

CHAPTER 116**MOVEMENT OF CERTAIN VEHICLES AND LOADS***S.F. 452*

AN ACT relating to certain vehicles, which deletes the requirement that a person transporting a mobile home provide a copy of a tax clearance statement to the state department of transportation, provides for an increase in the permit fees charged vehicles of excessive size and weight, increases the suspension period for violators, requires certain vehicles to carry a warning device, eliminates the length restriction of seventy feet for Iowa manufactured vehicles, and permits the department of transportation to require an escort for over-dimensional vehicles.

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

Section 1. Section 321.21, subsection 1, Code 1983, is amended to read as follows:

1. A person owning any special mobile equipment may make application to the department, upon the appropriate form furnished by the department, for a certificate containing a general distinguishing number and for one or more special mobile equipment plates. The applicant shall also submit proof of the status of the vehicle as special mobile equipment as may reasonably be required by the department. ~~If the application is for a mobile home, one copy of the tax clearance form issued to the owner of the mobile home must be submitted by the person transporting the mobile home or other evidence of current taxes being paid as prescribed by the department.~~

Sec. 2. Acts of the Seventieth General Assembly, 1983 Session, Senate File 207, section 6, subsection 1, amending section 321.457, Code 1983, is amended to read as follows:

1. A combination of four vehicles is not allowed on the highways of this state, except for power units saddle mounted on other power units which shall be restricted to a maximum overall length of sixty-five feet.

Sec. 3. Section 321E.1, Code 1983, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT. The department and local authorities may in their discretion and upon application and with good cause being shown therefor issue permits for the movement of construction machinery being temporarily moved on streets, roads or highways and for vehicles with indivisible loads carried thereon which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in sections 321E.29 and 321E.30. Vehicles permitted to transport indivisible loads may exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load. Permits so issued may be single-trip permits or annual permits. All permits Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by any a peace officer or ~~to any~~ an authorized agent of any a permit granting authority. When in the judgment of the issuing local authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue

damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons ~~therefor~~ for denial endorsed upon the application. Permits issued by local authorities shall designate the days when and routes upon which loads and construction machinery may be moved within the county on other than primary roads.

Sec. 4. Section 321E.7, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Trailers registered in the state as of March 31, 1983 for the 1983 registration year used exclusively in the transportation of soil conservation equipment are not subject to the requirements for distance in feet between the extremes of any group of axles or the extreme axles of the vehicle or combination of vehicles as are required under section 321.463, except on the interstate road system as defined in section 306.3, subsection 3.

Sec. 5. Section 321E.10, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The department or local authorities may ~~in their discretion and~~ upon application issue annual trip permits for the movement of truck trailers manufactured or assembled in this state that exceed the maximum length specified in section 321.457 and the maximum width specified in section 321.454. Movement of ~~such the~~ truck trailers shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state, shall be only on roadways of twenty-four feet or more in width or on four-lane highways, shall be on the most direct route necessary for such movement, and shall display the special plates designated in section 321.57. All truck trailers under permit for such movement shall ~~not~~ contain ~~no~~ freight or additional load. ~~All truck~~ Truck trailers under permit for ~~such~~ movement shall be at a speed not to exceed forty-five miles an hour or the established speed limit whichever is lower. ~~No A~~ vehicle or combination of two or more vehicles inclusive of front and rear bumpers, including towing units, involved in the movement of truck trailers shall ~~not exceed seventy feet in length and~~ an overall width of ten feet. ~~All such vehicles~~ Vehicles or combinations shall be distinctly marked on both the front and rear of the unit in ~~such a manner as~~ the director of transportation shall ~~designate~~ designates to indicate that the vehicles or combinations are being moved for delivery or transfer purposes only.

