

Commission Minutes
September 12, 2023



IOWA TRANSPORTATION COMMISSION

Meeting Agenda / Commission Orders

September 12, 2023
Materials Conference Room
Ames, Iowa

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
D-2024-9 1:00 p.m.	* Approve Minutes of the August 8, 2023 Meeting Commission Comments DOT Comments	Cindy Dorhout	2
FO-2024-10	* Transfer of Jurisdiction of Frontage/Access Roadways along Iowa 461 in Davenport	Tony Gustafson	4
MV-2024-11 1:10 p.m.	* Administrative Rules – 761 IAC 511, Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight Adjourn	Melissa Gillett	7
*Action Item			

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2024-9
Submitted by Cindy Dorhout Phone No. 515-239-1067 Meeting Date September 12, 2023
Title Approve Minutes of the August 8, 2023 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the August 8, 2023 Commission Meeting.

COMMISSION ACTION:

Moved by Richard Arnold Seconded by Ray Gaesser

	Aye	Vote Nay	Pass
Arnold	<u>X</u>	<u> </u>	<u> </u>
Fehrman	<u>X</u>	<u> </u>	<u> </u>
Gaesser	<u>X</u>	<u> </u>	<u> </u>
Juckette	<u>X</u>	<u> </u>	<u> </u>
Rielly	<u>X</u>	<u> </u>	<u> </u>
Stutsman	<u>X</u>	<u> </u>	<u> </u>
Yanney	<u>X</u>	<u> </u>	<u> </u>

Division Director Legal State Director

D-2024-9

Cindy Dorhout - Director's Office

Commissioner Yanney called the meeting to order.

She began by asking for approval of the minutes from the August 8, 2023 Commission meeting.

Commissioner Arnold moved, and

Commissioner Gaesser seconded a motion to approve.

The vote to approve was unanimous.

Commission Comments: No Comments

DOT Comments: No Comments

Commissioners present Richard Arnold, Charese Yanney, Tom Rielly, Sally Stutsman, Ray Gaesser, Linda Juckette, and Kathy Fehrman (via phone).

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Field Operations Division Order No. FO-2024-10
 Submitted by Tony Gustafson Phone No. 515-239-1430 Meeting Date September 12, 2023
 Title Transfer of Jurisdiction of Frontage/Access Roadways along Iowa 461 in Davenport

DISCUSSION/BACKGROUND:

District 6 has negotiated the transfer of frontage/access roads adjacent to Iowa 461 to the city of Davenport. Frontage/access roadway segments totaling approximately 0.57 miles will be transferred to the City (see attached map). Right of Way will be included in the transfer.

The roadway segments will be transferred in their present condition. This is a mutual benefit transfer with no monetary exchange.

The State will transfer the Right of Way for the roadway segments to the City by quit-claim deed.

