SENATE FILE 448
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1057)

(As Amended and Passed by the Senate March 17, 2021)

_____ = New Language by the Senate

A BILL FOR

An Act relating to a weigh station preclearance program and associated systems and devices for use by commercial motor vehicles.

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

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

1. The department may administer a weigh station preclearance program in accordance with the commercial vehicle information systems and networks electronic screening truck inspection and weigh station preclearance standards authorized by the federal motor carrier safety administration of the United States department of transportation. If the department administers a preclearance program, the department shall determine which weigh stations shall participate in the preclearance program and all preclearance system providers' devices and platforms shall be treated uniformly.

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

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

a. All software and hardware from the provider of the system within which the device operates that is necessary for the department's use of the provider's system is made available to the department at no cost to the department, and the provider is responsible for all costs of operating and maintaining the software and hardware.

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

c. All in-vehicle equipment is operated in compliance with sections 321.276 and 321.449B, and applicable federal law and

regulations relating to distracted driving.

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

4. The department may adopt rules pursuant to chapter 17A to administer this section. The rules adopted by the department may include authorizations for particular devices that meet the criteria set forth pursuant to subsection 2 and the requirements of subsection 3 for use in the preclearance program.