

CHAPTER 1089**MOTOR VEHICLE DIMENSIONAL AND WEIGHT REQUIREMENTS – COMMERCIAL
VEHICLE CERTIFICATES OF TITLE***H.F. 2350*

AN ACT relating to motor vehicle dimensional and weight requirements and certificates of title for commercial vehicles and providing an effective date.

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

Section 1. Section 321.20A, Code Supplement 1995, is amended to read as follows:
321.20A CERTIFICATE OF TITLE – COMMERCIAL ~~MOTOR~~ VEHICLES.

1. Notwithstanding other provisions of this chapter, the owner of a commercial ~~motor~~ vehicle ~~with a gross vehicle weight rating of twenty-six thousand one pounds or more,~~ subject to the proportional registration provisions of chapter 326, may make application to the department for a certificate of title. The application for certificate of title shall be made within fifteen days of purchase or transfer and accompanied by a ten dollar title fee and appropriate use tax.

2. A commercial ~~motor~~ vehicle issued a certificate of title under this section shall not be subject to registration fees until the commercial ~~motor~~ vehicle is driven or moved upon the highways. The registration fee due shall be prorated for the remaining unexpired months of the registration year. Ownership of a commercial ~~motor~~ vehicle issued a certificate of title under this section shall not be transferred until registration fees have been paid to the department.

3. The certificate of title provision for commercial ~~motor~~ vehicles with a gross vehicle weight rating of twenty-six thousand one pounds or more shall apply to owners with fleets of more than fifty commercial ~~motor~~ vehicles based in Iowa under the proportional registration provisions of chapter 326. The original certificate of title shall be delivered to the owner if no security interest or encumbrance appears on the certificate, otherwise the certificate of title shall be delivered by the department to the person holding the first security interest or encumbrance as shown on the certificate of title.

Sec. 2. Section 321.457, subsection 2, paragraph d, Code 1995, is amended by striking the paragraph.

Sec. 3. Section 321.457, subsection 2, paragraphs g, i, and j, Code 1995, are amended to read as follows:

g. A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of fifty-three feet when operating in a truck tractor-semitrailer combination exclusive of retractable extensions used to support the load. However, when a trailer or semitrailer is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats, the load carried on the trailer or semitrailer may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper of the trailer or semitrailer.

i. Power units designed to carry cargo, when used in combination with a trailer or semitrailer shall not exceed sixty-five feet in overall length for the combination exclusive of retractable extensions used to support the load. However, if a combination of vehicles is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats, the load may extend up to three feet beyond the front bumper of the power unit and up to four feet beyond the rear bumper of the trailer or semitrailer.

j. A stinger-steered automobile transporter shall not have an overall length exceeding seventy-five feet, exclusive of retractable extensions used to support the load and all other devices or appurtenances related to the safe and efficient operation of the vehicle, except that the load may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper.

Sec. 4. Section 321.463, Code Supplement 1995, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 7:

NEW UNNUMBERED PARAGRAPH. A vehicle or combination of vehicles transporting materials to or from a construction project or commercial plant site shall comply with the formula under this section which is used for travel on highways that are part of the interstate system. This paragraph applies only to a vehicle or combination of vehicles operating along a route of travel approved by the department or appropriate local authority.

Sec. 5. Section 321E.1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads 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 issued may be single-trip permits, multi-trip, or annual 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 a peace officer or an authorized agent of a permit granting authority. When in the judgment of the issuing 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 for denial endorsed on the application. Permits shall designate the days when and routes upon which loads and construction machinery may be moved within a county on other than primary roads.

Sec. 6. Section 321E.2, Code 1995, is amended to read as follows:

321E.2 PERMIT-ISSUING AUTHORITIES.

Annual permits, multi-trip, and single-trip permits shall be issued by the authority responsible for the maintenance of the system of highways or streets. However, the department may issue permits on primary road extensions in cities in conjunction with movements on the rural primary road system. The department may issue an all-system permit under section 321E.8 which is valid for movements on all highways or streets under the jurisdiction of either the state or those local authorities which have indicated in writing to the department those streets or highways for which an all-system permit is not valid.

At the request of a local authority, the department shall issue annual, multi-trip, and single-trip permits that are under the jurisdiction of the local authority.

Sec. 7. Section 321E.7, subsection 2, Code 1995, is amended to read as follows:

2. Special mobile equipment, as defined in section 321.1, subsection 75, is 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 required by this chapter when being moved upon the highways, ~~except the interstate road system, as defined in section 306.3, subsection 4.~~

Sec. 8. Section 321E.7, subsection 3, Code 1995, is amended by striking the subsection.

Sec. 9. **NEW SECTION.** 321E.9A MULTI-TRIP PERMITS.

Subject to the discretion and judgment provided for in section 321E.1, a multi-trip permit shall be issued for operation of vehicles, in accordance with the following:

1. Vehicles with indivisible loads having an overall length not to exceed one hundred feet, an overall width not to exceed eleven feet, and an overall height not to exceed fourteen feet, four inches, may be moved, provided the gross weight on any one axle shall not exceed the maximum prescribed in section 321.463.

2. Vehicles or combinations of vehicles consisting of construction machinery not exceeding the height, length, and width limitations of this section being temporarily moved on highways with a maximum total gross weight limitation and a single axle weight limitation in accordance with section 321E.7, may be moved.

3. The department shall adopt rules pursuant to chapter 17A governing the issuance of permits under this section.

Sec. 10. Section 321E.14, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department or local authorities issuing ~~the~~ permits shall charge a fee of twenty-five dollars for an annual permit, one hundred dollars for a multi-trip permit, and a fee of 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 two hundred fifty dollars per day or a prorated fraction 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 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 75, 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.

Sec. 11. Section 321E.28, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department and local authorities may, upon application and with good cause shown, issue single-trip, multi-trip, or annual permits for the movement of mobile homes or factory-built structures of widths including appurtenances exceeding twelve feet five inches subject to the following conditions:

Sec. 12. EFFECTIVE DATE. Section 4 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 15, 1996