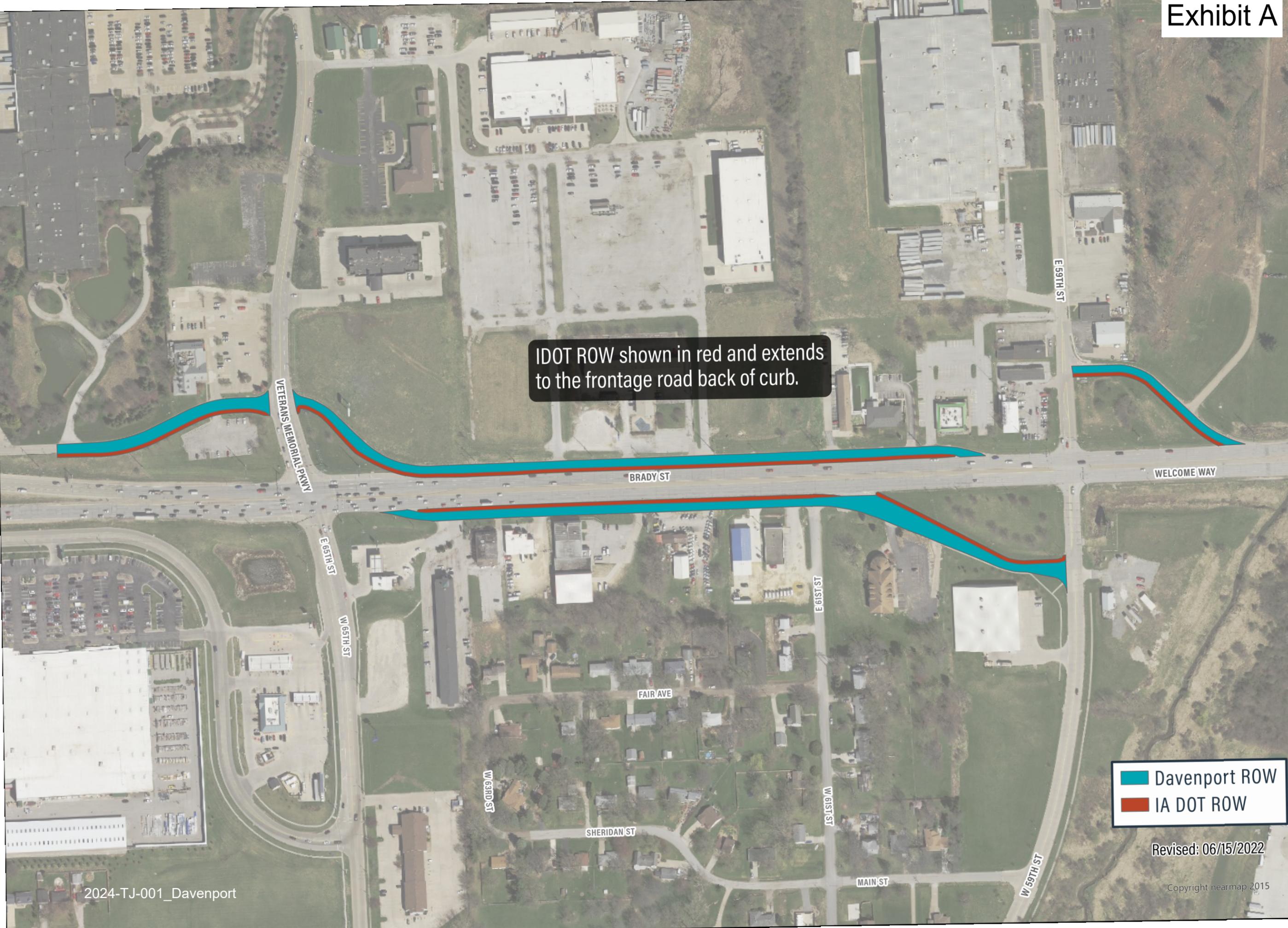
The City shall assume jurisdiction of the roadway segments following the execution of the Transfer of Jurisdiction Agreement and upon written notification to the City of the time and date of the State's intention to transfer.

When the transfer becomes effective, the City will be responsible for future signing and maintenance of the roadway segments.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the transfer of jurisdiction of frontage/access roadways adjacent to Iowa 461 with Davenport.

COMMISSION ACTION:			Vote	
			Aye	Nay
			X	_____
			X	_____
			X	_____
Moved by <u>Tom Rielly</u>	Seconded by <u>Sally Stutsman</u>	Juckette	X	_____
		Rielly	X	_____
		Stutsman	X	_____
		Yanney	X	_____
_____ Division Director	_____ Legal	_____ State Director		



IDOT ROW shown in red and extends to the frontage road back of curb.

Davenport ROW
IA DOT ROW

Scale: 1:2,750
0 440
Feet

Frontage Road
Right of Way

THE CITY OF
DAVENPORT
IOWA | USA



Revised: 06/15/2022

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FO-2024-10

Tony Gustafson - Director - Field Operations Division

District 6 has negotiated a transfer of frontage access roads adjacent to the Iowa 461 to the city of Davenport. Frontage / access roadway segments totaling approximately 0.57 miles will be transferred to the city. Right of way will be included in the transfer. The roadway segments will be transferred in their present condition. This is a mutual benefit transfer with no monetary exchange. The city shall assume jurisdiction of the roadway segments following the execution of the Transfer of Jurisdiction Agreement and upon written notification to the city of the time and date of the State's intention to transfer. It is recommended that the Commission approve a Transfer of Jurisdiction of Frontage / Access Roads adjacent to Iowa 461 with Davenport.

