

MAR 4 2005
Place On Calendar

HOUSE FILE 591
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 152)

Passed House, Date 3-15-05 Passed Senate, Date _____
Vote: Ayes 98 Nays 0 Vote: Ayes _____ Nays _____
Approved April 6, 2005

A BILL FOR

1 An Act relating to state department of transportation duties
2 concerning its budget, distribution of state institutional
3 road funds, vehicle weight and length restrictions, all-
4 terrain vehicle use, evidence of interstate authority and
5 penalties, airport transfers to aviation authorities, and
6 providing an effective date.

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

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

HF 591

1 Section 1. Section 307.10, subsection 5, Code 2005, is
2 amended by striking the subsection.

3 Sec. 2. Section 307.22, subsection 5, Code 2005, is
4 amended by striking the subsection.

5 Sec. 3. Section 307A.2, subsection 11, Code 2005, is
6 amended to read as follows:

7 11. Construct, reconstruct, improve, and maintain state
8 institutional roads and state park roads, which are part of
9 the state park, state institution, and other state land road
10 system as defined in section 306.3, and bridges on such roads,
11 roads located on state fairgrounds as defined in chapter 173,
12 and the roads and bridges located on community college
13 property as defined in chapter 260C, upon the request of the
14 state board, department, or commission which has jurisdiction
15 over such roads. This shall be done in such manner as may be
16 agreed upon by the state transportation commission and the
17 state board, department, or commission which has jurisdiction.
18 The commission may contract with any county or municipality
19 for the construction, reconstruction, improvement, or
20 maintenance of such roads and bridges. Any state park road
21 which is an extension of either a primary or secondary highway
22 which both enters and exits from a state park at separate
23 points shall be constructed, reconstructed, improved, and
24 maintained as provided in section 306.4. Funds allocated from
25 the road use tax fund for the purposes of this subsection
26 shall be apportioned in the ~~ratio-that-the-needs-of-the-state~~
27 ~~institutional-roads-and-bridges,-park-roads-and-bridges,-or~~
28 ~~community-college-roads-and-bridges-bear-to-the-total-needs-of~~
29 ~~these-facilities-based-upon-the-most-recent-quadrennial-park~~
30 ~~and-institution-need-study.~~ following manner and amounts:

31 a. For department of natural resources facility roads,
32 forty-five and one-half percent.

33 b. For department of human services facility roads, six
34 and one-half percent.

35 c. For department of corrections facility roads, five and

1 one-half percent.

2 d. For national guard facility roads, four percent.

3 e. For state board of regents facility roads, thirty
4 percent.

5 f. For state fair board facility roads, two percent.

6 g. For department of administrative services facility
7 roads, one-half percent.

8 h. For department of education facility roads, six
9 percent.

10 Sec. 4. Section 321.457, subsection 2, paragraph h, Code
11 2005, is amended to read as follows:

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

23 Sec. 5. Section 321.463, subsection 5, paragraph a,
24 unnumbered paragraph 1, Code 2005, is amended to read as
25 follows:

26 The maximum gross weight allowed to be carried on a vehicle
27 or combination of vehicles on highways which are part of the
28 interstate primary system is as follows:

29 Sec. 6. Section 321.463, subsection 5, paragraph b,
30 unnumbered paragraph 1, Code 2005, is amended to read as
31 follows:

32 The maximum gross weight allowed to be carried on a vehicle
33 or combination of vehicles on noninterstate nonprimary
34 highways is as follows:

35 Sec. 7. Section 321.463, subsection 8, Code 2005, is

1 amended to read as follows:

2 8. A vehicle or combination of vehicles transporting
3 materials or equipment on nonprimary highways to or from a
4 construction project or commercial plant site may operate
5 under the maximum gross weight table for interstate primary
6 highways in subsection 5, paragraph "a", if the route is
7 approved by the ~~department~~-or appropriate local authority.
8 Route approval is not required if the vehicle or combination
9 of vehicles transporting materials or equipment to or from a
10 construction project or commercial plant site complies with
11 the maximum gross weight table for noninterstate highways in
12 subsection 5, paragraph "c".

13 Sec. 8. Section 321I.2, unnumbered paragraph 2, Code 2005,
14 is amended by striking the unnumbered paragraph.

15 Sec. 9. Section 321I.10, Code 2005, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 5. The department of transportation may
18 issue a permit to a state agency, a county, or a city to allow
19 an all-terrain vehicle trail to cross a primary highway. The
20 trail crossing shall be part of an all-terrain vehicle trail
21 designated by the state agency, county, or city. A permit
22 shall be issued only if the crossing can be accomplished in a
23 safe manner and allows for adequate sight distance for both
24 motorists and all-terrain vehicle operators. The department
25 may adopt rules to administer this subsection.

26 Sec. 10. Section 327B.1, Code 2005, is amended by adding
27 the following new subsections:

28 NEW SUBSECTION. 6. A motor carrier owner or driver shall
29 carry proper evidence of interstate authority in the motor
30 carrier and shall make such evidence available to a peace
31 officer upon request.

