

House Study Bill 218 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON PAUSTIAN)

A BILL FOR

1 An Act relating to weight limitations for certain implements of
2 husbandry.

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

1 Section 1. Section 321.463, subsection 4, Code 2019, is
2 amended to read as follows:

3 4. a. (1) ~~Self-propelled implements~~ Notwithstanding
4 any provision of this section to the contrary, the weight
5 on any one axle of a self-propelled implement of husbandry
6 used exclusively for the application of organic or inorganic
7 plant food materials, agricultural limestone, or agricultural
8 chemicals, unless traveling under a permit issued pursuant to
9 section 321E.8A, shall be operated in compliance with this
10 section.

11 b. (1) ~~Notwithstanding any provision of this section to~~
12 ~~the contrary, the weight on any one axle of~~ or an implement
13 of husbandry that is a fence-line feeder, grain cart, or tank
14 wagon, when operated on the highways of this state, shall not
15 exceed twenty-four thousand pounds from February 1 through May
16 31 or twenty-eight thousand pounds from June 1 through January
17 31, provided, however, that the maximum gross vehicle weight of
18 ~~the fence-line feeder, grain cart, or tank wagon~~ implement of
19 husbandry shall not exceed ninety-six thousand pounds.

20 (2) Notwithstanding any provision of this section to the
21 contrary, a tracked implement of husbandry operated on the
22 highways of this state shall not have a maximum gross weight in
23 excess of ninety-six thousand pounds.

24 (3) b. ~~A fence-line feeder, grain cart, tank wagon,~~
25 ~~or tracked~~ An implement of husbandry shall comply with the
26 other provisions of this section and chapter when operated
27 over a bridge in this state. A local authority may issue a
28 special permit, based on a statewide standard developed by the
29 department, allowing the operation over a bridge within its
30 jurisdiction of ~~a fence-line feeder, grain cart, tank wagon, or~~
31 ~~tracked~~ an implement of husbandry with a weight in excess of
32 the weights allowed under this chapter.

33 (4) c. For purposes of this paragraph "b":

34 (a) ~~"Highway"~~ subsection, "highway" does not include a
35 bridge.

1 ~~(b) "Fence-line feeder, grain cart, or tank wagon" means all~~
2 ~~of the following:~~

3 ~~(i) A fence-line feeder, grain cart, or tank wagon~~
4 ~~manufactured on or after July 1, 2001.~~

5 ~~(ii) After July 1, 2005, any fence-line feeder, grain cart,~~
6 ~~or tank wagon.~~

7 Sec. 2. Section 321E.7, subsection 4, Code 2019, is amended
8 to read as follows:

9 4. Notwithstanding **subsections 1 and 2**, a self-propelled
10 implement of husbandry traveling under a permit issued pursuant
11 to **section 321E.8A** may exceed the maximum axle loads prescribed
12 under **section 321.463** only when operated on a noninterstate
13 highway in a county covered under the permit, provided the
14 weight on any one axle does not exceed twenty-five thousand
15 pounds or the maximum load for any one axle set forth under
16 section 321.463, subsection 4, for the particular day,
17 whichever is greater, and provided the current and valid permit
18 is carried in the vehicle. However, a vehicle traveling under
19 a permit issued pursuant to **section 321E.8A** is not exempt from
20 posted weight limitations on bridges.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 Under current law, a self-propelled implement of husbandry
25 used exclusively for the application of organic or inorganic
26 plant food materials, agricultural limestone, or agricultural
27 chemicals is required to operate in compliance with Code
28 section 321.463 (maximum gross weight). However, if a
29 self-propelled implement of husbandry is issued a permit for
30 excessive size and weight pursuant to Code section 321E.8A, it
31 may exceed the maximum axle loads prescribed under Code section
32 321.463 provided the weight on any one axle does not exceed
33 25,000 pounds. Without a permit for excessive size and weight,
34 the weight on any one axle of a fence-line feeder, grain
35 cart, or tank wagon may be up to 24,000 pounds from February

1 1 through May 31 or 28,000 pounds from June 1 through January
2 31, provided the maximum gross weight of the vehicle does not
3 exceed 96,000 pounds.

4 This bill applies the limitations set forth for a fence-line
5 feeder, grain cart, or tank wagon to a self-propelled implement
6 of husbandry used exclusively for the application of organic
7 or inorganic plant food materials, agricultural limestone, or
8 agricultural chemicals.

9 The bill strikes a provision that altered the definition of
10 "fence-line feeder, grain cart, or tank wagon" prior to July
11 1, 2005.

12 The bill provides that a self-propelled implement of
13 husbandry that has been issued a permit for excessive size and
14 weight may exceed the maximum axle loads prescribed under Code
15 section 321.463 provided the weight on any one axle does not
16 exceed 25,000 pounds or the maximum load for any one axle set
17 forth under Code section 321.463(4) for the particular day,
18 whichever is greater.

19 Under Code section 321.1, an "implement of husbandry"
20 is a vehicle or special mobile equipment manufactured,
21 designed, or reconstructed for agricultural purposes and,
22 except for incidental uses, exclusively used in the conduct of
23 agricultural operations. "Implements of husbandry" includes
24 certain all-terrain vehicles, fence-line feeders, and vehicles
25 used exclusively for the application of organic or inorganic
26 plant food materials, organic agricultural limestone, or
27 agricultural chemicals. To be considered an implement of
28 husbandry, a self-propelled implement of husbandry must be
29 operated at speeds of 35 miles per hour or less.