

Senate Study Bill 1138 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act authorizing the department of transportation to issue
2 special permits allowing the transportation of loads of
3 relief supplies that exceed statutory weight limits during
4 periods of national emergency.

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

1 Section 1. NEW SECTION. 321E.29B Special permits — relief
2 supplies during periods of national emergency.

3 1. During an emergency, the department may issue special
4 permits pursuant to 23 U.S.C. §127(i) authorizing the
5 transportation of divisible loads of relief supplies that
6 exceed the weight limits established under section 321.463 on
7 the interstate highway system if the president of the United
8 States has declared the emergency to be a major disaster under
9 the federal Robert T. Stafford Disaster Relief and Emergency
10 Assistance Act, Pub. L. No. 93-288, as amended, 42 U.S.C. §5121
11 et seq.

12 2. The department shall only issue special permits under
13 this section exclusively for vehicles and loads that are
14 delivering relief supplies.

15 3. The department may issue a special permit under this
16 section to a commercial motor carrier that covers all vehicles
17 operated under the commercial motor carrier's interstate or
18 intrastate motor carrier number, as those terms are defined
19 in section 325A.1, provided all vehicles operating under the
20 permit comply with subsection 2.

21 4. The department shall adopt rules pursuant to chapter 17A
22 to administer this section.

23 EXPLANATION

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

26 Federal law authorizes states to issue special permits
27 allowing the transportation of overweight, divisible loads
28 during emergencies if the president of the United States has
29 declared the emergency to be a major disaster, the permits are
30 issued in accordance with state law, and the permits are issued
31 exclusively for vehicles that are delivering relief supplies.
32 Under current law, the Iowa department of transportation (DOT)
33 does not have the authority to issue such special permits
34 pursuant to the federal authorization.

35 This bill authorizes the DOT to issue special permits

1 pursuant to the federal authorization allowing vehicles and
2 loads delivering relief supplies on the interstate highway
3 system during a declared major disaster to exceed the weight
4 limits under Code section 321.463. The bill allows the DOT
5 to issue special permits to commercial motor carriers that
6 cover all vehicles operated under a carrier's interstate
7 or intrastate motor carrier number, provided all vehicles
8 operating under the commercial motor carrier's permit are
9 delivering relief supplies.