particular vehicle shall not be issued by the department  
16 unless prior approval is given by the county engineer of the  
17 county in which the vehicle will be operated. Annual special  
18 permits for operation on primary roads shall be approved by  
19 the state department of transportation. Compacted rubbish  
20 vehicles and vehicles which transport compacted rubbish from a  
21 rubbish collection point to a landfill area operated pursuant  
22 to an annual special permit shall be operated only over routes  
23 designated by the local authority. Annual special permits for  
24 a particular vehicle shall not be issued by the department  
25 unless approved by the local authority responsible for the  
26 roads over which the vehicle will be operated. Annual special  
27 permits approved by the issuing authority shall be issued upon  
28 payment of an annual fee, in addition to other registration  
29 fees imposed, of one hundred dollars to be paid to the  
30 department for all nongovernmental vehicles.

31 Sec. 8. Section 321E.7, subsection 2, Code 1995, is  
32 amended to read as follows:

33 2. Special mobile equipment, as defined in section 321.1,  
34 subsection 75, is not subject to the requirements for distance  
35 in feet between the extremes of any group of axles or the

1 extreme axles of the vehicle or combination of vehicles as  
2 required by this chapter when being moved upon the highways,  
3 ~~except the interstate road system, as defined in section~~  
4 ~~306.37, subsection 4.~~

5 Sec. 9. Section 321E.7, Code 1995, is amended by adding  
6 the following new subsection:

7 NEW SUBSECTION. 2A. A mobile crane, operating under the  
8 permit requirements of this chapter, shall not exceed a gross  
9 weight on any axle of twenty-six thousand five hundred pounds.  
10 A mobile crane, as manufactured or equipped by the owner for a  
11 particular purpose, is a vehicle with an indivisible load  
12 pursuant to section 321E.1.

13 Sec. 10. Section 321E.7, subsection 3, Code 1995, is  
14 amended by striking the subsection.

15 Sec. 11. Section 321E.8, subsection 1, Code 1995, is  
16 amended to read as follows:

17 1. Vehicles with indivisible loads having an overall width  
18 not to exceed twelve feet five inches or mobile homes  
19 including appurtenances not to exceed twelve feet five inches  
20 and an overall length not to exceed seventy-five feet zero  
21 inches may be moved for unlimited distances. The vehicle and  
22 load shall not exceed the height ~~of thirteen feet ten inches~~  
23 as prescribed in section 321.456 and the total gross weight as  
24 prescribed in section 321.463.

25 Sec. 12. Section 805.8, subsection 2, paragraph m, Code  
26 Supplement 1995, is amended to read as follows:

27 m. For height, weight, length, width and load violations  
28 and towed vehicle violations under sections 321.309, 321.310,  
29 321.381, 321.394, 321.437, 321.454, 321.455, 321.456, 321.457,  
30 321.458, 321.461, and 321.462, the scheduled fine is twenty-  
31 five dollars. For weight violations under ~~sections 321.459~~  
32 and section 321.466, the scheduled fine is twenty dollars for  
33 each two thousand pounds or fraction thereof of overweight.

34 Sec. 13. Section 321.459, Code 1995, is repealed.

35

EXPLANATION



1 This bill makes several changes to motor vehicle weight and  
2 dimensional requirements and makes other transportation-  
3 related changes.

4 Current law allows the owner of a commercial motor vehicle  
5 with a gross vehicle weight rating of 26,000 pounds or more,  
6 subject to proportional registration under chapter 326, to  
7 apply to the state department of transportation for a  
8 certificate of title. The commercial motor vehicle is not  
9 subject to a registration fee until it is driven upon the  
10 highway and only owners with fleets of more than 50 commercial  
11 motor vehicles may apply for a certificate under section  
12 321.20A. Section 2 of the bill changes section 321.20A by  
13 referring to commercial vehicles rather than commercial motor  
14 vehicles, thus including within its provisions, trailers and  
15 semitrailers. It also strikes the 50 commercial motor vehicle  
16 fleet limitation and allows any owner of a commercial vehicle,  
17 which otherwise meets the requirements of section 321.20A, to  
18 apply for a certificate of title.

19 This bill amends several sections relating to length and  
20 width and maximum gross weights on various vehicles. The bill  
21 repeals a provision that required different vehicle axle  
22 weights for operation on highways that are not part of the  
23 interstate system than is required for the operation on  
24 highways that are part of the interstate system. The bill  
25 increases the height limitations for a vehicle from 13 feet,  
26 six inches, to 14 feet and allows for operation of vehicles  
27 exceeding the height limitation of 14 feet with a permit.

