

Red Tape Review Rule Report (Due: September 1, 2025)

Department Name:	Transportation	Date:	6/16/25	Total Rule Count:	1
IAC #:	761	Chapter/ SubChapter/ Rule(s):	130	Iowa Code Section Authorizing Rule:	307.12(1)"j"
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The rule fulfills the requirement of 23 U.S.C. 655.603(b) that states adopt the national Manual on Uniform Traffic Control Devices (MUTCD) or a supplement to the national MUTCD that is in substantial conformance with the national MUTCD.

Is the benefit being achieved? Please provide evidence.

Yes. The state's adoption of the MUTCD is compliant with the Federal Highway Administration's expectations.

What are the costs incurred by the public to comply with the rule?

None.

What are the costs to the agency or any other agency to implement/enforce the rule?

The costs cannot be determined. Compared to the 10th Edition of the national MUTCD, the new 11th Edition that this rule adopts contains many incremental changes to the requirements for the installation of signs, pavement markings, and other traffic control devices. Depending on the characteristics of the roadways within a particular jurisdiction, some of these changes would be expected to increase expenditures while others may decrease expenditures.

Do the costs justify the benefits achieved? Please explain.

Yes. The rule satisfies a federal requirement.

Are there less restrictive alternatives to accomplish the benefit? ☒ YES ☐ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The one less restrictive alternative to accomplish the benefit of complying with this federal law and with Iowa Code 321.252 would be to adopt the national MUTCD in its entirety, without any exceptions. Although this would be marginally less restrictive, the two exceptions to the national MUTCD are desirable to Iowa's schools and to Iowa's law enforcement community.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

Chapter title: Changed from "Signing Manual" to "Traffic Control Device Manual" to more consistently align with the breadth of application.

130.1: Reference to the 2009 Edition of the MUTCD is deleted due to being obsolete.

RULES PROPOSED FOR REPEAL (list rule number[s]):

None noted.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

130.1

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	Adds 84 words
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	Adds 1 term

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

In addition, we recommend the following code changes below establish a singular, consistent phrase to be used when referring to the state's manual governing the installation of traffic control devices. Adopting this consistent phrase will minimize the amount of text in the Code and clarify intent. The recommended phrase is "traffic control device manual." There appear to be several instances where this language is unnecessary and could be removed, since all signs posted along the highway are already subject to the manual's requirements.

309.57: Incorporate recommended phrase or remove reference entirely.

321.237: Incorporate recommended phrase or remove references entirely.

321.249: Incorporate recommended phrase or remove reference entirely. Remove duplicative language regarding prohibition of portable or part-time stop signs.

321.252: Incorporate recommended phrase in title.

321.252.1.a: Strengthen language from "adopt" to "establish, by rule." This change eliminates redundancy with the proposed Chapter 130. Strike second sentence to remove redundancy with Chapter 130.

321.252.1.b: The traffic control device manual does not contain specifications for off-highway permanent camps, camp areas, campgrounds, and ski areas, so the department has already established criteria for these situations that can be found in an operational manual.

321.252.5: Strike the second sentence of the paragraph because the national MUTCD already contains language governing traffic control devices in school zones.

321.253: Incorporate recommended phrase or remove reference entirely.

321.253a: Incorporate recommended phrase or remove reference entirely.

321.255: Incorporate recommended phrase or remove reference entirely.

321.285: Incorporate recommended phrase or remove reference entirely.

321.304: Incorporate recommended phrase or remove reference entirely.

321.342: Incorporate recommended phrase or strike entire sentence because the national MUTCD already contains the requirement for posting a crossbuck sign at every railroad crossing.

321.463: Incorporate recommended phrase or remove reference entirely.

CHAPTER 130 TRAFFIC CONTROL DEVICE MANUAL

761—130.1(321) Manual. The “Manual on Uniform Traffic Control Devices” (MUTCD), 11th Edition, dated December 2023, published by the U.S. Department of Transportation, Federal Highway Administration, constitutes the manual and specifications for a uniform system of traffic control devices for use upon any street, highway, or bicycle trail open to public travel within this

state.

130.1(1) The department makes the following exception to the MUTCD in Part 2, Section 2B.06, General Considerations, paragraph 10. In lieu of the sentence, “Portable or part-time STOP or YIELD signs shall not be used except for emergency and temporary traffic control zone purposes,” the department adopts the following: “Portable or part-time YIELD signs shall not be used except for emergency and temporary traffic control zone purposes. Portable or part-time STOP signs may be used only in the following situations:

1. When necessary for emergency and temporary traffic control zone purposes, or
2. In school zones at appropriate school crosswalks.”

130.1(2) The department makes the following exception to the MUTCD in Part 2, Section 2M.10, Memorial or Dedication Signing, paragraph 08. In lieu of the sentence, “Decorative or graphical elements, pictographs, logos, or symbols shall not be displayed on memorial or dedication signs,” the department adopts the following: “Decorative or graphical elements, pictographs, logos, or symbols shall not be displayed on memorial or dedication signs, with the exception of an official pictograph representing an Iowa law enforcement agency.”