32 NEW SUBSECTION. 7. If a motor carrier owner or driver is
33 cited for failure to have proper evidence of interstate
34 authority, the owner or driver may produce such evidence to
35 the clerk of court prior to the date of such person's court

1 appearance as indicated on the citation, and the owner or
2 driver shall not be convicted of such violation and the
3 citation issued shall be dismissed.

4 Sec. 11. Section 327B.5, Code 2005, is amended to read as
5 follows:

6 327B.5 PENALTY.

7 Any person violating the provisions of this chapter shall,
8 upon conviction, be subject to a scheduled fine of not more
9 than one hundred dollars or imprisonment in the county jail
10 for not more than thirty days as provided in section 805.8A,
11 subsection 13, paragraphs "f" and "g".

12 Sec. 12. NEW SECTION. 330.23A TRANSFER TO AVIATION
13 AUTHORITY.

14 Pursuant to an agreement between the political
15 subdivisions, an airport commission or joint airport
16 commission may be abolished for the purpose of transferring
17 management and control of the airport to an aviation authority
18 established in accordance with chapter 330A.

19 Sec. 13. CODE EDITOR DIRECTIVE. The Code editor shall
20 correct the titles of the charts in section 321.463,
21 subsection 5, paragraphs "a" and "b", to conform with the
22 amendments to those provisions of section 321.463 as contained
23 in this Act.

24 Sec. 14. EFFECTIVE DATE. The sections of this Act
25 amending section 321.463, being deemed of immediate
26 importance, take effect upon enactment.

27 EXPLANATION

28 This bill makes changes to various transportation-related
29 provisions of the Code as follows:

30 Code section 307.10 is amended to strike the requirement
31 that the state transportation commission approve the state
32 department of transportation's budget before it is submitted
33 to the governor and the general assembly.

34 Code sections 307.22 and 307A.2 are amended to strike the
35 requirement that the state department of transportation

1 conduct a quadrennial need study of state park and institution
2 roads. Code section 307A.2 is amended to provide that road
3 use tax funds allocated pursuant to Code section 312.2,
4 subsection 5, for the purpose of state institutional and park
5 roads be apportioned based on specific percentages, e.g., the
6 department of natural resources facility roads, 45.5 percent.

7 Code section 321.457 is amended to change the application
8 of vehicle length restrictions to the enumerated types of
9 vehicles.

10 Code section 321.463 is amended to change the application
11 of the vehicle weight tables. The maximum weight table for
12 interstate highways is applied to all primary highways. The
13 maximum weight table for noninterstate highways applies to all
14 nonprimary highways. Transportation of equipment as well as
15 materials is now covered. The amendments to Code section
16 321.463 take effect upon enactment. The bill includes a Code
17 editor directive to conform the weight table headings.

18 Code section 321I.2 is amended to strike a duplicative
19 provision, contained in Code section 321I.10, that cities may
20 designate streets for driving all-terrain vehicles. The
21 amendment also strikes a provision authorizing the state
22 department of transportation to make rules governing the use
23 of all-terrain vehicles on streets and highways.

24 Code section 321I.10 is amended to allow the state
25 department of transportation to issue permits to state
26 agencies, counties, or cities for all-terrain vehicles to
27 cross primary highways. The department may adopt rules to
28 implement such permitting.

29 Code section 327B.1 is amended to require that a motor
30 carrier owner or driver carry evidence of interstate
31 authority. The bill addresses the citation and penalty that
32 follow a violation of such provision.

33 Code section 330.23A is created to allow a joint airport
34 commission or airport commission to transfer its airport
35 operations to an aviation authority established under Code

1 chapter 330A.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

HOUSE FILE 591

H-1063

- 1 Amend House File 591 as follows:
- 2 1. Page 4, by striking lines 12 through 18.
- 3 2. Title page, line 5, by striking the words
- 4 "airport transfers to aviation authorities,".
- 5 3. By renumbering as necessary.

By RAYHONS of Hancock

H-1063 FILED MARCH 14, 2005

HOUSE FILE 591

H-1064

- 1 Amend House File 591 as follows:
- 2 1. Page 2, by striking lines 10 through 22, and
- 3 inserting the following:
- 4 "Sec. ____ . Section 321.1, subsection 88, Code
- 5 2005, is amended to read as follows:
- 6 88. "Truck tractor" means every motor vehicle
- 7 designed and used primarily for drawing other vehicles
- 8 and not so constructed as to carry a load other than a
- 9 part of the weight of the vehicle and load so drawn.
- 10 However, a truck tractor may have a box, deck, or
- 11 plate for carrying freight, mounted on the frame
- 12 behind the cab, and forward of the fifth-wheel
- 13 connection point."
- 14 2. By renumbering as necessary.

By RAYHONS of Hancock

H-1064 FILED MARCH 14, 2005

HOUSE FILE 591
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 152)

(As Amended and Passed by the House March 15, 2005)

Passed House, Date _____ Passed Senate, Date 3-29-05
Vote: Ayes _____ Nays _____ Vote: Ayes 50 Nays 0
Approved _____

A BILL FOR

1 An Act relating to state department of transportation duties
2 concerning its budget, distribution of state institutional
3 road funds, vehicle weight and length restrictions, all-
4 terrain vehicle use, evidence of interstate authority and
* 5 penalties, and providing an effective date.