Commissioner Rielly moved, and
Commissioner Stutsman seconded a motion to approve.
The vote to approve was unanimous.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Motor Vehicle Division Order No. MV-2024-11
 Submitted by Melissa Gillett Phone No. 515-237-3010 Meeting Date September 12, 2023
 Title Administrative Rules – 761 IAC Chapter 511, Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight

DISCUSSION/BACKGROUND:

This proposed rulemaking amends Chapter 511 to conform the rules with 2022 Iowa Acts, House File 2518, and Senate File 2376, which were effective on January 1, 2023, and codified in Iowa Code chapters 312 and 321E.

The proposed amendments add two new annual permit types: “annual all-systems overweight permit” and “annual small crane permit.” The rules specifically establish the following for the two new permit types: fees, maximum axle weights, maximum gross weights, maximum dimensions, and distance requirements. The rules also provide that the two new permits may be transferred if the originally permitted vehicle has been damaged in an accident, junked, or sold.

The proposed amendments also establish procedures for the distribution of funds collected for the annual all-system permit to counties who participate in the all-systems permit and eliminate the requirement that overweight vehicles operating under a permit display flashing amber lights.

The public comment period ended on August 1, 2023. The department did not receive any public comments or requests for oral presentations.

A complete summary explaining the proposed amendments is included in the attached Notice of Intended Action. This rulemaking is an exception to Executive Order 10.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve the rule amendments included in the attached Notice of Intended Action.

COMMISSION ACTION:			Aye	Vote Nay	Pass
			X	_____	_____
			X	_____	_____
Moved by	<u>Linda Juckette</u>	Seconded by	<u>Ray Gaesser</u>	X	_____
				X	_____
				X	_____
				X	_____
				X	_____
				X	_____

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to special permits for operation and movement of vehicles and loads of excess size and weight and providing an opportunity for public comment

The Transportation Department hereby proposes to amend Chapter 511, “Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12, 312.2(18), 321E.8(4), 321E.15 and 321E.24.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 312.2 and chapter 321E.

Purpose and Summary

This proposed rulemaking amends Chapter 511 to conform the rules with 2022 Iowa Acts, House File 2518 and Senate File 2376, which were effective on January 1, 2023, and codified in Iowa Code chapters 312 and 321E.

The proposed amendments:

- Add two new annual permit types that are now issued by the Department in accordance with the enacted bills: the “annual all-systems overweight permit” and the “annual small crane permit.” The rules provide that the two new permits may be transferred if the originally permitted vehicle has been damaged in an accident, junked or sold.
- Establish the fees, maximum axle weights, maximum gross weights, maximum dimensions, and distance requirements for the new permit types.
- Establish procedures for distribution of funds collected for the annual all-systems permit to counties who participate in the all-systems permit.
- Eliminate the requirement that overweight vehicles operating under a permit must display flashing amber lights. The Department has determined it is not required by law nor is it necessary for these vehicles to display lights to preserve highway safety, and the requirement unnecessarily creates a burden to individuals operating under the new permit who, under other options for operating such vehicles (such as a Governor’s proclamation of disaster emergency), do not need to display lights.
- Delete old Iowa Acts references, remove outdated language, and update missing terminology for annual permits throughout the chapter.

A Regulatory Analysis, including the proposed rule amendments, was published in the May 17, 2023, Iowa Administrative Bulletin. A public hearing was held on June 6, 2023. No public comments on the Regulatory Analysis were received at the hearing or in writing. The Administrative Rules Coordinator provided preclearance for publication of this Notice of Intended Action on June 16, 2023.

