

FILED FEB 9 1998

SENATE FILE 2156
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 2036)

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

A BILL FOR

1 An Act relating to motor trucks, including weight requirements
2 and transportation of hazardous materials, and providing an
3 effective date.

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

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S.F. 2156

1 Section 1. Section 321.450, unnumbered paragraphs 1 and 3,
2 Code Supplement 1997, are amended to read as follows:

3 A person shall not transport or have transported or shipped
4 within this state any hazardous material except in compliance
5 with rules adopted by the department under chapter 17A. The
6 rules shall be consistent with the federal hazardous materials
7 regulations ~~promulgated~~ adopted under United States Code,
8 Title 49, and found in 49 C.F.R. § 107, 171 to 173, 177, 178,
9 and 180. ~~However, rules adopted under this section concerning~~
10 ~~tank specifications shall not apply to cargo tank motor~~
11 ~~vehicles with a capacity of four thousand gallons or less used~~
12 ~~to transport gasoline in intrastate commerce, which were~~
13 ~~manufactured between 1956 and 1989, were domiciled in Iowa~~
14 ~~prior to July 1, 1991, and are in compliance with the American~~
15 ~~society of mechanical engineers specifications in effect at~~
16 ~~the time of manufacture.~~

17 Notwithstanding other provisions of this section, or the
18 age requirements under section 321.449, the age requirements
19 under section 321.449 and the rules adopted under this section
20 pertaining to compliance with regulations adopted under ~~U.S.C.~~
21 United States Code, Title 49, and found in 49 C.F.R. §
22 177.804, shall not apply to retail dealers of fertilizers,
23 petroleum products, and pesticides and their employees while
24 delivering fertilizers, petroleum products, and pesticides to
25 farm customers within a one-hundred-mile radius of their
26 retail place of business. ~~Notwithstanding contrary provisions~~
27 ~~of this chapter, motor vehicles registered for a maximum gross~~
28 ~~weight of five tons or less shall be exempt from the~~
29 ~~requirements of placarding and of carrying hazardous materials~~
30 ~~shipping papers if the hazardous materials which are~~
31 ~~transported are clearly labeled.~~

32 Sec. 2. Section 321.463, subsection 5, Code Supplement
33 1997, is amended by adding the following new paragraph:

34 NEW PARAGRAPH. d. For the purposes of the maximum gross
35 weight tables in paragraphs "a", "b", and "c", distance in

1 feet is the measured distance in feet between the centers of
2 the extreme axles of any group of axles, rounded to the
3 nearest whole foot.

4 Sec. 3. Section 321.463, subsections 7 and 8, Code
5 Supplement 1997, are amended to read as follows:

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

25 7A. The weight on any one axle, including a tandem axle,
26 of a garbage collection vehicle, may exceed the legal maximum
27 weight otherwise allowed under this chapter by twenty percent
28 if the gross weight on any particular group of axles on the
29 vehicle does not exceed the gross weight allowed under this
30 chapter for that group of axles.

31 8. A vehicle or combination of vehicles transporting
32 materials to or from a construction project or commercial
33 plant site ~~along a route of travel approved by the department~~
34 ~~or appropriate local authority shall comply with subsection 5,~~
35 ~~paragraph "a"~~ may operate under the maximum gross weight table

1 for interstate highways in subsection 5, paragraph "a", if the
2 route is approved by the department or appropriate local
3 authority. Route approval is not required if the vehicle or
4 combination of vehicles transporting materials to or from a
5 construction project or commercial plant site complies with
6 the maximum gross weight table for noninterstate highways in
7 subsection 5, paragraph "c".

8 Sec. 4. EFFECTIVE DATE. Section 1 of this Act takes
9 effect October 1, 1998.

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EXPLANATION

11 This bill relates to motor trucks, including weight
12 requirements and transportation of hazardous materials.

13 The bill amends provisions relating to the transportation
14 of hazardous materials to comply with changes in federal
15 regulations by eliminating exemptions for small cargo tank
16 motor vehicles transporting gasoline in intrastate commerce
17 and for motor vehicles registered for a maximum gross weight
18 of five tons or less. It defines how distance in feet between
19 axles is measured for purposes of the maximum gross weight
20 tables.

21 The bill specifies that vehicles transporting raw materials
22 to or from construction sites may have the 10 percent
23 tolerance on weight restrictions only for travel on highways
24 not on the interstate system and along a route of travel
25 approved by the department or the appropriate local authority.
26 It also specifies that vehicles transporting materials to or
27 from a construction project or commercial plant site may
28 travel along a route of travel approved by the department or
29 local authority using the maximum gross weight table for
30 interstate highways, or they may travel without department or
31 local authority approval using the maximum gross weight table
32 provided for livestock or construction vehicles.

33 The bill establishes that a garbage collection vehicle may
34 have a 20 percent tolerance on weight restrictions for travel
35 on the roadways.

1 The amendments to Code section 321.450 relating to the
2 transportation of hazardous materials take effect October 1,
3 1998, to comply with changes in federal regulations.

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McCoy
Jensen
Freeman

SSB 2036

Transportation

Succeeded By

(SF) HF 2156

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

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33 combination of vehicles transporting materials to or from a
34 construction project or commercial plant site complies with
35 the maximum gross weight table for noninterstate highways in

1 subsection 5, paragraph "c".

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