130.1(3) Information regarding this chapter is available from: Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010. The MUTCD is available at www.mutcd.fhwa.gov.

This rule is intended to implement Iowa Code sections 307.12(1)j,” 321.249 and 321.252.

309.57 Area service classification.

1. The county board of supervisors, after consultation with the county engineer, and for purposes of specifying levels of maintenance effort and access, may classify the area service system into three classifications termed area service "A", area service "B", and area service "C".

- a. Area service "A" classification roads shall be maintained in conformance with applicable statutes.
- b. Area service "B" classification roads may have a lesser level of maintenance as specified by the county board of supervisors, after consultation with the county engineer.
- c. Area service "C" classification roads may have restricted access and a minimal level of maintenance as specified by the county board of supervisors after consultation with the county engineer.

(1) Area service "C" classification roads shall adequately warn the public that access is limited.

(2) Roads may only be classified as area service "C" by ordinance or resolution. The ordinance or resolution shall specify the level of maintenance effort and the persons who will have access rights to the road. The county shall only allow access to the road to the owner, lessee, or person in lawful possession of any adjoining land, or the agent or employee of the owner, lessee, or person in lawful possession, or to any peace officer, magistrate, or public employee whose duty it is to supervise the use or perform maintenance of the road. Access to the road shall be restricted by means of a gate or other barrier.

(3) An area service "C" classification shall apply to the entire portion of a road between the road's access points. The county board of supervisors shall not classify only part of a road between the road's access points, or only a bridge on the road, as area service "C". This subparagraph does not apply to a road that terminates in a dead end. For purposes of this subparagraph, "access point" includes but is not limited to a driveway as defined in section 306.19.

(4) Notwithstanding section 716.7, subsection 2, paragraph "b", subparagraph (2), entering or remaining upon an area service "C" classification road without justification after being notified or requested to abstain from entering or to remove or vacate the road by any person lawfully allowed access shall be a trespass as defined in section 716.7.

(5) A road with an area service "C" classification shall retain the classification until such time as a petition for reclassification is submitted to the board of supervisors. The petition shall be signed by one or more adjoining landowners. The board of supervisors shall approve or deny the request for reclassification within sixty days of receipt of the petition.

2. a. Roads within area service "B" and "C" classifications shall have appropriate signs, conforming to the ~~manual of uniform traffic control devices adopted by the department~~ traffic control device manual, installed and maintained by the county at all access points to roads on this system from other public roads, to adequately warn the public they are entering a section of road which has a lesser level of maintenance effort than other public roads.

b. The county and officers, agents, and employees of the county are not liable for injury to any person or for damage to any vehicle or equipment, or contents of any vehicle or equipment, which occurs proximately as a result of the maintenance of a road which is classified as area service "B" or "C" if the road has been maintained to the level required for roads classified as area service "B" or "C".

[S81, §309.57; 81 Acts, ch 100, §1]

96 Acts, ch 1103, §1; 2002 Acts, ch 1063, §10; 2003 Acts, ch 144, §5; 2013 Acts, ch 90, §242; 2021 Acts, ch 144, §1, 2

Referred to in §314.30

All area service "C" classifications in effect on July 1, 2021, that are not in compliance with 2021 Acts, ch 144, shall be expanded or reclassified to meet such requirements on or before January 1, 2022; 2021 Acts, ch 144, §2

321.237 Signs — requirement — notice.

1. A traffic ordinance or regulation enacted under section 321.236, subsection 4, 5, 6, 8, 12, or 13, shall not be effective until signs, giving notice of such local traffic regulations as specified in the ~~department manual on uniform traffic control devices~~ traffic control device manual, are posted upon or at the entrances to the highway or part thereof affected as may be most appropriate and shall be erected at the expense of the local authority.

2. When a city has adopted an ordinance as authorized in section 321.236, subsection 12, or an ordinance which prohibits standing or parking of vehicles upon a street or streets during any time when snow-removal operations are in progress and before such operations have resulted in the removal or clearance of snow from such street or streets, signs as specified in the ~~department manual on uniform traffic control devices~~ traffic control device manual, posted as provided in subsection 1, shall be deemed sufficient notice of the existence of such restrictions.

[C39, §5018.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.237]

86 Acts, ch 1056, §3; 2018 Acts, ch 1026, §111

Referred to in §331.362

321.249 School zones.

Cities and counties shall have the power to establish school zones and provide for the stopping of all motor vehicles approaching the school zones, when movable stop signs have been placed in the streets in the cities and highways in counties at the limits of the zones, notwithstanding the provisions of any statute to the contrary. All traffic-control devices provided for school zones shall conform to ~~specifications included in the manual of traffic control devices adopted by the department, except the provision prohibiting the use of portable or part-time stop signs~~ the traffic control device manual.

