

STATE OF IOWA
1966

IOWA DEPARTMENTAL RULES

JULY
1966
SUPPLEMENT

Containing

The permanent rules and regulations of general application promulgated
by the state departments from March 1, 1966 to July 1, 1966

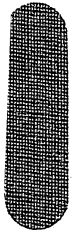


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PREFACE

This volume is published in compliance with section 14.3 (7) of the Code. The rules of the various boards and departments are arranged in alphabetical order, using the names of the departments in general use.

Not all of the rules and regulations promulgated by the state departments have been included. The Act specifies "permanent" rules of "general application." Where rules have been omitted by the editor there is a notation indicating where such rules may be obtained.

July 1966

THE EDITOR.

PUBLICATION OF DEPARTMENTAL RULES

Section 14.3 of the Code, subsection 7, requires the Code Editor to:

"Prepare the manuscript copy, and cause to be printed by the state superintendent of printing in each year in which a Code is published, a volume which shall contain the permanent rules and regulations of general application, promulgated by each state board, commission, bureau, division or department, other than a court, having statewide jurisdiction and authority to make such rules. The Code Editor may omit from said volume all rules and regulations applying to professional and regulatory examining and licensing provisions and any rules and regulations of limited application. The Code Editor may make reference in the volume as to where said omitted rules and regulations may be procured.

"This volume shall be known as the Iowa departmental rules and any rule printed therein may be cited as_____I.D.R._____giving the year of publication and the page where the particular rule, by number, may be found.

"The Code Editor may provide cumulative, semiannual supplements for insertion in the latest published volume and a place shall be provided in the binding of such volume for insertion of such supplements."

TABLE OF CONTENTS

	PAGE
Agriculture Department -----	5
Commerce Commission -----	5
Conservation Commission -----	29
Employment Security Commission -----	31
Health Department -----	31
Highway Commission -----	37
Insurance Department -----	48
Liquor Commission -----	56
Merit System Council -----	61
Public Instruction Department -----	62
Real Estate Department -----	65
Regents, Board of -----	66
Tax Commission -----	70
Water Pollution Control Commission -----	70

IOWA DEPARTMENTAL RULES JULY 1966

AGRICULTURE DEPARTMENT DIVISION OF ANIMAL INDUSTRY

As authorized by Section 163.1, 1962 Code of Iowa, the following rules are adopted:

HEALTH REQUIREMENTS COVERING THE INTRASTATE MOVEMENT OF POULTRY

[Filed June 13, 1966]

1.33 (163) Turkeys. No person shall sell or otherwise transfer any turkeys or turkey eggs for breeding or hatching purposes unless such turkeys or turkey eggs comply with the following requirements.

1.33 (1) Originate from a flock tested annually and classified as follows:

a. "U. S. pullorum-typhoid clean" as provided in the National Turkey Improvement Plan (9 CFR 146).

b. S. typhimurium tested and no reactors found.

c. "Mycoplasma Gallisepticum tested and no reactors found."

1.33 (2) All blood samples shall be drawn by approved testing crews.

1.33 (3) All birds to be banded and blood samples identified by band number.

1.33 (4) Blood samples shall be tested by an approved laboratory.

1.33 (5) Tests shall be conducted with antigens approved by the department.

1.33 (6) All eggs used for hatching

shall be identified by the flock owner as to the flock of origin.

1.33 (7) Ten percent of the flock shall be tested for mycoplasma gallisepticum at time flock is selected. Ten percent of the flock shall be tested for mycoplasma gallisepticum at the time the pullorum-typhoid and typhimurium test is conducted using the same sera. Ten percent of the flock shall be tested for mycoplasma gallisepticum when first eggs are saved or at time of first artificial insemination.

1.33 (8) All flock and hatchery owners shall follow sanitation procedures prescribed by the department.

1.33 (9) Flock and hatchery owners shall report any signs of respiratory disease to the department.

1.34 (163) Chickens.

1.34 (1) All chicken hatching eggs or baby chicks must originate from flocks or hatcheries that have a pullorum-typhoid clean rating given by the official state agency of the National Poultry Improvement Plan or other state agency.

1.34 (2) All boxes, crates and containers shall be new or disinfected before being used to move poultry within the state of Iowa, and identified with a label co-operating in the National Poultry Improvement Plan or other state agency. [Effective June 1, 1966]

COMMERCE COMMISSION

TRUCK OPERATORS AND CONTRACT CARRIERS

Pursuant to authority vested in the commission by sections 327.3, Code of Iowa, 1966, Rules and Regulations MT-1 through MT-25 inclusive, 1962 I.D.R. 64 et. seq., are hereby rescinded and the following adopted in lieu thereof:

MOTOR TRANSPORTATION DIVISION [Filed May 10, 1966] CHAPTER 3

Rules and Regulations governing the operation of truck operators and contract carriers.

3.1 (327) General information.

3.1 (1) These rules and regulations are subject to such changes, modifications

and amendments as the commission may from time to time promulgate and adopt under the provisions of chapter 66, Acts of the 60th General Assembly.

3.1 (2) Waiver of suspension of rules. The adoption of these rules and regulations shall in no way preclude the commission from altering or amending them, pursuant to statute. These rules and regulations shall in no way relieve any carrier from any of its duties under the laws of this state. The commission may at its discretion on its own motion or upon request for good cause shown, suspend or waive any of the rules and regulations.

3.1 (3) Person defined. The word "person" when used in the rules and regulations of the commission will be construed by the commission as including any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, or any other group or combination acting as a unit and the plural as well as the singular number.

3.1 (4) Extension of authority and commodities. A like commodity shall not be transported under a truck operator permit and a contract carrier permit which is held by the same person.

a. A motor carrier as defined in chapter 325, Code of Iowa, who also holds a truck operator permit, shall not use said permit as a means to extend his motor carrier authority, nor shall he operate his truck operator permit to or from any point held under his motor carrier authority.

b. A holder of a truck operator permit or contract carrier permit shall not use said permits to offer motor carrier service as defined in chapter 325, Code of Iowa, provided that nothing contained in this rule shall prevent a truck operator from providing drayage service on behalf of a motor carrier within the confines of the city or town which said motor carrier is authorized to serve.

c. Under contract carrier authority granted by this commission, a contract carrier shall not engage in the business of transporting general commodities and shall be restricted to the transportation of property by motor truck under individual written contracts which provides special and individual services required by the needs of a particular shipper as prescribed by chapter 327.1, subsection 5, Code of Iowa.

3.2 (327) Applications and filings.

3.2 (1) Application for a permit to operate as a truck operator or contract carrier shall be made to the Iowa State Commerce Commission, Des Moines, Iowa, on forms prescribed for that purpose and furnished upon request.

3.2 (2) An application for a truck operator permit must be accompanied by:

a. Liability, property damage and cargo insurance policy or policies, certificate of insurance or surety bond in accordance with section 327.15, Code of Iowa.

b. Two copies of tariff or power of attorney.

c. The annual permit fee as provided in rule 3.2 (5).

3.2 (3) Application for a contract carrier permit must be accompanied by:

a. Liability and property damage insurance policy or policies, certificate of insurance or surety bond in accordance with section 327.15, Code of Iowa. There shall be no requirement for cargo insurance.

b. A copy of each transportation contract which the applicant has entered into except that no copies of contract need to be filed by farm-to-market milk and cream haulers. A contract shall be defined as set out in section 327.1 (5), Code of Iowa. This paragraph shall not be applicable to applications made under the provisions of section 327.23, Code of Iowa.

c. Annual permit fee as provided in rule 3.2 (5).

d. An affidavit by the applicant showing dedication of equipment to the shipper.

e. An affidavit by the shipper showing the peculiar needs of a shipper requiring contract carrier service.

3.2 (4) Filing of contracts other than with application. Whenever a contract carrier enters into a new transportation contract after having been issued a permit, said carrier shall file a copy of said new contract and affidavits of dedication and peculiar needs as referred to in rule 3.2 (3) "d" and 3.2 (3) "e" with the commission before transporting any property for the shipper. Every contract carrier operating under a permit issued by the commission shall file with the commission

a copy of each transportation contract under which said contract carrier is operating. (This rule does not apply to contract carriers operating under the provisions of section 327.23, Code of Iowa, nor to farm-to-market milk and cream haulers.)

3.2 (5) Annual permit fee. Application for a permit shall be accompanied by a remittance in the amount sufficient to pay the annual permit fee for each motor truck described on the form attached to the application. The remittance will cover the permit fee for each motor truck described from the date the permit is issued until the thirty-first day of December of the year in which the permit is issued. The annual permit fee shall be remitted to the commission in the form of a certified check, bank draft, cashier's check, express money order or postal money order, payable to the Iowa State Commerce Commission. The annual permit fee of \$5.00 for each motor truck and \$6.00 for each semi-trailer for each year after the year in which the permit is issued, shall be due and payable on or before the first day of January of each succeeding year.

3.2 (6) Equipment changes or additions. Before placing any additional motor trucks in service, the holder of the permit shall furnish the commission a description of such motor trucks together with the information as to time placed in service, make of equipment, factory number and year built. The holder of the permit shall furnish the commission information as to whether or not a fee has been paid on said motor truck by another permit holder under this chapter, together with information as to the time the equipment is to be placed in service under present operator's permit. The holder of the permit shall pay the commission an annual fee on such motor truck provided a fee has not been paid for the current year under this chapter.

3.2 (7) Fee receipt. The holder of a permit shall be furnished a receipt for each permit fee paid. The receipt or proof that fee has been paid shall be carried with the described motor truck at all times.

3.2 (8) Holders of interstate permits. Application for a permit governing strictly interstate operation shall be made on the forms prescribed. Chapter 327, Code of Iowa, together with the rules and regulations thereunder adopted by the commission insofar as may be applicable,

govern holders of permits affording service of a strictly interstate character.

Holders of permits of a strictly interstate character need not file with the commission evidence of cargo insurance required by rule 3.2 (2) "a" and 3.2 (4). Rule 3.2 (5) shall not be applicable to truck operators or contract carriers operating interstate exclusively as to trucks licensed and domiciled in states reciprocal with Iowa on a comparable fee.

3.2 (9) Transfer of permit. A truck operator permit or a contract carrier permit may be transferred if the transferee does not hold a like permit. Application for the commission's approval of proposed sale and transfer of a permit must be filed with the commission on forms prescribed and furnished by the commission, signed and sworn to by all parties. Insurance prescribed by law must be filed by transferee. (See section 327.15, Code of Iowa). Permit fee for new equipment to be operated by transferee must accompany application. If fee for current year has been paid on equipment, an additional fee is not required. The commission will not approve a transfer of the operator's permit until transferee has complied with rules 3.4 (1) and 3.8 (1). (Rule 3.8 (1) does not apply to contract carriers.)

3.3 (327) Marking of equipment.

3.3 (1) Manner of marking equipment. Before placing any equipment in service there shall be painted on each side of the equipment and on the headboards, if appropriate, or on some suitable material securely placed on each side of such equipment, in letters and figures large enough to be easily read at a distance of fifty feet and in a color in contrast to the background the following:

a. Name of truck operator or contract carrier under whose authority equipment is being operated.

b. Address of truck operator or contract carrier.

c. Ia. C.C. P.-----
(Permit Number)

All freight carrying motor vehicles operating exclusively under interstate authority shall not be required to display item "b" above.

3.3 (2) Registration decal or sticker. The operator of any truck or tractor of any carrier performing an interstate transportation service for compensation within the contemplation of the provisions of chapter

327B, Code of Iowa, 1966, shall have in his possession, or affixed to said truck or tractor, the decal or sticker issued by this commission bearing the registration number of the carrier.

3.4 (327) Insurance.

3.4 (1) Insurance requirements. Each truck operator and contract carrier shall at all times maintain on file with the commission effective insurance policy, policies, or surety bond, made out in accordance with these rules and regulations, with limits required by chapter 327, Code of Iowa, with respect to the motor trucks used in furnishing truck operator service or contract carrier service under a permit of the assured. Such policy, policies or surety bond shall be written for a period of one year or more. A certificate of insurance in a form prescribed by the commission may be filed in lieu of a policy.

3.4 (2) Endorsement for policy. Every policy filed or for which a certificate of insurance is filed with the commission shall have attached thereto the prescribed and applicable required endorsement or endorsements.

3.4 (3) Certificates of insurance. Certificates of insurance filed with the commission for truck operator and contract carriers in lieu of insurance policies written for limits as prescribed by chapter 327, Code of Iowa, shall be in accordance with forms prescribed by the commission.

3.4 (4) Insurance binders. Binders filed to comply with the insurance requirements of section 327.15, Code of Iowa, and these rules and regulations pending the issuance and filing of an insurance policy or a certificate of insurance must be made out in accordance with the form prescribed by the commission.

3.4 (5) Cancellation and reinstatements. Thirty days prior written notice shall be given the commission on the cancellation of any policy, certificate of insurance or surety bond filed with the commission for a truck operator or contract carrier. Notices of cancellation and reinstatement shall show the correct name and address of the assured as then shown in the policy, the correct name of the insurance company and correct number of the policy. Specific coverage under a policy may be canceled when the notice of cancellation includes that information.

3.4 (6) Assignment of interest endorsement for policy. Assignment of interest

endorsement filed for policies on file with the commission or for policies for which certificates of insurance have been filed with the commission shall be in accordance with the form prescribed by the commission.

3.4 (7) Surety bond. In case a truck operator or contract carrier desires to file a surety bond to comply with the requirements of section 327.15, Code of Iowa, the commission will, upon request, provide the form of such bond.

3.4 (8) Policies, certificates and bonds remain on file. Insurance policies, certificates of insurance and surety bonds filed with the commission by truck operators and contract carriers shall remain on file in the office of the commission and must not be removed therefrom except with the express permission of the commission.

3.5 (327) Freight receipts.

3.5 (1) Every truck operator shall issue a receipt in triplicate on date freight is received for shipment and the receipt shall show the following:

- a. Name of truck operator.
- b. Date and place received.
- c. Name of consignor.
- d. Name of consignee.
- e. Destination.
- f. Description of shipment.
- g. Signature of truck operator or agent issuing the receipt.

h. That the charges for transportation of the articles listed on the receipt are subject to the tariff and classifications in effect and on file with the Iowa state commerce commission on the date transportation of the shipment begins.

i. Freight described in apparent good order unless an exception is noted.

3.5 (2) Receipts shall be numbered consecutively; there shall be one copy for the consignor, one for the consignee and one to be kept by the truck operator. Operator's copy shall be carried with the cargo and shall show total of all charges made for the movement of freight and shall be kept by the operator for a period of not less than one year, subject to inspection by commission representatives at any reasonable time. Freight receipts for agricultural products being transported from farm-to-market need not be completed until the end of the business day.

3.6 (327) Lease of equipment.

3.6 (1) Lease defined. Lease, for the purpose of these rules and regulations, means a written document providing for the exclusive possession, control and responsibility over the operation of the vehicle or vehicles in the lessee for a specific period of time as if such lessee were the owner. A copy of the lease must be carried in the leased equipment at all times.

3.6 (2) Number. No truck operator or contract carrier may have more than one lease covering a specific piece of equipment in effect at a given time.

3.6 (3) Lease of vehicles to shippers or receivers. No truck operator or contract carrier shall lease vehicles with or without drivers to shippers or receivers.

3.6 (4) Identification of equipment. Each lessee shall properly identify each piece of equipment during the period of the lease as specified in rule 3.3.

3.6 (5) Conditions. Any lease of equipment by any truck operator or contract carrier except under the following conditions is prohibited:

a. Every such lease must be in writing and signed by the parties thereto or their regular employees or agents duly authorized to act for them.

b. Every lease shall specify the time the lease begins and the time or circumstances on which it ends.

c. Every lease shall set out the specific consideration or method of determining compensation.

d. Every lease shall provide for the exclusive possession, control, and use of the equipment and for the complete assumption of responsibility in respect thereto by the lessee for the duration of said lease.

3.7 (327) Complaints.

3.7 (1) Complaint on rates. All complaints filed with the commission against truck operators, alleging violation of effective tariffs shall contain the following information in addition to that required by rule 3 of the commission's rules of practice:

a. The name, address and permit number of the truck operator against whom complaint is made.

b. Complete information as to commodity transported, names of shippers and receivers of the freight, and definite information as to the rates and charges assessed.

c. An allegation setting out complainant's grounds for complaint.

d. Such other information as may be pertinent to the subject matter of the complaint.

e. All complaints must be signed by complainant.

3.7 (2) Complaint on tariffs. A complaint against a truck operator charging that the rates, charges, classifications and rules and regulations pertaining thereto contained in the effective tariff of such operator are unjust, unreasonable or discriminating must be filed in accordance with the commission's rules of practice and when so filed, said complaint shall be set down for hearing and hearing held thereon as provided by the said rules of practice, provided that in addition to the persons who may file complaints under the provisions of the rules of practice, the superintendent of motor transportation division or chief of the rate division may file a complaint against a truck operator under this rule. On such hearing the commission shall fix or approve the rates, charges, classifications and rules and regulations pertaining thereto, of the truck operator complained against.

3.8 (327) Tariffs.

3.8 (1) Form and contents. All truck operators shall maintain on file with the commission a tariff stating the rates and charges to be made for the services performed under their permits; also a classification, if class rates are to be assessed, stating the ratings which are to be applied in connection with the rates named in said tariff. Provided, however, that rates and charges to be applied to movements of household goods transported in closed body, van-type equipment shall be according to the Iowa state commerce commission's household goods tariff No. 13 and supplements thereto and reissues thereof. All tariffs and classifications must conform, to the following regulations except as otherwise authorized by the commission.

3.8 (2) All tariffs and amendments or supplements thereto must be in book, pamphlet or loose-leaf form of size 8 x 11 inches. They must be plainly printed, mimeographed, planographed, stereotyped or reproduced by other similar durable process on good quality paper. No alteration in writing or erasure shall be made in any tariff or supplement thereto. A margin of not less than five-eighths inch, without any printing thereon must be allowed at the

binding edge of each tariff and supplement.

3.8 (3) All tariffs and supplements must be filed in the office of the commission and posted in a conspicuous place at the operator's principal place of business at least thirty days prior to the effective date thereof, unless otherwise authorized by the commission, except that tariffs, supplements, or adoption notices issued in connection with applications for truck operator permits, or the transfer of permits from one truck operator to another, may become effective on a date not earlier than the date on which permits are issued or transferred.

3.8 (4) Issuing truck operators or their agents shall transmit to the commission two copies of each tariff, supplement, or revised page. Both copies shall be included in one package accompanied by a letter of transmittal listing all tariffs enclosed and addressed to the Iowa State Commerce Commission, Rate Division, Des Moines, Iowa. All postage or express must be prepaid.

3.8 (5) The title page of every tariff and supplement shall show in the order named:

a. Each tariff shall be numbered in upper right-hand corner, beginning with number 1. Such number shall be shown as follows: Ia. C.C. No.-----

When tariffs are issued canceling a tariff or tariffs previously filed, the Ia. C.C. number or numbers that have been canceled must be shown in the upper right-hand corner under Ia. C.C. number of the new tariff.

b. Supplements to a tariff in addition to showing the Ia. C.C. number of the tariff amended thereby shall be numbered beginning with number 1 and such information shall be shown in the upper right-hand corner. Supplements shall also show in the upper right-hand corner the number of any previous supplements canceled thereby and also the numbers of the supplements containing all changes made in the tariff.

c. The name of each truck operator must be the same as that appearing in its permit. If the truck operator is not a corporation, and a trade name is used, the name of the individual or partners must precede the trade name.

d. A brief description of the territory in which, or points from and to which the tariff applies.

e. Date of issue and date effective.

f. Name, title and street address of truck operator or agent by whom tariff is issued.

3.8 (6) Each tariff shall contain in the order named:

a. Table of contents, arranged alphabetically showing the number of the page on which each subject may be found. If a tariff contains so small a volume of matter that its title page or interior arrangements plainly indicates its contents, the table of contents may be omitted.

b. A complete index of all commodities on which specific rates are named therein, together with reference to the page or items in which they are shown. No index need be shown in tariffs of less than five pages or if the rates are alphabetically arranged by commodities.

c. Explanation of all abbreviations, symbols and reference marks used in the tariff.

d. When a tariff names rates by classes, a classification of articles must be published in the tariff or in a separate tariff. When a classification is published in a separate tariff, reference must be made thereto on the title page of the rate tariff as follows:

"Governed, except as otherwise provided herein, by the (here name) classification (showing issuing agent) Ia. C.C. No.-----supplements to or successive issues thereof".

All truck operators shown as participating carriers in a rate tariff which is governed by a separate classification must be named as participating carrier in such separate classification.

e. Table of rates. All rates must be explicitly stated in cents or in dollars and cents, per 100 pounds, per mile, per hour, per ton of 2,000 pounds, per truck load (of stated amount), or other definable measure. Where rates are stated in amounts per package or bundle, definite specifications of the packages or bundles must be shown and ambiguous terms, rates, descriptions or plans for determining charges will not be accepted.

Tariffs containing tables of rates based on distances from point of origin to destination must show the mileages or indicate a definite method by which such mileages should be determined.

3.8 (7) Truck operators or their agents may not publish class or commodity rates

which duplicate or conflict with rates published by or for account of such truck operator.

3.8 (8) Truck operators or their tariff publishing agents may not publish rates on household goods transported in closed body, van-type equipment for distances of thirty miles and over. Such rates are published in the commission's household goods tariff No. 13 or successive issues thereof. Rates on household goods transported in open-type equipment for all distances, and in closed body, van-type equipment for distances under thirty miles, must be published in tariffs of the individual truck operators or in tariffs of their authorized agent.

3.8 (9) Commodity rates. Commodity rates on articles in stated truck load or in less-than-truck load quantities may be published, and where they differ from a published class rate basis, the lower rate shall take preference.

3.8 (10) Tariff changes. All rates, charges, and classifications which have been filed with the commission must be allowed to become effective and remain in effect for a period of at least thirty days before being changed, canceled, or withdrawn, unless otherwise authorized by the commission.

All tariffs, supplements and revised pages (including classifications) shall indicate changes from preceding issue by use of the following symbols:

↓ or (R) to denote reductions

◆ or (A) to denote increases

▲ or (C) to denote changes, the result of which is neither an increase nor a reduction.

The proper symbol must be shown directly in connection with each change.

3.8 (11) Posting regulations. Each truck operator must post and file at its principal

place of business all of its tariffs and must also carry copies of such tariffs in every truck operated. All tariffs must be kept available for public inspection or examination at all reasonable times. It is not necessary that household goods tariff No. 13 or successive issues be carried in trucks.

3.8 (12) Application for special permission. Truck operators and agents when making application for permission to establish rates, charges, classification rating or rule or less than statutory thirty days notice shall use the form prescribed by the commission.

3.8 (13) Powers of attorney and participation notices.

a. Whenever a truck operator desires to give authority to an attorney and agent to issue and file tariffs and supplements thereto in its stead, a power of attorney in the form prescribed by the commission must be used.

b. Whenever a truck operator desires to participate in tariffs issued and filed by another truck operator or its agent, a power of attorney using the form prescribed by the commission shall be issued in favor of such other truck operators. This subsection shall apply only to single line operations.

c. The original of all powers of attorney shall be filed with the commission and a duplicate of the original sent to the agent or truck operator in whose favor such document is issued.

d. Whenever a truck operator desires to cancel the authority granted an agent or another truck operator by power of attorney, this may be done by a letter addressed to the commission revoking such authority on sixty days notice. Except for good cause shown, the commission will authorize a lesser notice. Copies of such notice must also be mailed to all interested parties.

COMMERCE COMMISSION

(continued)

MOTOR CARRIERS AND CHARTER CARRIERS

Pursuant to authority vested in the commission by sections 325.3 and 325.11, Code of Iowa, Rules and Regulations MV-1 through MV-40 inclusive, 1962 I.D.R. 69 et. seq., are hereby rescinded and the following adopted in lieu thereof:

MOTOR TRANSPORTATION DIVISION

CHAPTER 4

[Filed May 10, 1966]

Rules and Regulations governing the operation of motor carriers and charter carriers.

4.1 (325) General information.

4.1 (1) General. These rules and regulations are subject to such changes, modifications and amendments as the commission may from time to time promulgate and adopt under the provisions of chapter 66, Acts of the 60th General Assembly.

4.1 (2) Waiver or suspension of rules. The adoption of these rules and regulations shall in no way preclude the commission from altering or amending them, pursuant to statute. These rules and regulations shall in no way relieve any carriers from any of its duties under the laws of this state. The commission may in its discretion on its own motion or upon request for good cause shown, suspend or waive any of the rules and regulations.