28 This bill changes the legal length limit for trailers,  
29 semitrailers, and power units designed to carry cargo when  
30 used in combination with a trailer or semitrailer. Current  
31 law limits trailers and semitrailers to 53 feet and power  
32 units to 65 feet in overall length. This bill provides that  
33 this measurement excludes retractable extensions used to  
34 support the load. The bill provides that the load may extend  
35 up to three feet beyond the front bumper and up to four feet

1 beyond the rear bumper of the trailer, semitrailer, or power  
2 unit if the vehicles carrying the load are used exclusively  
3 for the transportation of passenger vehicles, light delivery  
4 trucks, panel delivery trucks, pickup trucks, recreational  
5 vehicle chassis, or boats.

6 The bill increases the maximum axle weight for garbage  
7 trucks from 20,000 pound to 22,000 pounds for a rear axle  
8 gross weight for two-axle vehicles and from 36,000 pounds to  
9 38,000 pounds for rear axle gross weights for tandem axle  
10 vehicles or transferable auxiliary axle vehicles. The bill  
11 allows for a maximum gross weight on any axle of a mobile  
12 crane of 26,500 pounds per axle under permit and defines  
13 mobile crane.

14 The bill also makes several technical changes, including  
15 repealing section 321.459 and moving it to section 321.463.

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HOUSE FILE 2350

AN ACT

RELATING TO MOTOR VEHICLE DIMENSIONAL AND WEIGHT REQUIREMENTS  
AND CERTIFICATES OF TITLE FOR COMMERCIAL VEHICLES AND  
PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 321.20A, Code Supplement 1995, is amended to read as follows:

321.20A CERTIFICATE OF TITLE -- COMMERCIAL MOTOR VEHICLES.

1. Notwithstanding other provisions of this chapter, the owner of a commercial motor vehicle with a gross vehicle weight rating of twenty-six thousand one pounds or more, subject to the proportional registration provisions of chapter 326, may make application to the department for a certificate of title. The application for certificate of title shall be made within fifteen days of purchase or transfer and accompanied by a ten dollar title fee and appropriate use tax.

2. A commercial motor vehicle issued a certificate of title under this section shall not be subject to registration fees until the commercial motor vehicle is driven or moved upon the highways. The registration fee due shall be prorated for the remaining unexpired months of the registration year. Ownership of a commercial motor vehicle issued a certificate of title under this section shall not be transferred until registration fees have been paid to the department.

3. The certificate of title provision for commercial motor vehicles with a gross vehicle weight rating of twenty-six thousand one pounds or more shall apply to owners with fleets of more than fifty commercial motor vehicles based in Iowa under the proportional registration provisions of chapter 326. The original certificate of title shall be delivered to the owner if no security interest or encumbrance appears on the certificate, otherwise the certificate of title shall be delivered by the department to the person holding the first

security interest or encumbrance as shown on the certificate of title.

Sec. 2. Section 321.457, subsection 2, paragraph d, Code 1995, is amended by striking the paragraph.

Sec. 3. Section 321.457, subsection 2, paragraphs g, i, and j, Code 1995, are amended to read as follows:

g. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of fifty-three feet when operating in a truck tractor-semitrailer combination exclusive of retractable extensions used to support the load. However, when a trailer or semitrailer is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats, the load carried on the trailer or semitrailer may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper of the trailer or semitrailer.

i. Power units designed to carry cargo, when used in combination with a trailer or semitrailer shall not exceed sixty-five feet in overall length for the combination exclusive of retractable extensions used to support the load. However, if a combination of vehicles is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats, the load may extend up to three feet beyond the front bumper of the power unit and up to four feet beyond the rear bumper of the trailer or semitrailer.

j. A stinger-steered automobile transporter shall not have an overall length exceeding seventy-five feet, exclusive of retractable extensions used to support the load and all other devices or appurtenances related to the safe and efficient operation of the vehicle, except that the load may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper.

Sec. 4. Section 321.463, Code Supplement 1995, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 7:

NEW UNNUMBERED PARAGRAPH. A vehicle or combination of vehicles transporting materials to or from a construction project or commercial plant site shall comply with the formula under this section which is used for travel on highways that are part of the interstate system. This paragraph applies only to a vehicle or combination of vehicles operating along a route of travel approved by the department or appropriate local authority.

