

House File 591 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 152)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to state department of transportation duties
2 concerning its budget, distribution of state institutional
3 road funds, vehicle weight and length restrictions, all=
4 terrain vehicle use, evidence of interstate authority and
5 penalties, and providing an effective date.

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

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1 1 Section 1. Section 307.10, subsection 5, Code 2005, is
1 2 amended by striking the subsection.

1 3 Sec. 2. Section 307.22, subsection 5, Code 2005, is
1 4 amended by striking the subsection.

1 5 Sec. 3. Section 307A.2, subsection 11, Code 2005, is
1 6 amended to read as follows:

1 7 11. Construct, reconstruct, improve, and maintain state
1 8 institutional roads and state park roads, which are part of
1 9 the state park, state institution, and other state land road
1 10 system as defined in section 306.3, and bridges on such roads,
1 11 roads located on state fairgrounds as defined in chapter 173,
1 12 and the roads and bridges located on community college
1 13 property as defined in chapter 260C, upon the request of the
1 14 state board, department, or commission which has jurisdiction
1 15 over such roads. This shall be done in such manner as may be
1 16 agreed upon by the state transportation commission and the
1 17 state board, department, or commission which has jurisdiction.
1 18 The commission may contract with any county or municipality
1 19 for the construction, reconstruction, improvement, or
1 20 maintenance of such roads and bridges. Any state park road
1 21 which is an extension of either a primary or secondary highway
1 22 which both enters and exits from a state park at separate
1 23 points shall be constructed, reconstructed, improved, and
1 24 maintained as provided in section 306.4. Funds allocated from
1 25 the road use tax fund for the purposes of this subsection
1 26 shall be apportioned in the ratio that the needs of the state
~~1 27 institutional roads and bridges, park roads and bridges, or~~
~~1 28 community college roads and bridges bear to the total needs of~~
~~1 29 these facilities based upon the most recent quadrennial park~~
~~1 30 and institution need study, following manner and amounts:~~

1 31 a. For department of natural resources facility roads,
1 32 forty-five and one-half percent.

1 33 b. For department of human services facility roads, six
1 34 and one-half percent.

1 35 c. For department of corrections facility roads, five and
2 1 one-half percent.

2 2 d. For national guard facility roads, four percent.

2 3 e. For state board of regents facility roads, thirty
2 4 percent.

2 5 f. For state fair board facility roads, two percent.

2 6 g. For department of administrative services facility
2 7 roads, one-half percent.

2 8 h. For department of education facility roads, six
2 9 percent.

2 10 Sec. 4. Section 321.1, subsection 88, Code 2005, is
2 11 amended to read as follows:

2 12 88. "Truck tractor" means every motor vehicle designed and
2 13 used primarily for drawing other vehicles and not so
2 14 constructed as to carry a load other than a part of the weight
2 15 of the vehicle and load so drawn. However, a truck tractor

2 16 ~~may have a box, deck, or plate for carrying freight, mounted~~
2 17 ~~on the frame behind the cab, and forward of the fifth-wheel~~
2 18 ~~connection point.~~

2 19 Sec. 5. Section 321.463, subsection 5, paragraph a,
2 20 unnumbered paragraph 1, Code 2005, is amended to read as
2 21 follows:

2 22 The maximum gross weight allowed to be carried on a vehicle
2 23 or combination of vehicles on highways which are part of the
2 24 ~~interstate primary~~ system is as follows:

2 25 Sec. 6. Section 321.463, subsection 5, paragraph b,
2 26 unnumbered paragraph 1, Code 2005, is amended to read as
2 27 follows:

2 28 The maximum gross weight allowed to be carried on a vehicle
2 29 or combination of vehicles on ~~noninterstate nonprimary~~
2 30 highways is as follows:

2 31 Sec. 7. Section 321.463, subsection 8, Code 2005, is
2 32 amended to read as follows:

2 33 8. A vehicle or combination of vehicles transporting
2 34 materials ~~or equipment on nonprimary highways~~ to or from a
2 35 construction project or commercial plant site may operate
3 1 under the maximum gross weight table for ~~interstate primary~~
3 2 highways in subsection 5, paragraph "a", if the route is
3 3 approved by the ~~department~~ or appropriate local authority.
3 4 Route approval is not required if the vehicle or combination
3 5 of vehicles transporting materials ~~or equipment~~ to or from a
3 6 construction project or commercial plant site complies with
3 7 the maximum gross weight table for noninterstate highways in
3 8 subsection 5, paragraph "c".

3 9 Sec. 8. Section 321I.2, unnumbered paragraph 2, Code 2005,
3 10 is amended by striking the unnumbered paragraph.

3 11 Sec. 9. Section 321I.10, Code 2005, is amended by adding
3 12 the following new subsection:

3 13 NEW SUBSECTION. 5. The department of transportation may
3 14 issue a permit to a state agency, a county, or a city to allow
3 15 an all-terrain vehicle trail to cross a primary highway. The
3 16 trail crossing shall be part of an all-terrain vehicle trail
3 17 designated by the state agency, county, or city. A permit
3 18 shall be issued only if the crossing can be accomplished in a
3 19 safe manner and allows for adequate sight distance for both
3 20 motorists and all-terrain vehicle operators. The department
3 21 may adopt rules to administer this subsection.

3 22 Sec. 10. Section 327B.1, Code 2005, is amended by adding
3 23 the following new subsections:

3 24 NEW SUBSECTION. 6. A motor carrier owner or driver shall
3 25 carry proper evidence of interstate authority in the motor
3 26 carrier and shall make such evidence available to a peace
3 27 officer upon request.

3 28 NEW SUBSECTION. 7. If a motor carrier owner or driver is
3 29 cited for failure to have proper evidence of interstate
3 30 authority, the owner or driver may produce such evidence to
3 31 the clerk of court prior to the date of such person's court
3 32 appearance as indicated on the citation, and the owner or
3 33 driver shall not be convicted of such violation and the
3 34 citation issued shall be dismissed.

3 35 Sec. 11. Section 327B.5, Code 2005, is amended to read as
4 1 follows:

4 2 327B.5 PENALTY.

4 3 Any person violating the provisions of this chapter shall,
4 4 upon conviction, be subject to a scheduled fine of not more
~~4 5 than one hundred dollars or imprisonment in the county jail~~
~~4 6 for not more than thirty days as provided in section 805.8A,~~
4 7 subsection 13, paragraphs "f" and "g".

4 8 Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall
4 9 correct the titles of the charts in section 321.463,
4 10 subsection 5, paragraphs "a" and "b", to conform with the
4 11 amendments to those provisions of section 321.463 as contained
4 12 in this Act.

4 13 Sec. 13. EFFECTIVE DATE. The sections of this Act
4 14 amending section 321.463, being deemed of immediate
4 15 importance, take effect upon enactment.

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