4.1 (3) Person defined. The word "person" when used in the rules and regulations of the commission will be construed by the commission as including any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or any other group or combination acting as a unit and the plural as well as the singular number.

4.1 (4) Extension of authority. A regular route motor carrier shall not render service by means of a truck operator permit between points which are now being actively served by another certificated carrier.

4.1 (5) C. O. D. remittance. Upon collection of a C. O. D. bill, the carrier collecting same shall make prompt remittance. Remittance must be made to the consignor or party entitled to receive the amount as shown on the bill of lading within ten days after delivery of shipment to the consignee.

4.1 (6) Receipts for freight and baggage. Every motor carrier shall issue in triplicate a receipt for freight received for shipment, which receipt shall contain the following:

- a. Name of motor carrier.
- b. Date and place received.
- c. Name of consignor.
- d. Name of consignee.
- e. Destination.
- f. Description of shipment.
- g. Weight.
- h. Rate and charges.

i. Signature of motor carrier or agent.

One copy of such receipt shall be furnished to the consignor, one to the consignee and one retained by the motor carrier. Passenger motor carrier shall issue to passengers a check for baggage tendered to their care.

4.1 (7) Passengers and freight. No passenger motor carrier, charter carrier shall transport express, other than newspapers, nor shall any freight motor carrier transport passengers, unless specifically authorized by the commission to do so. Express transported on passenger carrying motor vehicles shall be of such character and not greater in amount than can be safely and conveniently transported without causing discomfort or hazard to passengers.

4.1 (8) Redemption of passenger tickets. Passenger motor carriers shall provide for the redemption of unused passenger tickets at the place of purchase and at the carrier's main office in accordance with the provisions of sections 479.99 and 479.100, Code of 1962.

4.2 (325) Insurance.

4.2 (1) Insurance requirements. Each motor carrier and charter carrier shall at all times maintain on file with the commission effective insurance policy, policies or surety bond required by the provisions of chapter 325, Code 1962. Such policy, policies, or surety bond shall be written for a period of one year or more. A certificate of insurance may be filed in lieu of a policy. Motor carriers and charter carriers operating exclusively in interstate commerce need not file with the commission cargo insurance prescribed by chapter 325.26, Code 1962.

4.2 (2) Endorsement of policy. Every policy filed or for which a certificate of insurance is filed with the commission shall have attached thereto the prescribed and applicable required endorsement or endorsements.

4.2 (3) Certificates of insurance. Certificates of insurance filed with the commission for motor carriers or charter carriers in lieu of insurance policies written for the limits as prescribed by chapter 325, Code 1962, shall be in accordance with the forms prescribed by the commission.

4.2 (4) Insurance binders. Binders filed to comply with the requirements of section

325.26, Code 1962, and these rules and regulations pending the issuance and filing of an insurance policy, or a certificate of insurance must be made out in accordance with the form prescribed by the commission.

4.2 (5) Cancellation and reinstatements. Thirty days prior written notice shall be given the commission on the cancellation of any policy, certificate of insurance or surety bond filed with the commission for a motor carrier or charter carrier. Notices of cancellation and reinstatement shall show the correct name and address of the assured as then shown in the policy, the correct name of the insurance company and the correct number of the policy. Specific coverage under a policy may be canceled when the notice of cancellation includes that information.

4.2 (6) Assignment of interest endorsement for policy. Assignment of interest endorsements filed for policies on file with the commission or for policies for which certificates of insurance have been filed with the commission, shall be in accordance with the form prescribed by the commission.

4.2 (7) Surety bond. In case a motor carrier or charter carrier desires to file a surety bond to comply with the requirements of section 325.26, Code 1962, the commission upon request will prescribe the form of such bond.

4.2 (8) Policies, certificates and bonds to remain on file. Insurance policies, certificates of insurance and surety bonds filed with the commission by motor carriers or charter carriers, shall remain on file in the office of the commission and must not be removed therefrom except with the express permission of the commission.

4.2 (9) Suspension. Where regular route motor carriers fail to have effective insurance on file with the commission or fail to pay the regulatory certificate fee, the commission may suspend the authority of such carriers. The suspension shall remain in force and effect until the operator meets the requirements of chapter 325.26 (insurance) or chapter 325.25 (fees). The carrier affected by the suspension order may, upon request, have a hearing before the commission.

4.3 (325) Self-insurance passenger carriers.

4.3 (1) Applications for self-insurance. A motor carrier of passengers requesting

COMMERCE COMMISSION

self-insurance shall: Make application in writing, file a balance sheet for the calendar year immediately preceding the current year up to and including the full quarter preceding the application. The applicant shall furnish any information the commission may deem necessary with the application or at any time during the period of self-insurance.

4.3 (2) Filing of balance sheets. Upon authorization by the commission, a self-insurer shall file with the commission balance sheets within 30 days after the close of each quarter, during the period of self-insurance.

4.3 (3) Surety bond. The applicant shall file with the commission a surety bond in the penal sum of one thousand dollars.

4.3 (4) Authorization. After receipt and consideration of the items and information required by rules 4.3 (1), 4.3 (2) and 4.3 (3), the commission may authorize a common carrier of passengers to self-insure.

4.3 (5) Cancellation of self-insurance. The commission shall have the right to cancel self-insurance at any time it may deem necessary.

4.4 (325) Marking of equipment.

4.4 (1) Manner of marking equipment. Before placing any equipment in service there shall be painted on each side of the equipment and on the headboards, if appropriate, or on some suitable material securely placed on each side of such equipment, in letters and figures large enough to be easily read at a distance of fifty feet and in a color in contrast to the background the following:

a. Markings for all passenger carrying motor vehicles.

(1) Name of motor carrier or charter passenger carrier under whose authority equipment is being operated.

(2) Ia. C.C. Cert.-----
(Number of Certificate)

or

Ia. C.C. Cert. C.C.-----
(Number of Certificate)

b. Markings for all freight carrying motor vehicles operating exclusively under interstate authority:

(1) Name of motor carrier under whose authority equipment is being operated.

(2) Ia. C.C. Cert.-----
(Number of Certificate)

c. Markings for all freight carrying motor vehicles operating under intrastate authority or operating under interstate and intrastate authority:

(1) Name of motor carrier under whose authority equipment is being operated.

(2) Address of motor carrier.

(3) Ia. C.C. Cert.-----
(Number of Certificate)

4.5 (325) Motor carrier application.

4.5 (1) Application for a certificate. Application for a certificate of convenience and necessity to operate as a motor carrier shall be made to the Iowa State Commerce Commission, State Capitol, Des Moines, Iowa, upon the forms prescribed for that purpose provided by the commission. All such applications shall be typewritten.

4.5 (2) Deposit. Application for a certificate of convenience and necessity must be accompanied by deposit sufficient to secure the payment of all costs and expenses of hearing and any preliminary investigation necessary in connection therewith. Such deposits shall not be less than \$200.00, the commission reserving the right to require such additional deposit as it may deem necessary. Deposit shall be made by certified check, bank draft, express money order or postal money order, payable to the Iowa State Commerce Commission. Any unused balance of a deposit will be refunded to the applicant.

4.5 (3) Notice of hearing. The applicant will be notified as to the time and place for hearing as soon as named by the commission, and furnished with copies of the official notice of hearing, which the applicant shall cause to be published on the same day of the week two consecutive weeks in some newspaper of general circulation published in each county through or in which the proposed service will be rendered. The last publication of said notice must be made not less

than ten days prior to the date of hearing. Proof of publication from each newspaper in which the notice was published must be filed with the commission five days prior to the date of hearing. Failure to file such proofs shall be grounds for cancellation of the hearing. The applicant shall pay the cost of such publication and shall file receipt from each newspaper showing the cost of publication has been paid. Prior to publication, the applicant shall examine said notice and notify the commission of applicant's approval of the form and content of the notice or submit a revised notice to the commission.

4.6 (325) Placing motor vehicles in service.

4.6 (1) Annual certificate fee. The annual certificate fee of \$5.00 for each truck and \$6.00 for each semitrailer used in intrastate commerce for each year or any part of the year in which the vehicle is used shall be due and payable on or before the first day of January or at the time the vehicle is placed in service and should be remitted in the form of a certified check, bank draft, cashier's check, express money order or postal money order payable to the Iowa State Commerce Commission. A complete description of the vehicle on which the fee is paid shall accompany the remittance. (Certificate fees are not payable on tractors or truck tractors.)

4.6 (2) Fee receipt. The holder of an intrastate certificate shall be furnished a receipt for each certificate fee paid. The receipt shall be carried with the described vehicle at all times.

4.6 (3) Equipment changes or additions. Before placing any additional or replacement bus, truck or semitrailer in intrastate service, the holder of the certificate shall furnish the commission a description of such motor vehicles together with the information as to the time placed in service, make of equipment, factory number and year built. The holder of the certificate shall also furnish the commission information as to whether or not a current certificate fee has been paid on said motor vehicle by another certificated holder under this chapter, together with information as to time placed in service under present certificated carrier's authority. The holder of the certificate shall pay the commission an annual fee on such motor vehicle provided the fee has not been paid for the current year under this chapter.

4.6 (4) Commencement of operations. Motor carriers shall begin operating within thirty days after a certificate of convenience and necessity has been issued. Service authorized shall commence within thirty days from the effective date of the certificate, or the operating rights previously granted shall be forfeited unless otherwise ordered by the commission.

4.6 (5) Interruptions of regular service. All interruptions of regular service, where such interruptions are likely to continue for more than twenty-four hours, shall be promptly reported in writing to the commission, and to the public along the route, with a full statement of the cause of such interruption, and its probable duration.

4.6 (6) Suspension of motor carrier service. Suspension of service for a period of five consecutive days without notice to the commission shall be cause for forfeiture of all operating rights.

4.6 (7) Unauthorized extensions of certificate. Motor carriers holding a truck operator permit, a contract carrier permit or both shall not avoid or modify exceptions or limitations in a certificate of convenience and necessity by using any authority granted by such permits.

4.6 (8) Established route. In all cases where the route or any part of the route of any motor carrier shall be closed by the public authorities for repairs or for any purpose, the detour prescribed by the public authorities as a substitute for such road shall be the authorized route of the motor carrier until such time as the regular route shall be reopened for public travel. No motor carrier shall receive or discharge passengers or freight on a detour. This subsection shall not be applicable to charter carriers.

4.7 (325) Time schedule.

4.7 (1) Time schedule of operation. Time schedules must be printed or typewritten, numbered consecutively, beginning with number 1, and shall show:

- a. Name and address of motor carrier.
- b. Number of schedule canceled thereby.
- c. Time of arrival at and departure from all terminals.
- d. Time of departure from all intermediate points.

e. What days each scheduled trip is made.

f. What points, if any, on the route of the carrier to which service cannot be rendered, and reasons therefor.

g. Date issued.

h. Date effective.

4.7 (2) Every application for a certificate of convenience and necessity or to change time schedule, must be accompanied by a copy of the proposed schedule. Additional copies shall be furnished when requested by the commission.

4.7 (3) No motor carrier shall change a time schedule until after at least thirty days notice of the change proposed has been given to the commission, competitive and connecting motor carriers and the public. Shorter notice may be authorized by the commission upon special request. The notice to the public shall be given by posting a copy of the schedule in a conspicuous place at each station or stopping place affected. After such notice the time schedule will be considered in full force and effect, unless ordered withdrawn, modified or suspended.

A copy of the effective time schedule shall be posted in a conspicuous place, easily accessible to public inspections, at each station or stopping place on the route, and a copy shall be in possession of each driver or operator.

Time schedules as filed with the commission must be adhered to.

4.7 (4) Discontinuance of bus service. The passenger carrier shall notify mayors of points where bus service is to be discontinued at least fifteen days prior to date of discontinuance of said service and shall furnish the commission with proofs of notification.

4.8 (325) Records and reports.

4.8 (1) Records. Every motor carrier shall keep an accurate record of assets and liabilities, cost and depreciation of all equipment and other physical property owned, receipts from operation, operating and other expenses, total amount of freight hauled in pounds by commodity, number of passengers carried, actual miles traveled within and without the state and such other information the commission may deem necessary from time to time.

4.8 (2) Reports. Every motor carrier shall file with the commission for the calen-

dar year an annual report, duly verified, in such form as the commission may prescribe, on or before March 31 of the year following that for which the report is filed. The commission will prescribe the character of the information to be embodied in such annual report and will furnish a blank form therefor.

4.9 (325) Equipment of passenger carrying motor vehicles.

4.9 (1) Inside lights. All motor vehicles used in the transportation of passengers, shall maintain a light or lights of not less than two candle power each, within the vehicle and so arranged as to light up the interior thereof for the convenience and safety of the passenger, except that portion occupied by the driver.

4.9 (2) Heating, ventilation and smoking. Passenger carrying motor vehicles shall be properly ventilated at all times and shall, when weather conditions require, be heated so as to be reasonably comfortable for passengers. No smoking shall be permitted in closed buses, except in designated section.

4.10 (325) Drivers.

4.10 (1) Every motor carrier or charter carrier who acts as a driver shall comply with all requirements of the law applying to drivers.

4.10 (2) Motor carriers and charter carriers shall see that all prospective drivers are familiar with the provisions of chapter 325, Code 1962, all other laws applying to motor carriers or charter carriers and these rules and regulations before being allowed to operate a motor vehicle. No driver or operator of any vehicle used in the transportation of passengers shall carry on any unnecessary conversation with passengers, collect fares or make change while such vehicle is in operation, nor shall the operator smoke in the vehicle while driving.

4.10 (3) It shall be the duty of the driver or operator of passenger carrying motor vehicles to open and close doors on the vehicle and a notice to that effect shall be posted on each door. Motor vehicles must at all times be operated in a safe manner in conformity with the laws of the road and duly prescribed street traffic regulations.

4.11 (325) Safety requirements for passenger carrying vehicles.

4.11 (1) Explosives, acids and inflammable articles not to be carried. No motor

carrier shall knowingly carry or permit to be carried in any motor vehicle transporting passengers, any high explosives, acid or inflammable liquid or article.

4.11 (2) Fire protection. Every motor vehicle used for the transportation of passengers shall be equipped with a fire extinguisher bearing the label of approval of the Underwriters Laboratories, Incorporated. Such extinguisher shall be attached to the vehicle in such a place as to be immediately accessible to the driver and shall be kept in satisfactory operative condition at all times.

4.11 (3) Doors on passenger vehicles. Every motor vehicle used for transporting passengers will be equipped with an exit door at the side and an exit door at the rear thereof, or shall have an escape exit on each side thereof, free and clear of any steering apparatus or other obstruction. Such exits shall open outwardly toward the natural means of egress and shall always be unlockable from within.

4.12 (325) Application, transfer, lease or assignment of a certificate of convenience and necessity.

4.12 (1) Sale, transfer, lease or assignment. Application for the commission's approval of a proposed sale, transfer, lease or assignment of a motor carrier certificate of convenience and necessity must be typewritten, signed and sworn to by parties interested. Proposed sale, transfer, lease or assignment shall not become effective until approved by the commission. Applications involving exclusively interstate authority need contain only information required by paragraphs "a", "b", "c", "h" and "m" of this subsection. Such application shall contain:

a. The name and address of the holder of the certificate, the certificate number and the authority granted thereby.

b. The name and address of the person proposing to take over or lease the certificate.

c. A statement as to whether it is proposed to sell, transfer, lease or assign the certificate, the reasons therefor, and a request that the commission approve such proposal.

d. A statement that a financial statement of the person proposed to take over or lease the certificate is attached to the application. Form of financial statement

will be furnished by the commission upon request.

e. A statement that two copies each of the time schedule and tariff proposed to be placed in effect, are attached to the application.

f. The proposed consideration or amount to be paid for the certificate.

g. A description of all property proposed to be sold, transferred, leased or assigned and the amount to be paid therefor.

h. A statement that a copy of the proposed lease is attached to the application, if it is proposed to lease the certificate.

i. A statement that copies of all contracts, agreements and other stipulations between the parties to the application are attached to the application.

j. A complete description of each bus, truck or combination tractor-truck, semitrailer or trailer to be operated by person proposing to take over or lease the certificate.

k. A statement that the proposed sale, transfer, lease or assignment is not for the purpose of hindering, delaying or defrauding creditors.

l. A statement, including the name and address of each of the transferor's known creditors, signed and sworn to, certifying that each has been mailed notice of proposed transfer.

m. The date on which it is desired that such proposed sale, transfer, lease or assignment shall become effective.

n. Such other facts as may be necessary to give the commission complete information regarding the proposed transaction.

4.12 (2) Application of interstate carriers. Chapter 325, Code 1962, together with the rules and regulations thereunder adopted by the commission insofar as may be applicable, govern motor carriers affording services of a strictly interstate character.

Application for a certificate covering such an operation shall be made upon forms prescribed and furnished by the commission. Paragraphs 4, 5 and 6, section 325.12 are not applicable to interstate carriers. A showing of convenience and necessity before this commission is not a condition precedent to the granting of a

certificate to an interstate carrier. Therefore no hearing will be held for this purpose and rules 4.5 (2) and 4.5 (3) of these rules and regulations may be disregarded when application is submitted. Applicant shall have first complied with the Motor Carrier Act administered by the interstate commerce commission and the rules and regulations thereunder adopted except in instances where application is made for intrastate authority concurrently with an application for single state interstate authority under the provisions of section 206 "a" (6) of the Interstate Commerce Act, as amended. A showing of convenience and necessity before the commission will be a condition precedent to the granting of a single state interstate certificate and a hearing will be held for this purpose.

4.13 (325) Lease of equipment.

4.13 (1) Lease defined. Lease, for the purpose of these rules and regulations, means a written document providing for the exclusive possession, control and responsibility over the operation of the vehicle or vehicles in the lessee for a specific period of time as if such lessee were the owner. A copy of the lease must be carried in the leased equipment at all times.

4.13 (2) Number. No motor carrier or charter carrier may have more than one lease covering a specific piece of equipment in effect at a given time.

4.13 (3) Lease of vehicles to shippers or receivers. No motor carrier or charter carrier shall lease vehicles with or without drivers to shippers or receivers.

4.13 (4) Identification of equipment. Each lessee shall properly identify each piece of equipment, during the period of the lease, as specified in rule 4.4.

4.13 (5) Conditions. Any lease of equipment by any motor carrier or charter carrier except under the following conditions is prohibited:

a. Every such lease must be in writing and signed by the parties thereto or their regular employees or agents duly authorized to act for them.

b. Every lease shall specify the time the lease begins and the time or circumstances on which it ends.

c. Every lease shall set out specific consideration of method of determining compensation.

d. Every lease shall provide for the exclusive possession, control, and use of the

4.13 (12) and 4.13 (13) hereof, must be given the agent or carrier publishing the tariff.

d. A brief description of the districts in which, or points from and to which the tariff applies.

e. Date of issue and date effective.

f. Name, title and street address of officers or agent by whom tariff is issued.

4.14 (6) Tariff publication shall contain in the order named:

a. Index arranged alphabetically showing the tariff contains so small a volume of matter that its title page or interior arrangement plainly indicates its contents, the index may be omitted. No index need be shown in tariffs of less than five pages or if the rates or fares to each destination are alphabetically arranged.

b. Explanation of all abbreviations, symbols and reference marks used in the tariff.

c. When a tariff names rates by classes, a classification of articles must be published in the tariff or in a separate tariff of classification. When a rate tariff is governed by any separately published tariff of classification, tariff of classification exceptions, tariff or rules, or other similar publication affecting the provisions of the tariff reference shall be made in the rate tariff to such separate governing tariffs. A rate tariff may not refer to another rate tariff for classification ratings, exceptions to the classification, rules, lists of commodities, list of points assigned rate groups or rate basis, or other governing provisions. All carriers shown as participating carriers in a rate tariff which is governed by separately published governing tariffs, must be named as participating carriers in such separate governing tariffs. Carriers or their agents may not publish class or commodity rates which duplicate or conflict with other rates published by or for account of such carriers.

d. Tables of rates. All rates must be specifically stated in cents or in dollars and cents, per 100 pounds, per mile, per ton of 2,000 pounds per stated truck load or other definable measure. Where rates are stated in amounts per package or bundle definite specifications of the packages or bundles must be shown.

e. Tables of fares. An explicit statement of the fares in cents or in dollars and cents, together with the names or description of the points from and to which they

apply. Tariffs containing tables of rates or fares based on distances from point of origin to destination must show how the mileage or indicate a definite method by which such mileage shall be determined.

4.14 (7) Commodity rates. Commodity rates, either specific point-to-point rates or based on distance scales, in stated truck-load or in less-than-truck-load quantities may be published, and where they differ from the regular class rate basis, the lower rate shall take preference.

4.14 (8) Excursion fares. Fares for a round-trip excursion limited to a designated period of not more than three days may be established without further notice, upon posting of tariff one day in advance in a public conspicuous place where tickets for such round-trip excursions are sold and filing the required number of copies thereof with the commission. Fares for a round-trip of more than three days and not more than thirty days, and fares for a series of daily round-trip excursions not exceeding thirty days, may be established upon a like notice of three days. No supplement may be issued to any tariff which is published under this rule for the purpose of canceling the tariff.

4.14 (9) Tariff changes. All rates, charges, and classifications which have been filed with the commission must be allowed to become effective and remain in effect for a period of at least thirty days before being changed, canceled or withdrawn, unless otherwise authorized by the commission.

All tariffs, supplements and revised pages (including classifications) shall indicate changes from preceding issues by use of the following symbols which must be shown directly in connection with each change:

↓ or (R) to denote reductions

◆ or (A) to denote increases

▲ or (C) to denote changes, the result of which is neither an increase nor a reduction.

4.14 (10) Posting regulations. Each carrier must post and file at some designated point at each of its stations or offices, all of the tariff or schedules applying from, or to, or at, such station or office and must also post and file at its principal place of business all of its tariffs and schedules. All tariffs, or schedules must be kept available for public inspection or examination at all reasonable times.

4.14(11) Applications. Carriers or agents when making application for permission to establish rates, fares, charges, classification ratings or rule on less than statutory (thirty days) notice shall use the form prescribed by the commission.

4.14(12) Powers of attorney. Whenever a carrier desires to give authority to an attorney and agent to issue and file tariffs and supplements thereto in its stead, a power of attorney in the form prescribed by the commission shall be used.

4.14(13) Concurrence notice. Whenever a carrier desires to concur in tariffs issued and filed by another carrier or its

agent, a concurrence using the form prescribed by the commission shall be issued in favor of such carriers. The original of all powers of attorney and concurrences shall be filed with the commission and a duplicate of the original sent to the agent or carrier in whose favor such document is issued.

Whenever a carrier desires to cancel the authority granted an agent or another carrier by power of attorney or concurrence, this may be done by a letter addressed to the commission revoking such authority on sixty days notice. Copies of such notice must also be mailed to all interested parties.

COMMERCE COMMISSION

(continued)

LIQUID TRANSPORT CARRIERS

Pursuant to the authority vested in the commission by sections 327A.17, Code of Iowa, 1966, Rules and Regulations LC-1 through LC-37 inclusive, 1962 I.D.R. 96 et. seq., are hereby rescinded and the following adopted in lieu thereof:

**MOTOR TRANSPORTATION DIVISION
CHAPTER 13**

[Filed May 10, 1966]

Rules and Regulations governing the operation of liquid transport carriers.

13.1 (327A) General information.

13.1 (1) These rules and regulations are subject to such changes, modifications and amendments as the commission may from time to time promulgate and adopt under the provisions of chapter 66, Acts of the 60th General Assembly.

13.1 (2) Waiver or suspension of rules. The commission may in its discretion on its own motion or upon request for good cause shown, suspend or waive any of the rules and regulations.

13.1 (3) Person defined. The word "person" when used in the rules and regulations of the commission will be interpreted by the commission as including any individual, firm, copartnership, joint adventure, association, corporation, estate trust, business trust, receiver, or any other group or combination acting as a unit and the plural as well as the singular number.

13.2 (327A) Insurance requirements.

13.2 (1) General. Each liquid transport carrier shall at all times maintain on

file with the commission effective insurance policy, policies or surety bond, made out in accordance with these rules and regulations with limits required by chapter 327A, Code of Iowa, with respect to the vehicles used in furnishing liquid transport carrier service. Such policy, policies, or surety bond shall be written for a period of one year or more. A certificate of insurance in the form prescribed by the commission may be filed in lieu of a policy.

13.2 (2) Endorsement of policy. Every policy filed or for which a certificate of insurance is filed with the commission shall have attached thereto the prescribed and applicable required endorsement or endorsements.

13.2 (3) Certificates of insurance. Certificates of insurance filed with the commission for liquid transport carriers in lieu of insurance policies written for the limits as prescribed by chapter 327A, Code of Iowa, shall be in accordance with forms prescribed by the commission.