Changes were made from the proposed amendments published in the Regulatory Analysis. In Item 5, the word “annual” was added to the all-systems oversize and all-systems overweight permits.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa beyond any impact calculated by the Legislative Services Agency for the underlying legislation.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on August 1, 2023. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Government and Community Relations
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear requested oral presentations will be held as follows

August 3, 2023
9 to 10 a.m.

Department of Transportation
Motor Vehicle Division
6320 SE Convenience Boulevard
Ankeny, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George and advise of specific needs.

The public hearing will be canceled without further notice if no oral presentation is requested.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule **761—511.1(321E)**, definition of “Emergency interstate permit,” as follows:
“*Emergency interstate permit*” means a permit issued under Iowa Code section 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 2. Amend rule **761—511.1(321E)**, implementation sentence, as follows:
This rule is intended to implement Iowa Code sections 321E.9, 321E.15, 321E.26, 321E.29, 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382,~~ 321E.30 and 321E.34.

ITEM 3. Amend subrule 511.2(4), introductory paragraph, as follows:

511.2(4) Except as provided in rule ~~761—511.17(321,321E)~~ 761—511.10(321,321E) or 761—511.18(321,321E), permits may be issued only for the transporting of a single article which exceeds statutory size or weight limits or both, and which cannot reasonably be divided or reduced to statutory size and weight limits. However, permits may be issued for the transporting of property consisting of more than one article when:

ITEM 4. Amend subrule 511.3(2) as follows:

511.3(2) Movement shall be made only when roads are clear of ice and snow and visibility is at least one-quarter mile. Snow removal equipment operating under permit is exempt from this restriction while snow removal operations are conducted. EXCEPTION: Nothing in this subrule shall be construed to mean that the movement of a compacted rubbish vehicle permitted under rule ~~761—511.11(321E)~~ 761—511.12(321E) shall be subject to this restriction.

ITEM 5. Amend rule ~~761—511.4(321E)~~ as follows:

761—511.4(321E) Permits. Permits issued shall be in writing or in electronic format and may be either single-trip, multitrip, annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, compacted rubbish, emergency interstate, annual fluid milk products, ~~or~~ annual all-systems oversize, or annual all-systems overweight permits.

511.4(1) and **511.4(2)** No change.

511.4(3) Validity.

a. Annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, compacted rubbish, annual fluid milk products, ~~and~~ annual all-systems oversize, and annual all-systems overweight permits shall expire one year from the date of issuance.

b. and c. No change.

d. Emergency interstate permits issued under Iowa Code section 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382~~, shall be effective for 30 calendar days. However, the permit shall not exceed the expiration of the applicable governor's proclamation of disaster emergency issued under Iowa Code section 29C.6 in conjunction with the presidential declaration allowing interstate travel under the Stafford Act or the expiration of the declaration of major disaster under the Stafford Act, whichever expires first.

511.4(4) No change.

This rule is intended to implement Iowa Code sections 321E.2, ~~and~~ 321E.3, 321E.8 and section 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382~~.

ITEM 6. Amend rule ~~761—511.5(321,321E)~~ as follows:

761—511.5(321,321E) Fees and charges.

511.5(1) Annual oversize permit. A fee of \$50 shall be charged for each annual oversize permit issued pursuant to Iowa Code section 321E.8, payable prior to the issuance of the permit. Carriers purchasing annual oversize permits in advance of use cannot return unused permits for refunds.

511.5(2) No change.

511.5(3) Annual raw forest products permit. A fee of \$175 shall be charged for each annual raw forest products permit issued pursuant to Iowa Code section 321E.26 for divisible loads of raw forest products, payable prior to the issuance of the permit.

511.5(4) No change.

511.5(5) ~~All-systems~~ Annual all-systems oversize permit. A fee of \$160 shall be charged for each annual all-systems oversize permit issued pursuant to Iowa Code section 321E.8(1), payable prior to the issuance of the permit.