Sec. 6. Section 321E.14, Code 1983, is amended to read as follows:

321E.14 FEES FOR PERMITS. The department or local authorities issuing the permits shall charge a fee of ~~ten~~ twenty-five dollars for an annual permit and a fee of ~~five ten~~ ten dollars for a single-trip permit and shall determine charges for special permits issued pursuant to section 321E.29 by rules adopted pursuant to chapter 17A. Fees for the movement of buildings, parts of buildings, or unusual vehicles or loads may be increased to cover the costs of inspections by the issuing authority. A fee not to exceed ~~eighty one~~ eighty one hundred dollars per ten-hour day or a prorated fraction ~~thereof of that fee per person and car~~ for escort service may be charged when requested or when required under this chapter. Proration of escort fees between state and local authorities when more than one governmental authority provides or is required to provide escort for a movement during the period of a day shall be determined by rule under section 321E.15. The department and local authorities may charge ~~any a~~ permit applicant for the cost of trimming trees and removal and replacement of natural obstructions or official signs and signals or other public or private property required to be removed during the movement of a vehicle and load. In addition to the fees provided in this section, the annual fee for a permit for special mobile equipment, as defined in section 321.1, subsection 17, operated pursuant to section 321E.7, subsection 2, with a combined gross weight up to and including eighty thousand pounds shall be twenty-five dollars and for a combined gross weight exceeding eighty thousand pounds, fifty dollars.

In addition to the fees provided in this section, the annual fee for a permit for a trailer transporting soil conservation equipment operated under section 321E.7, subsection 3, shall be one hundred dollars.

Sec. 7. Section 321E.16, Code 1983, is amended to read as follows:

321E.16 VIOLATIONS – PENALTIES. A person shall not commit any act forbidden or fail to perform any act required by the provisions of this chapter or any provision of rules adopted pursuant to section 321E.15. Any person who is convicted of a violation of any provision of this chapter or of rules adopted under section 321E.15, other than length, height, width, or weight of allowed by any permit issued under this chapter shall be punished by a fine of not less than one hundred dollars for the first conviction, ~~nor more than five two hundred fifty~~ dollars for a second conviction within a twelve month period, and five hundred dollars for a third conviction within a twelve month period. The fine for violation of the length, height, width, and weight allowed by permit shall be based upon the difference between the actual length, height, width, and weight of the vehicle and load and the maximum allowable by permit and in accordance with section 321.482 for violations of length, height, or width limitations and sections 321.482 and 321.463 for violation of weight limitations. If a vehicle with indivisible load traveling under permit is found to be in violation of weight limitations, the vehicle operator shall be allowed a reasonable amount of time to remove any ice, mud, snow, and other weight attributable to climatic conditions accumulated along the route prior to application of the penalties prescribed in sections 321.463 and 321.482. The department shall adopt rules to require peace officer escorts for permit holders convicted for the third time in a twelve month period of violating a provision of this chapter or a provision of rules adopted pursuant to section 321E.15.

Sec. 8. Section 321E.19, Code 1983, is amended to read as follows:

321E.19 PERMIT SUSPENDED, CHANGED OR REVOKED. Upon complaint by local authorities or on the department's own initiative and after notice and hearing before one or more members of the permit issuing body, any permit issued privileges under this chapter may be suspended, changed, or revoked in whole or in part by the issuing authority for willful failure to comply with any provisions of this chapter or with any rule or regulation adopted under authority of this chapter or with any term, condition, or limitation of the permit.

Sec. 9. Section 321E.20, Code 1983, is amended to read as follows:

321E.20 SUSPENSION PERIOD. Whenever the issuing authority ~~shall find~~ finds from the evidence adduced at ~~such~~ hearing that a permit holder has willfully operated or caused to be operated a vehicle or vehicles in violation of this chapter, the authority may enter an order suspending, modifying, or revoking the permit in whole or in part at its discretion for a period ~~of not more than ninety to exceed one hundred eighty days.~~ of not more than ninety to exceed one hundred eighty days. If the issuing authority finds in a subsequent proceeding within twelve months from the date of the initial suspension, modification, or revocation that a permit holder has again willfully operated in violation of this chapter, the issuing authority shall order suspension, modification, or revocation of the permit privileges in whole or in part for a period not to exceed ~~one year~~ two years.

Sec. 10. Section 321E.24, Code 1983, is amended to read as follows:

321E.24 WARNING DEVICE ON LONG LOADS. Any vehicle and load which, including load, exceeds the exceed the limits provided in section 321.457 and in excess of a length of seventy-five feet shall carry a warning device clearly visible to a motorist approaching from the rear for a distance of five hundred feet.

Approved May 12, 1983