13.2 (4) Insurance binders. Binders filed to comply with the insurance requirements of chapter 327A, Code of Iowa, and these rules and regulations pending the issuance and filing of an insurance policy or a certificate of insurance must be made out in accordance with the form prescribed by the commission.

13.2 (5) Cancellation and reinstatements. Thirty days prior written notice shall be given the commission of the cancellation of any policy, certificate of insurance or surety bond filed with the commission for a liquid transport carrier.

Notices of cancellation and reinstatement shall show the correct name and address of the assured as then shown in the policy, the correct name of the insurance company and the correct number of the policy. Specific coverage under a policy may be canceled when the notice of cancellation includes that information.

13.2 (6) Assignment of interest endorsement for policy. Assignment of interest endorsements filed for policies on file with the commission or for policies for which certificates of insurance have been filed with the commission shall be in accordance with the form prescribed by the commission.

13.2 (7) Surety bond. If a liquid transport carrier desires to file a surety bond to comply with the requirements of chapter 327A, Code of Iowa, the commission will, upon request, prescribe the form of such bond.

13.2 (8) Policies, certificates and bonds to remain on file. Insurance policies, certificates of insurance and surety bonds, filed with the commission by liquid transport carriers, shall remain on file in the office of the commission and must not be removed therefrom except with the express permission of the commission.

13.3 (327A) Marking of equipment.

13.3 (1) Manner of marking equipment. Before placing any equipment in service there shall be painted on each side of the equipment and on the headboards, if appropriate, or on some suitable material securely placed on each side of such equipment, in letters and figures large enough to be easily read at a distance of fifty feet and in a color in contrast to the background the following:

a. Name of liquid transport carrier under whose authority equipment is being operated.

b. Address of liquid transport carrier.

c. Ia. C.C. LC_____

(Certificate number)

All liquid carrier equipment operating exclusively under interstate authority shall not be required to display item "b" above.

13.3 (2) Registration decal or sticker. The operator of any truck or tractor of any carrier performing an interstate transportation service for compensation within the contemplation of the provisions of chapter 327B, Code of Iowa, 1966, shall have in his

possession, or affixed to said truck or tractor, the decal or sticker issued by this commission bearing the registration number of the carrier.

13.4 (327A) Application and notice of hearing.

13.4 (1) Application for a certificate. Application for a certificate of convenience and necessity to operate as a liquid transport carrier shall be made to the Iowa State Commerce Commission, Des Moines, Iowa, upon the forms prescribed for that purpose. All such applications shall be typewritten.

13.4 (2) Deposit. Application for a certificate of convenience and necessity must be accompanied by a deposit sufficient to secure the payment of all costs and expenses of hearing and any preliminary investigation necessary in connection therewith. Such deposit shall not be less than two hundred dollars. The commission reserves the right to require such additional deposit as it may deem necessary. Deposit must be made by certified check, bank draft, express money order or postal money order, payable to the Iowa State Commerce Commission. Any unused balance of a deposit will be refunded to the applicant.

13.4 (3) Sale, transfer, lease, assignment or acquisition of control or management of a certificate. Application for a proposed sale, transfer, lease, assignment or acquisition of control or management of a certificate of convenience and necessity must be typewritten, signed and sworn to by all interested parties and filed with the commission for ninety days prior to the proposed effective date. Each application shall be made upon the form prescribed for that purpose and applicant must comply with rules 13.4 (2) and 13.4 (4).

13.4 (4) Publication of notice of hearing. The applicant will be notified as to the time and place for hearing as soon as named by the commission and furnished with copies of the official notice of hearing, which the applicant shall cause to be published on the same day of the week two consecutive weeks in some newspaper of general circulation published in each county through or in which the proposed service will be rendered. The last publication of said notice must be made not less than ten days prior to the date of hearing. Proof of publication from each newspaper in which the notice was pub-

lished must be filed with the commission five days prior to the date of the hearing. Failure to file such proofs may result in the cancellation of the hearing. The applicant shall pay the cost of such publication and shall file receipt from each newspaper showing the costs of publication have been paid. Applicant shall examine said notice prior to publication and notify the commission of applicant's approval of the form and content of the notice or submit a revised notice to the commission.

13.4 (5) Notice by applicant to liquid transport carrier. Applicant filing application for sale, transfer, lease, assignment or acquisition of control or management of a liquid transport carrier certificate, in addition to the requirements of rule 13.4(4) shall notify by registered or certified mail each liquid transport carrier holding a certificate of convenience and necessity issued by the commission to transport over, in, or through the area described in the application. Proof of notice by return signature card must be filed with the commission five days prior to the date of the hearing. The applicant shall pay the cost of such mailings. Failure to file proof may result in cancellation of the hearing.

13.4 (6) Interstate carriers. Chapter 327A, Code 1962, together with the rules and regulations thereunder adopted by the commission insofar as may be applicable, govern carriers affording service of a strictly interstate character. Application for a certificate covering such an operation shall be made upon forms prescribed by the commission. A showing of convenience and necessity before this commission is not a condition precedent to the granting of an interstate certificate. Therefore, no hearing is held for this purpose and rules 13.4 (2), 13.4 (4), 13.5 (2) and 13.5 (4) of these rules and regulations may be disregarded when application is submitted. Applicant should have first complied with the Motor Carrier Act, administered by the interstate commerce commission and the rules and regulations thereunder adopted. All interstate carriers shall file and maintain with the commission appropriate liability and property damage insurance policy or policies, surety bond or proper certificate(s) of liability and property damage insurance covering said motor vehicles used within the state of Iowa in accordance with rule 13.2 (1).

13.5 (327A) Annual reports and fees.

13.5 (1) Records and filings. Every liquid carrier shall keep an accurate record of assets and liabilities, costs and depreciation of all equipment and other physical property owned, receipts from operation, operating and other expenses, gross amount of liquids hauled, actual miles traveled within and without the state and other required information and shall file with the commission for the calendar year an annual report, duly verified, in such form as the commission may prescribe on or before March 31 of the year following that for which the report is filed. The commission will prescribe the character of the information to be embodied in such annual report and furnish a blank form therefor.

13.5 (2) Annual certificate fee. Application for a certificate of convenience and necessity shall be accompanied by a remittance in the amount sufficient to pay the annual certificate fee of five dollars for each motor vehicle described on the form attached to the application, provided, however, that the fee herein provided for each semitrailer shall be in the amount of six dollars. The remittance will cover the certificate fee for each motor vehicle described from the date the certificate is issued until the thirty-first day of December of the year in which the certificate is issued. The annual certificate fee should be remitted in the form of a certified check, bank draft, cashier's check or money order payable to the Iowa State Commerce Commission. The annual certificate fee for each motor vehicle for each year after the year in which the certificate is issued shall be due and payable on or before the first day of January for each succeeding year and shall be remitted in the form prescribed above.

13.5 (3) Fee receipt. The holder of an intrastate certificate shall be furnished a receipt for each certificate fee paid. The receipt shall be carried with the described trailer at all times.

13.5 (4) Equipment changes or additions. Before placing any additional vehicles in service, the holder of a certificate of convenience and necessity shall pay the commission the annual fee and furnish a complete description of such motor vehicles operated in intrastate commerce together with information as to the time the equipment is to be placed in service. Description

shall show registration of equipment and factory number.

13.6 (327A) Freight receipts.

13.6 (1) Receipt for freight. Every liquid carrier shall issue a receipt in triplicate on date freight is received for shipment and the liquid carrier's copy must be fully completed at the end of each days business. Receipts shall show the following:

- a. Name of liquid carrier.
- b. Date and place received.
- c. Name of consignor.
- d. Name of consignee.
- e. Destination.
- f. Description of shipment.
- g. Rate and charges.
- h. Signature of liquid carrier or agent.

One copy of such receipt shall be furnished to the consignor, one to the consignee and one to be retained by the liquid carrier.

13.7 (327A) Complaints.

13.7 (1) Complaint on rates. All complaints filed with this commission against liquid carriers alleging violation of effective tariffs shall be written and contain the following information:

- a. The name, address and certificate number of the liquid carrier against whom claim is made.
- b. Complete information as to the type of liquid transported, name of shipper and receiver of freight and definite information as to rates assessed.
- c. An allegation setting out complainant's ground for complaint.
- d. Such other information as may be pertinent to the subject matter of the complaint.
- e. Complaint must be signed by complainant.

13.7 (2) Complaint on tariffs. A complaint against a liquid carrier charging that the rates, charges, classifications and rules and regulations pertaining thereto contained in the effective tariff of such liquid carrier are unjust, unreasonable or discriminating must be filed in accordance with the commission's rules of practice and when so filed said complaint shall be set

down for hearing and hearing held thereon as provided by the said rules of practice, provided that in addition to the persons who may file complaints under the provisions of the rules of practice the superintendent of motor transportation or chief of rate division may file a complaint against a liquid carrier under this rule. On such hearing the commission shall fix or approve the rates, charges, classifications and rules and regulations pertaining thereto, of the liquid carrier complained against.

13.8 (327A) Driver requirements.

13.8 (1) General. Every liquid transport carrier who acts as a driver shall comply with all requirements of the law applying to drivers. Liquid transport carriers shall see that all prospective drivers are familiar with the provisions of chapter 327A, and all other laws applying to liquid transport carriers and these rules and regulations before allowing them to operate a motor vehicle.

13.8 (2) Definitions. The following definitions shall be used:

a. *On duty.* A driver is "on duty" from the time he begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work; except time spent resting in a sleeper berth or not driving or assuming any other responsibility while traveling, each driver must be given at least eight consecutive hours off duty after arrival at destination, during which period he shall be considered as off duty.

b. *Driving time.* The terms "drive", "operate" and "driving time" include all time spent on a moving vehicle; and any interval not in excess of ten minutes in which the driver is on duty and not on a moving vehicle; except the terms "drive", "operate" and "driving time" does not include certain travel time under the exceptions in section "a" of this rule.

13.8 (3) Every liquid transport carrier and his or its officers, agents, representatives and employees who drive motor vehicles or are responsible for the hiring, supervision, training, assignment or dispatching of drivers, shall comply with the requirements of this rule.

13.8 (4) Minimum requirements. No person shall drive, nor shall any liquid transport carrier require or permit any person to drive any motor vehicle unless

that person possess the following minimum qualifications:

a. No loss of foot, leg, hand or arm — no mental or functional disease likely to interfere with driving — no loss of fingers, impairment or use of foot, leg, fingers, hand or arm or other structural defect or limitation likely to interfere with safe driving.

b. Visual acuity of at least 20/40 (snellen) in each eye either without glasses or by correction with glasses — ability to distinguish colors red, green or yellow — drivers requiring correction by glasses shall wear properly prescribed glasses at all times when driving.

c. Hearing shall not be less than 10/20 in the better ear for conversational tones, without a hearing aid.

d. The driver shall not be addicted to the use of narcotics or habit-forming drugs or the excessive use of alcoholic beverages or liquors.

e. Every driver shall be experienced in driving some type of motor vehicle (including private automobiles) for not less than one year including experience through the four seasons.

f. Every driver shall be competent by reason of experience in driving the type of motor vehicle or motor vehicles which he drives.

g. Every driver shall be familiar with the rules and regulations established by this commission and by the department of public safety relating to motor vehicles.

h. Every driver shall be not less than twenty-one years of age.

13.8 (5) *Physical examination of drivers.* No person shall drive nor shall any liquid transport carrier require or permit any person to drive any motor vehicle unless said person shall have been physically examined and shall have been certified by a licensed doctor of medicine as meeting the requirements of rule 13.8 (4).

Every driver shall be physically re-examined and shall be certified by a licensed doctor of medicine as meeting the requirements of this rule at least once in every thirty-six months.

13.8 (6) *Certificate of physical examination.* Every liquid transport carrier shall have in its files at his principal place of business for every driver employed or used by it a legible certificate of a licensed

doctor of medicine based on a physical examination as required by this rule, or a legible photographically reproduced copy thereof and every driver of such carrier is required to have in his possession while driving such a certificate or photographically reproduced copy thereof covering himself.

A doctor's certificate shall certify as follows:

DOCTOR'S CERTIFICATE

This is to certify that I have this day examined _____ in accordance with rule 13.8 (5) as required by the liquid transport carrier rules of the Iowa state commerce commission and that I find him:

- Qualified under said rules.
 Qualified only when wearing glasses.

I have kept on file in my office a complete examination form for this person.

(date)

(place)

(Signature of examining doctor)
Signature of driver _____
Address of driver _____

13.8 (7) Nothing contained in these rules shall be construed as to prevent a liquid transport carrier from required additional or more stringent physical, mental or intellectual qualifications or age requirements than prescribed in this rule.

13.9 (327A) Hours of driving.

13.9 (1) No liquid transport carrier subject to these regulations shall permit or require a driver in his employ to drive or operate for more than twelve hours in the aggregate in any period of twenty-four consecutive hours, unless such driver be off duty for eight consecutive hours during or immediately following the twelve hours aggregate driving, and within said period of twenty-four consecutive hours; provided, however, that two periods of resting or sleeping in a berth may be accumulated to give the aforesaid total of eight hours off duty.

13.9 (2) No liquid transport carrier subject to these regulations shall permit or

13.10 (2) Drivers and liquid transport carriers will be held responsible for the proper maintenance of the daily logs. Driver shall keep the log current to the time of the last change of duty status. Failure to make logs, failure to make required entries therein, falsification of entries, or failure to file logs with the liquid transport carrier will make both the driver and the carrier liable to prosecution.

13.10 (3) The driver shall forward each day the original log to his home terminal. If the services of a driver are used by more than one carrier during a calendar day, the driver shall furnish each motor carrier a copy of his log for the entire day. In such case the log shall indicate the name of each carrier served by the driver during that day.

13.10 (4) The original logs shall be retained by the liquid transport carrier for a period of one year. Duplicate copies of the logs are the driver's personal records and are to be kept for a period of one month in the possession of the driver while he is on duty.

13.10 (5) The time standard in effect at the driver's home terminal shall be used. The log shall be prepared, maintained and submitted for a 24-hour calendar day beginning at midnight.

13.10 (6) All entries shall be made by the driver except that the name and main office address of the liquid transport carrier may be printed or otherwise entered by an authorized representative of the carrier. The name of the liquid transport carrier shall be that for which the driving is performed. In case of the driver of a leased vehicle, the name shown shall be that of the liquid transport carrier performing the transportation.

13.10 (7) The driver shall certify to the correctness of the log by signing his name in full.

13.10 (8) In addition to the identification of the carrier and the driver's signature, the entries shall indicate:

a. The month, day and year for which the log is prepared.

b. The total mileage traveled during the calendar day covered by the log.

c. The carrier's vehicle number or, if no such number is provided, the state license number of the power unit.

d. Driver's home terminal address.

e. The actual period or periods during the calendar day spent in the activities specified on lines 1, 2, 3 and 4 by drawing a continuous line between the appropriate time markers. The following directions are illustrative only and are not to be construed as modifying these definitions or rules:

(1) Line 1. *Off duty.* All times, except that spent in a sleeper berth, when the driver is not working, is not required to be in readiness to work, or is not under any responsibility for performing work.

(2) Line 2. *Sleeper berth.* All time resting in a sleeper berth.

(3) Line 3. *Driving.* All time spent driving or riding on a moving vehicle, including all stops not in excess of ten minutes, except that time spent in a sleeper berth or time spent traveling under the conditions named in rule 13.4 (6).

(4) Line 4. *On duty (not driving).* All time spent by a driver in performing work other than driving, such as, loading or unloading, preparing reports, remaining in readiness to perform work, remaining in charge of a disabled vehicle, stops for meals unless the driver has been relieved from duty, etc.

f. Under "Remarks" the time and the name of the place where each such change of duty occurred, such as the place of reporting for work, starting to drive, stops exceeding ten minutes in duration and where released from work. Explain any emergency resulting in hours exceeding those permitted by the regulations.

g. In the column "total hours", the hours and fractions thereof shown in each of lines 1, 2, 3 and 4. The sum of the entries in this column must total twenty-four hours. Enter the place where the trip began and the final destination or farthest turn-around points. On trips requiring more than one calendar day, the log for each day shall show the origin and final destination at the bottom of the log with the points of beginning and ending the travel of that day shown as required by "f" in "Remarks." If a driver departs from and returns to the same place on any day, the "destination or turn-around point" shall be the farthest point reached before the driver begins his return trip.

13.10 (9) The Iowa state commerce commission will not provide supplies of the log. The log may be incorporated as a part of any daily form used by a carrier

provided it is so ruled and the log appears distinct and separate from other portions of such form. In reproducing the log, dimensions of approximately 5½ x 7½ inches shall be used. The full instructions for the use of the log must be reproduced either on the reverse side of each log sheet or, if logs are bound in book form, on either side of the book cover. Stocks of logs in the possession of carriers or their suppliers on the effective date of these regulations may be used.

13.11 (327A) Tariffs.

13.11 (1) Form and contents. All liquid transport carriers shall maintain on file with the commission a tariff stating the rates and charges to be made for the services performed under their certificates; also a classification, if class rates are to be assessed, stating the ratings which are to be applied in connection with the rates named in said tariff. All tariffs and classifications must conform to the following regulations, except as otherwise authorized by the commission.

13.11 (2) All tariffs and amendments or supplements thereto must be in book, pamphlet or loose-leaf form of size 8 x 11 inches. They must be plainly printed, mimeographed, planographed, stereotyped, or reproduced by other similar durable process on good quality paper. No alteration in writing or erasure shall be made in any tariff or supplement thereto. A margin of not less than five-eighths inch, without any printing thereon must be allowed at the binding edges of each tariff and supplement.

13.11 (3) All tariffs and supplements must be filed in the office of the commission and posted in a conspicuous place at least thirty days prior to the effective date thereof, unless otherwise authorized by the commission, except that tariffs, supplements, or adoption notices issued in connection with applications for liquid transport carriers, or the transfer of certificates from one liquid transport carrier to another, may become effective on a date not earlier than the date on which permits are issued or transferred.

13.11 (4) Issuing liquid transport carriers or their agents shall transmit to the commission two copies of each tariff, supplement, or revised page. Both copies shall be included in one package accompanied by a letter of transmittal listing all tariffs enclosed and addressed to the Iowa

State Commerce Commission, Rate Division, Des Moines, Iowa. All postage or express must be prepaid.

13.11 (5) Title page of every tariff and supplement shall show in the order named:

a. Each tariff shall be numbered in upper right-hand corner, beginning with number 1. Such number shall be shown as follows: Ia. C.C. No.-----

When tariffs are issued canceling a tariff or tariffs previously filed, the Ia. C.C. number or numbers that have been canceled must be shown in the upper right-hand corner under the Ia. C.C. number of the new tariff.

b. Supplements to a tariff in addition to showing the Ia. C.C. number of the tariff amended thereby shall be numbered beginning with number 1 and such information shall be shown in the upper right-hand corner. Supplements shall also show in the upper right-hand corner the number of any previous supplements canceled thereby and also the numbers of the supplements containing all changes made in the tariff.

c. The name of each liquid transport carrier must be the same as that appearing in its certificate (or application if no certificate has been issued.) If the liquid transport carrier is not a corporation, and a trade name is used, the name of the individual or partners must precede the trade name.

d. A brief description of the territory in which, or points from and to which, the tariff applies.

e. Date of issue and date effective.

f. Name, title and street address of liquid transport carrier or agent by whom tariff is issued.

13.11 (6) Tariffs shall contain in the order named:

a. Table of contents, arranged alphabetically showing the number of the page on which each subject may be found. If a tariff contains so small a volume of matter that its title page or interior arrangement plainly indicates its contents, the table of contents may be omitted.

b. A complete index of all commodities on which specific rates are named therein, together with reference to the page and items in which they are shown. No index need be shown in tariffs of less than

five pages or if the rates are alphabetically arranged by commodities.

c. Explanation of all abbreviations, symbols and reference marks used in the tariff.

d. When a tariff names rates by classes, a classification of articles must be published in the tariff or in a separate tariff. When a classification is published in a separate tariff, reference must be made thereto on the title page of the rate tariff as follows:

"Governed, except as otherwise provided herein, by the (here name) classification (showing issue agent)

Ia. C.C. No.----- supplements to or successive issues thereof."

All liquid transport carriers shown as participating carriers in a rate tariff which is governed by a separate classification must be named as participating carriers in such separate classification.

e. *Table of rates.* All rates must be explicitly stated in cents or in dollars and cents, per gallon, per mile, per hour, per ton of 2,000 pounds, per truck load (of stated amount), or other definable measure.

Tariffs containing tables of rates based on distances from point of origin to destination must show the mileages or indicate a definite method by which such mileages should be determined.

f. Liquid transport carriers or their agents must not publish class or commodity rates which duplicate or conflict with rates published by or for account of such liquid transport carriers.

13.11 (7) *Commodity rates.* Commodity rates on articles in stated truck-load or in less-than-truck-load quantities may be published, and where they differ from a published class rate basis, the lower rate shall take preference.

13.11 (8) *Tariff changes.* All rates, charges and classifications which have been filed with the commission must be allowed to become effective and remain in effect for a period of at least thirty days before being changed, canceled or withdrawn, unless otherwise authorized by the commission.

All tariffs, supplements and revised pages (including classifications) shall indicate

changes from preceding issues by use of the following symbols:

↓ or (R) to denote reductions

◆ or (A) to denote increases

▲ or (C) to denote changes, the result of which is neither an increase nor a reduction.

The proper symbol must be shown directly in connection with each change.

13.11 (9) *Posting regulations.* Each liquid transport carrier must post and file at its principal place of business tariffs, classifications and governing rules and regulations. All tariffs must be kept available for public inspection or examination at all reasonable times.

13.11 (10) *Application for special permission.* Liquid transport carriers and agents when making application for permission to establish rates, charges, classification ratings or rule on less than statutory thirty days notice shall use the form prescribed by the commission.

13.11 (11) *Powers of attorney and participation notices.*

a. Whenever a liquid transport carrier desires to give authority to any attorney and agent to issue and file tariffs and supplements thereto in its stead, a power of attorney in the form prescribed by the commission must be used.

b. Whenever a liquid transport carrier desires to participate in tariffs issued and filed by another liquid transport carrier or its agent, a power of attorney using the form prescribed by the commission shall be issued in favor of such other liquid transport carrier.

c. The original of all powers of attorney shall be filed with the commission and a duplication of the original sent to the agent or liquid transport carrier in whose favor such document is issued.

d. Whenever a liquid transport carrier desires to cancel the authority granted an agent or another liquid transport carrier by power of attorney this may be done by a letter addressed to the commission revoking such authority on sixty days notice, except for good cause shown the commission will authorize a lesser notice. Copies of such notice must also be mailed to all interested parties.

COMMERCE COMMISSION

(continued)

LIQUID TRANSPORT CARRIERS

Pursuant to the authority vested in the Commission by section 327A.17, Code of Iowa, 1966, the Rules heretofore adopted as Motor Transportation Division, Chapter 13, are amended by adding thereto the following:

[Filed June 10, 1966]

13.12 (327A) Lease of equipment.

13.12 (1) *Lease defined.* Lease, for the purpose of these rules and regulations, means a written document providing for the exclusive possession, control and responsibility over the operation of the vehicle or vehicles in the lessee for a specific period of time as if such lessee were the owner. A copy of the lease must be carried in the leased equipment at all times.

13.12 (2) *Number.* No liquid carrier may have more than one lease covering a specific piece of equipment in effect at a given time.

13.12 (3) *Lease of vehicles to shippers or receivers.* No liquid carrier shall lease

vehicles with or without drivers to shippers or receivers.

13.12 (4) *Identification of equipment.* Each lessee shall properly identify each piece of equipment during the period of the lease as specified in rule 13.3.

13.12 (5) *Conditions.* Any lease of equipment by any liquid carrier except under the following conditions is prohibited:

a. Every such lease must be in writing and signed by the parties thereto or their regular employees or agents duly authorized to act for them.

b. Every lease shall specify the time the lease begins and the time or circumstances on which it ends.

c. Every lease shall set out the specific consideration or method of determining compensation.

d. Every lease shall provide for the exclusive possession, control, and use of the equipment and for the complete assumption of responsibility in respect thereto by the lessee for the duration of said lease.

CONSERVATION COMMISSION

Pursuant to the authority of section 109.76, of the Code of Iowa, the following rule is hereby adopted.

[Filed March 8, 1966]

DIVISION OF FISH AND GAME SCUBA AND SKIN SPEARING OF ROUGH FISH

26.1 (109) The spearing of rough fish by scuba and skin divers will be permitted in accordance with the following seasons and regulations.

