

House Study Bill 256 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON HEIN)

A BILL FOR

1 An Act relating to permits for vehicles of excessive size and
2 weight, including vehicles transporting raw forest products,
3 and providing for fees.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.463, subsection 3, Code 2019, is
2 amended to read as follows:

3 3. Notwithstanding other provisions of this chapter to
4 the contrary, indivisible loads operating under the permit
5 requirements of sections 321E.7, 321E.8, 321E.9, and 321E.29A,
6 and divisible loads operating under the permit requirements of
7 section 321E.26, shall be allowed a maximum of twenty thousand
8 pounds per axle.

9 Sec. 2. Section 321E.3, Code 2019, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 3. Notwithstanding any other provision of
12 this chapter to the contrary, the department shall develop and
13 implement a single statewide system to receive applications
14 for and issue permits authorized under this chapter that allow
15 for the operation of vehicles of excessive size or weight on
16 highways or streets under the jurisdiction of the state or
17 local authorities. The department is authorized to determine,
18 in consultation with the applicable local authorities, the
19 network of highways and streets under the jurisdiction of
20 local authorities, including the appropriate routes, on which
21 vehicles issued permits under the system are authorized to
22 operate. Permits issued under the system shall be issued by
23 the department for a fee established by the department by rule,
24 which fees shall be proportionate to the fees set forth in
25 section 321E.14. The department shall allocate a portion of
26 the fees collected under this subsection to local authorities
27 having jurisdiction over highways or streets on which vehicles
28 issued permits under the system are authorized to operate.

29 Sec. 3. Section 321E.7, subsection 1, paragraph e, Code
30 2019, is amended to read as follows:

31 e. Vehicles operating under a permit issued pursuant to
32 section 321E.8, 321E.9, or 321E.9A, or 321E.26 may have a gross
33 weight not to exceed forty-six thousand pounds on a single
34 tandem axle of the truck tractor and a gross weight not to
35 exceed forty-six thousand pounds on a single tandem axle of the

1 trailer or semitrailer if each axle of each tandem group has at
2 least four tires.

3 Sec. 4. Section 321E.9, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 4. Containers for international shipment
6 shall be considered an indivisible load for purposes of
7 transportation under a permit issued pursuant to this section
8 if all of the following conditions are met:

9 a. The combination of vehicles transporting the container
10 under the permit does not exceed the maximum dimensions
11 specified in sections 321.454 through 321.457.

12 b. The container is sealed for international shipment and is
13 either in route for export to a foreign country or in route to
14 the container's destination from a foreign country.

15 c. Documentation, such as a bill of lading or another
16 similar document, is carried in the vehicle, in written
17 or electronic form, that ties the container being moved to
18 the container listed in the documentation using the unique
19 container number marked on the container. The documentation
20 shall clearly state the foreign country of origin or
21 destination, and shall be provided to a peace officer upon
22 request.

23 d. The container's contents are exclusively raw forest
24 products as defined in section 321E.26.

25 Sec. 5. Section 321E.14, subsection 1, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. j. One hundred seventy-five dollars for a
28 permit issued pursuant to section 321E.26.

29 Sec. 6. NEW SECTION. 321E.26 **Transportation of raw forest**
30 **products.**

31 1. The department may issue annual permits for the
32 operation of a vehicle or combination of vehicles transporting
33 divisible loads of raw forest products from fields to storage,
34 processing, or other commercial facilities. The combined gross
35 weight or gross weight on any one axle or group of axles on a

1 vehicle or combination of vehicles issued a permit under this
2 section may exceed the maximum weights specified in section
3 321.463, if the gross weight on any one axle does not exceed
4 the limitations specified in section 321E.7.

5 2. A vehicle or combination of vehicles for which a permit
6 is issued under this section shall not exceed the maximum
7 dimensions specified in sections 321.454 through 321.457.

8 3. A vehicle or combination of vehicles for which a permit
9 is issued under this section shall not travel on any portion of
10 the interstate highway system.