[C31, 35, §4997-d1; C39, §5018.14; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.249]

97 Acts, ch 108, §14

Referred to in §331.362

321.252 Department to adopt ~~sign~~traffic control device manual.

1. *a.* The department shall ~~adopt~~establish, by rule, a manual and specifications for a uniform system of ~~traffic-control~~traffic control devices consistent with the provisions of this chapter for use upon highways within this state. ~~Such uniform system shall correlate with and so far as possible conform to the system then current as approved by the American association of state highway and transportation officials.~~

b. The department shall ~~include in its manual of traffic-control devices, specifications for a uniform system of highway signs for the purpose of~~establish criteria for guiding traffic to organized off-highway permanent camps, and camp areas, operated by recognized and established civic, religious, and nonprofit charitable organizations and to for-profit campgrounds and ski areas. The department shall purchase, install, and maintain the signs upon the prepayment of the costs by the organization or owner.

2. The department shall also establish criteria for guiding traffic on all fully controlled-access, divided, multilaned highways including interstate highways to each tourist attraction which is located within thirty miles of the highway and receives fifteen thousand or more visitors annually. Nothing in this subsection shall be construed to prohibit the department from erecting signs to guide traffic on these highways to tourist attractions which are located more than thirty miles from the highway or which receive fewer than fifteen thousand visitors annually.

3. *a.* The department shall establish, by rule, in cooperation with a tourist signing committee, the standards for tourist-oriented directional signs and shall annually review the list of attractions for which signing is in place. The rules shall conform to national standards for tourist-oriented directional signs adopted under 23 U.S.C. §131(q) and to the manual of uniform traffic-control devices.

(1) The tourist signing committee shall be made up of the directors or their designees of the departments of agriculture and land stewardship, natural resources, cultural affairs, and transportation, the director or the director's designee of the economic development authority, the chairperson or the chairperson's designee of the Iowa travel council, and a member of the outdoor advertising association of Iowa. The director or the director's designee of the economic development authority shall be the chairperson of the committee.

(2) The department of transportation shall be responsible for calling and setting the date of the meetings of the committee which meetings shall be based upon the amount of activity relating to signs. However, the committee shall meet at least once a month.

b. A tourist attraction is not subject to a minimum number of visitors annually to qualify for tourist-oriented directional signing.

4. The rules shall not be applicable to directional signs relating to historic sites on land owned or managed by state agencies, as provided in section 321.253A. The rules shall include but are not limited to the following:

a. Criteria for eligibility for signing.

b. Criteria for limiting or excluding businesses, activities, services, and sites that maintain signs that do not conform to the requirements of chapter 306B, chapter 306C, subchapter II, or other statutes or administrative rules regulating outdoor advertising.

c. Provisions for a fee schedule to cover the direct and indirect costs of sign manufacture, erection, and maintenance, and related administrative costs.

d. Provisions specifying maximum distances to eligible businesses, activities, services, and sites. Tourist-oriented directional signs may be placed on highways within the maximum travel distance that have the greatest traffic count per day, if sufficient space is available. If an adjacent landowner complains to the department about the placement of a tourist-oriented directional sign, the department shall attempt to reach an agreement with the landowner for relocating the sign. If possible, the sign shall be relocated from the place of objection. If the sign must be located on an objectionable place, it shall be located on the least objectionable place possible.

e. Provisions for trailblazing to facilities that are not on the crossroad. Appropriate trailblazing shall be installed over the most desirable routes on lesser traveled primary highways, secondary roads, and city streets leading to the tourist attraction.

f. Criteria for determining when to permit advance signing.

g. Provisions specifying conditions under which the time of operation of a business, activity, service, or site is shown.

h. Provisions for masking or removing signs during off seasons for businesses, activities, services, and sites operated on a seasonal basis. Faded signs shall be replaced and the commercial vendor charged for the cost of replacement based upon the fee schedule adopted.

i. Provisions specifying the maximum number of signs permitted per intersection.

j. Provisions for determining what businesses, activities, services, or sites are signed when there are more applicants than the maximum number of signs permitted.

k. Provisions for removing signs when businesses, activities, services, or sites cease to meet minimum requirements for participation and related costs.

5. Local authorities shall adhere to the specifications for signs as established by the department, and shall purchase, install, and maintain signs in their respective jurisdictions upon prepayment by the organization of the cost of such purchase, installation, and maintenance. ~~The department shall include in its manual of traffic-control devices specifications for a uniform system of traffic-control devices in legally established school zones.~~

[C24, 27, §4627; C31, 35, §4627, 5079-d7; C39, §5019.01; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.252]

86 Acts, ch 1060, §1, 2; 90 Acts, ch 1183, §4; 2010 Acts, ch 1069, §93; 2011 Acts, ch 118, §85, 89

Referred to in §321.342, 668.10

321.253 Department to erect signs.

1. The department shall place and maintain such traffic-control devices, conforming to its ~~manual and specification~~[traffic control device manual](#), upon all primary highways as it deems necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic. Whenever practical, the devices or signs shall be purchased from the director of the Iowa department of corrections.
2. The department shall post signs informing motorists of the penalties for speeding in a road work zone and that the scheduled fine for committing any other moving traffic violation in a road work zone is doubled.

[C24, 27, §4627; C31, 35, §4627, 5079-d7; C39, §5019.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.253]

83 Acts, ch 96, §157, 159, 160; 93 Acts, ch 114, §2; 97 Acts, ch 104, §19; 2008 Acts, ch 1124, §8

Analogous provisions, §321.345

321.253A Directional signs relating to historic sites on land owned or managed by state agencies.

