

Motor Vehicle Division Informational Memo # 20-18

Administrative Rule Updates-For-Hire Intrastate Motor Carriers

DATE: June 22, 2020

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Vehicle and Motor Carrier Services staff

SUBJECT

This informational memo explains updates to administrative rule chapter 761—524, For-Hire Intrastate Motor Carrier Authority.

SUMMARY

The department is the permit-issuing authority for these motor carriers, and the updates to this chapter align the rules with existing legal authority and department practice. Specifically, the amendments do the following:

- Simplify the application and supporting documentation required for a motor carrier permit or certificate, while still allowing for those documents to be sent to the Department electronically.
- Remove the requirement that a bill of lading or freight receipt be issued in triplicate because that practice is no longer necessary as well as allowing the bill of lading or freight receipt to be in an electronic or paper copy, unless the freight being transported consists of hazardous materials. Federal regulations require a paper copy due to federal hazardous materials regulations.
- Align with current Department practice by providing that a peace officer may inspect the bill of lading or freight receipt, which is consistent with a peace officer's authority to inspect the motor carrier permit or certificate under this chapter.
- Delete outdated requirements related to tariffs, including issuing adoption notices and participation notices, which are no longer used and also simplifying the process of indicating tariff changes by allowing for a summary of the changes to be provided rather than requiring use of a specific symbol to denote the changes.
- Provide the flexibility of utilizing forms other than the forms prescribed by the Department for an application for special permission to establish rules of the tariff and for the motor carrier to grant powers of attorney to an agent.

The administrative rule amendments are effective July 8, 2020.

LINK TO ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/5047C.pdf>

CURRENT

Prior to the administrative rule amendments to chapter 761—524 becoming effective, the chapter did not align with current department practices and procedures in relation to for-hire intrastate motor carriers.

NEW

As of July 8, 2020, the rules will align with existing legal authority and our current processes related to for-hire intrastate motor carriers.

BUSINESS IMPACT

This directive does not significantly impact the way that VMCS operates for the reasons outlined above.