11 4. Notwithstanding section 321E.3 or any other provision of
12 law to the contrary, a permit issued by the department pursuant
13 to this section is valid for the operation of a vehicle or
14 combination of vehicles on a nonprimary highway if the local
15 authority having jurisdiction over the nonprimary highway has
16 approved the route within the local authority's jurisdiction
17 used by the vehicle or combination of vehicles traveling under
18 the permit.

19 5. For the purposes of this section, "*raw forest products*"
20 means logs, pilings, posts, poles, cordwood products, wood
21 chips, sawdust, pulpwood, intermediary lumber, fuel wood,
22 mulch, tree bark, and Christmas trees not altered by a
23 manufacturing process off the land, sawmill, or factory from
24 which the products were taken.

25 Sec. 7. REPORT. The department shall submit a report
26 to the general assembly in electronic form on or before
27 December 31, 2021, regarding the status of the development and
28 implementation of the system required under section 321E.3,
29 subsection 3, as enacted by this Act.

30 EXPLANATION

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

33 STATEWIDE SYSTEM. This bill requires the department
34 of transportation (DOT) to develop and implement a single
35 statewide system to receive applications for and issue permits

1 that allow for the operation of vehicles of excessive size
2 or weight on highways or streets under the jurisdiction of
3 the state or local authorities. The bill authorizes the
4 DOT to determine, in consultation with the applicable local
5 authorities, the network of highways and streets under the
6 jurisdiction of local authorities, including the appropriate
7 routes, on which vehicles issued permits under the system are
8 authorized to operate. Permits issued under the system must
9 be issued by the DOT for a fee established by the DOT by rule,
10 which fees must be proportionate to the fees set forth in
11 Code section 321E.14. The bill requires the DOT to allocate
12 a portion of the fees collected to local authorities having
13 jurisdiction over highways or streets on which vehicles issued
14 permits under the system are authorized to operate. The bill
15 requires the DOT to submit a report to the general assembly in
16 electronic form on or before December 31, 2021, regarding the
17 status of the development and implementation of the system.

18 RAW FOREST PRODUCTS. The bill provides that containers for
19 international shipment shall be considered an indivisible load
20 for purposes of transportation under a single-trip permit if
21 the combination of vehicles transporting the container under
22 the permit does not exceed the maximum dimensions specified in
23 Code sections 321.454 through 321.457; the container is sealed
24 for international shipment and is either in route for export to
25 a foreign country or in route to the container's destination
26 from a foreign country; documentation is carried in the
27 vehicle, in written or electronic form, that ties the container
28 being moved to the container listed in the documentation using
29 the unique container number marked on the container; and the
30 container's contents are exclusively raw forest products. The
31 bill requires the documentation carried in the vehicle to
32 clearly state the foreign country of origin or destination, and
33 to be provided to a peace officer upon request.

34 The bill allows the DOT to issue annual permits authorizing a
35 vehicle or combination of vehicles to transport divisible loads

1 of raw forest products from fields to storage, processing, or
2 other commercial facilities. The annual permit fee is \$175.
3 A vehicle or combination of vehicles for which a permit is
4 issued under the bill may exceed the maximum weights set forth
5 under Code section 321.463 if the gross weight on any one axle
6 does not exceed the limitations specified in Code section
7 321E.7. Code section 321E.7 limits the gross weight on any one
8 axle to 20,000 pounds and the gross weight on any one tandem
9 axle having at least four tires to 46,000 pounds. The bill
10 prohibits a vehicle or combination of vehicles issued such a
11 permit from exceeding the size limitations set forth in Code
12 sections 321.454 through 321.457. The bill also prohibits a
13 vehicle or combination of vehicles for which a permit is issued
14 under the bill from traveling on any portion of the interstate
15 highway system. The bill provides that such a permit issued
16 by the DOT is valid for operation on nonprimary highways if
17 the local authority having jurisdiction over the nonprimary
18 highway has approved the route within the local authority's
19 jurisdiction used by the vehicle or combination of vehicles
20 traveling under the permit.

21 The bill defines "raw forest products" to mean logs,
22 pilings, posts, poles, cordwood products, wood chips, sawdust,
23 pulpwood, intermediary lumber, fuel wood, mulch, tree bark, and
24 Christmas trees not altered by a manufacturing process off the
25 land, sawmill, or factory from which the products were taken.