26.2 (109) Scuba and skin spearing for rough fish will be prohibited in all natural lakes in Iowa between May 1 and October 1 of each year, except on West Okoboji and Spirit Lakes, in Dickinson county, where no seasonal limitations will be invoked.

a. Scuba and skin spearing shall be permitted in all state-owned meandered streams.*

(1) Des Moines River — From Mississippi River to west line of T-95N, R-32W, Palo Alto county, west Branch, and north

line of T-95N, R-29W, Kossuth county, east branch; a point near Algona.

(2) Iowa River — From Mississippi River to west line T-81N, R-11W, Iowa county near Koszta.

(3) Cedar River — From Iowa River to west line T-89N, R-13W, Black Hawk county, at Cedar Falls.

(4) Raccoon River — From Des Moines River to west line Polk county.

(5) Wapsipinicon River — From Mississippi River to west line T-89N, R-6W, above Central City in Linn county.

(6) Maquoketa River — From Mississippi River to west line T-84N, R-3E, near Maquoketa in Jackson county.

(7) Skunk River — From Mississippi River to north line T-73N, R-SW, northeast corner of Jefferson county.

(8) Turkey River — From Mississippi River to west line T-95N, R-7W, Fayette county near Clermont.

(9) Nishnabotna River — To north line T-67N, R-42W, Fremont county, northeast of Hamburg.

CONSERVATION COMMISSION

(10) Upper Iowa River — From its mouth to west line Section 28-100-4 west, Allamakee county.

(11) Little Maquoketa River — From Mississippi River to west line Section 25-90-2 east, Dubuque county.

b. Scuba and skin spearing shall be permitted in streams or impoundments on private land where access is permitted by owner or leasee.

c. Scuba and skin spearing is prohibited in all state-owned artificial lakes.

d. Scuba and skin spearing is prohibited in all state-owned strip mines, county conservation board areas and fish and game management areas where posted as such.

e. Scuba and skin spearing is prohibited within 100 feet of any swimming beach area.

f. Scuba and skin spearing of carp, buffalo, quillback, gar and dogfish only shall be lawful between the hours of sunrise and sunset each day.

g. A valid fishing license shall be required of all individuals engaged in scuba and skin spearing unless the individual is exempt under the provisions of section 110.17 of the Code of Iowa.

26.3 (109) Permitted equipment to be used in scuba and skin spearing shall be

- a. Hand and pole spears.
- b. Rubber band powered spear guns.
- c. Spring powered spear guns.
- d. Pneumatic spring powered spear guns.

e. All spears used on powered spear guns shall be attached to the gun by a cord lanyard or other device, the over-all length of spear gun and cord shall not exceed twenty feet.

26.4 (109) Prohibited equipment and methods shall be

a. No power or exploding spear heads will be permitted.

b. No guns powered by gunpowder explosive or explosives or compressed gas will be permitted.

c. A spear gun may not be cocked or fired within 100 feet of any swimming beach area.

d. It shall be unlawful to cock or discharge a powered spear gun above the surface of the water.

26.5 (109) The "International Diver's Flag" (a red flag with a white diagonal stripe running from the upper left-hand corner to the lower right-hand corner, minimum size, 12" x 15", with a 3" stripe), shall be displayed by each diver or group of divers on a buoy, float or boat during any diving or underwater spear fishing activity. This diving flag shall be displayed on the water only when underwater diving activity is in progress, the diver or group of divers must stay within a 100-foot circle of the flag. Recognition of this flag by law will not be construed as conferring any rights or privileges on its users nor be construed as restricting the use of the water so marked. Operators of boats shall exercise precaution commensurate with conditions indicated.

26.6 (109) Underwater scuba and skin spearing regulations shall not apply to authorized agents of the state conservation commission when engaged in research or management studies or enforcement.

*A meandered lake or stream is one which at the time of the original government survey was so surveyed as to mark, plat and compute acreage of adjacent fractional section.

CONSERVATION COMMISSION

(Continued)

Pursuant to the authority of section 109.6, Code of 1962, the following rule is hereby adopted.

[Filed March 8, 1966]

DIVISION OF FISH AND GAME

All departmental rules pertaining to the establishment of game management areas

are hereby rescinded and the following adopted in lieu thereof.

GAME MANAGEMENT AREAS

32.1 (109) All lands and waters under the jurisdiction of the Iowa conservation commission are established as game management areas under the provisions of section 109.6, 1962 Code of Iowa.

EMPLOYMENT SECURITY COMMISSION

Pursuant to the authority of section 97B.4, Code of Iowa, 1962, the following rule is hereby adopted.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

[Filed June 10, 1966]

The Iowa Employment Security Commission moved, and the records show, that on April 25, 1966, its FOAB Rule No. 1, a rule providing for the accrual of interest, appearing in 1962 IDR, page 130, second column, the paragraph beginning with,

"Federal Old-Age," and ending with, "Commission," was rescinded, and the following paragraph adopted in lieu thereof:

"Federal Old-age and Survivor Insurance taxes unpaid by the date on which they are due and payable, which said due date is hereby established as the fifteenth of the month following the end of the quarter, shall bear interest at the rate of one-half of one percent for each calendar month from and after such due date until payment plus accrued interest is received by the commission. Interest shall be computed on actual days of delinquency."

HEALTH DEPARTMENT

COUNTY MEDICAL EXAMINERS

Pursuant to the authority conferred in section 135.11, subsections 13 and 17, Code of Iowa, 1962, the following rules relating to county medical examiners are adopted.

[Filed May 10, 1966]

1. (135) Types of death under the jurisdiction of the county medical examiner.

1.1 *From violence.* Any accident, suicide or homicide resulting from physical, mechanical, chemical, electrical, thermal or related means. A medical examiner's investigation and report is required irrespective of the period of survival following injury and medical attendance at the time of injury or during a period of survival.

1.2 *Suddenly, when in apparent health.* This term should be reserved for the following situations:

a. Apparently instantaneous death without obvious cause.

b. Death during or following an unexplained syncope or coma.

c. Death during an unexplained, acute, or rapidly fatal illness.

1.3 *When unattended by a physician during the period of thirty-six hours immediately preceding death.* This term should be reserved for the following situations:

a. Found dead without obvious or probable cause.

b. Unattended by a physician during the terminal illness, particularly if such illness appears unrelated to a disease previously diagnosed and under treatment.

c. Accordingly, the medical examiner need not investigate or report a death resulting from or due to a terminal illness which had been diagnosed and where the patient was under treatment by a licensed physician, even though the physician had not seen the patient within the thirty-six hours preceding death. In these cases if the physician has not seen the patient within twenty days prior to death, then the cases should be referred to the medical examiner.

d. *Fetal death (stillbirth) unattended by a physician.* A fetal death (stillbirth) is a fetus born dead after reaching the twentieth week of gestation.

1.4 *As a result of, or following, an abortion.* All known deaths as a result of or following an abortion shall be reported to the county medical examiner by all parties, physicians, and hospitals knowing the circumstances of such deaths.

1.5 *While in custody of the law.* Any death involving a person while in custody of the law or confined to any prison for any cause.

1.6 *In an accident in a gypsum or coal mine.* All deaths occurring in a gypsum or coal mine automatically become medical examiner's cases.

1.7 *In a suspicious, unusual, or unnatural manner.* Any death suspected having resulted from accident, suicide, or homicide, or any death not otherwise defined.

1.8 *From a disease which might constitute a threat to public health.* Any such death investigated by the medical examiner

shall be reported to the local health authority.

2. (135) Death certificates. The certificate of death shall be executed on the standard form and the certification of death shall be completed in full by the medical examiner and given to the funeral director to whom the body is released for burial arrangements. It is, however, the duty of the funeral director in charge of the remains to complete the particulars of the certificate and file the certificate with the local registrar in the county wherein death occurred. A death certificate must be filed before a burial or transit permit will be issued and prior to disposal of the body.

3. (135) Cremation. Permit must be issued by county medical examiner in the county where the death occurred.

4. (135) Taking charge of body.

1. The medical examiner, upon notification of death shall view the body.

2. In all cases coming under the jurisdiction of the medical examiner, the decedent shall not be moved from the place of death without the consent of the medical examiner.

3. The medical examiner may, after investigation and determination that the case is not under the jurisdiction of the medical examiner, refer the case to the attending physician.

[These rules are intended to implement section 135.11, subsections 13 and 17, and sections 339.4, 339.5, 339.6, 339.10, and 339.12, Code of Iowa, 1962.]

HEALTH DEPARTMENT

(Continued)

PHENYLKETONURIA

Pursuant to the authority conferred in section 135.11, subsection 17, Code of Iowa, 1962, and Chapter 157, Acts of the 61st General Assembly, the following rules and regulations relating to the testing of infants for phenylketonuria are adopted.

[Filed May 10, 1966]

1. (135) Time sequence for phenylketonuria tests. A test for phenylketonuria should be done preferably forty-eight hours after first feeding but in any event immediately prior to hospital discharge. A second test should be done at about four weeks of age.

2. (135) Blood or serum. The test should be a phenylalanine blood or serum test.

3. (135) Requirements for approval.

The state department of health will approve any laboratory to perform laboratory tests for phenylketonuria provided that such laboratory meets the following criteria.

3.1 The laboratory director agrees to perform the inhibition assay method of Guthrie and/or a standard quantitative phenylalanine blood test for phenylketonuria on the request of any licensed physician, and "a" or "b":

a. The laboratory is supervised by a pathologist either full-time or part-time

who is certified by the American Board of Pathology, or

b. The laboratory is appraised by the State Hygienic Laboratory under a quality control program to perform either one or both of the designated tests. Positive indication of participation must be made by July 1, 1966, to the State Hygienic Laboratory, University of Iowa, Iowa City, Iowa.

3.2 The laboratory performs tests on a minimum of twenty-five infants per week and reports of the number of tests performed are made quarterly to the State Hygienic Laboratory.

3.3 Reports of positive results are made immediately to the State Department of Health, State Office Building, Des Moines, Iowa.

4. (135) Quality control program. It is recommended that those laboratories supervised by a part-time or full-time board certified pathologist participate in the quality control program of the State Hygienic Laboratory.

5. (135) Information available. Guidelines available upon request to the Iowa State Department of Health should be followed.

These rules are intended to implement chapter 157, Acts of the 61st General Assembly.

HEALTH DEPARTMENT

(Continued)

CERTIFICATION OF OPERATORS OF
PUBLIC WATER SUPPLY SYSTEMS
AND WASTEWATER TREATMENT
PLANTS

Pursuant to authority of section 135.11, subsection 17, Code of Iowa, 1962, and Chapter 162, section 15, Acts of the Sixty-first General Assembly, the following rules relating to the certification of operators of public water supply systems and wastewater treatment plants are hereby adopted.

[Filed June 10, 1966]

1. (Ch. 162, 61 G.A.) Definitions.

1.1 The definitions set out in section 1 of Chapter 162, Acts of the 61st General Assembly, shall be considered to be incorporated verbatim in these rules.

1.2 "Public water supply" means any water supply, either publicly or privately owned, serving a municipality or a benefited water district serving a municipality.

1.3 "Plant" designates the facilities which treat the wastewater, water, or distribute the treated water.

1.4 "Direct responsibility" refers to that operator who has active field supervision of a water supply system or a wastewater treatment plant or who is required in the performance of the normal duties to give responsible, technical advice and part-time supervision of the technical aspects, rather than only general administrative supervision, of operation.

1.5 "Population equivalent" for a water treatment plant means the calculated population which would normally require the same amount of water, computed by dividing the average annual daily production of a water treatment plant in gallons by 100.

1.6 "Population equivalent" for a wastewater treatment plant means the calculated population which would normally contribute the same amount of bio-chemical oxygen demand (BOD) per day computed on the basis of 0.167 pounds of five-day, 20°C, BOD per capita per day.

1.7 "Primary treatment" means treatment process designed to remove from the sewage organic and inorganic settleable solids by the physical process of sedimentation.

1.8 "Trickling filter" means treatment process where the settled sewage is passed over a media onto which are attached biological organisms capable of oxidizing the organic matter normally followed by sedimentation.

1.9 "Activated sludge" refers to a biological sewage treatment process in which a mixture of sewage and sludge floc, produced in a raw or settled sewage by the growth of zooglyphic bacteria and other organisms, is agitated and aerated in the presence of a sufficient concentration of dissolved oxygen, followed by sedimentation.

1.10 "Waste stabilization lagoon" means an excavation designed and constructed to receive raw or pretreated sewage in which stabilization is accomplished by several natural self purification phenomena.

1.11 "Oxidation" means a process changing soluble iron and manganese to an insoluble form by the addition of oxygen to the compound by means of chlorine or potassium permanganate additions or mechanical aeration.

1.12 "Chlorination" means the addition of a chlorine compound or chlorine gas to water to protect the bacterial quality of the water.

1.13 "Stabilization" means the addition of chemical compounds to water to maintain an ionic equilibrium whereby the water is not in a depository or corrosive state.

1.14 "Aeration" means the bringing about of intimate contact between air and water by spraying the water in the air, bubbling air through the water or by forcing the air into the water by pressure.

1.15 "Fluoridation" means the adjustment of the fluoride ion concentration to produce the optimum fluoride concentration in the water.

1.16 "Zeolite softening" means the process of softening water by passing it through a substance known as a zeolite, which contains chemicals that are exchanged for the hardness-causing elements.

1.17 "Coagulation" means the agglomeration of colloidal or finely divided sus-

pending matter by the addition to the water of an appropriate chemical coagulant.

2. (Ch. 162, 61 G.A.) General.

2.1 The census taken each decade, or a special census taken by the United States Bureau of Census, shall be used to determine the population served by a water supply system, or wastewater treatment plant if the population equivalent data is not available.

2.2 A plant having a combination of treatment processes which are in different grades shall be classified according to that process which requires the higher numerical classification.

2.3 Plants with sufficient population equivalent or sufficiently complicated processes may be raised to a classification higher than that indicated by population alone.

2.4 An operator who has direct responsibility shall hold a certificate of equal or higher classification than that which the plant is classified.

2.5 An operator, currently certified may obtain a duplicate certificate upon payment of two dollars.

3. (Ch. 162, 61 G.A.) Classification of Wastewater Treatment Plants.

Grade	Treatment	Population
I	Primary Treatment	5,000 or less
	Waste Stabilization Lagoons	
II	Trickling Filter	5,000 or less
	Activated Sludge	2,000 or less
	Primary Treatment	5,000 to 15,000
III	Trickling Filter	5,000 to 15,000
	Activated Sludge	2,000 to 5,000
	Primary Treatment	15,000 to 50,000
IV	Trickling Filter	15,000 and over
	Activated Sludge	5,000 and over
	Primary Treatment	50,000 and over

4. (Ch. 162, 61 G.A.) Classification of Water Treatment Plants.

Grade	Treatment	Population
I	Iron or Manganese removal by oxidation only, chlorination only, stabilization only, or aeration only, or any combination of these processes. Flouridation.	1,000 or less

II	Zeolite Softening	5,000 or less
	Iron or Manganese removal by oxidation only, chlorination only, stabilization only, aeration only, or any combination of these processes.	1,000 to 15,000
III	Coagulation or lime or lime-soda softening and sedimentation and filtration.	15,000 or less
	Zeolite softening.	5,000 and over
	Iron or Manganese removal by oxidation only, chlorination only, stabilization only, aeration only, or any combination of these processes.	15,000 and over
IV	Coagulation or lime or lime-soda softening and sedimentation and filtration.	15,000 and over

5. (Ch. 162, 61 G.A.) Classification of Water Distribution Systems.

Grade	Population
I	15,000 or less
II	15,000 to 50,000
III	50,000 and over

6. (Ch. 162, 61 G.A.) Operator Education and Experience Qualifications.

6.1 All applicants shall meet the following educational and experience requirements for the grade of certificate applied as shown below. The experience qualifications shall be in the same field as the type of certificate for which the applicant is applying.

Grade I

a. Two years high school or equivalent and one year of direct responsibility or one year in operation of water distribution system, water treatment plant or wastewater treatment plant, or

b. Produce educational qualifications and experience satisfactory to the board of certification and demonstrate ability to operate a water distribution system, water treatment plant, or wastewater treatment plant with limited supervision.

Grade II

a. High school education or equivalent and one year of direct responsibility without substitution as allowed in sec. 6.2 or three years in operation of a water distribution system, water treatment plant, or wastewater treatment plant, or

b. Two years high school or equivalent and four years of direct responsibility or six years in operation of a water distribution system, water treatment plant, or wastewater treatment plant.

Grade III

a. Two years college and three years of direct responsibility or five years in operation of a water distribution system, water treatment plant, or wastewater treatment plant of a Grade II or higher classification facility, or

b. High school education or equivalent and four years of direct responsibility or six years in operation of a water distribution system, water treatment plant, or wastewater treatment plant of a Grade II or higher classification facility.

Grade IV

a. A degree of Bachelor of Science in engineering (with special courses or two years experience in sanitary sciences) and two years in direct responsibility or four years in operation of a Grade III or higher classification of a water treatment or wastewater treatment plant, or

b. Four years of college and three years of direct responsibility or five years in operation of a Grade III or higher classification of a water treatment or wastewater treatment plant, or

c. High school education or equivalent and six years of direct responsibility or eight years in operation of a Grade III or higher classification of a water treatment plant or wastewater treatment plant.

6.2 The following substitutions or equivalents for required experience or training may be accepted by the board of certification.

a. Two years experience in operation of a water distribution system, water treatment plant, or wastewater treatment plant may be substituted for one year of high school or two years of grammar school education.

b. Satisfactory completion of training courses accepted by the board of certification may be considered as equivalent to:

Two years of grade school, or two years of experience in operation, or one year of

direct responsibility in operation, or one year of high school, or one-half year of college, nonengineering.

c. The secretary shall record in such applicant's file the substitute qualifications that have been accepted by the board in the issuance of any certificate.

d. The board of certification may waive the experience requirements in exceptional situations.

7. (Ch. 162, 61 G.A.). Examinations.

7.1 The fee for the initial certificate issued in each grade shall be three dollars, and for each renewal two dollars. The initial certification fee includes the cost of taking the examination.

7.2 Applications for admission to examination shall be on forms provided by the board of certification. Application forms shall be filed with the board of certification for their review prior to the examination. The required fee shall accompany each application.

7.3 If an applicant fails the examination, the initial certification fee which accompanies the application shall be retained by the board of certification. This initial fee shall entitle the applicant to re-examination.

8. (Ch. 162, 61 G.A.). Interstate Endorsement.

The board of certification may consider for recommendation to the commissioner certification without examination of an applicant who was certified by a governmental agency or organization of another state. The applicant must have passed an examination at least equivalent to the examinations offered by the board of certification and meet the education and experience qualifications as set forth in section 6. The board of certification may at its discretion require the applicant to successfully pass the Iowa examination.

[These rules are intended to implement section 135.11, subsection 17, Code of Iowa, 1962, and Chapter 162, section 15, Acts of the Sixty-first General Assembly.]

HEALTH DEPARTMENT

(Continued)

WATER POLLUTION CONTROL
COMMISSION

(Joint Rules)

RECORDS OF OPERATION OF
WASTE DISPOSAL SYSTEMS

[Filed May 10, 1966]

Pursuant to authority of Chapter 135, section 11, subsections 7 and 17, Code of Iowa, 1962; Chapter 162, section 15, Acts of the 61st General Assembly; and Chapter 375, sections 9 and 26, Acts of the 61st General Assembly, the following rules relating to the submission of records of operation of waste disposal systems are hereby adopted.

1. (135) Definitions.

1.1 The definitions set out in section 2 of Chapter 375, Acts of the 61st General Assembly, shall be considered to be incorporated verbatim in these rules.

1.2 "Records of Operation" when used in these rules and regulations means Iowa state department of health report forms or such other report forms, letters or documents which may be acceptable to the department and which are designed to indicate one or a combination of the following conditions during a stated period of time.

a. Volume, concentration and characteristics of wastes discharged to, discharged from or in process of treatment in a disposal system.

b. Efficiency of operation of a disposal system.

c. The effect of the waste discharged from a disposal system on the waters of the state.

1.3 "Population Equivalent" means the number of people required to contribute an equal amount of five-day biochemical oxygen demand (BOD) as the waste in question, assuming that a person contributes 0.167 pounds of five-day BOD per day.

1.4 "Biochemical Oxygen Demand" means the amount of oxygen required to decompose the decomposable organic matter in a waste by aerobic biochemical action in five days at twenty degrees

centigrade. The procedure for determining BOD shall be as outlined in the latest edition of Standard Methods for the Examination of Water and Sewage as published by The American Public Health Association.

2. (135) **Submission of Records of Operation.** Records of operation shall be submitted to the Iowa state department of health by all owners of waste disposal systems which discharge sewage or wastes into any waters of the state. Records of operation need not be submitted for waste disposal systems which discharge to municipal disposal systems, or where the wastes are discharged to soil absorption systems, which do not outlet to any waters of the state.

3. (135) **Frequency of Submitting Records of Operation.** Records of operation required by these rules and regulations shall be submitted at monthly intervals. The state department of health may vary the interval at which records of operation shall be submitted in certain cases. Variation from the monthly interval shall be made only under such conditions as the department may prescribe in writing to the person concerned.

4. (135) **Content of Records of Operation.** Records of operation shall include such information as the state department of health may require based on the population served by the disposal system, the nature of the treatment process involved and the population equivalent of high strength wastes contributory to the waste disposal system.

5. (135) **Records of Operation Forms.** Records of operation forms shall be those provided by the state department of health unless their forms are not applicable and in this case the records of operation shall be submitted on such other forms as are agreeable to the state department of health. All reports shall be signed by the person who has direct responsibility for the operation of the disposal system.

[These rules are intended to implement Chapter 135, section 11, subsections 7 and 17, Code of Iowa, 1962; Chapter 162, section 15, Acts of the 61st General Assembly; and Chapter 375, sections 9 and 26, Acts of the 61st General Assembly.]

HIGHWAY COMMISSION

CHAPTER 1

PRIMARY ROAD ACCESS CONTROL

Pursuant to authority of chapters 306A and 307 Code of Iowa (1962) as amended the following rules are adopted.

Detailed rules and regulations governing access along the Iowa primary road system where access rights have not been acquired.

[See table corresponding section numbers at end of this chapter.]

[Filed May 18, 1966]

1.1 (306A) Statement of policy. The Iowa state highway commission recognizes that there is no fixed, final, nor positive set of rules or regulations which will ultimately and irrevocably cover, nor standards so universal as to lead to an inevitable conclusion in every situation which may arise with regard to access to primary roads, and that in connection with each such application said Iowa state highway commission must and shall consider the following:

- a. Safety to the traveling public.
- b. Protection of the rights of property owners, and in particular the rights of abutting property owners.
- c. The rights and convenience of the traveling public and of property owners to have access to homes and business facilities.
- d. The impact upon the economy of the state.
- e. The perpetuation of the carrying capacity of the highway.

1.1 (1) The Iowa state highway commission shall at all times recognize that no property owner shall be deprived of the right to reasonable, free and convenient access to his property without just compensation therefor.

1.1 (2) The Iowa state highway commission shall at all times reserve the right to make exceptions to any and all rules and regulations where the exercise of sound and reasonable judgment indicates that the literal enforcement of any such rules or regulations would effect an undue hardship on any interested party, and the commission shall in the enforcement thereof use extraordinary care to see that no undue hardship or injustice results to any affected party, the community or state.

1.2 (306A) Definitions. The following terms when used in the regulations in this part have the following meanings:

1.2 (1) Commission. The Iowa state highway commission as constituted under the laws of the state of Iowa.

1.2 (2) Acquisition. To receive title by gift, purchase or condemnation.

1.2 (3) Fully Controlled Access Highway. A highway or street especially designed for through traffic and over, from or to which owners or occupants of abutting land or others shall have no right or easement of access by the reason of the fact that their property abuts upon such highway. Access to a fully controlled access highway shall be via interchanges at designated public roads.

1.2 (4) Expressway Controlled Access Highway. A highway or street especially designed for through traffic and over, from or to which owners or occupants of abutting land or others shall have no right or easement of access by the reason of the fact that their property abuts upon such highway. Access to an expressway controlled access highway shall be via interchanges and at designated public road intersections at grade.

1.2 (5) Planned Controlled Access Highway. A highway planned or designated by the commission to give preference to through traffic, but, in addition to selected public road intersections at grade, access to the highway at approved points will also be allowed.

1.2 (6) Access. A means of ingress or egress to a property.

1.2 (7) Frontage. The length along the highway right of way line of a single property tract. Corner property at a highway intersection has a separate frontage along each highway.