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

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

House Amendments _____

Deleted Language *

1 Section 1. Section 307.10, subsection 5, Code 2005, is
2 amended by striking the subsection.

3 Sec. 2. Section 307.22, subsection 5, Code 2005, is
4 amended by striking the subsection.

5 Sec. 3. Section 307A.2, subsection 11, Code 2005, is
6 amended to read as follows:

7 11. Construct, reconstruct, improve, and maintain state
8 institutional roads and state park roads, which are part of
9 the state park, state institution, and other state land road
10 system as defined in section 306.3, and bridges on such roads,
11 roads located on state fairgrounds as defined in chapter 173,
12 and the roads and bridges located on community college
13 property as defined in chapter 260C, upon the request of the
14 state board, department, or commission which has jurisdiction
15 over such roads. This shall be done in such manner as may be
16 agreed upon by the state transportation commission and the
17 state board, department, or commission which has jurisdiction.
18 The commission may contract with any county or municipality
19 for the construction, reconstruction, improvement, or
20 maintenance of such roads and bridges. Any state park road
21 which is an extension of either a primary or secondary highway
22 which both enters and exits from a state park at separate
23 points shall be constructed, reconstructed, improved, and
24 maintained as provided in section 306.4. Funds allocated from
25 the road use tax fund for the purposes of this subsection
26 shall be apportioned in the ~~ratio-that-the-needs-of-the-state~~
27 ~~institutional-roads-and-bridges,-park-roads-and-bridges,-or~~
28 ~~community-college-roads-and-bridges-bear-to-the-total-needs-of~~
29 ~~these-facilities-based-upon-the-most-recent-quadrennial-park~~
30 ~~and-institution-need-study.~~ following manner and amounts:

31 a. For department of natural resources facility roads,
32 forty-five and one-half percent.

33 b. For department of human services facility roads, six
34 and one-half percent.

35 c. For department of corrections facility roads, five and

1 one-half percent.

2 d. For national guard facility roads, four percent.

3 e. For state board of regents facility roads, thirty
4 percent.

5 f. For state fair board facility roads, two percent.

6 g. For department of administrative services facility
7 roads, one-half percent.

8 h. For department of education facility roads, six
9 percent.

10 Sec. 4. Section 321.1, subsection 88, Code 2005, is
11 amended to read as follows:

12 88. "Truck tractor" means every motor vehicle designed and
13 used primarily for drawing other vehicles and not so
14 constructed as to carry a load other than a part of the weight
15 of the vehicle and load so drawn. However, a truck tractor
16 may have a box, deck, or plate for carrying freight, mounted
17 on the frame behind the cab, and forward of the fifth-wheel
18 connection point.

19 Sec. 5. Section 321.463, subsection 5, paragraph a,
20 unnumbered paragraph 1, Code 2005, is amended to read as
21 follows:

22 The maximum gross weight allowed to be carried on a vehicle
23 or combination of vehicles on highways which are part of the
24 interstate primary system is as follows:

25 Sec. 6. Section 321.463, subsection 5, paragraph b,
26 unnumbered paragraph 1, Code 2005, is amended to read as
27 follows:

28 The maximum gross weight allowed to be carried on a vehicle
29 or combination of vehicles on noninterstate nonprimary
30 highways is as follows:

31 Sec. 7. Section 321.463, subsection 8, Code 2005, is
32 amended to read as follows:

33 8. A vehicle or combination of vehicles transporting
34 materials or equipment on nonprimary highways to or from a
35 construction project or commercial plant site may operate

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

9 Sec. 8. Section 321I.2, unnumbered paragraph 2, Code 2005,
10 is amended by striking the unnumbered paragraph.

11 Sec. 9. Section 321I.10, Code 2005, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 5. The department of transportation may
14 issue a permit to a state agency, a county, or a city to allow
15 an all-terrain vehicle trail to cross a primary highway. The
16 trail crossing shall be part of an all-terrain vehicle trail
17 designated by the state agency, county, or city. A permit
18 shall be issued only if the crossing can be accomplished in a
19 safe manner and allows for adequate sight distance for both
20 motorists and all-terrain vehicle operators. The department
21 may adopt rules to administer this subsection.

22 Sec. 10. Section 327B.1, Code 2005, is amended by adding
23 the following new subsections:

24 NEW SUBSECTION. 6. A motor carrier owner or driver shall
25 carry proper evidence of interstate authority in the motor
26 carrier and shall make such evidence available to a peace
27 officer upon request.

28 NEW SUBSECTION. 7. If a motor carrier owner or driver is
29 cited for failure to have proper evidence of interstate
30 authority, the owner or driver may produce such evidence to
31 the clerk of court prior to the date of such person's court
32 appearance as indicated on the citation, and the owner or
33 driver shall not be convicted of such violation and the
34 citation issued shall be dismissed.

35 Sec. 11. Section 327B.5, Code 2005, is amended to read as

1 follows:

2 327B.5 PENALTY.