1. The department shall place and maintain directional signs upon primary highways which provide information about historic sites which are located on land owned or managed by an agency as defined in section 17A.2. The signs shall conform to the ~~manual of uniform traffic devices~~[traffic control device manual](#). However, the directional signs are not subject to requirements applicable to tourist-oriented directional signs.
2. Upon request by a city or county in which a historic site is located on land owned or managed by an agency, the department shall distribute a directional sign as provided in this section to the city or county for erection upon roads or streets within their jurisdictions.
3. The location of the historic site shall be memorialized on transportation maps of the state published under the direction of the department and generally made available to the public. However, if it is not reasonable and feasible to display specific historic sites on the state transportation map, the department shall consult with the agency managing the historic site.
4. The department shall not erect, maintain, or distribute a directional sign or include on a transportation map information about a historic site located on land owned or managed by an agency if the department receives an objection by the agency.

90 Acts, ch 1183, §5

Referred to in §321.252

321.255 Local traffic-control devices.

Local authorities in their respective jurisdiction shall place and maintain such traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this chapter or local traffic ordinances or to regulate, warn, or guide traffic. All such traffic-control devices hereafter erected shall conform to the ~~state manual and specification~~[traffic control device manual](#).

[C39, §5019.04; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.255]

Referred to in §331.362

321.285 Speed restrictions.

1. Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit the person to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway will observe the law.

2. *a.* Unless otherwise provided by this section, or except as posted pursuant to sections 262.68, 321.236, subsection 5, section 321.288, subsection 2, paragraph “f”, sections 321.289, 321.290, 321.293, 321.295, and 461A.36, the following shall be the lawful speed and any speed in excess thereof shall be unlawful:

- (1) Twenty miles per hour in any business district.
- (2) Twenty-five miles per hour in any residence or school district.
- (3) Forty-five miles per hour in any suburban district.

b. Each school district as defined in section 321.1, subsection 70, shall be marked by distinctive signs as provided by the ~~current manual of uniform traffic control devices adopted by the department~~[traffic control device manual](#) and placed on the highway at the limits of such school district.

3. Unless otherwise provided in this section or by other speed restrictions, the speed limit for all vehicular traffic shall be fifty-five miles per hour.

4. A reasonable and proper speed is required, but not greater than fifty-five miles per hour at any time between sunrise and sunset, and not greater than fifty miles per hour at any time between sunset and sunrise, on secondary roads unless such roads are surfaced with concrete or asphalt or a combination of both, in which case the speed limits shall be the same as provided in subsection 3. When the board of supervisors of any county shall

determine upon the basis of an engineering and traffic investigation that the speed limit on any secondary road is greater than is reasonable and proper under the conditions found to exist at any intersection or other place or upon any part of a secondary road, the board shall determine and declare a reasonable and proper speed limit at the intersection or other part of the secondary road. The speed limits as determined by the board of supervisors shall be effective when appropriate signs giving notice of the speed limits are erected by the board of supervisors at the intersection or other place or part of the highway.

5. *a.* Notwithstanding any other speed restrictions, the speed limit for all vehicular traffic on fully controlled-access, divided, multilaned highways is sixty-five miles per hour. However, the speed limit for all vehicular traffic on highways that are part of the interstate road system, as defined in section 306.3, is seventy miles per hour. The department may establish a speed limit of sixty-five miles per hour on certain divided, multilaned highways not otherwise described in this paragraph.

b. The department, on its own motion or in response to a recommendation of a metropolitan or regional planning commission or council of governments, may establish a lower speed limit on a highway described in this subsection.

c. For the purposes of this subsection, “*fully controlled-access highway*” means a highway that gives preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections.

d. A minimum speed may be established by the department on the highways referred to in this subsection if warranted by engineering and traffic investigations.

e. Any kind of vehicle, implement, or conveyance incapable of attaining and maintaining a speed of forty miles per hour shall be prohibited from using the interstate road system.

6. Notwithstanding any other speed restrictions, a self-propelled implement of husbandry equipped with flotation tires that is designed to be loaded and operated in the field and used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals shall not be operated on a highway at a speed in excess of thirty-five miles per hour.

7. Notwithstanding any other speed restrictions, the speed limit for all vehicular traffic on a street or highway on which a cattle guard is installed pursuant to section 314.30 is fifteen miles per hour between the point at which the cattle guard is installed and the point at which the street or highway terminates in a dead end.

8. A person who violates this section for excessive speed in violation of a speed limit commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 5. A person who operates a school bus at a speed which exceeds a limit established under this section by ten miles per hour or less commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 10. A person who violates any other provision of this section commits a simple misdemeanor.