1.2 (8) Frontage Road. A local street or road or equivalent thereof, auxiliary to a primary road or primary road extension, for service to abutting property and adjacent areas. Such facility shall connect to a primary road, primary road extension or other system of public roads or streets.

1.2 (9) Entrance. To provide access to or from abutting property and further identified by its normal peak hour potential traffic during an average day as follows:

a. Type A Entrance. Up to four 12' traffic lanes with median of approved design. An access that develops over 150 vehicles per hour. Possible examples: Sporadic, heavy concentration of vehicles such as drive-in theaters, race tracks, large industrial plants or continuous heavy traffic such as shopping centers, subdivisions, amusement parks.

b. Type B Entrance. 30' to 45' width. An access that develops twenty vehicles and not more than 150 vehicles per hour. Possible examples: Service stations, small businesses, drive-in food stands and banks, light industrial plants, small drive-in theaters, cemeteries, airports, golf parks, etc.

c. Type C Entrance. Single 18' - 24' width joint 24' - 30' width. An access that develops up to twenty vehicles per hour. Possible examples: Field, farm or residential (not more than three dwellings) entrances and any other entrance whose ability to generate traffic is less than twenty vehicles per hour.

1.2 (10) Sight Distance. The distance of clear vision along the highway in each direction from any given point of access where vehicle must stop before entering the highway. Vertical and horizontal sight distance is measured from a point 3.75' above the entrance surface and to a point 4.5' above the road.

a. On a four-lane divided highway when an entrance is proposed at a location not to be served by a median cross-over, sight distance will be required on a two-lane basis against the flow of traffic only.

1.2 (11) Highway Classification. Class I - Interstate System or other Fully Controlled Access Highway.

a. Class II - Expressway System, a four-lane divided highway with interchanges or separation at major intersections and grade crossings at designated minor public road intersections. Expressway controlled access highway.

b. Class III - Planned Controlled Access Highways on which through traffic is given primary consideration.

c. Class IV - Planned Controlled Access Highways on which through traffic and land service traffic are given equal consideration.

1.2 (12) Built-up Area. An area which meets the following general criteria for

the side of the primary road or primary road extension:

a. The lots or area abutting are presently developed with insufficient setback for a frontage road and the development in depth precludes the establishment of a frontage road to the rear of the lots or area.

b. Where a "Built-up Area" exists only on one side of the highway, the other side of the highway will also be considered as "Built-up Area" for the purpose of determining access requirements.

c. In the event that a frontage road or service road is developed, planned or can be developed through the area, the area shall not be considered a "Built-up Area."

1.2 (13) Fringe (Suburban) Area. An area which meets the following general criteria for the side of the primary road or primary road extension.

a. The lots, parcels or area abutting, that include intermittent or unrelated development which will permit consideration of a frontage road in front of, or in the rear of the development.

b. For agricultural land inside corporate limits see "Rural Area," section 1.2 (14).

1.2 (14) Rural Area. An area which meets the following general criteria for the side of the primary road.

a. All area not clearly coming within the criteria set forth for "Built-up" or "Fringe" areas and shall include agricultural land within the corporate limits of a city or town.

1.3 (306A) General Regulations and Requirements for Establishment of Entrances.

1.3 (1) The purpose of the rules and regulations for the establishment or location of highways, streets and private entrances is to provide access standards. In all instances before existing highway, street or entrance may be modified in any manner, or a new or additional highway, street or entrance constructed to a primary highway, an application for permit to construct or change the entrance should be submitted to the resident maintenance engineer and approved by the commission district engineers.

a. When road is under construction all applications should be submitted to the resident construction engineer who shall

notify the right of way department immediately in regard to such access requests.

1.3 (2) Entrance Permit. (*Locations where access rights have not been acquired.*) The application to construct a new entrance or modify an existing entrance shall be initiated through the resident maintenance engineer in charge of the county in which the entrance is located. The application (Form 559) must be accompanied with a plat of the proposed development. Where applicable, evidence of tentative approval of appropriate city or county officials (in instances of county zoning) must accompany the application.

a. Written application referred to in section 1.3 (2) filed on appropriate commission forms, shall be submitted not less than thirty days prior to need of authorization.

b. Entrance permit applications shall be signed by the owner or owners of record. Dependent upon ownership of the property and other estates therein, other signatures may be required.

c. If an application for an entrance permit is not approved by the district engineer as provided in section 1.3 (1), the application may be resubmitted to the commission at Ames, Iowa. The commission shall act on said application no later than sixty days from the date of the receipt thereof. The applicant will be notified of date and time that his application will be considered.

1.4 (306A) General Regulations on Control of Access.

1.4 (1) Planned Control (*Access not acquired*). Where access control is established or designated over an existing public highway open and used for travel, intersecting roads or streets existing on the date said control is established and which are necessary for free and convenient access and which the commission deems are reasonably located and not likely to create undue hazard are hereby authorized and approved.

1.4 (2) Additional streets or highways may be opened into or connected with the planned controlled access highway upon written approval by the commission.

1.4 (3) Frontage Roads. When and where a frontage road is established and opened to public travel, access from the abutting property shall be to the frontage road.

a. The said access to frontage roads constructed and maintained by the commission shall be unlimited in number. The geometrics of the entrances shall be as provided for Class IV highways as described in section 1.6 (306A).

b. The said access to frontage roads maintained by other governmental agencies shall conform to those agencies' requirements.

1.5 (306A) Access to Class III Highways Rural or Fringe Area Where Access Rights Have Not Been Acquired.

1.5 (1) Type A and B Entrances. Sight Distance. Sight distance shall not be less than the posted daytime speed requirements as stated below.

Posted Daytime Speed Limit	Required Sight Distance	Minimum Stopping Sight Distance
70 m.p.h.	950 feet	600 feet
60 m.p.h.	750 feet	475 feet
50 m.p.h.	550 feet	350 feet
40 m.p.h.	450 feet	275 feet
30 m.p.h.		200 feet

a. Four Lane Class III Highways — Applicant shall locate an entrance in compliance with the required sight distance requirement.

b. Two and Three Lane Class III Highways — If the required sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access for a location at the maximum sight distance available on the applicant's frontage, but in no case less than the minimum stopping sight distance.

1.5 (2) Intersections. Necessary access located 500 feet or more from the intersection of two primary roads or 300 feet or more from the intersection of a primary road and secondary road may be granted by the district engineer. Access may be granted by the district engineer within the widened portion of a channelized intersection in the event the median is over 750 feet long. Access may be authorized by the district engineer 500 feet or more from the center of an intersection and not closer than 250 feet to the end of the median, provided another access is constructed beyond the widened portion of the intersection and the access points are connected with a frontage road.

a. Access within the above limits may be allowed by the commission or the

commission may elect to acquire the access rights.

b. Access may be directly opposite a primary road or secondary road in instances of a "T" intersection.

c. Access will not be permitted onto a secondary road within the primary road right of way or area acquired for "daylighting" the intersection.

1.5 (3) *Property Lines.* The center line of the entrance at the edge of slab shall be no closer than fifty feet to the property line extended. (The property line extension from the right of way line to center line shall be at right angles to the center line of the highway.) The return of the drive shall not extend beyond the property line.

a. An entrance to serve two properties may be established, centered on the property line by mutual agreement of the property owners.

1.5 (4) *Number and Arrangement of Entrances.* In general, commercial or industrial developments (other than service stations) will be granted one access point to the primary road. Service stations with adequate frontage will be granted two points of access to the primary road with a minimum distance of thirty feet between entrance toe of slopes along center line of ditch.

a. Developments with adequate frontage may be authorized two access points at not less than 660 feet intervals provided the minimum distance to the property line can be obtained. (See section 1.5 (3).)

1.5 (5) *Width of Entrance. Type A* — Each case will require special study (For special commercial see section 1.8 (306A).)

a. *Type B* — Thirty feet maximum for one way use on divided highway may be increased to forty-five feet to serve two properties forty-five feet maximum for two way use, in all cases.

1.5 (6) *Entrance Angle.* In general, entrance angle will be as near 90° to center line of the highway as site conditions will permit.

a. Entrances established for two-way operation for service stations or developments where two access points are authorized shall be 60° to 90° to center line.

b. In those instances, on a divided highway, where two access points are

authorized for one-way operation, the "ingress" may be 45° to 60° to center line and the "egress" 60° to 90° to center line.

1.5 (7) *Return Radii. Type A* — Each case will require special study.

a. *Type B* — For entrance angle of 90° to center line return radii at junction of entrance and pavement shall not exceed forty-five feet. For entrance angle of 60° to center line, return radii of obtuse angle shall not exceed sixty feet and return radii of acute angle shall not exceed twenty feet.

1.5 (8) *Slope and Cross Section of Entrance.* The finished surface elevation of the entrance over the pipe, or place where pipe would normally be, shall be not less than four inches lower than shoulder elevation at the center line of the entrance to prevent water draining onto the pavement or traveled way.

a. The side slopes on the entrance shall not be steeper than 2:1.

1.5 (9) *Type C Entrances. Sight distance.* Sight distance shall not be less than the posted daytime speed requirements as stated below.

Posted Daytime Speed Limit	Required Sight Distance	Minimum Stopping Sight Distance
70 m.p.h.	950 feet	600 feet
60 m.p.h.	750 feet	475 feet
50 m.p.h.	550 feet	350 feet
40 m.p.h.	450 feet	275 feet
30 m.p.h.		200 feet

a. *Four-Lane Class III Highways* — Applicant shall locate an entrance in compliance with the required sight distance requirement.

b. *Two or Three-Lane Class III Highways* — If the required sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access for a location at the maximum sight distance available on the applicant's frontage, but in no case less than the minimum stopping sight distance.

1.5 (10) *Intersection.* Necessary access located 500 feet or more from the intersection of two primary roads or 300 feet or more from the intersection of a primary road and secondary road may be granted by the district engineer.

a. Access may be granted by the district engineer within the widened portion of a channelized intersection in the

event the median is over 750 feet long. Access may be authorized by the district engineer 500 feet or more from the center of an intersection and not closer than 250 feet to the end of the median, provided another access is constructed beyond the widened portion of the intersection and the access points are connected with a frontage road.

b. Access within the above limits may be allowed by the commission or the commission may elect to acquire the access rights.

c. Access may be directly opposite a primary road or secondary road in instances of a "T" intersection.

d. Access will not be permitted onto a secondary road within the primary road right of way or area acquired for "daylighting" the intersection.

1.5 (11) Property Lines. Center line of entrance at edge of slab to be no closer than thirty-five feet to property line extended. (The property line extension from the right of way line to center line shall be at right angles to the center line of the highway.)

a. An entrance to serve two properties may be established, centered on the property line by mutual agreement of the property owners.

1.5 (12) Number and Arrangement of Entrances. In general, noncommercial developments will be granted one access point to the primary road.

1.5 (13) Width of Entrance. An entrance shall have a top width of not less than eighteen feet nor more than twenty-four feet measured parallel to the edge of the slab at culvert line.

a. An entrance to serve two properties shall have a top width of not less than twenty-four feet nor greater than thirty feet measured as above.

1.5 (14) Entrance Angle. The center line of the entrance shall be as near 90° as site conditions will permit. Normally the center line of that part of the entrance lying on the right of way shall be at right angles to the pavement for a minimum distance of thirty feet from the near edge of the pavement.

1.5 (15) Return Radii. An entrance of this type shall be flared with radii no more than fifteen feet. Radii shall be measured from the edge of slab.

1.5 (16) Slope and Cross Section of Entrance. The finished surface elevation of the driveway over the pipe, or place where pipe would normally be, shall be not less than four inches lower than shoulder elevation at the center line of the entrance to prevent water draining onto the pavement or traveled way.

a. The side slopes on the entrance shall not be steeper than 2:1.

1.6 (306A) Access to Class IV Highways Rural or Fringe Area Where Access Rights Have Not Been Acquired.

1.6 (1) Type A and B Entrances. Sight Distance. Sight distance shall not be less than the posted daytime speed requirements as stated below.

Posted Daytime Speed Limit	Required Sight Distance	Minimum Stopping Sight Distance
70 m.p.h.	950 feet	600 feet
60 m.p.h.	750 feet	475 feet
50 m.p.h.	550 feet	350 feet
40 m.p.h.	450 feet	275 feet
30 m.p.h.		200 feet

a. Applicant shall locate an entrance in compliance with the required sight distance requirement whenever possible on his property fronting a highway.

b. If the required sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access for a location at the maximum sight distance available on the applicant's frontage, but in no case less than the minimum stopping sight distance.

1.6 (2) Intersections. Necessary access located 300 feet or more from the intersection of two primary roads or 150 feet or more from the intersection of a Class IV highway and a secondary road may be granted except within a "daylighted" area by the district engineer.

a. Access may be granted by the district engineer within the widened portion of a channelized intersection in the event the median is over 750 feet long. Access may be authorized by the district engineer 500 feet or more from the center of an intersection and not closer than 250 feet to the end of the median, provided another access is constructed beyond the widened portion of the intersection and the access points are connected with a frontage road.

b. Access within the above limits may be allowed by the commission, or the commission may elect to acquire the access rights.

c. Access may be directly opposite a primary road or secondary road in instances of a "T" intersection.

d. Access will not be permitted onto a secondary road within the primary road right of way or area acquired for "daylighting" the intersection.

1.6 (3) Property Lines. The center line of the entrance at the edge of slab shall be no closer than forty feet to the property line extended. (The property line extension from the right of way line to the center line shall be at right angles to the center line of the highway.) The return on the drive shall not extend beyond the property line. An entrance to serve two properties abutting the primary road may be established centered on the property line, by mutual agreement of the property owners.

1.6 (4) Number and Arrangement of Entrances. Commercial or industrial developments will be granted access where needed to the primary road, provided safety and construction standards are satisfactory with a minimum distance of thirty feet between entrance toe of slopes along center line of ditch.

1.6 (5) Width of Entrance. Type A. Each case will require special study. (For special commercial see section 1.8 (306A).)

a. *Type B* — Forty-five feet maximum for two way use, in all cases.

1.6 (6) Entrance Angle. In general, entrance angle will be as near 90° to center line of the highway as site conditions will permit.

a. Entrances for service stations or developments where two access points are authorized shall be 60° to 90° to center line.

1.6 (7) Return Radii. Type A. Each case will require a special study.

a. *Type B* — For entrance angle of 90° to center line return radii at junction of entrance and pavement shall not exceed forty-five feet. For entrance angle of 60° to center line return radii of obtuse angle shall not exceed sixty feet and return radii of acute angle shall not exceed twenty feet.

1.6 (8) Slope and Cross Section of Entrances. The finished surface elevation

of the driveway over the pipe, or place where pipe would normally be, shall not be less than four inches lower than shoulder elevation at the center line of the entrance to prevent water draining onto the pavement or traveled way.

a. The side slopes on the entrance shall not be steeper than 2:1.

1.6 (9) Type C Entrances. Sight Distance. — Sight distance shall not be less than the posted daytime speed requirements as stated below.

Posted Daytime Speed Limit	Required Sight Distance	Minimum Stopping Sight Distance
70 m.p.h.	950 feet	600 feet
60 m.p.h.	750 feet	475 feet
50 m.p.h.	550 feet	350 feet
40 m.p.h.	450 feet	275 feet
30 m.p.h.		200 feet

a. Applicant shall locate an entrance in compliance with the required sight distance requirement whenever possible on his property fronting a highway.

b. If the required sight distance is not available on the applicant's highway frontage, the district engineer may approve an application for establishing access for a location at the maximum sight distance available on the applicant's frontage, but in no case less than the minimum stopping sight distance.

1.6 (10) Intersections. Necessary access located 300 feet or more from the intersection of two primary roads or 150 feet or more from the intersection of a Class IV highway and a secondary road may be granted except within a "daylighted" area by the district engineer.

a. Access may be granted by the district engineer within the widened portion of a channelized intersection in the event the median is over 750 feet long. Access may be authorized by the district engineer 500 feet or more from the center of an intersection and not closer than 250 feet to the end of the median, provided another access is constructed beyond the widened portion of the intersection and the access points are connected with a frontage road.

b. Access within the above limits may be allowed by the commission, or the commission may elect to acquire the access rights.

c. Access may be directly opposite a primary road or secondary road in instances of a "T" intersection.

d. Access will not be permitted onto a secondary road within the primary road right of way or area acquired for "daylighting" the intersection.

1.6 (11) Property Lines. Center line of entrance at edge of slab shall be no closer than thirty feet to property line extended. (The property line extension from the right of way line to the center line shall be at right angles to the center line of the highway.)

a. An entrance to serve two properties may be established centered on the property line, by mutual agreement of the property owners.

1.6 (12) Number and Arrangements of Entrances. Noncommercial developments will be granted access where needed to the primary road, provided safety and construction standards are satisfactory with a minimum distance of thirty feet between entrance toe of slopes along center line of ditch.

1.6 (13) Width of Entrance. An entrance shall have a top width of not less than eighteen feet nor more than twenty-four feet measured parallel to the edge of the slab at culvert line.

a. An entrance to serve two properties shall have a top width of not less than twenty-four feet nor greater than thirty feet measured as above.

1.6 (14) Entrance Angle. The center line of the entrance shall be as near 90° as site conditions will permit. Normally the center line of that part of the entrance lying on the right of way shall be at right angles to the pavement for a minimum distance of thirty feet from the near edge of the pavement.

1.6 (15) Return Radii. An entrance of this type shall be flared with radii no more than fifteen feet. Radii shall be measured from edge of slab.

1.6 (16) Slope and Cross Section of Entrance. The finished surface elevation of the driveway over the pipe, or place where pipe would normally be, shall be not less than four inches lower than shoulder elevation at the center line of the entrance to prevent water draining onto the pavement or traveled way.

a. The side slopes on the entrance shall not be steeper than 2:1.

1.7 (306A) Access to Class III and IV Highways in Built-Up Area Where Access Rights Have Not Been Acquired.

1.7 (1) Noncommercial, Commercial or Industrial Developments. Applicant is urged to contact the resident maintenance engineer for clarification of the following requirements.

1.7 (2) Intersections. At street intersections on a primary road extension in built-up area, the minimum length of curb around the radius of a street return shall be determined as follows: The beginning of the curb drop for the entrance shall be no closer than five feet from the curb tangent point provided that: A curb drop shall not extend beyond the property line extended, or extend into a crosswalk.

a. On the intersecting street the curb drop for the entrance shall be no closer than the property line extended, or extend into the crosswalk. (See section 1.7 (9).)

b. When a primary road extension is improved, existing entrances shall be modified to conform to entrance requirements as stated above. Where these requirements would necessitate alteration of existing facilities for practical operation or where purchase of access rights are not economically feasible, the length of curb may be reduced to not less than the tangent point on the primary intersection, and to the property line on the intersecting street.

c. If the intersection does not have an existing or planned curb and gutter to define the radius, the following right of way and traveled way assumptions shall be applied to the above requirements for determining the location of the entrance: Minimum width of traveled way of the primary road extension — forty-nine feet back to back of curbs. (If right of way width is less than sixty-six feet — traveled way shall be assumed as seventy-five percent of platted width of primary road extension.) Minimum width of traveled way of the intersecting local road — thirty-one feet back to back of curbs.

d. Minimum radius of curb return where interior angle of line of curb is between 30° and 120° — twenty-five feet.

e. If interior angle of line of curb is greater than 120°, minimum radius to be fifty feet.

f. If interior angle of line of curb is less than 30°, minimum radius of return to be twenty feet.

1.7 (3) Channelized Intersection or Divided Highways. When there is a median in the primary road extension or the intersecting street, or both, the curb drop for the entrance shall be determined as stated above except that at the beginning or end of the median, or at a median break the nearest edge of the curb drop for an entrance shall not be closer than twenty feet from the end of the median measured at right angles to the median. This does not apply to entrances centered on the median break.

1.7 (4) Property Lines. Curb drop for entrances shall not extend beyond the property line extended on an interior lot line. (The property line extension from the right of way line to the center line shall be at right angles to the center line of the highway.) When rural type road section exists section 1.6 (3) or 1.6 (11) shall apply.

a. An entrance to serve two properties may be established centered on the property line by mutual agreement of the property owners. (See section 1.7 (9).)

1.7 (5) Number and Arrangement of Entrances to Class III Highways. In general residential and commercial developments (other than service stations) will be granted one access point to the primary road or primary road extension. Service stations with adequate frontage will be granted two points of access to the primary road or primary road extension. Additional access will be considered for commercial development with 150 feet frontage or more on a primary road or primary road extension and such development does not abut or have access to another street.

a. In an instance where more than one access is permitted to the primary road or primary road extension from an abutting property, there shall be a minimum of fifteen feet between the near edges of the curb drops for driveways.

1.7 (6) Number and Arrangement of Entrances for Class IV Highways. Residential and commercial developments will be granted access where needed to the primary road or primary road extension, provided safety and construction standards are satisfactory.

1.7 (7) Width of Entrances. Type A. Each case will require special study.

a. *Type B* — Thirty feet maximum for one-way use on divided highway. (May be increased to forty-five feet to serve two properties.) Forty-five feet maximum for two-way use in all cases. (See section 7.1 (9).)

b. *Type C* — Twenty-four feet maximum. (May be increased to thirty-five feet to serve two properties.)

c. The total length of curb openings on a primary road or primary road extension for access to a property abutting the road or extension shall not exceed sixty percent of the property frontage.

1.7 (8) Entrance Angle. In general, entrance angle will be as near 90° to center line of highway as site conditions will permit.

a. Entrances established for two-way operations for service stations or developments where two access points are authorized shall be 60° to 90° to centerline.

b. In those instances on a divided highway where two access points are authorized for one-way operation the "ingress" may be 45° to 60° to center line and the "egress" shall be 60° to 90° to center line.

1.7 (9) Primary Road Extension. On primary road extensions the location and geometrics of access must meet local requirements within the limitation of section 1.7 (306A) and access permits must have prior approval by authorized city officials.

1.8 (306A) Access for Special Commercial Developments On Class III and IV Highways Where Access Rights Have Not Been Acquired.

1.8 (1) Facilities which serve type of enterprise which generates heavy concentration of vehicles such as drive-in theaters, race tracks, baseball parks, amusement centers, shopping centers, industrial parks, etc., will require special study to be coordinated with commission planning and design sections to determine what facilities are required.

a. Time requirements set forth in section 1.3 (2) may be extended if necessary.

1.9 (306A) Classification of Primary Highways For Access Control.

1.9 (1) Classification. Each of the primary highways of the state of Iowa is

classified in accordance with section 1.2 (11) of these rules. This classification for each highway is available at the office of the Iowa State Highway Commission, Ames, Iowa.

These rules replace all previous rules regarding access on the primary highway system. [These rules shall become effective as provided in chapter 17A of the Code.]

Corresponding Section Numbers:

File	=	I.D.R.
1.1	=	1.1
2.1	=	1.2
3.1	=	1.3
4.1	=	1.4
5.1	=	1.5
6.1	=	1.6
7.1	=	1.7
8.1	=	1.8
9.1	=	1.9

HIGHWAY COMMISSION

(Continued)

CHAPTER 5

OUTDOOR ADVERTISING

Pursuant to authority of Ch. 260, Acts of 61st G. A., the following rules are adopted.

Iowa standards for regulation of outdoor advertising signs, displays and devices adjacent to the national system of Interstate and Defense Highways. [See table corresponding section numbers at end of this chapter.]

[Filed May 18, 1966]

5.1 (Ch. 260, 61 G.A.) Purpose. To provide execution of Senate File 192 (Ch. 260), as enacted by the Sixty-first General Assembly, hereinafter, called the "Act", the Iowa state highway commission hereby declares.

5.1 (1) To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the Iowa System of Interstate and Defense Highways, hereinafter called the "Interstate System", it is in the public interest to control the use of and to improve areas adjacent to such system by controlling the erection and maintenance of outdoor advertising signs, displays and devices adjacent to that system.

5.1 (2) It is a state policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right of way and visible from the main-traveled way of all portions of the Interstate System, should be regulated, consistent with state standards as prepared and promulgated by the Iowa state highway commission.

5.2 (Ch. 260, 61 G.A.) Definitions. The following terms when used in the standards in this part have the following meanings:

5.2 (1) "Acquired for right of way" means acquired for right of way for any public road by the state of Iowa, federal government, or a county, city, or other political subdivision of the state, by donation, dedication, purchase, condemnation, use, or otherwise. The date of acquisition shall be the date upon which title (whether fee title or a lesser interest) vested in the public for right of way purposes under applicable state law.

5.2 (2) "Advertising device" includes any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or any other device designed, intended, or used to advertise or give information in the nature of advertising and having the capacity of being visible from the traveled portion of any highway of the Interstate System in this state.

