

CHAPTER 1150
TRANSPORTING HAZARDOUS MATERIALS
S.F. 2100

AN ACT relating to the operation of motor carriers, truck operators, contract carriers, and liquid transport carriers by providing minimum liability limits for transporting hazardous materials and providing that drivers of those vehicles need a chauffeur's license but not necessarily an Iowa license.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321A.33, Code 1981, is amended to read as follows:

321A.33 EXCEPTIONS. This chapter ~~shall~~ does not apply with respect to any motor vehicle owned by the United States, this state, or any political subdivision of this state, ~~or any municipality therein, nor~~ or to any operator, except for section 321A.4, while on official duty operating such motor vehicle; ~~nor. This chapter does not apply, except for section sections~~ 321A.4 and ~~section~~ 321A.26, with respect to any motor vehicle which is subject to the requirements of section 325.26, and ~~section~~ 327.15, 327A.5, or 327B.6.

Sec. 2. Section 325.26, subsection 2, paragraphs a and b, Code 1981, are amended to read as follows:

a. To cover the assured's legal liability as a motor carrier for bodily injury or death resulting therefrom, as a result of any one accident or other cause ~~twenty-five one hundred~~ thousand dollars for any recovery by one person and subject to ~~said the~~ limit for one person ~~fifty three hundred~~ thousand dollars for more than one person. However, the minimum limits of liability for motor carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

b. To cover the assured's legal liability as a motor carrier for damage to or destruction of any property other than that of or in charge of the assured, as a result of any one accident or other cause ten thousand dollars. However, the minimum limits of liability for motor carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

Sec. 3. Section 325.29, Code 1981, is amended to read as follows:

325.29 DRIVER OF VEHICLE. Every driver employed by a motor carrier shall be at least eighteen years of age, in good physical condition, of good moral character, shall be fully competent to operate the motor vehicle ~~under his charge~~, and shall hold a regular chauffeur's license ~~from the department~~.

Sec. 4. Section 327.15, subsections 1 and 2, Code 1981, are amended to read as follows:

1. To cover the assured's legal liability as a truck operator or contract carrier for bodily injury or death resulting therefrom as a result of any one accident or other cause, ~~twenty-five one hundred~~ thousand dollars for any recovery by one person, and subject to ~~said the~~ limit for one person ~~fifty three hundred~~ thousand dollars for more than one person. However, the minimum limits of liability for truck operators and contract carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

2. To cover the assured's legal liability as a truck operator or contract carrier for damage to or destruction of any property other than that of or in charge of the assured, as a result of any one accident or other cause, ten thousand dollars. However, the minimum limits of liability for truck operators and contract carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

Sec. 5. Section 327.18, Code 1981, is amended to read as follows:

327.18 DRIVERS—CONDITIONS. Every person driving a motor truck as defined in this chapter shall be at least eighteen years of age, in good physical condition, of good moral character, shall be fully competent to operate the motor truck under his charge and shall hold a regular chauffeur's license from the department.

Sec. 6. Section 327A.5, subsections 1 and 2, Code 1981, are amended to read as follows:

1. To cover the assured's legal liability as a liquid transport carrier for bodily injury or death resulting therefrom as a result of any one accident or other cause, one hundred thousand dollars for any recovery by one person, and subject to said the limit for one person, one three hundred thousand dollars, for more than one person. However, the minimum limits of liability for liquid transport carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

2. To cover the assured's legal liability as a liquid transport carrier for damages to or destruction of any property other than that of or in charge of the assured, as a result of any one accident or other cause one hundred thousand dollars. However, the minimum limits of liability for liquid transport carriers of hazardous materials subject to federal minimum limits of liability are those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981.

Sec. 7. Section 327A.7, Code 1981, is amended to read as follows:

327A.7 DRIVERS REQUIREMENTS. Every driver employed by a liquid transport carrier shall be at least eighteen years of age, in good physical condition, of good moral character, shall be fully competent to operate the vehicle under his charge, and shall hold a regular chauffeur's license from the department.

Sec. 8. Section 327B.6, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Registration under section 327B.1 shall not be granted until the carrier has filed with the state department of transportation evidence of insurance or surety bond issued by an insurance carrier or bonding company authorized to do business in this state and in the form prescribed by the rules adopted under 49 U.S.C. 302(b) (2) (1965). The minimum limits of liability for each interstate motor truck carrier for hire subject to federal minimum limits of liability are as follows: those specified in 49 C.F.R. sec. 387.3 and sec. 387.9 as published in the federal register on June 11, 1981 for motor carriers of property and 49 C.F.R. sec. 1043.5 as published in the federal register on June 11, 1981 for motor carriers of passengers.

Sec. 9. Section 327B.6, Code 1981, is amended by striking subsections 1 and 2.

Approved April 30, 1982