511.5(6) Annual all-systems overweight permit. A fee of \$500 shall be charged for each annual all-systems overweight permit issued pursuant to Iowa Code section 321E.8(2), payable prior to the issuance of the permit. Transfer of current annual all-systems overweight permit to a replacement vehicle may be allowed when the original vehicle has been damaged in an accident, junked or sold.

~~511.5(6)~~ **511.5(7)** *Bridge-exempt permit.* A fee of \$25 shall be charged for each bridge-exempt permit issued pursuant to Iowa Code section 321E.7, payable prior to the issuance of the permit.

~~511.5(7)~~ **511.5(8)** *Multitrip permit.* A fee of \$200 shall be charged for each multitrip permit, payable prior to the issuance of the permit.

~~511.5(8)~~ **511.5(9)** *Raw milk permit.* A fee of \$25 shall be charged for each raw milk permit issued pursuant to Iowa Code section 321E.29A, payable prior to the issuance of the permit.

~~511.5(9)~~ **511.5(10)** *Single-trip permit.* A fee of \$35 shall be charged for each single-trip permit, payable prior to the issuance of the permit.

~~511.5(10)~~ **511.5(11)** *Special alternative energy multitrip permit.* A fee of \$600 shall be charged for each special alternative energy multitrip permit issued pursuant to Iowa Code section 321E.9B, payable prior to the issuance of the permit.

~~511.5(11)~~ **511.5(12)** *Compacted rubbish permit.* A fee of \$100 shall be charged for each compacted rubbish permit, payable prior to the issuance of the permit.

~~511.5(12)~~ **511.5(13)** *Annual fluid milk products permit.* A fee of \$400 shall be charged for each annual fluid milk products permit issued pursuant to Iowa Code section 321E.29B, payable prior to issuance of the permit.

511.5(14) *Annual small crane permit.* A fee of \$400 shall be charged for each annual small crane permit issued pursuant to Iowa Code section 321E.8(4), payable prior to issuance of the permit. Transfer of current annual small crane permit to a replacement vehicle may be allowed when the original vehicle has been damaged in an accident, junked or sold.

~~511.5(13)~~ **511.5(15)** *Duplicate permit.* A fee of \$2 shall be charged for each duplicate permit, payable prior to the issuance of the permit.

~~511.5(14)~~ **511.5(16)** *Registration fee.* A registration fee shall be charged for vehicles transporting buildings, except mobile homes and factory-built structures, on a single-trip basis. The vehicle shall be registered for the combined gross weight of the vehicle and load. The fee shall be 5 cents per ton exceeding the weight registered under Iowa Code section 321.122 per mile of travel and shall be payable prior to the issuance of the permit. Fees shall not be prorated for fractions of miles.

~~511.5(15)~~ **511.5(17)** *Fair and reasonable costs.* Permit-issuing authorities may charge any permit applicant:

a. and b. No change.

~~511.5(16)~~ **511.5(18)** *Methods of payment.* Fees and costs required under this chapter shall be paid in the form and manner prescribed by the department.

This rule is intended to implement Iowa Code sections 321.12, 321.122, 321E.8, 321E.14, 321E.29, 321E.29A and 321E.30.

ITEM 7. Amend rule 761—511.6(321E) as follows:

761—511.6(321E) Insurance and bonds.

511.6(1) Insurance.

a. Public liability insurance in the amounts of \$100,000 bodily injury each person, \$200,000 bodily injury each occurrence, and \$50,000 property damage with an expiration date to cover the tenure of the annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, annual all-systems oversize, annual all-systems overweight, multitrip, emergency interstate, annual fluid milk products or single-trip permit shall be required. In lieu of filing with the permit-issuing authority, a copy of the current certificate of public liability insurance in these amounts shall be carried in the vehicle for which the permit has been issued. Proof of liability insurance may be either in writing or in electronic format.

b. No change.

511.6(2) No change.

