

Senate File 605 - Introduced

SENATE FILE 605
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 550)
(SUCCESSOR TO SSB 1230)

(COMPANION TO HF 869 BY
COMMITTEE ON WAYS AND MEANS)

A BILL FOR

1 An Act creating a permit allowing the operation of vehicles of
2 excessive weight transporting fluid milk products, providing
3 fees, and including effective date provisions.

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

1 Section 1. Section 321.463, subsection 3, Code 2021, 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 321E.29B,** and divisible loads operating under the permit
7 requirements of **section 321E.26,** shall be allowed a maximum of
8 twenty thousand pounds per axle.

9 Sec. 2. Section 321E.14, subsection 1, Code 2021, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *k.* Four hundred dollars for a fluid milk
12 products annual permit issued pursuant to section 321E.29B.

13 Sec. 3. NEW SECTION. **321E.29B Fluid milk products annual**
14 **permit.**

15 1. Notwithstanding section 321E.8, the department may issue
16 annual permits for the operation of vehicles or combinations
17 of vehicles transporting fluid milk products to or from a milk
18 plant, receiving station, or transfer station, exceeding the
19 weight limitation of section 321.463 but not exceeding a gross
20 weight of ninety-six thousand pounds, on primary roads and
21 primary road extensions in cities.

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

25 3. For purposes of this section, "*fluid milk product*" means
26 as defined in 7 C.F.R. §1000.15.

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

29 Sec. 4. **EFFECTIVE DATE.** This Act takes effect January 1,
30 2022.

31 **EXPLANATION**

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

34 Current law provides an annual permit authorizing a raw milk
35 transporter to transport raw milk to or from a milk plant,

1 receiving station, or transfer station. The combined gross
2 weight or gross weight on any axle or group of axles of the
3 motor truck must not exceed the limits established under Code
4 section 321.463.

5 This bill authorizes the department of transportation (DOT)
6 to issue annual permits for the operation of vehicles or
7 combinations of vehicles transporting fluid milk products to
8 or from a milk plant, receiving station, or transfer station
9 while exceeding the weight limitation of Code section 321.463
10 but not exceeding 20,000 pounds per axle, and not exceeding a
11 gross weight of 96,000 pounds, on primary roads and primary
12 road extensions in cities.

13 The bill defines "fluid milk product" to mean any milk
14 products in fluid or frozen form that are intended to be used
15 as beverages containing less than 9 percent butterfat and 6.5
16 percent or more nonfat solids or 2.25 percent or more true milk
17 protein. The bill specifies a fee of \$400 for a fluid milk
18 products annual permit.

19 The operator of a vehicle that exceeds the allowable weight
20 based on its number of axles and the distance between the axles
21 is subject to a scheduled fine. The scheduled fine ranges
22 from \$12 to \$2,200 plus 10 cents per pound in excess of 20,000
23 pounds over the limit.

24 The bill takes effect January 1, 2022.