[S13, §1571-m19, -m20; C24, 27, 31, 35, §5029, 5030; C39, §5023.01; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.285]

87 Acts, ch 120, §2; 93 Acts, ch 47, §3 – 7; 94 Acts, ch 1173, §15; 96 Acts, ch 1126, §5; 96 Acts, ch 1191, §1; 2005 Acts, ch 165, §1; 2007 Acts, ch 143, §15; 2009 Acts, ch 133, §119; 2010 Acts, ch 1140, §8; 2012 Acts, ch 1083, §1; 2013 Acts, ch 90, §81; 2017 Acts, ch 29, §95; 2018 Acts, ch 1041, §82; 2018 Acts, ch 1118, §2, 3

Referred to in §321.233, 321.236, 321.291, 321.292, 321.293, 331.362, 707.6A, 723.4, 805.8A(5)(a), 805.8A(10)

Speed limits at regents institutions, see §262.68

Speeding violations by implements of husbandry, see §321.383

Speed limits in state parks and preserves, see §461A.36

321.304 Prohibited passing.

No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway under the following conditions:

1. When approaching the crest of a grade or upon a curve in the highway where the driver’s view along the highway is obstructed for a distance of approximately seven hundred feet.

2. When approaching within one hundred feet of any narrow bridge, viaduct, or tunnel, when so signposted, or when approaching within one hundred feet of or traversing any intersection or railroad grade crossing.

3. Where official signs are in place directing that traffic keep to the right or a distinctive center line or off-center line is marked, which distinctive line also so directs traffic as declared in the ~~sign manual adopted by the department of transportation~~ traffic control device manual.

[C35, §5024-e1; C39, §5024.08; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.304]

Referred to in §321.482A, 805.8A(6)(i), 805.8A(8)(e)

For applicable scheduled fines, see §805.8A, subsections 6 and 8

Additional penalties for violations causing serious injury or death, see §321.482A

321.342 Stop at certain railroad crossings — posting warning.

1. The driver of any vehicle approaching a railroad grade crossing across which traffic is regulated by a stop sign, a railroad sign directing traffic to stop, or an official traffic control signal displaying a flashing red or steady circular red colored light shall stop prior to driving across the railroad grade crossing at the first opportunity at either the clearly marked stop line or at a point near the crossing where the driver has a clear view of the

approaching railroad train or railroad track equipment.

2. The department, city or county shall be required to post the standard sign as prescribed by the ~~manual on uniform traffic control devices adopted by the department pursuant to section 321.252~~ traffic control device manual in advance of each railroad grade crossing to warn the motorist that the motorist is approaching a railroad grade crossing. Upon properly posting all railroad grade crossings within its jurisdiction and upon implementing the standards established in accordance with section 307.26, the department, city, or county shall not have any other affirmative duty to warn a motor vehicle operator approaching or at the railroad grade crossing.

[C39, §5029.02; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.342]

2012 Acts, ch 1044, §2

Referred to in §321.344A, 321.344B, 321.484, 805.8A(14)(h)

For applicable scheduled fines, see §805.8A, subsection 14, paragraph h

321.463 Maximum gross weight — exceptions — penalties.

1. An axle may be divided into two or more parts, except that all parts in the same vertical transverse plane shall be considered as one axle.

2. The gross weight on any one axle of a vehicle, or of a combination of vehicles, operated on the highways of this state, shall not exceed twenty thousand pounds on an axle equipped with pneumatic tires, and shall not exceed fourteen thousand pounds on an axle equipped with solid rubber tires. The gross weight on any tandem axle of a vehicle, or any combination of vehicles, shall not exceed thirty-four thousand pounds on an axle equipped with pneumatic tires. This subsection does not apply to implements of husbandry.

3. Notwithstanding other provisions of this chapter to the contrary, indivisible loads operating under the permit requirements of sections 321E.7, 321E.8, 321E.9, 321E.29A, and 321E.29B, and divisible loads operating under the permit requirements of section 321E.26, shall be allowed a maximum of twenty thousand pounds per axle.

4. *a.* (1) Notwithstanding any provision of this section to the contrary, the weight on any one axle of a self-propelled implement of husbandry used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals operated on the highways of this state shall not exceed twenty-five thousand pounds.

(2) A self-propelled implement of husbandry used exclusively for the application of organic or inorganic plant food materials, agricultural limestone, or agricultural chemicals shall comply with the other provisions of this section and chapter when operated over a bridge in this state, other than any provision limiting the weight on any one axle to less than twenty-five thousand pounds. A local authority may issue a special permit, based on a statewide standard developed by the department, allowing the operation over a bridge within its jurisdiction of such a self-propelled implement of husbandry with a weight in excess of the weights allowed under this chapter.

b. (1) Notwithstanding any provision of this section to the contrary, the weight on any one axle of a fence-line feeder, grain cart, or tank wagon operated on the highways of this state shall not exceed twenty-four thousand pounds from February 1 through May 31 or twenty-eight thousand pounds from June 1 through January 31, provided, however, that the maximum gross vehicle weight of the fence-line feeder, grain cart, or tank wagon shall not exceed ninety-six thousand pounds.

(2) Notwithstanding any provision of this section to the contrary, a tracked implement of husbandry operated on the highways of this state shall not have a maximum gross weight in excess of ninety-six thousand pounds.