3 Any person violating the provisions of this chapter shall,
4 upon conviction, be subject to a scheduled fine of-not-more
5 than-one-hundred-dollars-or-imprisonment-in-the-county-jail
6 for-not-more-than-thirty-days as provided in section 805.8A,
7 subsection 13, paragraphs "f" and "g".

* 8 Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall
9 correct the titles of the charts in section 321.463,
10 subsection 5, paragraphs "a" and "b", to conform with the
11 amendments to those provisions of section 321.463 as contained
12 in this Act.

13 Sec. 13. EFFECTIVE DATE. The sections of this Act
14 amending section 321.463, being deemed of immediate
15 importance, take effect upon enactment.

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

S-3063

1 Amend House File 591, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, by inserting after line 18 the
4 following:

5 "Sec. ____ . NEW SECTION. 321.197 PEACE CORPS
6 SERVICE EXCEPTION.

7 1. The effective date of a valid driver's license
8 issued in this state, held by a person at the
9 beginning of the person's period of service as a
10 volunteer in the federal peace corps program
11 established in 22 U.S.C. § 2501-2523, notwithstanding
12 the expiration of the license according to its terms,
13 shall be extended without fee until six months
14 following the date of the person's termination of
15 service as a volunteer in the peace corps, provided
16 the person is not suffering from physical disabilities
17 which impair the person's competency as an operator
18 and provided further that the licensee shall furnish a
19 description of service document upon demand of any
20 peace officer. However, a person entitled to the
21 benefits of this section who is charged with operating
22 a motor vehicle without a driver's license shall not
23 be convicted if the person produces in court, within a
24 reasonable time, a valid driver's license previously
25 issued to that person along with the person's
26 description of service document.

27 2. The department is authorized to renew any
28 driver's license falling within the provisions and
29 limitations of subsection 1 without examination, upon
30 application and payment of fee made within six months
31 following the person's termination of service as a
32 peace corps volunteer.

33 3. A person whose period of license validity is
34 extended under this section may file an application in
35 accordance with rules adopted by the department to
36 have the person's record of issuance of a driver's
37 license retained in the department's record system
38 during the period for which the driver's license
39 remains valid. If the record of issuance of the
40 person's driver's license has been removed from the
41 department's records, the department shall reenter the
42 person's record of driver's license issuance upon
43 request of the person if the request is accompanied by
44 the person's description of service document.

45 4. As used in this section, "description of
46 service document" means the official written statement
47 issued by the peace corps, or an official copy of the
48 statement, which describes a person's peace corps
49 service and includes the dates of such service. The
50 department may, in its discretion, accept other

S-3063

S-3063

Page 2

1 evidence of a person's dates of service provided by
2 the peace corps office of return volunteer services in
3 lieu of the description of service document."

4 2. Title page, line 3, by inserting after the
5 word "restrictions," the following: "driver's license
6 renewal,".

7 3. By renumbering as necessary.

By MATT McCOY

S-3063 FILED MARCH 29, 2005

WITHDRAWN

*Chair -
Raykons
Huseman
Arnold
Hunter
Lykam*

HSB 152
TRANSPORTATION

SENATE/HOUSE FILE 0591
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 state department of transportation duties
2 concerning its budget, distribution of state institutional,
3 secondary, and farm-to-market road funds, vehicle weight
4 restrictions, all-terrain vehicle use, and airport transfers
5 to aviation authorities.

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

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 Section 1. Section 307.10, subsection 5, Code 2005, is
2 amended by striking the subsection.

3 Sec. 2. Section 307.22, Code 2005, is amended to read as
4 follows:

5 307.22 PLANNING AND RESEARCH.

6 The department's administrator of planning and research
7 shall:

8 1. Assist the director in planning all modes of
9 transportation in order to develop an integrated
10 transportation system providing adequate transportation
11 services for all citizens of the state.

12 2. Develop and maintain transportation statistical data
13 for the department.

14 3. Assist the director in establishing, analyzing and
15 evaluating alternative transportation policies for the state.

16 4. Coordinate planning and research duties and
17 responsibilities with the planning functions carried on by
18 other administrators of the department.

19 ~~5. Conduct a study of the road and bridge facilities in
20 state parks, state institutions, state fairgrounds, and on
21 community college property. The study shall evaluate the
22 construction and maintenance needs and projected needs based
23 upon estimated growth for each type of facility to provide a
24 quadrennially updated standard upon which to allocate funds
25 appropriated for the purposes of this subsection.~~

26 5. a. Annually report by July 1 of each year, for both
27 secondary and farm-to-market systems, miles of earth,
28 granular, and paved surface roads; the daily vehicle miles of
29 travel; and lineal feet of bridge deck under the jurisdiction
30 of each county's secondary road department, as of the
31 preceding January 1, taking into account roads whose
32 jurisdiction has been transferred from the department to a
33 county or from a county to the department during the previous
34 year. The annual report shall include those roads transferred
35 to a county pursuant to section 306.8A.

1 b. Miles of secondary and farm-to-market roads shall not
2 include those miles of farm-to-market extensions within cities
3 under five hundred population that are placed under county
4 secondary road jurisdiction pursuant to section 306.4.