This rule is intended to implement Iowa Code ~~section~~ sections 321E.8, 321E.13 and ~~section~~ 321E.29B as ~~enacted by 2021 Iowa Acts, House File 382.~~

ITEM 8. Amend rule 761—511.7(321,321E) as follows:

761—511.7(321,321E) Annual oversize permits. Annual oversize permits are issued for indivisible vehicles or indivisible loads for travel when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the department. Route, detour and road embargo information may be found online at www.511ia.org or the department’s website for the embargo bridge maps. Annual oversize permits are issued for the following:

511.7(1) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.7(2) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.7(3) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

~~**511.7(4)** Rescinded IAB 1/23/02, effective 2/27/02.~~

~~**511.7(5)**~~ **511.7(4)** Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

~~*e.—Speed.* Rescinded IAB 2/7/01, effective 3/14/01.~~

~~*f. e. Roadway width.* At least 24 feet 0 inches.~~

~~*g. f. Limited movement.* Movement shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state and shall be on the most direct route necessary for the movement.~~

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8, 321E.10 and 321E.29A.

ITEM 9. Amend rule 761—511.8(321,321E), introductory paragraph, as follows:

761—511.8(321,321E) Annual oversize/overweight permits. Annual oversize/overweight permits are issued for indivisible vehicles or indivisible loads for travel when either the dimensions or the weight or both the dimensions and the weight exceed statutory limits. Travel is not allowed on the interstate. However, a carrier moving under this annual oversize/overweight permit may operate under the same restrictions as an annual oversize permit under rule 761—511.7(321,321E) when the vehicle meets the dimensions required by that rule. Routing is subject to embargoed bridges and roads and posted speed limits. Annual oversize/overweight permits are issued for the following:

ITEM 10. Amend paragraph **511.8(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 11. Amend rule 761—511.9(321,321E) as follows:

761—511.9(321,321E) ~~All-systems~~ Annual all-systems oversize permits. ~~All-systems~~ Annual all-systems oversize permits are issued by the motor vehicle division for indivisible vehicles or

indivisible loads for travel on the primary road system and specified city streets and county roads when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The ~~motor vehicle division~~ department will provide a list map of the authorized city streets and county roads. Permit holders shall consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for the following:

511.9(1) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).
- e. No change.

511.9(2) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).
- e. No change.

511.9(3) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

- a. to c. No change.
- d. *Weight*. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).
- e. No change.

~~**511.9(4)** Rescinded IAB 1/23/02, effective 2/27/02.~~

~~**511.9(5)**~~ **511.9(4)** Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

- a. to c. No change.
- d. *Weight*. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).
- ~~e. *Speed*. Rescinded IAB 2/7/01, effective 3/14/01.~~
- f. *Roadway width*. At least 24 feet 0 inches.
- ~~g. *Limited movement*. Movement shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state and shall be on the most direct route necessary for the movement.~~

~~**511.9(6)** Rescinded IAB 2/10/21, effective 3/17/21.~~

~~**511.9(7)**~~ **511.9(5)** Necessary trip routes must be obtained from the appropriate city and county jurisdictions.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8 and 321E.10.

ITEM 12. Renumber rules ~~761—511.10(321,321E)~~ to **761—511.21(321)** as ~~761—511.11(321,321E)~~ to **761—511.22(321)**.

ITEM 13. Adopt the following new rule 761—511.10(321,321E):

761—511.10(321,321E) Annual all-systems overweight permits.

511.10(1) Issuance. Annual all-systems overweight permits are issued by the department for indivisible vehicles or indivisible or divisible loads for travel on the primary road system and specified city streets and county roads when the weight of the vehicle or load exceeds statutory limits but the dimensions are within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The department will provide a map of the authorized city streets and county roads. Permit holders shall consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for vehicles with divisible or indivisible loads provided the following are not exceeded:

- a. *Width*. Statutory: 8 feet 6 inches including appurtenances.
- b. *Length*. Statutory: 75 feet 0 inches overall.

- c. *Height.* Statutory: 13 feet 6 inches.
- d. *Weight.* See rule 761—511.17(321,321E).
- e. *Distance.* Movement is allowed for unlimited distance; routing through the motor vehicle division and city and county jurisdictions is not required.