Sec. 5. Section 321E.1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in sections 321E.29 and 321E.30. Vehicles permitted to transport indivisible loads may exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load. Permits issued may be single-trip permits, multi-trip, or annual permits. Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by a peace officer or an authorized agent of a permit granting authority. When in the judgment of the issuing authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons for denial endorsed on the application. Permits shall

designate the days when and routes upon which loads and construction machinery may be moved within a county on other than primary roads.

Sec. 6. Section 321E.2, Code 1995, is amended to read as follows:

321E.2 PERMIT-ISSUING AUTHORITIES.

Annual permits, multi-trip, and single-trip permits shall be issued by the authority responsible for the maintenance of the system of highways or streets. However, the department may issue permits on primary road extensions in cities in conjunction with movements on the rural primary road system. The department may issue an all-system permit under section 321E.8 which is valid for movements on all highways or streets under the jurisdiction of either the state or those local authorities which have indicated in writing to the department those streets or highways for which an all-system permit is not valid.

At the request of a local authority, the department shall issue annual, multi-trip, and single-trip permits that are under the jurisdiction of the local authority.

Sec. 7. Section 321E.7, subsection 2, Code 1995, is amended to read as follows:

2. Special mobile equipment, as defined in section 321.1, subsection 75, is not subject to the requirements for distance in feet between the extremes of any group of axles or the extreme axles of the vehicle or combination of vehicles as required by this chapter when being moved upon the highways, ~~except-the-interstate-road-system,-as-defined-in-section 306.37-subsection-4.~~

Sec. 8. Section 321E.7, subsection 3, Code 1995, is amended by striking the subsection.

Sec. 9. NEW SECTION. 321E.9A MULTI-TRIP PERMITS.

Subject to the discretion and judgment provided for in section 321E.1, a multi-trip permit shall be issued for operation of vehicles, in accordance with the following:

1. Vehicles with indivisible loads having an overall length not to exceed one hundred feet, an overall width not to

exceed eleven feet, and an overall height not to exceed fourteen feet, four inches, may be moved, provided the gross weight on any one axle shall not exceed the maximum prescribed in section 321.463.

2. Vehicles or combinations of vehicles consisting of construction machinery not exceeding the height, length, and width limitations of this section being temporarily moved on highways with a maximum total gross weight limitation and a single axle weight limitation in accordance with section 321E.7, may be moved.

3. The department shall adopt rules pursuant to chapter 17A governing the issuance of permits under this section.

Sec. 10. Section 321E.14, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department or local authorities issuing the permits shall charge a fee of twenty-five dollars for an annual permit, one hundred dollars for a multi-trip permit, and a fee of ten dollars for a single-trip permit and shall determine charges for special permits issued pursuant to section 321E.29 by rules adopted pursuant to chapter 17A. Fees for the movement of buildings, parts of buildings, or unusual vehicles or loads may be increased to cover the costs of inspections by the issuing authority. A fee not to exceed two hundred fifty dollars per day or a prorated fraction of that fee per person and car for escort service may be charged when requested or when required under this chapter. Proration of escort fees between state and local authorities when more than one governmental authority provides or is required to provide escort for a movement during the period of a day shall be determined by rule under section 321E.15. The department and local authorities may charge a permit applicant for the cost of trimming trees and removal and replacement of natural obstructions or official signs and signals or other public or private property required to be removed during the movement of a vehicle and load. In addition to the fees provided in this section, the annual fee for a permit for special mobile equipment, as defined in section 321.1, subsection 75,

operated pursuant to section 321E.7, subsection 2, with a combined gross weight up to and including eighty thousand pounds shall be twenty-five dollars and for a combined gross weight exceeding eighty thousand pounds, fifty dollars.

Sec. 11. Section 321E.28, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department and local authorities may, upon application and with good cause shown, issue single-trip, multi-trip, or annual permits for the movement of mobile homes or factory-built structures of widths including appurtenances exceeding twelve feet five inches subject to the following conditions:

Sec. 12. EFFECTIVE DATE. Section 4 of this Act, being deemed of immediate importance, takes effect upon enactment.

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RON J. CORBETT  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2350, Seventy-sixth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 15, 1996

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TERRY E. BRANSTAD  
Governor