5 c. The annual report of updated road and bridge data of
6 both the secondary and farm-to-market roads shall be submitted
7 to the Iowa county engineers association service bureau.

8 ~~6.--Prepare, adopt, and cause to be published the results~~
9 ~~of a study of secondary roads in the state.--The study shall~~
10 ~~be designed to investigate present deficiencies and future~~
11 ~~twenty-year maintenance and construction needs of the roads.~~
12 ~~The study shall be referred to as the "quadrennial need study"~~
13 ~~for the purposes of this chapter, chapter 307A, and chapter~~
14 ~~312.--The department shall report the results of the study to~~
15 ~~the general assembly by July 1, 2002, and the study results~~
16 ~~shall take effect July 1, 2003.~~

17 ~~7.--Annually recalculate the construction and maintenance~~
18 ~~needs of roads under the jurisdiction of each county to take~~
19 ~~into account the needs of a road whose jurisdiction has been~~
20 ~~transferred from the department to a county or from a county~~
21 ~~to the department during the previous year.--Prior to the~~
22 ~~fiscal year beginning July 1, 2013, the annual recalculation~~
23 ~~shall not include those roads transferred to a county pursuant~~
24 ~~to section 306.8A.--The recalculation shall be reported by~~
25 ~~January 1 of the year following the transfer and shall take~~
26 ~~effect the following July 1 for the purposes of allocating~~
27 ~~moneys under sections 312.3 and 312.5.~~

28 8. 6. Perform such other planning functions as may be
29 assigned by the director.

30 The functions of planning and research do not include the
31 detailed design of highways or other modal transportation
32 facilities, but are restricted to the needs of this state for
33 multimodal transportation systems.

34 Sec. 3. Section 307A.2, subsection 11, Code 2005, is
35 amended to read as follows:

1 11. Construct, reconstruct, improve, and maintain state
2 institutional roads and state park roads, which are part of
3 the state park, state institution, and other state land road
4 system as defined in section 306.3, and bridges on such roads,
5 roads located on state fairgrounds as defined in chapter 173,
6 and the roads and bridges located on community college
7 property as defined in chapter 260C, upon the request of the
8 state board, department, or commission which has jurisdiction
9 over such roads. This shall be done in such manner as may be
10 agreed upon by the state transportation commission and the
11 state board, department, or commission which has jurisdiction.
12 The commission may contract with any county or municipality
13 for the construction, reconstruction, improvement, or
14 maintenance of such roads and bridges. Any state park road
15 which is an extension of either a primary or secondary highway
16 which both enters and exits from a state park at separate
17 points shall be constructed, reconstructed, improved, and
18 maintained as provided in section 306.4. Funds allocated from
19 the road use tax fund for the purposes of this subsection
20 shall be apportioned in the ~~ratio-that-the-needs-of-the-state~~
21 ~~institutional-roads-and-bridges, park-roads-and-bridges, or~~
22 ~~community-college-roads-and-bridges-bear-to-the-total-needs-of~~
23 ~~these-facilities-based-upon-the-most-recent-quadrennial-park~~
24 ~~and-institution-need-study.~~ following manner and amounts:
25 a. For department of natural resources facility roads,
26 forty-five and one-half percent.
27 b. For department of human services facility roads, six
28 and one-half percent.
29 c. For department of corrections facility roads, five and
30 one-half percent.
31 d. For national guard facility roads, four percent.
32 e. For state board of regents facility roads, thirty
33 percent.
34 f. For state fair board facility roads, two percent.
35 g. For department of administrative services facility

1 roads, one-half percent.

2 h. For department of education facility roads, six
3 percent.

4 Sec. 4. Section 312.3, subsection 1, Code 2005, is amended
5 to read as follows:

6 ~~1.---Apportion-among-the-counties-in-the-ratio-that-the~~
7 ~~needs-of-the-secondary-roads-of-each-county-bear-to-the-total~~
8 ~~needs-of-the-secondary-roads-of-the-state-for-each-fiscal-year~~
9 ~~based-upon-the-total-needs-of-secondary-roads-of-the-state-as~~
10 ~~shown-in-the-latest-quadrennial-need-study-report-developed-by~~
11 ~~the-state-department-of-transportation, and-which-is-on-record~~
12 ~~at-the-department, seventy-percent-of-the-allocation-from-road~~
13 ~~use-tax-funds-which-is-credited-to-the-secondary-road-fund-of~~
14 ~~the-counties, and-apportion-among-the-counties-in-the-ratio~~
15 ~~that-the-area-of-each-county-bears-to-the-total-area-of-the~~
16 ~~state, thirty-percent-of-the-allocation-from-road-use-tax~~
17 ~~funds-which-is-credited-to-the-secondary-road-fund-of-the~~
18 ~~counties.~~

19 ~~For-the-purposes-of-this-subsection, "latest-quadrennial~~
20 ~~need-study-report" includes-the-annual-recalculation-of~~
21 ~~construction-and-maintenance-needs-of-roads-whose-jurisdiction~~
22 ~~has-been-transferred-from-the-department-to-a-county-or-from-a~~
23 ~~county-to-the-department-during-the-previous-year-as~~
24 ~~recalculated-pursuant-to-section-307.22, subsection-7.~~

25 1. For the fiscal year ending June 30, 2006, apportion
26 among the counties the road use tax funds credited to the
27 secondary road fund by using the allocation method contained
28 in section 312.3, subsection 1, Code 2005. For subsequent
29 fiscal years, apportion among the counties the road use tax
30 funds credited to the secondary road fund by using the
31 distribution methodology adopted pursuant to section 312.3C.

