

**Senate Study Bill 1057 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON BROWN)

**A BILL FOR**

1 An Act relating to a weigh station preclearance program and  
2 associated systems and devices for use by commercial motor  
3 vehicles.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.465A Weigh station preclearance  
2 program — authorized devices.

3 1. The department may administer a weigh station  
4 preclearance program in accordance with the commercial vehicle  
5 information systems and networks electronic screening truck  
6 inspection and weigh station preclearance standards authorized  
7 by the federal motor carrier safety administration of the  
8 United States department of transportation. If the department  
9 administers a preclearance program, the department shall  
10 determine which weigh stations shall participate in the  
11 preclearance program and all preclearance system providers'  
12 devices and platforms shall be treated equally and used  
13 concurrently at participating weigh stations in accordance with  
14 this section.

15 2. The department shall set the criteria for the  
16 preclearance program and such criteria shall be applied  
17 equally to all preclearance systems, devices, and platforms.  
18 Such criteria may include but is not limited to information  
19 regarding safety history, weight, and credential status.

20 3. For purposes of the preclearance program, a commercial  
21 mobile radio services network device or a dedicated short-range  
22 communications device may be used as a transponder, provided  
23 all of the following conditions are met:

24 a. All software and hardware from the provider of the system  
25 within which the device operates that is necessary for the  
26 department's use of the provider's system is made available to  
27 the department at no cost to the department, and the provider  
28 is responsible, either individually or collectively with other  
29 system providers, as applicable, for all costs of operating and  
30 maintaining the software and hardware.

31 b. The device software and hardware, as applicable,  
32 meets the requirements of the federal motor carrier safety  
33 administration for core compliance with the commercial vehicle  
34 information systems and networks electronic screening truck  
35 inspection and weigh station preclearance standards.

1 c. All in-vehicle equipment is operated in compliance with  
2 sections 321.276 and 321.449B, and applicable federal law and  
3 regulations relating to distracted driving.

4 d. The system within which the device operates is capable of  
5 interfacing with applicable weigh-in-motion systems.

6 4. The department shall be considered the owner of any data  
7 provided by the preclearance system or platform providers as  
8 part of the preclearance program or weigh-in-motion system.  
9 If required for preclearance services, real-time data from  
10 weigh-in-motion systems shall not be considered proprietary.  
11 Existing and future weigh-in-motion systems provided to or  
12 procured by the department, whether gifted or purchased at or  
13 below market rates, and associated weigh-in-motion data shall  
14 be accessible by preclearance system providers as needed to  
15 obtain real-time weight data for vehicles participating in a  
16 provider's respective preclearance system.

17 5. The department may adopt rules pursuant to chapter 17A to  
18 administer this section. The rules adopted by the department  
19 may include authorizations for particular devices that meet  
20 the requirements of subsection 3 for use in the preclearance  
21 program.

22 EXPLANATION

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

25 This bill allows the department of transportation (DOT) to  
26 administer a weigh station preclearance program in accordance  
27 with the commercial vehicle information systems and networks  
28 (CVISN) electronic screening truck inspection and weigh  
29 station preclearance standards authorized by the federal motor  
30 carrier safety administration (FMCSA) of the U.S. department  
31 of transportation.

32 If the DOT administers a preclearance program, the bill  
33 requires the DOT to determine which weigh stations shall  
34 participate in the preclearance program and all preclearance  
35 system providers' devices and platforms shall be treated

1 equally and used concurrently at participating weigh stations.

2 The bill requires the DOT to set the criteria for the  
3 preclearance program and such criteria shall be applied equally  
4 to all preclearance systems, devices, and platforms. Such  
5 criteria may include but is not limited to safety history,  
6 weight, and credential status.

7 For the purpose of the preclearance program, the bill  
8 authorizes all commercial mobile radio services network devices  
9 and dedicated short-range communications devices to be used  
10 as transponders so long as all software and hardware from the  
11 provider of the system within which the device operates that is  
12 necessary for the DOT's use of the provider's system is made  
13 available to the DOT at no cost to the DOT, the preclearance  
14 device software and hardware meets the requirements of the  
15 FMCSA for core compliance with the CVISN electronic screening  
16 truck inspection and weigh station preclearance standards,  
17 all in-vehicle equipment is operated in compliance with  
18 Iowa law and applicable federal law and regulations relating  
19 to distracted driving, and the system within which the  
20 device operates is capable of interacting with applicable  
21 weigh-in-motion systems.

22 The DOT is the owner of any data provided by the preclearance  
23 system or platform providers as part of the preclearance or  
24 weigh-in-motion system. If required for preclearance services,  
25 real-time data from weigh-in-motion systems shall not be  
26 considered proprietary. All weigh-in-motion systems provided  
27 to or procured by the DOT, whether gifted or purchased at or  
28 below market rates, and associated weigh-in-motion data shall  
29 be accessible by preclearance system providers as needed to  
30 obtain real-time weight data for vehicles participating in a  
31 provider's respective preclearance program.