5.2 (3) "Center line of the highway" means a line equidistant from the edges of the median separating the main-traveled ways of a divided Interstate highway.

5.2 (4) "Controlled portion of the Interstate System" means any portion which lies within Iowa and

a. Subject to any agreement by and between the Iowa state highway commission and the secretary of commerce of the United States as provided in the Act; and

b. Is not excluded under the terms of the Act which provide that agreements entered into between the secretary of commerce and the Iowa state highway commission, shall not apply to those segments of the Interstate System which traverse commercial or industrial zones within boundaries of incorporated municipalities as such boundaries existed on September 21, 1959, wherein the use of the real property adjacent to the Interstate System is subject to the municipal regulation or con-

trol, or which traverse other areas where the land use as of September 21, 1959, was clearly established by Iowa law as industrial or commercial.

5.2 (5) "Entrance roadway" means any public road or turning roadway, including acceleration lanes, by which traffic may enter the main-traveled way of an Interstate highway from the general road system within Iowa, irrespective of whether traffic may also leave the main-traveled way by such road or turning roadway.

5.2 (6) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

5.2 (7) "Exit roadway" means any public road or turning roadway, including deceleration lanes, by which traffic may leave the main-traveled way of an Interstate highway to reach the general road system within Iowa, irrespective of whether traffic may also enter the main-traveled way by such road or turning roadway.

5.2 (8) "Interstate System" means the system of highways as defined in Title 23 U.S.C., subsection "d" or amendments thereto.

5.2 (9) "Legible" means capable of being read without visual aid by a person of normal visual acuity.

5.2 (10) "Maintain" means to allow to exist.

5.2 (11) "Main - traveled way" means the traveled way of an Interstate highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, or parking areas.

5.2 (12) "National Policy" means the provisions relating to control of advertising devices adjacent to the Interstate System contained in Title 23 U.S.C. 131 or amendments thereto and the national standards promulgated pursuant to such provisions.

5.2 (13) "Protected areas" means all areas inside the boundaries of Iowa which are adjacent to and within six hundred and sixty feet of the edge of the right of way of all controlled portions of the Interstate System within Iowa. Where a controlled portion of the Interstate System terminates at an Iowa boundary which is not perpen-

dicular or normal to the center line of the highway, "protected areas" also means all areas inside the boundary of Iowa which are within 660 feet of the edge of the right of way of the Interstate highway in the adjoining state.

5.2 (14) "Scenic area" means any public park or area of particular scenic beauty or historical significance designated by or pursuant to Iowa law as a scenic area.

5.2 (15) "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of a controlled portion of the Interstate System.

5.2 (16) "State" means the state of Iowa within the boundaries of which a portion of the Interstate System is located.

5.2 (17) "State law" means an Iowa constitutional provision or statute, or an ordinance, rule or regulation enacted or adopted by an Iowa agency or political subdivision of Iowa pursuant to Iowa constitution or statute.

5.2 (18) "Trade name" shall include brand name, trade-mark, distinctive symbol, or other similar device or thing used to identify particular products or services.

5.2 (19) "Traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders.

5.2 (20) "Turning roadway" means a connecting roadway for traffic turning between two intersection legs of an interchange.

5.2 (21) "Visible" means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

5.3 (Ch. 260, 61 G.A.) Measurements of distance. Distance from the edge of a right of way shall be measured horizontally along a line normal or perpendicular to the center line of the highway.

5.4 (Ch. 260, 61 G.A.) Signs that may not be permitted in protected areas. Erection or maintenance of the following signs may not be permitted in protected areas.

5.4 (1) Signs advertising activities that are illegal under state or federal laws or

regulations in effect at the location of such signs or at the location of such activities.

5.4 (2) Obsolete signs.

5.4 (3) Signs that are not maintained in good repair so as to be legible.

5.4 (4) Signs that are not securely affixed to a substantial structure, and

5.4 (5) Signs that are not consistent with all the standards as set forth in this policy.

5.5 (Ch. 260, 61 G.A.) Signs that may be permitted in protected areas. Erection or maintenance of the following signs may be permitted in protected areas.

5.5 (2) Class 1 — *Official signs.* Directional or other official signs or notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in Iowa law, for the purpose of carrying out an official duty or responsibility.

5.5 (3) Class 2 — *On premise signs.* Signs not prohibited by Iowa law which are consistent with the applicable provisions of this section and section 5.7 and which advertise the sale or lease of, or activities being conducted upon, the real property where the signs are located.

a. Not more than one such sign advertising the sale or lease of the same property may be permitted under this class in such a manner as to be visible to traffic proceeding in any one direction on any one Interstate highway.

b. Not more than one such sign, visible to traffic proceeding in any one direction on any one Interstate highway and advertising activities being conducted upon the real property where the sign is located, may be permitted under this class more than fifty feet from the advertised activity.

5.5 (4) Class 3 — *Signs in the specific interest of the traveling public.* Signs outside of established urban areas authorized to be erected or maintained in accordance with state law which are consistent with the applicable provisions of this section and which are designed to give information in the specific interest of the traveling public. Sites for the erection and maintenance of Class 3 signs and the location and frequency of such sites shall be as determined by agreements between the secretary of commerce and the Iowa state highway commission.

5.5 (5) A Class 2 sign, except a Class 2 sign not more than fifty feet from the advertised activity, that displays any trade name which refers to or identifies any service rendered or product sold, may not be permitted unless the name of the advertised activity is displayed as conspicuously as such trade name.

5.5 (6) Only information about public places operated by federal, state or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation, and places for camping, lodging, eating and vehicle service and repair is deemed to be in the specific interest of the traveling public. For the purposes of the standards in this part, a trade name is deemed to be information in the specific interests of the traveling public only if it identifies or characterizes such a place or identifies vehicle service, equipment, parts, accessories, fuels, oils, or lubricants being offered for sale at such a place. Signs displaying any other trade name may not be permitted under Class 3.

5.5 (7) Notwithstanding the provisions of subsection 5.5 (5) of this section, Class 2 signs may display trade names in accordance with the provisions of subsection 5.5 (6) of this section.

5.5 (8) Reserved for future regulation.

5.5 (9) Reserved for future regulation.

5.5 (10) Reserved for future regulation.

5.6 (Ch. 260, 61 G.A.) General Provisions.

5.6 (1) No Class 2 sign may be permitted to be erected or maintained, in any manner inconsistent with the following.

5.6 (2) No sign may be permitted which attempts or appears to attempt to direct the movement of traffic or which interferes with, imitates or resembles any official sign, signal or device.

5.6 (3) No sign may be permitted which prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.

5.6 (4) No sign may be permitted which contains, includes, or is illuminated by any flashing, intermittent or moving light or lights.

5.6 (5) No lighting may be permitted to be used in any way in connection with

any sign unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main-traveled way of the Interstate System, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise interfere with any driver's operation of a motor vehicle.

5.6 (6) No sign may be permitted which moves or has any animated moving parts.

5.6 (7) No sign may be permitted to be erected or maintained upon trees or painted or drawn upon rocks or other natural features.

5.6 (8) No sign may be permitted to exceed twenty feet in length, width, or height, or 150 square feet in area, including border and trim but excluding supports, except Class 2 signs not more than fifty feet from, and advertising activities being con-

ducted upon, the real property where the sign is located.

5.7 (Ch. 260, 61 G.A.) Exclusions.

5.7 (1) The standards in this part shall not apply to markers, signs, and plaques in appreciation of sites of historical significance for the erection of which provisions are made in an agreement between Iowa and the secretary of commerce, as provided in the Act, unless such agreement expressly makes all or any part of the standards applicable.

Corresponding Section Numbers:

File	=	I.D.R.
1.1	=	5.1
2.1	=	5.2
3.1	=	5.3
4.1	=	5.4
5.1	=	5.5
6.1	=	5.6
7.1	=	5.7

INSURANCE DEPARTMENT

PROXY REGULATIONS

[Filed April 15, 1966]

Pursuant to the authority granted in House File 209, [Ch. 402], Acts of the 61st General Assembly, state of Iowa, the following rules are adopted:

1.1 (523) Application of regulation. This regulation is applicable to all domestic stock insurers having one hundred or more stockholders; provided, however, that this regulation shall not apply to any insurer if ninety-five percent or more of its stock is owned or controlled by a parent or an affiliated insurer and the remaining shares are held by less than five hundred stockholders. A domestic stock insurer which files with the securities and exchange commission forms of proxies, consents and authorizations complying with the requirements of the Securities and Exchange Act of 1934 and the Securities and Exchange Acts Amendments of 1964 and regulation X - 14 of the securities and exchange commission promulgated thereunder shall be exempt from the provisions of this regulation.

1.2 (523) Proxies, consents and authorizations. No domestic stock insurer, or any director, officer or employee of such insurer subject to section one hereof, or any other person, shall solicit, or permit the use of his name to solicit, by mail or other-

wise, any proxy, consent or authorization in respect of any stock of such insurer in contravention of this regulation and Schedules A and B hereto annexed and hereby made a part of this regulation.

1.3 (523) Disclosure of equivalent information. Unless proxies, consents or authorizations in respect of a stock of a domestic insurer subject to section one hereof are solicited by or on behalf of the management of such insurer from the holders of record of stock of such insurer in accordance with this regulation and the schedules thereunder prior to any annual or other meeting, such insurer shall, in accordance with this regulation and such further regulations as the commissioner may adopt, file with the commissioner, and transmit to all stockholders of record information substantially equivalent to the information which would be required to be transmitted if a solicitation were made.

1.4 (523) Definitions.

1.4 (1) The definitions and instructions set out in schedule SIS, as promulgated by the National Association of Insurance Commissioners, shall be applicable for purposes of this regulation.

1.4 (2) The terms "solicit" and "solicitation" for purposes of this regulation shall include:

a. Any request for a proxy, whether or not accompanied by or included in a form of proxy; or

b. Any request to execute or not to execute, or to revoke, a proxy; or

c. The furnishing of a proxy or other communication to stockholders under circumstances reasonably calculated to result in the procurement, withholding or revocation of a proxy.

1.4 (3) The terms "solicit" and "solicitation" shall not include:

a. Any solicitation by a person in respect of stock of which he is the beneficial owner;

b. Action by a broker or other person in respect to stock carried in his name or in the name of his nominee in forwarding to the beneficial owner of such stock soliciting material received from the company, or impartially instructing such beneficial owner to forward a proxy to the person, if any, to whom the beneficial owner desires to give a proxy, or impartially requesting instructions from the beneficial owner with respect to the authority to be conferred by the proxy and stating that a proxy will be given if the instructions are received by a certain date;

c. The furnishing of a form of proxy to a stockholder upon the unsolicited request of such stockholder, or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

1.5 (523) Information to be furnished to stockholders.

1.5 (1) No solicitation subject to this regulation shall be made unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the information specified in Schedule A.

1.5 (2) If the solicitation is made on behalf of the management of the insurer and relates to an annual meeting of stockholders at which directors are to be elected, each proxy statement furnished pursuant to subsection one hereof shall be accompanied or preceded by an annual report (in preliminary or final form) to such stockholders containing such financial statements for the last fiscal year as are referred to in Schedule SIS under the heading "Financial Reporting to Stockholders." Subject to the foregoing requirements with respect to financial statements, the annual report to stockholders may be in any form deemed suitable by the management.

1.5 (3) Two copies of each report sent to the stockholder pursuant to this section shall be mailed to the commissioner not later than the date on which such report is first sent or given to stockholders or the date on which preliminary copies of solicitation material are filed with the commissioner pursuant to subsection one of section seven, whichever date is later.

1.6 (523) Requirements as to proxy.

1.6 (1) The form of proxy (*a*) shall indicate in bold-face type whether or not the proxy is solicited on behalf of the management, (*b*) shall provide a specifically designated blank space for dating the proxy and (*c*) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management, or stockholders. No reference need be made to proposals as to which discretionary authority is conferred pursuant to subsection three hereof.

1.6 (2) Means shall be provided in the proxy for the person solicited to specify by ballot a choice between approval or disapproval of each matter or group of related matters referred to therein, other than elections to office. A proxy may confer discretionary authority with respect to matters as to which a choice is not so specified if the form of proxy states in bold-face type how it is intended to vote the shares or authorization represented by the proxy in each such case.

1.6 (3) A proxy may confer discretionary authority with respect to other matters which may come before the meeting, provided the persons on whose behalf the solicitation is made are not aware a reasonable time prior to the time the solicitation is made that any other matters are to be presented for action at the meeting and provided further that a specific statement to that effect is made in the proxy statement or in the form of proxy.

1.6 (4) No proxy shall confer authority (*a*) to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement, or (*b*) to vote at any annual meeting other than the next annual meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to stockholders.

1.6 (5) The proxy statement or form of proxy shall provide, subject to reasonable specified conditions, that the proxy

will be voted and that where the person solicited specifies by means of ballot provided pursuant to subsection two hereof a choice with respect to any matter to be acted upon, the vote will be in accordance with the specifications so made.

1.6 (6) The information included in the proxy statement shall be clearly presented and the statements made shall be divided into groups according to subject matter, with appropriate headings. All printed proxy statements shall be clearly and legibly presented.

1.7 (523) Material required to be filed.

1.7 (1) Two preliminary copies of the proxy statement and form of proxy and any other soliciting material to be furnished to stockholders concurrently therewith shall be filed with the commissioner at least ten days prior to the date definitive copies of such material are first sent or given to stockholders, or such shorter period prior to that date as the commissioner may authorize upon a showing of good cause therefor.

1.7 (2) Two preliminary copies of any additional soliciting material relating to the same meeting or subject matter to be furnished to stockholders subsequent to the proxy statements shall be filed with the commissioner at least two days (exclusive of Saturdays, Sundays or holidays) prior to the date copies of this material are first sent or given to stockholders or a shorter period prior to such date as the commissioner may authorize upon a showing of good cause therefor.

1.7 (3) Two definitive copies of the proxy statement, form of proxy and all other soliciting material, in the form in which this material is furnished to stockholders, shall be filed with, or mailed for filing to, the commissioner not later than the date such material is first sent or given to the stockholders.

1.7 (4) Where any proxy statement, form of proxy or other material filed pursuant to these rules is amended or revised, two of the copies shall be marked to clearly show such changes.

1.7 (5) Copies of replies to inquiries from stockholders requesting further information and copies of communications which do no more than request that forms of proxy theretofore solicited be signed and returned need not be filed pursuant to this section.

1.7 (6) Notwithstanding the provisions of subsections one and two hereof

and of subsection five of section eleven, copies of soliciting material in the form of speeches, press releases and radio or television scripts may, but need not, be filed with the commissioner prior to use or publication. Definitive copies, however, shall be filed with or mailed for filing to the commissioner as required by subsection three hereof not later than the date such material is used or published. The provisions of subsections one and two hereof and subsection five of section eleven shall apply, however, to any reprints or reproductions of all or any part of such material.

1.8 (523) False or misleading statements.

No solicitation subject to this regulation shall be made by means of any proxy statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement which at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter which has become false or misleading.

1.9 (523) Prohibition of certain solicitations. No person making a solicitation which is subject to this regulation shall solicit any undated or postdated proxy or any proxy which provides that it shall be deemed to be dated as of any date subsequent to the date on which it is signed by the stockholder.

1.10 (523) Special provisions applicable to election contests.

1.10 (1) Applicability. This section shall apply to any solicitation subject to this regulation by any person or group for the purpose of opposing a solicitation subject to this regulation by any other person or group with respect to the election or removal of directors at any annual or special meeting of stockholders.

1.10 (2) Participant or participant in a solicitation.

a. For purposes of this section the term "participant" and "participant in a solicitation" include: (i) the insurer; (ii) any director of the insurer, and any nominee for whose election as a director proxies are solicited; (iii) any other person, acting alone or with one or more other persons,

committees or groups, in organizing, directing or financing the solicitation.

b. For the purposes of this section the term "participant" and "participant in a solicitation" do not include: (i) a bank, broker or dealer who, in the ordinary course of business, lends money or executes orders for the purchase or sale of stock and who is not otherwise a participant; (ii) any person or organization retained or employed by a participant to solicit stockholders or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties; (iii) any person employed in the capacity of attorney, accountant, or advertising, public relations or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment; (iv) any person regularly employed as an officer or employee of the insurer of any of its subsidiaries or affiliates who is not otherwise a participant; or (v) any officer or director of, or any person regularly employed by any other participant, if such officer, director, or employee is not otherwise a participant.

1.10 (3) Filing of information required by Schedule B.

a. No solicitation subject to this section shall be made by any person other than the management of an insurer unless at least five business days prior thereto, or such shorter period as the commissioner may authorize upon a showing of good cause therefor, there has been filed, with the commissioner by or on behalf of each participant in such solicitation, a statement in duplicate containing the information specified by Schedule B and a copy of any material proposed to be distributed to stockholders in furtherance of such solicitation. Where preliminary copies of any materials are filed, distribution to stockholders should be deferred until the commissioner's comments have been received and complied with.

b. Within five business days after a solicitation subject to this section is made by the management of an insurer, or such longer period as the commissioner may authorize upon a showing of good cause therefor, there shall be filed with the commissioner by or on behalf of each participant in such solicitation, other than the insurer, and by or on behalf of each management nominee for director, a statement in duplicate containing the information specified by Schedule B.

c. If any solicitation on behalf of a management or any other person has been

made, or if proxy material is ready for distribution, prior to a solicitation subject to this section in opposition thereto, a statement in duplicate containing the information specified in Schedule B shall be filed with the commissioner by or on behalf of each participant in such prior solicitation, other than the insurer, as soon as reasonably practicable after the commencement of the solicitation in opposition thereto.

d. If, subsequent to the filing of the statements required by paragraphs "a", "b" and "c" of this subsection, additional persons become participants in a solicitation subject to this rule, there shall be filed with the commissioner by or on behalf of each such person, a statement in duplicate containing the information specified by Schedule B, within three business days after such person becomes a participant, or such longer period as the commissioner may authorize upon a showing of good cause therefor.

e. If any material change occurs in the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the commissioner.

f. Each statement and amendment thereto filed pursuant to this paragraph shall be part of the public files of the commissioner.

1.10 (4) Solicitations prior to furnishing required written proxy statement. Notwithstanding the provisions of subsection one of section five, a solicitation subject to this section may be made prior to furnishing stockholders a written proxy statement containing the information specified in Schedule A with respect to such solicitation, provided that:

a. The statements required by subsection three hereof are filed by or on behalf of each participant in such solicitation.

b. No form of proxy is furnished to stockholders prior to the time the written proxy statement required by subsection one of section five is furnished to such persons: Provided, however, that this paragraph "b" shall not apply where a proxy statement then meeting the requirements of Schedule A has been furnished to stockholders.

c. At least the information specified in paragraphs "b" and "c" of the statements required by subsection three hereof

to be filed by each participant, or an appropriate summary thereof, are included in each communication sent or given to stockholders in connection with the solicitation.

d. A written proxy statement containing the information specified in Schedule A with respect to a solicitation is sent or given stockholders at the earliest practicable date.

1.10 (5) Solicitations prior to furnishing required written proxy statement—Filing requirements. Two copies of any soliciting material proposed to be sent or given to stockholders prior to the furnishing of the written proxy statement required by subsection one of section five shall be filed with the commissioner in preliminary form at least five business days prior to the date definitive copies of such material are first sent or given to such persons, or shorter period as the commissioner may authorize upon a showing of good cause therefor.

1.10 (6) Application of this section to report. Notwithstanding the provisions of subsections two and three of section five, two copies of any portion of the report referred to in subsection two of section five which comments upon or refers to any solicitation subject to this section, or to any participant in any such solicitation, other than the solicitation by the management, shall be filed with the commissioner, as proxy material subject to this regulation. Such portion of the report shall be filed with the commissioner, in preliminary form, at least five business days prior to the date copies of the report are first sent or given to stockholders.

These rules are intended to implement House File 209, [Ch. 402], Acts of the 61st General Assembly.

[Effective April 15, 1966]

SCHEDULE A

INFORMATION REQUIRED IN PROXY STATEMENT

Item 1. Revocability of proxy. State whether or not the person giving the proxy has the power to revoke it. If the right of revocation before the proxy is exercised is limited or is subject to compliance with any formal procedure, briefly describe such limitation or procedure.

Item 2. Dissenters' rights of appraisal. Outline briefly the rights of appraisal or

similar rights of dissenting stockholders with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by such stockholders in order to perfect their rights. Where such rights may be exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment, or other similar act, state whether the person solicited will be notified of such date.

Item 3. Persons making solicitations not subject to section 1.10 (523).

a. If the solicitation is made by the management of the insurer, so state. Give the name of any director of the insurer who has informed the management in writing that he intends to oppose any action intended to be taken by the management and indicate the action which he tends to oppose.

b. If the solicitation is made otherwise than by the management of the insurer, state the names and addresses of the persons by whom and on whose behalf it is made and the names and addresses of the persons by whom the cost of solicitation has been or will be borne, directly or indirectly.

c. If the solicitation is to be made by specially engaged employees or paid solicitors, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, and (ii) the cost or anticipated cost thereof.

Item 4. Interest of certain persons in matters to be acted upon. Describe briefly any substantial interest, direct or indirect, by stockholdings or otherwise, of any director, nominee for election for director, officer and, if the solicitation is made otherwise than on behalf of management, each person on whose behalf the solicitation is made, in any matter to be acted upon other than elections to office.

Item 5. Stocks and principal stockholders.

a. State, as to each class of voting stock of the insurer entitled to be voted at the meeting, the number of shares outstanding and the number of votes to which each class is entitled.

b. Give the date as of which the record list of stockholders entitled to vote at the meeting will be determined. If the right to vote is not limited to stockholders

of record on that date, indicate the conditions under which other stockholders may be entitled to vote.

c. If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

Item 6. Nominees and directors. If action is to be taken with respect to the election of directors furnish the following information in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

a. Name each such person, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and office with the insurer presently held by him, and indicate which persons are nominees for election as directors at the meeting.

b. State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of stockholders at a meeting for which proxies were solicited under this regulation.

c. If he is or has previously been a director of the insurer, state the period or periods during which he has served as such.

d. State, as of the most recent practicable date, the approximate amount of each class of stock of the insurer or any of its parents, subsidiaries or affiliates other than directors' qualifying shares, beneficially owned directly or indirectly by him. If he is not the beneficial owner of any such stocks make a statement to that effect.

Item 7. Remuneration and other transactions with management and others. Furnish the information reported or required in Item One of Schedule SIS under the heading "Information Regarding Management and Directors" if action is to be taken with respect to (*a*) the election of directors, (*b*) any remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the insurer will participate, (*c*) any pension or

retirement plan in which any such person will participate, or (*d*) the granting or extension to any such person of any options, warrants or rights to purchase any stocks, other than warrants or rights issued to stockholders, as such, on a pro rata basis. If the solicitation is made on behalf of persons other than the management, information shall be furnished only as to Item One-A of the aforesaid heading of Schedule SIS.

Item 8. Bonus, profit sharing and other remuneration plans. If action is to be taken with respect to any bonus, profit sharing, or other remuneration plan, of the insurer, furnish the following information:

a. A brief description of the material features of the plan, each class of persons who will participate therein, the approximate number of persons in each such class, and the basis of such participation.

b. The amounts which would have been distributable under the plan during the last calendar year to (1) each person named in item seven of this schedule, (2) directors and officers as a group, and (3) all other employees as a group, if the plan had been in effect.

c. If the plan to be acted upon may be amended (other than by a vote of the stockholders) in a manner which would materially increase the cost thereof to the insurer or to materially alter the allocation of the benefits as between the groups specified in paragraph "b" of this item, the nature of such amendments should be specified.

Item 9. Pension and retirement plans. If action is to be taken with respect to any pension or retirement plan of the insurer, furnish the following information:

a. A brief description of the material features of the plan, each class of persons who will participate therein, the approximate number of persons in each such class, and the basis of such participation.

b. State (1) the approximate total amount necessary to fund the plan with respect to past services, the period over which such amount is to be paid, and the estimated annual payments necessary to pay the total amount over such period; (2) the estimated annual payment to be made with respect to current services; and (3) the amount of such annual payments to be made for the benefit of (i) each person named in item seven of this

schedule, (ii) directors and officers as a group, and (iii) employees as a group.

c. If the plan to be acted upon may be amended (other than by a vote of stockholders) in a manner which would materially increase the cost thereof to the insurer or to materially alter the allocation of the benefits as between the groups specified in paragraph "b, 3" of this item, the nature of such amendments should be specified.

Item 10. Options, warrants, or rights.