32 Sec. 5. Section 312.3B, Code 2005, is amended by adding
33 the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. The Iowa county engineers
35 association service bureau shall annually compute the

1 secondary road fund and farm-to-market road distributions
2 using the methodology determined by the secondary road fund
3 distribution committee pursuant to section 312.3C. The Iowa
4 county engineers association service bureau shall report the
5 computations to the secondary road fund distribution
6 committee, the department, the treasurer of state, and the
7 counties.

8 Sec. 6. Section 312.3C, Code 2005, is amended to read as
9 follows:

10 312.3C SECONDARY ROAD FUND DISTRIBUTION ADVISORY
11 COMMITTEE.

12 A secondary road fund distribution advisory committee is
13 established to consider develop one or more alternative
14 methodologies for distribution of moneys in the secondary road
15 fund and farm-to-market road fund. The committee shall be
16 comprised of representatives appointed by the president of the
17 Iowa county engineers association, the president of the Iowa
18 county supervisors association, and the department. ~~The~~
19 ~~committee shall recommend to the general assembly, for the~~
20 ~~general assembly's consideration and adoption, one or more~~
21 ~~alternative methodologies for distribution of moneys in the~~
22 ~~secondary road fund and the farm-to-market road fund.~~

23 The committee shall determine the methodology to be used
24 for distribution of moneys in the secondary road fund and the
25 farm-to-market road fund. The methodology shall be phased in
26 over a five-year time period, beginning July 1, 2006.

27 The committee shall adopt rules pursuant to chapter 17A to
28 govern the determination and modification of the methodology
29 to be used for distribution of moneys in the secondary road
30 fund and the farm-to-market road fund.

31 Sec. 7. Section 312.5, Code 2005, is amended to read as
32 follows:

33 312.5 DIVISION OF FARM-TO-MARKET ROAD FUNDS.

34 ~~1. The road use tax funds credited to the farm-to-market~~
35 ~~road fund and federal aid secondary road funds received by the~~

1 state-by-the-treasurer-of-state-are-hereby-divided-as-follows,
2 and-are-to-be-known-respectively-as:

3 a.--Need-allotment-farm-to-market-road-funds,--seventy
4 percent,--and

5 b.--Area-allotment-farm-to-market-road-funds,--thirty
6 percent.

7 1. For the fiscal year ending June 30, 2006, the treasurer
8 of state shall apportion among the counties the road use tax
9 funds credited to the farm-to-market road fund by using the
10 allocation method contained in section 312.5, subsection 1,
11 Code 2005. For subsequent fiscal years, the treasurer of
12 state shall apportion among the counties the road use tax
13 funds credited to the farm-to-market road fund by using the
14 distribution methodology adopted pursuant to section 312.3C.

15 2. All farm-to-market road funds, except funds which under
16 section 310.20 come from any county's allotment of the road
17 use tax funds, shall be allotted apportioned among the
18 counties by-the-department as provided by this section.

19 3.--Area-allotment-farm-to-market-road-funds-shall-be
20 allotted-among-all-the-counties-of-the-state-in-the-ratio-that
21 the-area-of-each-county-bears-to-the-total-area-of-the-whole
22 state.

23 4.--Need-allotment-farm-to-market-road-funds-shall-be
24 allotted-among-the-counties-in-the-ratio-that-the-needs-of-the
25 farm-to-market-roads-in-each-county-bear-to-the-total-needs-of
26 the-farm-to-market-roads-in-the-state-for-each-fiscal-year
27 based-upon-the-total-needs-of-the-farm-to-market-roads-in-the
28 state-as-shown-in-the-latest-quadrennial-need-study-report
29 developed-by-the-state-department-of-transportation,--and-which
30 is-on-record-at-the-department.

31 "Latest-quadrennial-need-study-report"--includes-the-annual
32 recalculation-of-construction-and-maintenance-needs-of-roads
33 whose-jurisdiction-has-been-transferred-from-the-department-to
34 a-county-or-from-a-county-to-the-department-during-the-prior
35 year-as-recalculated-pursuant-to-section-307.22,--subsection-7.