511.10(2) Distribution of monthly credit. In accordance with Iowa Code section 312.2(18), the department shall allocate the monthly credit as follows:

- a. The department shall maintain a list of participating counties. The list shall be updated on a monthly basis as determined by the department after consultation with county officials through their representative organizations.
- b. The monthly credit shall be divided among the participating counties as determined by the department after consultation with county officials through their representative organizations.
- c. The funds from the monthly credit shall be distributed to each participating county based on the list of participating counties for the applicable month.

This rule is intended to implement Iowa Code sections 312.2, 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8 and 321E.10.

ITEM 14. Amend renumbered subrule 511.11(2) as follows:

511.11(2) Multitrip permits may be issued for all movements allowed under the single-trip permit provisions of rule ~~761—511.12(321,321E)~~ 761—511.13(321,321E) provided the movement is within the size and weight limitations of subrule ~~511.10(4)~~ 511.11(1).

ITEM 15. Amend renumbered paragraph **511.13(1)“d”** as follows:

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 16. Amend renumbered paragraph **511.14(1)“d”** as follows:

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 17. Amend renumbered paragraph **511.15(1)“d”** as follows:

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 18. Amend renumbered rule **761—511.15(29C,321,321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 29C.6, 321.457, and 321.463 and ~~section 321E.29B as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 19. Amend renumbered rule 761—511.16(321,321E), introductory paragraph, as follows:

761—511.16(321,321E) Annual fluid milk products permits. Annual fluid milk products permits are issued for indivisible loads of fluid milk products for travel when the weight of the vehicle or load exceeds statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the department. Route, detour, road embargo and bridge embargo for fluid milk products information may be found online at www.511ia.org and the department’s website.

ITEM 20. Amend renumbered paragraph **511.16(1)“d”** as follows:

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 21. Amend renumbered rule 761—511.17(321,321E) as follows:

761—511.17(321,321E) Maximum axle weights and maximum gross weights for vehicles and loads moved under permit.

511.17(1) Annual oversize, annual all-systems oversize, and annual all-systems overweight permits.

a. For movement under an annual oversize or annual or all-systems oversize permit, the axle weight and combined gross weight shall not exceed the limits found in Iowa Code section 321.463(3).

b. For movement under an all-systems overweight permit, the axle weight shall not exceed the limits found in Iowa Code sections 321.463(3) and 321E.8. The combined gross weight shall not exceed the gross weight authorized under Iowa Code section 321E.8(2).

~~b. c.~~ See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.
511.17(2) Annual oversize/overweight permits or annual raw forest products permits.

- a. No change.
- b. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(3) Multitrip permits.

- a. No change.
- b. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(4) Single-trip permits.

- a. to c. No change.
- d. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(5) and 511.17(6) No change.

511.17(7) Annual small crane permit. For movement under an annual small crane permit, the gross weight on any axle shall not exceed 24,000 pounds with a maximum of 80,000 pounds total gross weight.

~~511.17(7)~~ **511.17(8) Special mobile equipment.** Special mobile equipment may have a gross weight of 36,000 pounds on any single axle equipped with minimum size 26.5-inch by 25-inch flotation pneumatic tires and a maximum gross weight of 20,000 pounds on any single axle equipped with minimum size 18-inch by 25-inch flotation pneumatic tires, provided that the total gross weight of the vehicle or a combination of vehicles does not exceed a maximum of 80,000 pounds for movement under an annual oversize or all-systems oversize permit and 126,000 pounds for movement under a single-trip, multitrip or annual oversize/overweight permit.

For tire sizes and weights allowed between the maximum and minimum indicated, the following formula shall apply: Axle weight = 20,000 pounds + (tire width - 18) × 1,882 pounds.

~~511.17(8)~~ **511.17(9) Permitted tandem axle weights.**

- a. to c. No change.

This rule is intended to implement Iowa Code sections 321.463, 321E.7, 321E.8, 321E.9, 321E.9A, 321E.26, 321E.29B and 321E.32.