(3) A fence-line feeder, grain cart, tank wagon, or tracked implement of husbandry shall comply with the other provisions of this section and chapter when operated over a bridge in this state. A local authority may issue a special permit, based on a statewide standard developed by the department, allowing the operation over a bridge within its jurisdiction of a fence-line feeder, grain cart, tank wagon, or tracked implement of husbandry with a weight in excess of the weights allowed under this chapter.

(4) For purposes of this paragraph “*b*”:

(a) “*Highway*” does not include a bridge.

(b) “*Fence-line feeder, grain cart, or tank wagon*” means any fence-line feeder, grain cart, or tank wagon.

5. *a.* Notwithstanding any provision of law to the contrary, a motor vehicle equipped with an engine fueled primarily by natural gas may exceed any applicable maximum gross weight limit under this chapter, up to a maximum gross weight of eighty-two thousand pounds, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system installed in the vehicle and the weight of a comparable diesel fuel tank and fueling system.

b. Notwithstanding any provision of law to the contrary, a motor vehicle described in paragraph “*a*” equipped with an auxiliary power or idle reduction technology unit that reduces fuel use and emissions during engine idling may exceed any applicable maximum gross weight limit under this chapter by five hundred fifty pounds or the weight of the auxiliary power or idle reduction technology unit, whichever is less. This paragraph “*b*” shall not apply unless the operator of the vehicle provides to the department a written certification of the weight of the auxiliary power or idle reduction technology unit, demonstrates or certifies to the department that the idle reduction technology unit is fully functional at all times, and carries with the operator the written certification of the weight of the auxiliary power or idle reduction technology unit in the vehicle at all times to present to law enforcement in the event the vehicle is suspected of violating any applicable weight restrictions.

6. *a.* The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on highways which are part of the primary road system is as follows:

MAXIMUM GROSS WEIGHT TABLE — PRIMARY HIGHWAYS

Distance

in feet	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
4	34,000					
5	34,000					
6	34,000					
7	34,000	34,000				
8	34,000	34,000				
8'1"	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500	48,500			
11	44,000	49,500				
12	45,000	50,000				
13	45,500	50,500	56,000			
14	46,500	51,500	57,000			
15	47,000	52,000	57,500			
16	48,000	52,500	58,000			
17	48,500	53,500	58,500	64,000		
18	49,500	54,000	59,000	65,000		
19	50,000	54,500	60,000	65,500		
20	51,000	55,500	60,500	66,000	71,500	
21	51,500	56,000	61,000	66,500	72,500	
22	52,500	56,500	61,500	67,000	73,000	
23	53,000	57,500	62,500	68,000	73,500	
24	54,000	58,000	63,000	68,500	74,000	
25	54,500	58,500	63,500	69,000	74,500	
26	55,500	59,500	64,000	69,500	75,000	
27	56,000	60,000	65,000	70,000	76,000	
28	57,000	60,500	65,500	71,000	76,500	
29	57,500	61,500	66,000	71,500	77,000	
30	58,500	62,000	66,500	72,000	77,500	
31	59,000	62,500	67,500	72,500	78,000	
32	60,000	63,500	68,000	73,000	78,500	
33	64,000	68,500	74,000	79,500		
34	64,500	69,500	74,500	80,000		

35	65,500	70,000	75,000
36	68,000	70,500	75,500
37	68,000	71,000	76,000
38	68,000	72,000	77,000
39	68,000	72,500	77,500
40	68,500	73,000	78,000
41	69,500	73,500	78,500
42	70,000	74,000	79,000
43	70,500	75,000	80,000
44	71,500	75,500	
45	72,000	76,000	
46	72,500	76,500	
47	73,500	77,500	
48	74,000	78,000	
49	74,500	78,500	
50	75,500	79,000	
51	76,000	80,000	
52	76,500		
53	77,500		
54	78,000		
55	78,500		
56	79,500		
57	80,000		

b. The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on nonprimary highways is as follows:

NONPRIMARY HIGHWAYS — MAXIMUM GROSS WEIGHT TABLE

Distance

in feet	2 Axles	3 Axles	4 Axles	5 Axles	6 Axles	7 Axles
4	34,000					
5	34,000					
6	34,000					
7	34,000	34,000				
8	34,000	34,000				
8'1"	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500	45,000			
11	44,000	46,000				
12	45,000	47,000				
13	45,500	48,000	48,500			
14	46,500	49,000	49,500			
15	47,000	50,000	50,500			
16	48,000	51,000	51,500			
17	48,500	52,000	52,500	54,000		
18	49,500	53,000	53,500	55,000		
19	50,000	54,500	54,500	56,000		
20	51,000	55,500	55,500	57,000		
21	51,500	56,000	56,500	58,000		
22	52,500	56,500	57,500	59,000		
23	53,000	57,500	58,500	60,000		
24	54,000	58,000	59,500	61,000		
25	54,500	58,500	60,500	62,000		
26	55,500	59,500	61,500	63,000		
27	56,000	60,000	62,500	64,000		
28	57,000	60,500	63,500	65,000		
29	57,500	61,500	64,500	66,000		
30	58,500	62,000	65,500	67,000		
31	59,000	62,500	66,500	68,000		
32	60,000	63,500	67,500	69,000		
33	64,000	68,500	70,000			
34	64,500	69,500	71,000			