1 Sec. 8. Section 321.463, subsection 5, paragraph a,
2 unnumbered paragraph 1, Code 2005, is amended to read as
3 follows:

4 The maximum gross weight allowed to be carried on a vehicle
5 or combination of vehicles on highways which are part of the
6 interstate primary system is as follows:

7 Sec. 9. Section 321.463, subsection 5, paragraph b,
8 unnumbered paragraph 1, Code 2005, is amended to read as
9 follows:

10 The maximum gross weight allowed to be carried on a vehicle
11 or combination of vehicles on noninterstate nonprimary
12 highways is as follows:

13 Sec. 10. Section 321.463, subsection 8, Code 2005, is
14 amended to read as follows:

15 8. A vehicle or combination of vehicles transporting
16 materials to or from a construction project or commercial
17 plant site may operate under the maximum gross weight table
18 for interstate primary highways in subsection 5, paragraph
19 "a", if the route is approved by the department or appropriate
20 local authority. Route approval is not required if the
21 vehicle or combination of vehicles transporting materials to
22 or from a construction project or commercial plant site
23 complies with the maximum gross weight table for noninterstate
24 highways in subsection 5, paragraph "c".

25 Sec. 11. Section 321I.2, unnumbered paragraph 2, Code
26 2005, is amended by striking the unnumbered paragraph.

27 Sec. 12. Section 321I.10, Code 2005, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 5. The department of transportation may
30 issue a permit to a state agency, a county, or a city to allow
31 an all-terrain vehicle trail to cross a primary highway. The
32 trail crossing shall be part of an all-terrain vehicle trail
33 designated by the state agency, county, or city. A permit
34 shall be issued only if the crossing can be accomplished in a
35 safe manner and allows for adequate sight distance for both

1 motorists and all-terrain vehicle operators. The department
2 may adopt rules to administer this subsection.

3 Sec. 13. NEW SECTION. 330.23A TRANSFER TO AVIATION
4 AUTHORITY.

5 Pursuant to an agreement between the political
6 subdivisions, an airport commission or joint airport
7 commission may be abolished for the purpose of transferring
8 management and control of the airport to an aviation authority
9 established in accordance with chapter 330A.

10 Sec. 14. CODE EDITOR DIRECTIVE. The Code editor shall
11 correct the titles of the charts in section 321.463,
12 subsection 5, paragraphs "a" and "b", to conform with the
13 amendments to those provisions of section 321.463 as contained
14 in this Act.

15 EXPLANATION

16 This bill makes changes to various transportation-related
17 provisions of the Code as follows:

18 Code section 307.10 is amended to strike the requirement
19 that the state transportation commission approve the state
20 department of transportation's budget before it is submitted
21 to the governor and the general assembly.

22 Code sections 307.22 and 307A.2 are amended to strike the
23 requirement that the state department of transportation
24 conduct a quadrennial need study of state park and institution
25 roads. Code section 307A.2 is amended to provide that road
26 use tax funds allocated pursuant to Code section 312.2,
27 subsection 5, for the purpose of state institutional and park
28 roads be apportioned based on specific percentages, e.g., the
29 department of natural resources facility roads, 45.5 percent.

30 Code sections 312.3, 312.3B, 312.3C, and 312.5 are amended
31 to provide a new methodology for distribution to the counties
32 of moneys in the secondary road fund and the farm-to-market
33 road fund.

34 Code sections 312.3 and 312.5 are amended to strike the
35 need and area allotments, including the quadrennial need study

1 report, used to apportion among the counties the road use tax
2 funds credited to the secondary road fund and the farm-to-
3 market road fund, respectively. These sections are amended to
4 apportion the funds according to the new distribution
5 methodology adopted pursuant to Code section 312.3C.

6 Code section 312.3C is amended to strike the general
7 assembly as the entity designated to consider and adopt a
8 method for distribution of moneys in the secondary road fund
9 and farm-to-market road fund. Instead, the secondary road
10 fund distribution committee, no longer an advisory committee,
11 will develop the methodology for distribution of such moneys,
12 and is granted rulemaking authority to formally adopt the
13 methodology. The application of the new distribution
14 methodology is to be phased in over five years, beginning July
15 1, 2006.

16 Using the new methodology, the Iowa county engineers
17 association service bureau computes the distribution. Code
18 section 312.3B is amended to direct the Iowa county engineers
19 association service bureau to annually compute and report the
20 county distributions to the secondary road fund distribution
21 committee, the department, the treasurer of state, and the
22 counties.

23 Code section 321.463 is amended to change the application
24 of the vehicle weight tables. The maximum weight table for
25 interstate highways is applied to all primary highways. The
26 maximum weight table for noninterstate highways applies to all
27 nonprimary highways. The bill includes a Code editor
28 directive to conform the weight table headings.

29 Code section 321I.2 is amended to strike a duplicative
30 provision, contained in Code section 321I.10, that cities may
31 designate streets for driving all-terrain vehicles. The
32 amendment also strikes a provision authorizing the state
33 department of transportation to make rules governing the use
34 of all-terrain vehicles on streets and highways.

35 Code section 321I.10 is amended to allow the state

1 department of transportation to issue permits to state
2 agencies, counties, or cities for all-terrain vehicles to
3 cross primary highways. The department may adopt rules to
4 implement such permitting.