If action is to be taken with respect to the granting or extension of any options, warrants or rights (all referred to herein as "warrants") to purchase stock of the insurer or any subsidiary or affiliate, other than warrants issued to all stockholders on a pro rata basis, furnish the following information:

a. The title and amount of stock called for or to be called for, the prices, expiration dates and other material conditions upon which the warrants may be exercised, the consideration received or to be received by the insurer, subsidiary or affiliate for the granting or extension of the warrants and the market value of the stock called for or to be called for by the warrants, as of the latest practicable date.

b. If known, state separately the amount of stock called for or to be called for by warrants received or to be received by the following persons, naming each such person: (1) Each person named in item seven of this schedule, and (2) each other person who will be entitled to acquire five percent or more of the stock called for or to be called for by such warrants.

c. If known, state also the total amount of stock called for or to be called for by such warrants, received or to be received by all directors and officers of the company as a group and all employees, without naming them.

Item 11. Authorization or issuance of stock.

a. If action is to be taken with respect to the authorization or issuance of any stock of the insurer furnish the title, amount and description of the stock to be authorized or issued.

b. If the shares of stock are other than additional shares of common stock of a class outstanding, furnish a brief summary of the following, if applicable: dividend, voting liquidation, pre-emptive, and con-

version rights, redemption and sinking fund provisions, interest rate and date of maturity.

c. If the shares of stock to be authorized or issued are other than additional shares of common stock of a class outstanding, the commissioner may require financial statements comparable to those contained in the annual report.

Item 12. Mergers, consolidations, acquisitions and similar matters.

a. If action is taken with respect to a merger, consolidation, acquisition, or similar matter, furnish in brief outline the following information:

(1) The rights of appraisal or similar rights of dissenters with respect to any matters to be acted upon. Indicate any procedure required to be followed by dissenting stockholders in order to perfect such rights.

(2) The material features of the plan or agreement.

(3) The business done by the company to be acquired or whose assets are being acquired.

(4) If available, the high and low sales prices for each quarterly period within two years.

(5) The percentage of outstanding shares which must approve the transaction before it is consummated.

b. For each company involved in a merger, consolidation or acquisition, the following financial statements should be furnished:

(1) A comparative balance sheet as of the close of the last two fiscal years.

(2) A comparative statement of operating income and expenses for each of the last two fiscal years and, as a continuation of each statement, a statement of earnings per share after related taxes and cash dividends paid per share.

(3) A pro forma combined balance sheet and income and expenses statement for the last fiscal year giving effect to the necessary adjustments with respect to the resulting company.

Item 13. Restatement of accounts. If action is to be taken with respect to the restatement of any asset, capital, or surplus of the insurer, furnish the following information:

a. State the nature of the restatement and the date as of which it is to be effective.

b. Outline briefly the reasons for the restatement and for the selection of the particular effective date.

c. State the name and amount of each account affected by the restatement and the effect of the restatement thereon.

Item 14. Matters not required to be submitted. If action is to be taken with respect to any matter which is not required to be submitted to a vote of stockholders, state the nature of such matter, the reason for submitting it to a vote of stockholders and what action is intended to be taken by the management in the even of a negative vote on the matter by the stockholders.

Item 15. Amendment of charter, by-laws, or other documents. If action is to be taken with respect to any amendment of the insurer's charter, bylaws or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment and the vote needed for its approval.

SCHEDULE B

INFORMATION TO BE INCLUDED IN STATEMENTS FILED BY OR ON BEHALF OF A PARTICIPANT (OTHER THAN THE INSURER) IN A PROXY SOLICITATION IN AN ELECTION CONTEST

Item 1. Insurer. State the name and address of the insurer.

Item 2. Identity and background.

a. State the following:

(1) Your name and business address.

(2) Your present principal occupation or employment and the name, principal business and address of any corporation or other organization in which such employment is carried on.

b. State the following:

(1) Your residence address.

(2) Information as to all material occupations, positions, offices or employments during the last ten years, giving starting and ending dates of each and the name, principal business and address of any business corporation or other business organization in which each such occupation, position, office or employment was carried on.

c. State whether or not you are or have been a participant in any other proxy contest involving this company or other companies within the past ten years. If so, identify the principals, the subject matter and your relationship to the parties and the outcome.

d. State whether or not, during the past ten years, you have been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give dates, nature of conviction, name and location of court, and penalty imposed or other disposition of the case. A negative answer to this subitem need not be included in the proxy statement or other proxy soliciting material.

Item 3. Interest in stock of the insurer.

a. State the amount of each class of stock of the insurer which you own beneficially, directly or indirectly.

b. State the amount of each class of stock of the insurer which you own of record but not beneficially.

c. State with respect to the stock specified in "a" and "b" the amounts acquired within the past two years, the dates of acquisition and the amounts acquired on each date.

d. If any part of the purchase price or market value of any of the stock specified in paragraph "c" is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding such stock, so state and indicate the amount of the indebtedness as of the latest practicable date. If such funds were borrowed or obtained otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, broker or dealer, briefly describe the transaction, and state the names of the parties.

e. State whether or not you are a party to any contracts, arrangements or understandings with any person with respect to any stock of the insurer, including but not limited to joint ventures, loan or option arrangements, puts or calls, guarantees against losses or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. If so, name the persons with whom such contracts, arrangements, or understandings exist and give the details thereof.

f. State the amount of stock of the insurer owned beneficially, directly or indirectly, by each of your associates and the name and address of each such associate.

LIQUOR CONTROL COMMISSION

56

g. State the amount of each class of stock of any parent, subsidiary or affiliate of the insurer which you own beneficially, directly or indirectly.

Item 4. Further Matters.

a. Describe the time and circumstances under which you became a participant in the solicitation and state the nature and extent of your activities or proposed activities as a participant.

b. Describe briefly, and where practicable state the approximate amount of, any material interest, direct or indirect, of yourself and of each of your associates in any material transactions since the beginning of the company's last fiscal year, or in any material proposed transactions, to which the company or any of its subsidiaries or affiliates was or is to be a party.

c. State whether or not you or any of your associates have any arrangement or understanding with any person:

(1) With respect to any future employment by the insurer or its subsidiaries or affiliates; or

(2) With respect to any future transactions to which the insurer or any of its subsidiaries or affiliates will or may be a party.

If so, describe such arrangement or understanding and state the names of the parties thereto.

Item 5. Signature. The statement shall be dated and signed in the following manner:

I certify that the statements made in this statement are true, complete, and correct, to the best of my knowledge and belief.

Date

(Signature of participant
or authorized
representative)

INSURANCE DEPARTMENT

(Continued)

POLICYHOLDER PROXY SOLICITATION

[Filed April 15, 1966]

Pursuant to the Authority granted in Chapter 402, Laws of the 61st General Assembly, the following rules are adopted:

2.1 (523) Application. These rules are applicable to all domestic mutual insurance companies.

2.2 (523) Conditions — revocation. No proxy shall be valid unless signed and executed within two months prior to such meeting or election for which said proxy was given, and such proxy shall be limited to thirty days subsequent to the date of

such meeting or election, and may be revoked at any time by the policyholder who executed the said proxy.

2.3 (523) Filing proxy. All proxies shall be filed with the company at least one day prior to any meeting or election at which they are to be used.

2.4 (523) Solicitation by agents—use of funds. Soliciting of proxies by an agent of a company either for personal use, or for the use of officers of the company or for any other person or persons, is forbidden. Company funds shall not be expended in procuring proxies.

[These rules are intended to implement Chapter 402, Laws of the 61st General Assembly.] [Effective April 15, 1966.]

LIQUOR CONTROL COMMISSION

OFF-PREMISE ADVERTISING OF DISTILLED SPIRITS

[Filed May 11, 1966]

In compliance with 123.47 of the 1962 Code of Iowa as amended by the 60th General Assembly, the Iowa Liquor Control Commission does hereby promulgate the following rules and regulations for off-premise advertisements.

It is the policy of the commission that

the within regulations shall apply to all advertising media engaged in interstate commerce and shall in no way be construed to include those engaged solely in interstate commerce by which the advertising of distilled spirits is strictly prohibited.

1.1 (123) Application.

1.1 (1) No person engaged in business as a producer, manufacturer, bottler or importer of distilled spirits, directly or indirectly, or through an affiliate, shall

publish or disseminate or cause to be published or disseminated in any newspaper, magazine or similar publication any advertisement of distilled spirits, unless such advertisement is in conformity with these regulations: Provided, that these provisions shall not apply to the publisher of any newspaper, magazine, or similar publications, unless such publisher is engaged in business as a producer, manufacturer, bottler, importer, wholesaler, or retailer of distilled spirits, directly or indirectly, or through an affiliate.

1.1 (2) These regulations apply to all advertising of distilled spirits and wine not covered by preceding regulations 1.13 (123), which has application to so-called "on premises" advertising.

1.1 (3) The commission hereby declares it to be commission policy that the commission itself shall not advertise distilled spirits or wine in any form or through any medium whatsoever.

1.2 (123) Definitions. As used in these regulations, terms shall have the meaning ascribed below:

1.2 (1) Advertisement. The term "advertisement" as used in this regulation includes any advertisement of distilled spirits through the medium of radio broadcast or telecast; or of newspapers, periodicals, or other publications; or of any sign or outdoor advertisement; or of any other printed or graphic matter, including trade booklets, menus, and wine cards.

a. Any label affixed to any container of distilled spirits or any individual covering, carton, or other wrapper of such container.

b. Any editorial or other reading matter in any periodical or publication or newspaper for the preparation or publication of which no money or other valuable consideration is paid or promised, directly or indirectly, by any person subject to these regulations.

1.2 (2) Distilled spirits. "Distilled spirits" means ethyl alcohol, ethanol, or spirits of wine, including all dilutions and mixtures thereof, from whatever source or by whatever process produced, for beverage use, and shall include, but not be limited to, neutral spirits, whisky, brandy, rum, gin, vodka, cordials, and liqueurs or wine of whatever alcoholic percentage by weight or by volume.

LIQUOR CONTROL COMMISSION

1.2 (3) Person. "Person" means any individual, partnership, joint-stock company, business trust, association, corporation, or other form of business enterprise, including a receiver, trustee or liquidating agent.

1.3 (123) General requirements and regulations in the advertising of distilled spirits.

1.3 (1) Mandatory statements.

a. Responsible advertiser. The advertisement shall state the name and address of the producer, manufacturer, bottler, or importer responsible for its publication. Street name and number may be omitted in the address.

b. Class, type, and distinctive designation. The advertisement shall contain a conspicuous statement of the class and type, or other designation of the product corresponding with the complete designation which appears on the brand label of the product.

c. Alcoholic content. The alcoholic content shall be stated in the manner and form in which it appears on the labels of distilled spirits advertised.

d. Percentage of neutral spirits and name of commodity. In the case of distilled spirits (other than cordials, liqueurs, and specialties) produced by blending or rectification, if neutral spirits have been used in the production thereof, there shall be stated in the advertisement the percentage of neutral spirits so used and the name of the commodity from which such neutral spirits have been distilled in substantially the manner and form in which these statements appear on the labels of the distilled spirits advertised. In the case of neutral spirits or of gin produced by a process of continuous distillation, there shall be stated in the advertisement the name of the commodity from which such neutral spirits or gin has been distilled substantially in the manner and form in which this statement appears on the labels of the distilled spirits advertised.

e. "Line" or "Brand" advertisements. Where an advertisement does not mention a specific produce but merely refers to a class of distilled spirits (such as "whisky") and the advertiser markets more than one brand of distilled spirits of that class, or where the advertisement refers to several classes of distilled spirits (such as "whisky", "brandy", "rum", "gin", "liqueur", etc.) marketed under a single brand, the only mandatory information prescribed by section 1.3 (123) hereof applicable to such

advertisement would be the name and address of the responsible advertiser.

1.3 (2) Conspicuousness of mandatory statements. Statements required by these regulations to be stated in any written, printed, or graphic advertisement shall appear in lettering or type of a size, kind and color sufficient to render them both conspicuous and readily legible. In particular:

a. Required information shall be stated against a contrasting background and in type or lettering which is at least the equivalent of eight-point type.

b. Required information shall be so stated as to appear to be a part of the advertisement and shall not be separated in any manner from the remainder of the advertisement.

c. Where an advertisement relates to more than one product, the required information shall appear in such manner as to clearly indicate the particular products to which it is applicable.

d. Required information shall not be buried or concealed in unrequired descriptive matter or decorative designs.

1.4 (123) Prohibited statements.

1.4 (1) Restrictions. An advertisement shall not contain:

a. Any statement that is false or misleading in any material particular. An example of such prohibited statement is: "Reproduction of medals or facsimiles of awards, when no medals or awards have been given or where the medals or awards were not given on a competitive or comparative basis."

b. Any statement that is disparaging of a competitor's products. An example of such prohibited statement is: "Contains no neutral spirits or alcohol," or "This rum will not turn dark in the bottle."

c. Any statement, design, device, or representation which is obscene or indecent.

d. Any statement, design, device, or representation of or relating to analyses, standards, or tests, irrespective of falsity, which is likely to mislead the consumer. An example of such prohibited statements is:

"Analyzed by the _____ Laboratory and found to be pure and free from deleterious ingredients." or "Tested and approved."

Signed by The _____ Research Institute.

e. Any statement, design, device, or representation of or relating to any guaranty, irrespective of falsity, which is likely to mislead the consumer. Nothing in this section shall prohibit the use of any enforceable guaranty in substantially the following form: "We will refund the purchase price to the purchaser if he is in any manner dissatisfied with the contents of this package."

Blank to be filled in with the name of the person making guaranty.

f. Any statement that the product is produced, blended, made, bottled, packed, or sold under, or in accordance with, any authorization, law or regulation of any municipality, county, or state; federal or foreign government unless such statement is required or specifically authorized by the laws or regulations of such government; and, if a municipal, county, state, or federal permit number is stated; such permit number shall not be accompanied by any additional statement relating thereto.

g. Statements inconsistent with labeling. The advertisement shall not contain any statement concerning a brand or lot of distilled spirits that is inconsistent with any statement on the labeling thereof.

h. Curative and therapeutic effects. The advertisement shall not contain any statement, design, or device representing that the use of any distilled spirits has curative or therapeutic effects, if such statement is untrue in any particular, or tends to create a misleading impression. Example of such prohibited statements are: "----- is good for you." or "Conducive to well being."

i. Place of origin. The advertisement shall not represent that the distilled spirits were manufactured in, or imported from, a place or country other than that of their actual origin, or were produced or processed by one who was not in fact the actual producer or processor.

j. Flags, seals, coat-of-arms, crests, and other insignia. No advertisement shall contain any statement, design, device, or pictorial representation of or relating to, or capable of being construed as relating to the armed forces of the United States, or of the American Flag, any state flag, or of any emblem, seal, insignia, or decoration associated with any flag or the armed forces of the United States, nor shall any advertisement contain any statement, device, de-

sign, or pictorial representation of or concerning any flag, seal, coat-of-arms, crest, or other insignia, likely to falsely lead the consumer to believe that the product has been endorsed, made, or used by, or produced for, or under the supervision of, or in accordance with the specifications of the government, organization, family, or individual with whom such flag, seal, coat-of-arms, crest, or insignia is associated.

1.4 (2) Other prohibited statements.

a. Words "bond", "bonded", etc. An advertisement for distilled spirits shall not contain the words "bond", "bonded", or "bottled in bond", "aged in bond", or phrases containing these or synonymous terms, unless such words or phrases appear upon the labels of the distilled spirits advertised, and are stated in the advertisement in the manner and form in which they appear upon the label.

b. Statements of age. An advertisement for distilled spirits shall not contain any statement, design, or device directly or by implication concerning age or maturity of any brand or lot of distilled spirits unless a statement of age appears on the labels of the advertised product. When any such statement, design, or device concerning age or maturity is contained in any advertisement, it shall include (in direct conjunction therewith and with substantially equal conspicuousness) all parts of the statement concerning age and percentages, if any, which appear on the label. However, an advertisement for any whiskey or brandy, which does not bear a statement of age on the label, or an advertisement for rum which is four years or more old, may contain general inconspicuous age, maturity or other similar representation, e.g., "Aged in wood", "Mellowed in fine oak casks."

c. The word "pure" except as part of the bona fide name of a permittee.

d. The terms "double distilled," "triple distilled," or any other similar term.

e. The code number or price.

1.4 (3) Prohibitions in regard to wine.

a. Restrictions. An advertisement for wine shall not contain:

1. Any statement of bonded wine cellar and bonded winery numbers unless stated in direct conjunction with the name and address of the person operating such winery or storeroom. Statement of bonded winecellar and bonded winery numbers may be made in the following form: "Bond-

ed Winecellar No.," "Bonded Winery No.," "B. W. C. No.," "B. W. No." No additional reference thereto shall be made, nor shall any use be made of such statement that may convey the impression that the wine has been made or matured under U. S. government or any state government supervision or in accordance with U. S. government or any state government specifications or standards.

2. Any statement, design, device, or representation which relates to alcoholic content or which tends to create the impression that a wine is "unfortified" or has been "fortified", or has intoxicating qualities, or contains distilled spirits (except for a reference to distilled spirits in a statement of composition where such statement is required by these regulations to appear as a part of the designation of the product).

b. Statement of age. No statement of age or representation relative to age (including words or devices in any brand name or mark) shall be made, except that:

1. In the case of vintage wine, the year of vintage may be stated if it appears on the label.

2. Truthful references of a general and informative nature relating to methods or production involving storage or aging, such as "This wine has been mellowed in oak casks," "Stored in small barrels" or "Matured at regulated temperatures in our cellars" may be made.

c. Statement of bottling dates. The statement of any bottling date shall not be deemed to be a representation relative to age, if such statement appears without undue emphasis in the following form:

"Bottled in -----" (inserting the year in which the wine was bottled).

d. Statement of miscellaneous dates. No date, except as provided in paragraphs "b" and "c" of this section with respect to statement of vintage year and bottling date, shall be stated unless, in addition thereto, and in direct conjunction therewith, in the same size and kind of printing there shall be stated an explanation of the significance of such date: Provided, that if any date refers to the date establishment of any business, such date shall be stated without undue emphasis and in direct conjunction with the name of the person to whom it refers.

1.4 (4) Other prohibitions.

a. Use of insignia or reference to liquor control commission prohibited. No liquor advertising shall use any insignia or other device that may be in use by the Iowa state liquor control commission, nor shall any such advertising refer to Iowa state liquor control commission.

b. School programs. No liquor advertising shall be carried in any programs for events or activities in connection with schools, colleges or universities, or publications designed for distribution primarily to undergraduates.

c. Contests, lotteries, etc. prohibited. No liquor advertising shall include, be connected with, or make reference to the conducting of any form of contest, lottery or the awarding of prizes, or premiums.

d. Sound truck and aircraft advertising prohibited. No liquor advertising shall be permitted by the use of sound trucks, skywriting, or banner towing by aircraft.

e. Mailing forbidden. No advertisement shall be distributed to consumers, through the medium of the United States mail or by distribution of circulars, provided, that this restriction shall not apply to newspapers or magazines.

f. Picture screen advertising prohibited. No advertising of distilled spirits shall be displayed upon the picture of any theater.

1.4 (5) Additional restrictions, outdoor advertising.

a. In addition to the restrictions applicable to all advertising of distilled spirits set out heretofore in these regulations, outdoor advertising shall be prohibited, if such advertising:

1. Is primarily or especially appealing to children.

2. Depicts any juvenile, or the likeness of a woman if such illustrations exploits the human form in an immodest, vulgar or sensuous manner.

3. Depicts a person in the act of actually drinking distilled spirits.

4. Depicts athletes, athletic events or competitive sports in which participants of competitive games or events are portrayed.

5. Refers either directly or by influence to any firm, corporation, or associa-

tion, or to any public character, past or present, as recommending, using or purchasing liquor unless such reference is incorporated directly in a copyrighted label or as a part of the registered brand name, provided, that no testimonial advertising of any kind shall be permitted.

6. Refers to a brand of liquor not actually on sale in the state of Iowa.

7. Uses any Biblical character, Easter, or other religious or church sign or symbol except in relation to kosher wines; or uses for the purpose of exploiting the sale of liquor the name of any generally recognized holiday such as Christmas, New Year's Day, Mother's Day, Father's Day, Thanksgiving Day, Memorial Day, Independence Day, or state, national or local commemorative day, or depicts, names or implies in any manner whatsoever any animate character associated with such days: Provided, nothing in this rule shall be interpreted to prohibit the use of nonreligious illustrations identified with such days, such as holly wreaths or borders, punch bowls, table settings; nor the publication of strictly institutional advertising or holiday greetings containing no stated, implied or associated reference to brand, label, product, slogan, manufacturer, supplier, or retailer, other than the signature of the manufacturer, supplier, or retailer, such signature to consist solely of the name of the manufacturer, supplier or retailer.

8. Includes the words "bar", "bar-room", "saloon", or "booze."

b. Outdoor advertising shall be permitted by billboard, poster, or neon sign as allowed by these regulations if the copy used on such billboard, poster, or neon sign shall conform in all respects to the requirements hereinabove set forth and provided the locations of such advertising shall be limited as described in Regulations 1.4 (5) "c", "d" and "e" of these regulations.

c. All outdoor advertisements of distilled spirits shall be prohibited in any political subdivision of this state wherein the sale thereof may be contrary to law.

d. Outdoor advertising of distilled spirits shall be prohibited except in areas zoned for business or industrial use.

e. Outdoor advertising of distilled spirits is prohibited within 300 feet of churches, schools, playgrounds, and parks.

LIQUOR CONTROL COMMISSION

(Continued)

Pursuant to authority of section 123.17 of the Code the rules that appear in the Iowa Departmental Rules January, 1964, Supplement, are rescinded and the following adopted in lieu thereof.

LIQUOR CONTROL LICENSES

[Filed June 13, 1966]

1.5 (123) Sanitation.

1.5 (6) Toilets.

b. The minimum floor space of each toilet shall comply with the specifications of local issuing authorities. The floor of

each toilet shall be made of nonabsorbent material which shall extend four inches or more on the walls above the floor level.

The rules that appear in Iowa Departmental Rules January, 1964, Supplement are amended by striking from line three (3) and continuing in line four (4), of rule number 1.5 (6), paragraph (c), the following: "minimum length three feet".

The rules that appear in Iowa Departmental Rules January, 1964, Supplement are amended by striking from line four (4) of rule number 1.5 (6), paragraph (e), the following: "light colored".

MERIT SYSTEM COUNCIL

Pursuant to the provisions provided by the Laws of the Sixty-first General Assembly of the State of Iowa, Chapter 225, creating a Commission on the Aging, and the Standards for a Merit System of Personnel Administration issued by the Federal Social Security Board in January 1963, Rules and Regulations appearing in 1962 Iowa Departmental Rules are amended as follows.

[Filed May 13, 1966]

Page 286, column 1, line 50.

Preceding the "Statement of Policy", insert the following:

"For the merit system in the commission on the aging.

Pursuant to the provisions of Title III of the Older Americans Act of 1965 as administered by the administration on aging, department of health, education, and welfare, and Laws of the Sixty-first General Assembly of the state of Iowa, Chapter 225, creating a commission on the aging, the commission on the aging hereby adopts the following regulations for application of the merit principle of personnel administration in the Iowa Commission on the Aging."

Statement of Policy.

Page 286, column 2, line 7.

After "Mobilization," insert "and Title III of the Older Americans Act of 1965,"

Page 286, column 2, line 15.

Strike the word "and".

Page 286, column 2, line 16.

After "Civil Defense Administration" add ", and the commission on the aging".

Page 286, column 2, line 30.

Strike the period (.) after the word "department" and add ", and the commission on the aging."

Page 286, column 2, line 40.

Strike the word "and". In line 41 after the word "Administration" insert "and the commission on the aging,"

Page 286, column 2, paragraph 2, line 14.

Strike the period (.) after the word "supervision" and insert therefor a comma (,) and add "and the commission on the aging."

Article I. Definitions.

1. "Agency", page 287, column 2, line 22.

After (Ch. 28A of the Code) insert "or the commission on the aging,"

4. "Appointing Authority", page 288, column 1, line 7.

Place a comma (,) after the word "authority" and strike the word "or". In line 9, after "thority," insert "or the commission on the aging appointing authority,"

5. "Personnel Officer", page 288, column 1, line 6.

Place a comma (,) after the word "authority" and strike the word "or". In line 7, after "Administration," insert "or the commission on the aging,"

MERIT SYSTEM COUNCIL

62

7. "Exempt Positions", page 289, column 1, line 11.

After "(g) Janitors." add the following: "The exempt positions in the commission on the aging are the following:

(a) Members of the commission on the aging, and noncommission members serving on commission subcommittees.