35	65,500	70,000	72,000
36	68,000	70,500	73,000
37	68,000	71,000	74,000
38	68,000	72,000	75,000
39	68,000	72,500	76,000
40	68,500	73,000	77,000
41	69,500	73,500	78,00078,000
42	70,000	74,000	79,00079,000
43	70,500	75,000	80,00080,000
44	71,500	75,500	
45	72,000	76,000	
46	72,500	76,500	
47	73,500	77,500	
48	74,000	78,000	
49	74,500	78,500	
50	75,500	79,000	
51	76,000	80,000	
52	76,500		
53	77,500		
54	78,000		
55	78,500		
56	79,500		
57	80,000		

c. (1) The maximum gross weight allowed to be carried on a commercial motor vehicle on noninterstate highways, provided the vehicle is operated by a person with a commercial driver's license valid for the vehicle operated unless section 321.176A applies, is as follows:

NONINTERSTATE HIGHWAYS

MAXIMUM GROSS WEIGHT TABLE

COMMERCIAL MOTOR VEHICLE

Distance in feet	6 Axles	7 Axles
44	80,500	80,500
45	81,000	81,500
46	81,500	82,500
47	82,000	83,500
48	83,000	84,000
49	83,500	85,000
50	84,000	86,000
51	84,500	87,000
52	85,000	88,000
53	86,000	88,500
54	86,500	89,500
55	87,000	90,500
56	87,500	91,500
57	88,000	92,000
58	89,000	93,000
59	89,500	94,000
60	90,000	95,000
61	95,500	
62	96,000	

(2) Notwithstanding any provision of this section to the contrary, the maximum gross weight allowed to be carried on a noninterstate highway by a livestock vehicle with five axles, a minimum distance in feet between the centers of the first and fifth axles of sixty-one feet, and a minimum distance between the two rear axles of at least eight feet and one inch is eighty-six thousand pounds.

d. For the purposes of the maximum gross weight tables in paragraphs “a”, “b”, and “c”, distance in feet is the measured distance in feet between the centers of the extreme axles of any group of axles, rounded to the nearest whole foot.

e. (1) The maximum gross weight allowed to be carried on a tracked implement of husbandry when operated on a noninterstate highway bridge is as follows:

NONINTERSTATE HIGHWAY BRIDGES

MAXIMUM GROSS WEIGHT TABLE

TRACKED IMPLEMENTS OF HUSBANDRY

Length of Track in Feet Weight in Pounds

4	34,000
5	34,000
6	34,000
7	34,000
8	42,000
9	42,500
10	45,000
11	46,000
12	47,000
13	48,500
14	49,500
15	50,500
16	51,500
17	54,000
18	55,000
19	56,000
20	57,000
21	58,000
22	59,000
23	60,000
24	61,000
25	62,000
26	63,000
27	64,000
28	65,000
29	66,000

30	67,000
31	68,000
32	69,000
33	70,000
34	71,000
35	72,000
36	73,000
37	74,000
38	75,000
39	76,000
40	77,000
41	78,000
42	79,000
43	80,000

(2) “Length of track in feet” means the length of track on one side of the tracked implement of husbandry which is in contact with the ground or roadway surface.

7. The weight on any one axle, including a tandem axle, of a vehicle which is transporting livestock on highways not part of the interstate system may exceed the legal maximum weight given in this chapter providing that the gross weight on any particular group of axles on such vehicle does not exceed the gross weight allowable under this chapter for such groups of axles.

8. The weight on any one axle, including a tandem axle, of a vehicle which is transporting raw materials from a designated borrow site to a construction project or transporting raw materials from a construction project, and which is operating on a highway that is not part of the interstate system and along a route of travel approved by the department or the appropriate local authority, may exceed the legal maximum weight otherwise allowed under this chapter by ten percent if the gross weight on any particular group of axles on the vehicle does not exceed the gross weight allowed under this chapter for that group of axles. If the vehicle exceeds the ten percent tolerance allowed under this subsection, the fine shall be computed on the difference between the actual weight and the ten percent tolerance weight allowed for the axle or tandem axle.

9. A vehicle or combination of vehicles transporting materials or equipment on nonprimary highways to or from a construction project or commercial plant site may operate under the maximum gross weight table for primary highways in subsection 6, paragraph “a”, or the maximum gross weight table for noninterstate highways in subsection 6, paragraph “c”. When crossing a bridge, such a vehicle or combination of vehicles shall comply with any weight restriction imposed for the bridge pursuant to section 321.471 or 321.474, provided signs that conform to the ~~manual of uniform traffic control devices adopted by the department~~traffic control device manual that give notice of the restriction are posted as required under section 321.472 or 321.474, as applicable.

10. A vehicle designed to tow wrecked or disabled vehicles shall be exempt from the weight limitations in this section while the vehicle is towing a wrecked or disabled vehicle.

