

## CHAPTER 26

### WEIGHT LIMITS ON VEHICLES OR AXLES — SCHEDULED VIOLATIONS — CHARGING PROCEDURE

S.F. 359

**AN ACT** relating to the charging procedure for scheduled violations for exceeding weight limits on an axle or vehicle.

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

Section 1. [Section 805.8A, subsection 12](#), paragraph e, Code 2023, is amended to read as follows:

e. (1) Violations of the schedule of axle, and tandem axle, and gross or group of axle axles, and gross weight violations limits in [section 321.463](#) shall be scheduled violations subject to the uniform citation and complaint provisions, procedures, and exceptions contained in [sections 805.6 through 805.11](#), irrespective of the amount of the scheduled fine under that schedule.

~~(a) Violations of the schedule of weight violations shall be chargeable, where the fine charged does not exceed one thousand dollars, only by uniform citation and complaint.~~

~~(b) Violations of the schedule of weight violations, where the fine charged exceeds one thousand dollars shall, when the violation is admitted and [section 805.9](#) applies, be chargeable upon uniform citation and complaint, indictment, or county attorney's information, but otherwise shall be chargeable only upon indictment or county attorney's information.~~

(2) In all cases of charges under the schedule of weight violations, the charge citation and complaint shall specify the amount of fine charged under the schedule. ~~Where a defendant is convicted and the fine under the foregoing schedule of weight violations exceeds one thousand dollars, the conviction shall be of an indictable offense although [section 805.9](#) is employed and whether the violation is charged upon uniform citation and complaint, indictment, or county attorney's information.~~

Approved April 28, 2023