ITEM 22. Amend renumbered subrule 511.18(2) as follows:

511.18(2) At the discretion of the permit-issuing authority, the combined gross weight may exceed the statutory weight, but the axle weights shall be subject to rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 23. Amend renumbered subrule 511.20(3) as follows:

511.20(3) Requirements for escorts, flags, signs and lights. The following chart explains the minimum escort and warning devices required for vehicles operating under permit.

Minimum Warning Devices and Escort Requirements
 For Vehicles Operating Under Permit

	Flags/Signs	Lights	Escorts	
			4-Lane	2-Lane
Length				
75'1" up to and including 85'	yes	not required	not required	not required
Over 85' up to and including 120'	yes	yes	not required	not required
Over 120'	yes	not required	rear	rear
Projections				
Front: over 25'	not required	yes	not required	not required
Rear: over 4' up to and including 10'	flags only	not required	not required	not required

Rear: over 10'	flags only	yes	not required	not required
Height				
Over 14'6" up to and including 20'	yes	not required	front with a height pole	front with a height pole
Weight				
Over 80,000 lbs.	not required	<u>yes not required</u>	not required	not required
Width				
Over 8'6" up to 12'0"	yes	not required	not required	not required
Over 12'0" up to and including 14'6"	yes	not required	rear *	front *
Over 14'6" up to and including 16'6"	yes	not required	rear *	front
Over 16'6" up to and including 18'	yes	not required	rear	front

*In lieu of an escort, a carrier can display an amber light or strobe light on the power unit and on the rear extremity of the vehicle or load.

yes = required

Definitions:

Flags - Red or orange fluorescent flags at least 18" square must be mounted as follows: one flag at each front corner of the towing unit and one flag at each rear corner of the load. In addition, there must be a flag at any additional protrusion in the width of the load.

Signs - A sign reading "Oversize Load" must be used. The sign must be at least 18" high by 7' long with a minimum of 10" black letters, with a 1½" stroke, on a yellow background, and mounted on the front bumper and on the rear of the load. The rear sign for mobile homes and factory-built structures must be mounted at least 7' above the highway surface, measuring from the bottom of the sign.

Lights - A flashing or strobe amber light that is visible for at least 500 feet and provides 360° warning must be mounted on the towing unit and be visible from front and rear. More than one light may be necessary.

The permit-issuing authority may require additional escorts when deemed necessary. The signs or warning devices must be removed or covered when the vehicle is within legal dimensions.

ITEM 24. Amend renumbered rule **761—511.20(321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321E.8, 321E.14, 321E.24 and 321E.34.

ITEM 25. Amend renumbered rule **761—511.21(321,321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.492, 321E.16, ~~and 321E.20~~ and ~~section 321E.29B as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 26. Amend renumbered paragraph **511.22(1)“c”** as follows:

c. The department shall exercise due regard for the safety of the traveling public and the protection of the highway surfaces and structures when establishing an economic export corridor. Factors to be considered include ability of the proposed economic export corridor to safely accommodate combinations of vehicles described in subrule ~~511.21(2)~~ 511.22(2), taking into account physical configurations and restrictions and traffic demands and capacity, as well as connection to markets that will benefit from the established economic export corridor.

ITEM 27. Amend renumbered paragraph **511.22(2)“a,”** introductory paragraph, as follows:

a. In addition to combinations of vehicles lawful for operation on roads or road segments not designated as an economic export corridor, the following combinations of vehicles may be operated on an economic export corridor designated under subrule ~~511.21(1)~~ 511.22(1) if the combinations of vehicles meet the requirements in paragraph ~~511.21(2)“b”~~ 511.22(2)“b”:

MV-2024-11

Kelli Huser- Motor Vehicle Division

This rule-making adds references to Chapter 511 for a new "annual small crane permit" and a new "annual all-systems overweight permit". Changes include identifying appropriate fees, weights, and dimensions, and establishing procedures to distribute funds to counties that designate secondary roads for travel under permit.

It is recommended that the Commission approve the proposed rule amendments for Chapter 511.

Commissioner Juckette moved, and
Commissioner Gaesser seconded a motion to approve.
The vote to approve was unanimous.