(b) Part-time professional persons who are paid for any form of medical, nursing or other professional service and who are not engaged in the performance of administrative duties under the state plan, provided that such persons meet the standards of training and experience established by the Commission on the Aging.

(c) Janitors."

Article II, Section 1, Merit System Council, page 289, column 2, paragraph 1, line 9.

Place a comma (,) after the word "Authority" and strike the word "and". In line 10, strike the period (.) after "istration" and add ", and the Commission on the Aging."

Article II, Section 1, page 290, column 1, first paragraph after subsection (h), line 16.

After the word "Authority" place a comma (,) and strike the word "and". In line 17 strike the period (.) after the word "Administration" and add ", and the Commission on the Aging."

Article XXII. Amendments, page 304, column 2, line 6.

After the word "Authority" place a comma (,) and strike the word "and". In line 7, insert after the word "Administration," the phrase "and the Commission on the Aging,"

MERIT SYSTEM COUNCIL

(Continued)

Pursuant to provisions provided in Chapter 82, Acts of the 58th General Assembly (Chapter 28A, 1962 Code) relating to the creation and operation of the Civil Defense Administration, and Standards for a Merit System of Personnel Administration issued by the Federal Social Security Board in January 1963, Rules and Regulations as amended and placed on file in the Office of the Secretary of State of Iowa under date

of July 28, 1964, and pertaining to the Office of Emergency Planning, are amended, effective September 1, 1966, as follows.

[Filed May 13, 1966]

Strike all amendments as appearing on pages 14 and 15 under the Merit System Council in the January 1965 Supplement, Iowa Departmental Rules.

PUBLIC INSTRUCTION DEPARTMENT

Pursuant to authority of, and for the purpose of implementing, chapter 226, section 4 (2), Laws of the 61st General Assembly, as construed by the Attorney General of Iowa in an opinion dated November 4, 1965, the following rules are hereby adopted.

TITLE V

DUAL ENROLLMENT

[Filed May 10, 1966]

CHAPTER 7

SHARED TIME

7.1 (257) Policy and purpose. The purpose of this chapter of rules of the department of public instruction is to provide an orderly and uniform procedure, for the submission of approval applications for shared-time arrangements, by boards of directors

of public school districts, to the state board of public instruction, under chapter 226, section 4, subsection 2, Acts of the 61st General Assembly, as construed in the opinion of the attorney general of Iowa dated November 4, 1965.

It is hereby declared to be the policy of the state board that all applications submitted from sources other than herein authorized, or substantially deviating in content of form from the requirements herein-after set forth, will be returned, without approval action, to the party submitting same, for resubmission from the proper source or after deficiencies in form or content have been remedied.

7.2 (257) Applicability of rules. Rules appearing in this chapter apply only to shared-time arrangements proposed under chapter 226, section 4, subsection 2, Acts of the 61st General Assembly. In the event

a school district elects to enter into a shared-time arrangement under the provisions of section 274.7, Code of Iowa, as construed in the opinion of the attorney general dated November 4, 1965, by the independent method described in said opinion, no approval application will be submitted to or acted upon by the state board of public instruction.

7.3 (257) Who may apply. Applications for approval of shared-time arrangements may be submitted to the state board of public instruction directly by boards of directors of public school districts or jointly with interested private schools.

7.4 (257) Content of application. Applications for approval of shared-time arrangements shall specify the courses in which the applicant board of directors propose to permit enrollment of students who are also enrolled in private schools and the tentative number of such students proposed to be enrolled in each course. Each application shall state whether or not the board of directors of the applicant public school district waives the requirement that it shall be given notice by the state board, of its decision to permit such special enrollment, at least six months prior to July 1 of the school year in which said special enrollments are proposed to be made.

7.5 (257) Agreement required. Each Applicant school district shall agree to submit to the state department, on or before September 15 of each year, a report covering the following items:

7.5 (1) Teacher load. Specify the total number of students, both dually-enrolled and regularly enrolled who will attend upon each class or class section in specified courses.

7.5 (2) Course availability. State whether or not the courses specified under subsection one of this section are available at the private school or schools in which each of the students proposed for admission to dual enrollment is enrolled.

7.5 (3) Minimum curriculum. State whether or not each of the private schools from which it is proposed to accept students on a shared-time basis maintains minimum curriculum as defined in chapter 226, section 2, Acts of the 61st General Assembly.

7.5 (4) Prerequisite courses. State whether or not each shared-time student proposed for enrollment in specified public-

school courses has completed prerequisite courses, if any, in a school or schools maintaining standards equivalent to the approval standards for public schools in the state of Iowa.

7.5 (5) Competence through testing. State whether or not each student proposed for enrollment in specified public-school courses, who has not completed prerequisite courses in a school or schools maintaining standards equivalent to the approval standards for public schools in the state of Iowa, has demonstrated competence for admission to such course through testing.

7.5 (6) Tuition. State the number of shared-time students who are actual residents of the public school district, the number, if any, who will be enrolled on a tuition basis, the amount of tuition to be charged, and who will pay the tuition.

7.6 (257) Form of Application. Applications shall be submitted in the form of a resolution of the board of directors of the applicant public school district and may be supported by affidavits and exhibits. Applications shall be typed in pica or equivalent using a standard typewriter face (no script) on bond paper size 8½" by 11" in triplicate.

7.7 (257) Where to file. All triplicate applications shall be filed with the State Department of Public Instruction, Des Moines, Iowa.

7.8 (257) Time for filing. All applications in which the local board does not waive the six-month notice requirement as provided in section 7.4, supra, must place their applications on file at least eight months prior to July 1 of the school year in which special enrollments are proposed to be made. All applications in which the six-month notice is waived must be placed on file no later than May 1 of said year. From and after November 1, 1966, applications failing to meet the applicable filing deadline will be returned without being acted upon by the state board.

7.9 (257) Local policies. Each applicant school district shall attach to its application a copy of rules and policies adopted by it, pursuant to authority of section 279.8, Code of Iowa, for the government of shared-time programs, in substantially the following form and content:

7.9 (1) Negotiation with private schools. This provision should indicate the title of public and private school officials

who will annually arrange for and schedule shared-time classes at the public school.

7.9 (2) Athletics. This provision should specify that shared-time students will not be allowed to participate in interscholastic athletics at the public school.

7.9 (3) Attendance. Provision should be made in reconciling differences in the school calendars of the respective schools arising out of differences in holidays and opening and closing days of school.

7.9 (4) Class composition. Provisions should be made for the scheduling of both shared-time students and full-time students in the same classes insofar as facilities permit.

7.9 (5) Conduct. Responsibility for discipline of shared-time students going to and from the public school should be agreed upon and fixed.

7.9 (6) Counseling students. Provision that the private school will furnish guidance and counseling for shared-time students should be included.

7.9 (7) Course subjects. Courses in which shared-time enrollees will be accepted by the public school should be specified.

7.9 (8) Graduation. Specify that the private school will be responsible for issuance of diplomas for all shared-time students except those who have become full-time students in the public school by transfer prior to graduation.

7.9 (9) Grades. Specify that grades for shared-time students shall be reported by the public school to the private school and that it will be the responsibility of the private school to advise parents of grades received by shared-time students.

7.9 (10) Transportation. Provisions should be made in accordance with law for the transportation of those pupils lawfully entitled thereto.

7.9 (11) Communications. Provisions should be made as to whether and to what extent personnel of the respective schools will communicate with each other for the purpose of resolving common problems.

7.9 (12) Activities. Specify the extent, if any, to which dually-enrolled pupils will be permitted to participate in extra-curricular activities, other than interscholastic athletics, of the public school when such activities are related to the public-school courses in which such pupils are enrolled.

7.9 (13) Denial policy. This provision should specify that application for enrollment will be denied for students of private schools, where such students have not completed courses prerequisite to the courses in which they propose to enroll, in the absence of showing that such students have demonstrated competence for admission to such course through testing; and should further specify that applications will be denied for students of private schools when the courses in which they propose to enroll are available to them in their private schools.

PUBLIC INSTRUCTION DEPARTMENT

(Continued)

TITLE XI TEACHERS

[Filed May 10, 1966]

CHAPTER 14

CLASSIFICATION OF CERTIFICATES

Pursuant to authority conferred by section 257.10(11), Code of Iowa, and section 25, subsection 7, Laws of the 61st General Assembly; and for the purpose of implementing section 33 of chapter 247, Laws of the 61st General Assembly; the following rule is hereby adopted:

(To be inserted in departmental rules appearing at 1962 I.D.R. 320; [1966 I.D.R. 411])

14.14 (3) Superintendent of an area vocational school or community college. To qualify for authorization to serve as superintendent of an area vocational school or an area community college, an applicant shall submit evidence of preparation and experience as follows:

a. Applicant shall have completed an approved program of preparation based upon at least a master's degree in administration and shall have had five years of successful administrative experience including administration of an accredited or approved vocational or technical institution or program embracing two or more fields of vocational or technical education.

PUBLIC INSTRUCTION DEPARTMENT

(Continued)

SCHOOL BUSES

[Filed May 10, 1966]

Pursuant to authority conferred by section 285.8, Code of Iowa, and for the purpose of implementing the provisions of Chapter 285, Code of Iowa, transportation rules relating to the qualifications of school bus drivers, appearing in the second column of page 340, 1962 I.D.R., as renumbered pursuant to section 17A.5, Code of Iowa, are hereby amended as follows:

1. Section 22.38 (285), Tests for Tuberculosis, is hereby rescinded and the following adopted in lieu thereof:

22.38 (285) Tests for tuberculosis.

22.38 (1) Types of tests. An applicant for a school bus driver's permit may take either the intradermal tuberculin skin test or a chest X-ray film. If the result of the intradermal tuberculin skin test is positive, however, an X-ray must then be taken. An applicant whose chest X-ray shows any active form of tuberculosis will be rejected. Patch tests are not acceptable for purposes of qualifying for a school bus driver's permit.

22.38 (2) Duration of test results. An applicant who has had a negative intradermal tuberculin skin test or a negative chest X-ray within the twelve-month period preceding September 1 of the school year in which the permit is to be issued is not required to be retested within that school year.

2. Section 22.39 (285), Additional Fitness Requirements, is hereby rescinded and the following adopted in lieu thereof:

22.39 (285) Additional fitness requirements. Freedom from mental, nervous, organic, or functional disease; including but not limited to epilepsy; paralysis, insanity, abnormal blood pressure, heart ailments or any disease that may cause a tendency to fainting. Blood pressure in excess of 170 (systolic) and 100 (diastolic) taken in a sitting position, or diabetes, will disqualify the applicant in the absence of a qualified physician's recommendation and satisfactory statement covering the significance of the condition.

3. Section 22.41 (285), Vision Requirements, is hereby rescinded and the following adopted in lieu thereof:

22.41 (285) Vision requirements. The applicant must have at least 20/40 vision in each eye, either normally or after correction. If the vision in one eye is near normal, visual acuity within the limits of 20/60 in the other eye will be acceptable for qualification. If corrective lenses are required to bring vision within the aforesaid limits they must be worn by the licensee at all times when operating the bus. Tunnel or barrel vision will disqualify an applicant. The applicant must have a field of vision of at least 150 degrees. The applicant must have near-normal depth perception and have no color deficiency which would interfere with safe driving.

REAL ESTATE COMMISSION

Pursuant to authority of Section 117.9 of the Code of Iowa, the following changes and amendments have been adopted:

[Filed May 10, 1966]

Rule 1, appearing in the 1962 I.D.R., page 465, is rescinded and the following adopted in lieu thereof:

1.1 (117) Conduct of Examinations. All examinations for licenses as real estate brokers or salesmen shall be conducted on the Thursday preceding the second Tuesday of the months of January, April, July and October by the Commission or its authorized representative in the State Capitol Building, Des Moines, Iowa, or such other place as designated by the commission.

Rule 3, appearing in the 1962 I.D.R., page 465, be amended as follows: by strik-

ing out the words "within 60 days from" in line 2, and inserting in lieu thereof the words "on the date of the next scheduled examination following".

Rule 13, appearing in the 1962 I.D.R., page 465, be amended as follows: by adding a paragraph to the present rule as follows:

After a partnership, corporation or association is licensed any new member, or officer, actively engaged in the real estate brokerage business, must qualify for a real estate license as required in 117.15, Code of Iowa.

(Renumber rules 1 to 20, inclusive, appearing in the Iowa Departmental Rules as 1.1 (117) to 1.20 (117), inclusive.)

[These rules shall become effective July 1, 1966.]

REGENTS, BOARD OF

UNIVERSITY OF IOWA

[Filed March 10, 1966]

Pursuant to the authority conferred in section 262.9 (3), Code 1962, rules and regulations of the state board of regents, admission requirements to The University of Iowa as they appear on pages 470 and 471, Section 2, college of dentistry, are hereby rescinded and the following adopted in lieu thereof.

DENTAL COLLEGE ADMISSION

2. (262.9) College of dentistry.

Address all inquiries regarding admission to the Director of Admissions and Registrar, The University of Iowa.

Applicants are urged to apply as early as possible, since this will give the admissions committee more time to devote to each application. Closing dates for receiving applications will be announced well in advance of the opening date of any session.

Applicants for admission to dentistry are encouraged to complete a program leading to a baccalaureate degree before entering dentistry. Applicants should consider a combined program of liberal arts and dentistry which would qualify them for a baccalaureate degree upon the completion of the freshman year in dentistry. Preference will be given to students who have the baccalaureate degree or who have completed the requirements for the degree in a combined program.

Fulfillment of the specific requirements for admission listed does not insure admission to the college of dentistry. From the applicants meeting the minimum requirements, the admissions committee will select the applicants who in their judgment appear to be best qualified for the study and practice of dentistry.

Each applicant must place on file in the office of the director of admissions the completed application form and an official transcript from each college attended.

The college work outlined below will suffice to meet the minimal academic requirements for admission to the college of dentistry.

The college curriculum must include at least three academic years of accredited

work comprising not less than ninety-six semester hours and including specific required science courses as prescribed by the faculty of the college. Electives should be chosen so as to give the applicant a well-rounded educational background.

In order to meet minimum scholarship requirements the applicant should attain a cumulative grade-point average of 2.5. Since the quality of course work in pre-dental science is basic to success in dentistry, special consideration to such college work is given by the admissions committee. The grade-point average is based upon the University of Iowa's marking system in which a grade of "A" is equivalent to four points. Other marking systems will be evaluated by the office of admissions and the committee on admissions of the college of dentistry.

Applicants who have completed the requirements for admission to dentistry five or more years prior to seeking admission to this college of dentistry will be considered by the admissions committee only under exceptional conditions.

Applicants from those who are more than thirty years of age will be considered for acceptance only in exceptional cases.

Preference will be given to applicants who are residents of Iowa, but consideration will also be given to outstanding non-residents.

Personal interviews will be required of applicants for admission to the college of dentistry. Applicants will be notified when they should appear for the required interviews with members of the admissions committee.

All applicants must complete the dental aptitude tests sponsored by the council on dental education of the American Dental Association. Tests are given three times annually. The University of Iowa is a testing center.

To facilitate early selection, applicants for admission to the college of dentistry are urged to complete the aptitude test no later than October to enable the admissions committee to begin its selection in December.

Accepted applicants are required to make the required deposit within two weeks after notification of favorable action on their applications. This deposit is not refundable but is credited toward the first fee payment. The applicant who fails to make the deposit within the time specified forfeits his place in the entering class.

Applicants accepted for admission are required to submit a satisfactory physical examination report to the university student

health service within two weeks following notification of acceptance.

All applicants must also complete, through student health service, an X-ray film of the chest and a successful vaccination against smallpox prior to registration.

ADVANCED STANDING

Applications for admission with advanced standing are handled as individual cases.

[These rules shall become effective on September 1, 1968.]

REGENTS, BOARD OF

(Continued)

UNIVERSITY OF IOWA ENGINEERING COLLEGE ADMISSION

[Filed March 10, 1966]

Pursuant to the authority conferred in section 262.9 (3), Code 1962, rules and regulations of the state board of regents, admission requirements to the University of Iowa as they appear on page 471, section 3, college of engineering, and amended November 15, 1963, are hereby rescinded and the following adopted in lieu thereof.

3. (262.9) College of engineering.

Address all inquiries regarding admission to the Director of Admissions, the University of Iowa, Iowa City, Iowa.

Closing dates for receiving applications will be announced well in advance of the opening date of any session.

ADMISSION OF FRESHMAN STUDENTS

The applicant must submit a formal application for admission and must have the secondary school provide a certificate of high school credits, including a complete statement of the applicant's high school record, rank in class, scores on standardized tests, and certification of high school graduation. The applicant must also submit any other evidence such as a certificate of health that may be required by this university.

Each applicant must have attained satisfactory scores on the university's required admission examinations, maintained a satisfactory cumulative grade-point average, achieved satisfactory rank in graduating class, and successfully completed all

prerequisite courses. The university with the approval of the state board of regents shall establish and periodically review specific minimum requirements for admission to the college of engineering. Among the items to be so determined are test score, grade-point average, class rank and prerequisite courses. These specific determinations will be published in the university catalog.

From applicants who do not meet minimum admission requirements, the director of admissions may after a review of the applicant's record: (1) admit unconditionally, (2) admit on probation, (3) require enrollment for a tryout period during a preceding summer session, or (4) deny admission.

ADMISSION OF UNDERGRADUATE STUDENTS BY TRANSFER

The applicant must submit a formal application and official transcript of college work. Each applicant should have:

a. Maintained satisfactory progress in mathematics.

b. Attained satisfactory scores on the university's required admission examinations.

c. Maintained a satisfactory cumulative grade-point average on all college work undertaken.

From applicants who do not meet recommended requirements, the director of admissions will review individual records and may offer probationary admission.

[These rules shall become effective for the First Semester, 1967.]

REGENTS, BOARD OF
(Continued)

UNIVERSITY OF IOWA

MEDICAL COLLEGE ADMISSION

[Filed March 10, 1966]

Pursuant to the authority conferred in section 262.9 (3), Code 1962, rules and regulations of the state board of regents, admission requirements to the University of Iowa as they appear on pages 471, 472 and 473, section 6, college of medicine, and amended November 15, 1963, are hereby rescinded and the following adopted in lieu thereof.

6. (262.9) College of medicine.

Address all inquiries regarding admission to the Director of Admissions and Registrar, the University of Iowa.

Applicants are urged to apply as early as possible, since this will give the admissions committee more time to devote to each application. Closing dates for receiving applications will be announced well in advance of the opening date of any session.

Applications from those who are more than thirty years of age will be considered for acceptance only in exceptional cases.

Fulfillment of the specific requirements for admission listed below does not insure admission to the college of medicine. From the applicants meeting the specific requirements, the admissions committee of the college of medicine will select those applicants who in their judgment appear to be best qualified for the study and practice of medicine.

Prior to entrance an applicant must:

- a. Have received the baccalaureate degree; or
- b. Have completed three years of a combined baccalaureate-medicine curriculum which qualifies him to receive the baccalaureate degree on completion of the first year in medicine; or
- c. Have completed three years of a baccalaureate program which includes the general graduation requirements of the college of liberal arts of the University of Iowa for the combined baccalaureate degree.

Each applicant must place on file in the office of the director of admissions the completed application form and an official transcript from each college attended.

The college work as outlined below will suffice to meet the minimal academic requirements for admission to the college of medicine.

Applicants who have completed the baccalaureate degree and required courses five or more years prior to seeking admission to this college of medicine will be considered by the admissions committee only under exceptional conditions.

The college curriculum must include at least three years (equivalent to ninety-six semester hours) including specific required science courses as prescribed by the faculty of the college.

Students planning to study medicine should bear in mind that other college work is required in addition to prerequisite sciences because it offers an opportunity to secure a well-rounded education, which is of special importance to those entering the medical profession. In the selection of applicants, preference will be given to those who give evidence of having obtained such a broad education.

To be considered for admission, an applicant must have attained a grade-point average of at least 2.5 for all college work undertaken. As the quality of work in pre-medical science is very basic to success in medicine, special attention will be given by the admissions committee to grades in science. The grade-point average is based upon the University of Iowa's marking system in which a grade of "A" is equivalent to four points. Other marking systems will be evaluated by the office of admissions and the committee on admissions of the college of medicine.

Preference will be given to applicants with high scholastic standing who are residents of Iowa, and consideration will also be given to outstanding nonresidents. Applicants for admission are required to take the medical college admissions test which is administered for the Association of American Medical Colleges. Applicants are requested to complete this test in May or October of the year preceding that for which they are applying for admission. Students may make arrangements to apply for this examination through the university examination service, the University of Iowa.

Personal interviews will be required. Applicants will be contacted for the appointment for required interviews.

Applicants accepted for admissions are required to submit a satisfactory physical examination report to the university student health service within two weeks following notification of acceptance.

All applicants must also complete, through Student Health Service, an X-ray film of the chest and successful vaccination against smallpox prior to registration.

ADMISSION TO ADVANCED STANDING

If their work preparatory to entering a college of medicine would have met entrance requirements of this college, students from other approved medical colleges may be admitted to advanced standing according to the following conditions:

Only applicants of high scholastic standing will be considered.

They must present certificates showing that they have satisfactorily completed courses equivalent to those already pursued by the class they wish to enter.

The committee on admission to advanced standing will decide in each case whether examinations in the various subjects will be required.

Applications will be considered only upon receipt of a statement from the dean or registrar of the college from which the applicant comes, showing the actual amount of time the student has spent in the study of medicine, the courses taken, and the grades received, together with a statement of the work preparatory to entering upon the course in medicine.

No advanced standing will be granted to students from other than approved medical schools. Students may be granted subject credit upon recommendation of the head of the department concerned, for work taken in other than medical schools.

UNCLASSIFIED STUDENTS

Applicants for admission to the college of medicine who are not candidates for a degree but who desire to register for special subjects, will be admitted to any lecture or laboratory course only upon complying with all the regular requirements for admission to such course or by action of the faculty upon recommendation of the professor in charge of the course.

[These rules shall become effective on September 1, 1967.]

REGENTS, BOARD OF

(Continued)

UNIVERSITY OF IOWA

BUSINESS ADMINISTRATION COLLEGE ADMISSION

[Filed March 10, 1966]

Pursuant to the authority conferred in section 262.9 (3), Code 1962, rules and regulations of the state board of regents, admission requirements to the University of Iowa as they appear on pages 469 and 470, section 1, college of business administration, are hereby rescinded and the following adopted in lieu thereof.

1. (262.9) College of business administration.

Applications for admission to the college of business administration should be submitted to the director of admissions.

Applicants are urged to apply as early as possible, since this will give the admissions committee more time to devote to

each application. Closing dates for receiving applications will be announced well in advance of the opening date of any session.

For admission to the college of business administration an applicant must have—

a. Completed specific course work as prescribed by the faculty of the college.

b. Attained satisfactory scores on the university's required admission examinations.

c. Maintained a satisfactory grade-point average on all courses undertaken, and on all courses undertaken at the University of Iowa, and on all courses undertaken in business and economics.

Applications from students who have minor deficiencies in meeting grade-point requirements specified above will be reviewed by the admissions committee of the

college, and upon favorable recommendation of the committee, such students may be granted conditional or probationary admissions.

Fulfillment of the minimal requirements listed above, however, does not assure admission to the college of business adminis-

tration. From those applicants who meet the minimum requirements, the admissions committee will select the applicants who, in their judgment, appear to be best qualified.

[These rules shall become effective for the first semester, 1967.]

TAX COMMISSION

INHERITANCE TAX

[Filed March 8, 1966]

Pursuant to chapter 366, section 7 of the 61st General Assembly the following rules and regulations are adopted.

1.1 (61 G.A., Ch. 366) The Commissioners 1958 Standard Ordinary Mortality Table.

Where death occurs on or after July 4, 1965, inheritance tax shall be computed by use of the Commissioners 1958 Standard Ordinary Mortality Table.

[This rule is intended to implement chapter 366, section 7, of the 61st General Assembly.]

[Effective July 4, 1965.]

WATER POLLUTION CONTROL COMMISSION

WATER QUALITY STANDARDS

[Filed March 15, 1966]

Pursuant to authority of chapter 375, section 9 and section 13, Acts of the 61st General Assembly, the following water quality and effluent standards are hereby adopted.

Section 1. Water quality standard relating to floatable and settleable solids. The

waters of the state shall be kept free of floatable and settleable solids as herein-after provided.

1.1 Municipal effluent standard. No municipality shall discharge any sewage to the waters of the state without effective removal of floatable and settleable solids as the minimum degree of treatment.

[These rules are intended to implement chapter 375, section 9 and section 13, Acts of the 61st General Assembly.]