5 Code section 330.23A is created to allow a joint airport
6 commission or airport commission to transfer its airport
7 operations to an aviation authority established under Code
8 chapter 330A.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 591

AN ACT

RELATING TO STATE DEPARTMENT OF TRANSPORTATION DUTIES
CONCERNING ITS BUDGET, DISTRIBUTION OF STATE INSTITUTIONAL
ROAD FUNDS, VEHICLE WEIGHT AND LENGTH RESTRICTIONS,
ALL-TERRAIN VEHICLE USE, EVIDENCE OF INTERSTATE AUTHORITY
AND PENALTIES, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 307.10, subsection 5, Code 2005, is amended by striking the subsection.

Sec. 2. Section 307.22, subsection 5, Code 2005, is amended by striking the subsection.

Sec. 3. Section 307A.2, subsection 11, Code 2005, is amended to read as follows:

11. Construct, reconstruct, improve, and maintain state institutional roads and state park roads, which are part of the state park, state institution, and other state land road system as defined in section 306.3, and bridges on such roads, roads located on state fairgrounds as defined in chapter 173, and the roads and bridges located on community college property as defined in chapter 260C, upon the request of the

state board, department, or commission which has jurisdiction over such roads. This shall be done in such manner as may be agreed upon by the state transportation commission and the state board, department, or commission which has jurisdiction. The commission may contract with any county or municipality for the construction, reconstruction, improvement, or maintenance of such roads and bridges. Any state park road which is an extension of either a primary or secondary highway which both enters and exits from a state park at separate points shall be constructed, reconstructed, improved, and maintained as provided in section 306.4. Funds allocated from the road use tax fund for the purposes of this subsection shall be apportioned in the ~~ratio that the needs of the state institutional roads and bridges, park roads and bridges, or community college roads and bridges bear to the total needs of these facilities based upon the most recent quadrennial park and institution need study.~~ following manner and amounts:

a. For department of natural resources facility roads, forty-five and one-half percent.

b. For department of human services facility roads, six and one-half percent.

c. For department of corrections facility roads, five and one-half percent.

d. For national guard facility roads, four percent.

e. For state board of regents facility roads, thirty percent.

f. For state fair board facility roads, two percent.

g. For department of administrative services facility roads, one-half percent.

h. For department of education facility roads, six percent.

Sec. 4. Section 321.1, subsection 88, Code 2005, is amended to read as follows:

88. "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so

constructed as to carry a load other than a part of the weight of the vehicle and load so drawn. However, a truck tractor may have a box, deck, or plate for carrying freight, mounted on the frame behind the cab, and forward of the fifth-wheel connection point.

Sec. 5. Section 321.463, subsection 5, paragraph a, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on highways which are part of the interstate primary system is as follows:

Sec. 6. Section 321.463, subsection 5, paragraph b, unnumbered paragraph 1, Code 2005, is amended to read as follows:

The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on noninterstate nonprimary highways is as follows:

Sec. 7. Section 321.463, subsection 8, Code 2005, is amended to read as follows:

8. A vehicle or combination of vehicles transporting materials or equipment on nonprimary highways to or from a construction project or commercial plant site may operate under the maximum gross weight table for interstate primary highways in subsection 5, paragraph "a", if the route is approved by the department-or appropriate local authority. Route approval is not required if the vehicle or combination of vehicles transporting materials or equipment to or from a construction project or commercial plant site complies with the maximum gross weight table for noninterstate highways in subsection 5, paragraph "c".

Sec. 8. Section 321I.2, unnumbered paragraph 2, Code 2005, is amended by striking the unnumbered paragraph.

Sec. 9. Section 321I.10, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The department of transportation may issue a permit to a state agency, a county, or a city to allow an all-terrain vehicle trail to cross a primary highway. The trail crossing shall be part of an all-terrain vehicle trail designated by the state agency, county, or city. A permit shall be issued only if the crossing can be accomplished in a safe manner and allows for adequate sight distance for both motorists and all-terrain vehicle operators. The department may adopt rules to administer this subsection.

Sec. 10. Section 327B.1, Code 2005, is amended by adding the following new subsections:

NEW SUBSECTION. 6. A motor carrier owner or driver shall carry proper evidence of interstate authority in the motor carrier and shall make such evidence available to a peace officer upon request.

NEW SUBSECTION. 7. If a motor carrier owner or driver is cited for failure to have proper evidence of interstate authority, the owner or driver may produce such evidence to the clerk of court prior to the date of such person's court appearance as indicated on the citation, and the owner or driver shall not be convicted of such violation and the citation issued shall be dismissed.

Sec. 11. Section 327B.5, Code 2005, is amended to read as follows:

327B.5 PENALTY.

Any person violating the provisions of this chapter shall, upon conviction, be subject to a scheduled fine of-not-more-than-one-hundred-dollars-or-imprisonment-in-the-county-jail-for-not-more-than-thirty-days as provided in section 805.8A, subsection 13, paragraphs "f" and "g".

Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall correct the titles of the charts in section 321.463, subsection 5, paragraphs "a" and "b", to conform with the amendments to those provisions of section 321.463 as contained in this Act.

Sec. 13. EFFECTIVE DATE. The sections of this Act amending section 321.463, being deemed of immediate importance, take effect upon enactment.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 591, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/6, 2005

THOMAS J. VILSACK
Governor