

Motor Vehicle Division Information Memo # 20-16

2020 Legislation – Elimination of the Annual Permit for Divisible Loads of Hay, Straw, Stover and Bagged Livestock Bedding and Increase in Legal Dimensions for these Divisible Loads

DATE: June 18, 2020

FROM: Kelli Huser, Compliance Officer, VMCS

TO: All Vehicle & Motor Carrier Services staff

SUBJECT

This informational memo explains legislation enacted during the 2020 legislative session which eliminated the annual permit for divisible loads of hay, straw, stover, or bagged livestock bedding in excess of width, length, or height restrictions of chapter 321, and instead increased the legal width, length, and height of these divisible loads.

SUMMARY

House File 2310 amends Iowa Code chapters 321 and 321E to eliminate the annual permit for divisible loads of hay, straw, stover, or bagged livestock and to increase the legal dimensions of these divisible loads. Under current law, divisible loads of hay, straw, stover, or bagged livestock bedding may only exceed the legal dimensions of Iowa Code chapter 321 if the operator obtains an annual permit under Iowa Code 321E.29(2) or if the operator qualifies for a special permit for a special or emergency situation. Existing Iowa Code 321E.29(2) authorizes an annual permit for divisible loads of hay, straw, stover, or bagged livestock bedding that meet the following dimensions:

- Overall width does not exceed 12 feet 5 inches;
- Overall length does not exceed 75 feet; and
- Overall height does not exceed 14 feet, 6 inches.

This legislation amends Iowa Code 321E by eliminating Iowa Code 321E.29(2) and thereby eliminating the annual permit. This legislation then amends the width, length, and height restrictions in Iowa Code chapter 321 to allow divisible loads of hay, straw, stover, or bagged livestock bedding to have a width not to exceed 12 feet, 5 inches; a length not to exceed 75 feet; and a height not to exceed 14 feet, 6 inches.

The legislation is effective July 1, 2020.

LINK TO LEGISLATION

<https://www.legis.iowa.gov/legislation/BillBook?ga=88&ba=HF2310>

CURRENT

Under current Iowa law, an operator of a divisible load of hay, straw, stover, or bagged livestock bedding may operate without a permit under the following dimensions:

- Overall width does not exceed 8 feet, 6 inches;
- Overall length does not exceed 45 feet; and
- Overall height does not exceed 13 feet, 6 inches.

An operator of a divisible load of hay, straw, stover, or bagged livestock bedding that seeks to exceed these dimensions has two options: (1) the operator may apply for a special permit under Iowa Code 321E.29(1) if the department or permit-issuing authority determines there is a special or emergency situation that warrants a special permit or (2) the operator may apply for an annual permit under Iowa Code 321E.29(2). The annual permit does not require a finding of special or emergency situations and provides the following dimensional limits:

- Overall width does not exceed 12 feet 5 inches;
- Overall length does not exceed 75 feet; and
- Overall height does not exceed 14 feet, 6 inches.

NEW

The new law eliminates Iowa Code 321E.29(2) and thereby eliminates the annual permit for divisible loads of hay, straw, stover, or bagged livestock beddings. The new law then amends the dimensional limits of Iowa Code chapter 321 to allow these specific divisible loads to operate without a permit for the following dimensions:

- Overall width does not exceed 12 feet 5 inches;
- Overall length does not exceed 75 feet; and
- Overall height does not exceed 14 feet, 6 inches.

BUSINESS IMPACT

June 30, 2020 is the last day we have the legal authority to issue annual permits for divisible loads of hay, straw, stover, or bagged livestock bedding. Beginning July 1, 2020, divisible loads of hay, straw, stover, or bagged livestock bedding that meet the above dimensions no longer need to obtain a permit.

We will be updating our website and our programming to reflect that as of July 1, 2020, this annual permit is no longer available and that instead, divisible loads of hay, straw, stover, or bagged livestock bedding may legally operate up to the specified dimensions.

HELPFUL QUESTIONS AND ANSWERS

The following questions and answers provide additional information that will be helpful to you and to customers.

WHY IS THIS CHANGE BEING MADE?

This change to remove the annual permit and to change the legal dimensions for these specific divisible loads was legislation in response to constituents that identified financial hardship with the existing permit.

WHAT HAPPENS IF A CUSTOMER CONTACTS US ON OR AFTER JULY 1, 2020 SEEKING AN ANNUAL PERMIT FOR A DIVISIBLE LOAD OF HAY, STRAW, STOVER, OR BAGGED LIVESTOCK BEDDING?

Beginning July 1, 2020, staff should educate customers who ask that an annual permit is no longer required for divisible loads of hay, straw, stover, or bagged livestock bedding with an overall width that does not exceed 12 feet 5 inches, an overall length that does not exceed 75 feet, and an overall height that does not exceed 14 feet, 6 inches. Staff should encourage customers to self-check their anticipated routes prior to transport to confirm that the dimensions of the load will not cause safety hazards due to construction, restricted lane widths, or bridge heights on the route.

WHAT PROGRAMMING IS ANTICIPATED IN RESPONSE TO THIS LEGISLATION?

We are working with Bentley to remove the annual permit for divisible loads of hay, straw, stover, or bagged livestock bedding as an option for customers to request.

MAY A CUSTOMER RECEIVE A REFUND IF THE CUSTOMER ALREADY PURCHASED AN ANNUAL PERMIT?

No, a customer who has already purchased an annual permit with an effective date prior to July 1, 2020 may not receive a refund. A customer who has been issued an annual permit with an effective date prior to July 1, 2020 has already been given authority to operate under the permit and presumably has been operating under the permit. It will not be possible to differentiate between customers who have and have not operated under this permit once issued. Therefore, a refund is not feasible for these customers.

MAY A CUSTOMER OPERATE PRIOR TO JULY 1, 2020 WITHOUT THIS ANNUAL PERMIT?

No. It is not legal to operate prior to July 1, 2020 under the listed dimensions without a permit. Customers who seek to operate divisible loads of hay, straw, stover, or bagged livestock bedding under the limited dimensions prior to July 1, 2020 will not be legally operating unless the customer has an annual permit.

WHAT ARE WE DOING TO SPREAD THE WORD TO LAW ENFORCEMENT THAT THE LEGAL DIMENSIONS FOR THESE DIVISIBLE LOADS HAVE CHANGED?

Motor Vehicle Enforcement is aware of these legislative changes and has received this memo.

WHAT ARE WE DOING TO SPREAD THE WORD TO CUSTOMERS THAT THE LEGAL DIMENSIONS FOR THESE DIVISIBLE LOADS HAVE CHANGED AND THAT AN ANNUAL PERMIT IS NO LONGER REQUIRED?

We will revise our website with updated information to reflect the change in legal dimensions for these divisible loads and that an annual permit is no longer required.