11. *a.* A person who operates a vehicle in violation of this section, and an owner, or any other person, employing or otherwise directing the operator of a vehicle, who requires or knowingly permits the operation of a vehicle in violation of this section shall be fined according to the following schedule:

AXLE, TANDEM AXLE, AND GROUP OF AXLES

WEIGHT VIOLATIONS

Pounds Overloaded	Amount of Fine
Up to and including 1,000 pounds	\$12
Over 1,000 pounds up to and including 2,000 pounds	\$22
Over 2,000 pounds up to and including 3,000 pounds	\$155
Over 3,000 pounds up to and including 4,000 pounds	\$240
Over 4,000 pounds up to and including 5,000 pounds	\$375
Over 5,000 pounds up to and including 6,000 pounds	\$585
Over 6,000 pounds up to and including 7,000 pounds	\$850
Over 7,000 pounds up to and including 8,000 pounds	\$950
Over 8,000 pounds up to and including 9,000 pounds	\$1,050
Over 9,000 pounds up to and including 10,000 pounds	\$1,150
Over 10,000 pounds up to and including 11,000 pounds	\$1,300
Over 11,000 pounds up to and including 12,000 pounds	\$1,400
Over 12,000 pounds up to and including 13,000 pounds	\$1,500
Over 13,000 pounds up to and including 14,000 pounds	\$1,600

Over 14,000 pounds up to and including 15,000 pounds	\$1,700
Over 15,000 pounds up to and including 16,000 pounds	\$1,800
Over 16,000 pounds up to and including 17,000 pounds	\$1,900
Over 17,000 pounds up to and including 18,000 pounds	\$2,000
Over 18,000 pounds up to and including 19,000 pounds	\$2,100
Over 19,000 pounds up to and including 20,000 pounds	\$2,200
Over 20,000 pounds	\$2,200 plus ten cents per pound in excess of 20,000 pounds

b. Fines for gross weight violations for vehicles or combinations of vehicles shall be assessed at one-half of the fine rate schedule for axle, tandem axle, and groups of axles weight violations.

c. Except as otherwise provided, the amount of the fine to be assessed shall be computed on the difference between the actual weight and the maximum legal weight specified in this section.

d. The schedule of fines may be assessed in addition to any other penalties provided for in this chapter.

12. Overloads on axles and tandem axles and overloads on groups of axles or on an entire vehicle or combination of vehicles shall be considered as separate violations of the provisions of this section.

13. A person shall not issue or execute, or cause to be issued or executed, a bill of lading, manifest, or shipping document of any kind which states a false weight of the cargo set forth on such bill, manifest, or document, which is less than the actual weight of the cargo.

14. *a.* A person operating a vehicle or combination of vehicles equipped with a retractable axle may raise the axle when necessary to negotiate a turn, provided that the retractable axle is lowered within one thousand feet following completion of the turn. This paragraph does not apply to a vehicle or combination of vehicles operated on an interstate highway, including a ramp to or from an interstate highway, or on a bridge.

b. A vehicle or combination of vehicles operated with a retractable axle raised as permitted under paragraph “*a*” is exempt from the weight limitations of this section as long as the vehicle or combination of vehicles is in compliance with the weight limitations of this section when the retractable axle is lowered.

c. This subsection does not prohibit the operation of a vehicle or combination of vehicles equipped with a retractable axle with the retractable axle raised when the vehicle or combination of vehicles is in compliance with the weight limitations of this section with the retractable axle raised.

15. A person who violates this section commits a simple misdemeanor.

[C24, 27, 31, 35, §5065; C39, §5035.12; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.463; 81 Acts, ch 110, §1, ch 111]

89 Acts, ch 200, §1, 2; 92 Acts, ch 1238, §35; 94 Acts, ch 1199, §79; 95 Acts, ch 118, §26; 96 Acts, ch 1089, §4; 97 Acts, ch 100, §5, 12; 97 Acts, ch 104, §22; 98 Acts, ch 1103, §2; 98 Acts, ch 1178, §6, 7; 99 Acts, ch 108, §7; 2000 Acts, ch 1016, §17; 2000 Acts, ch 1040, §1; 2001 Acts, ch 32, §23 – 25; 2002 Acts, ch 1063, §33, 55; 2005 Acts, ch 20, §5 – 7, 12, 13; 2007 Acts, ch 143, §17; 2009 Acts, ch 133, §121; 2010 Acts, ch 1139, §1; 2010 Acts, ch 1140, §16, 17; 2013 Acts, ch 27, §1; 2013 Acts, ch 140, §62; 2017 Acts, ch 29, §96; 2017 Acts, ch 149, §2; 2018 Acts, ch 1172, §73; 2019 Acts, ch 15, §1; 2019 Acts, ch 138, §3; 2019 Acts, ch 158, §1; 2020 Acts, ch 1063, §152; 2021 Acts, ch 140, §1, 4

Referred to in §312.2, 321.453, 321.457, 321.459, 321.466, 321.473, 321E.2, 321E.7, 321E.8, 321E.9, 321E.9A, 321E.16, 321E.17, 321E.26, 321E.27, 321E.29, 321E.29A, 321E.29B, 321E.30, 805.8A(12)(e)

For scheduled fines listed in subsection 11, violations are charged and fines are applied pursuant to §805.8A, subsection 12, paragraph e