

## **Motor Vehicle Division Informational Memo # 21-26**

### ***2021 Legislation – Annual permit for fluid milk products***

**DATE:** December 30, 2021

**FROM:** Kelli Huser, Compliance Officer, MVD

**TO:** All Motor Vehicle Division staff

#### **SUBJECT**

This informational memo explains legislation enacted during the 2021 legislative session which authorizes us to issue an annual permit for the operation of vehicles transporting overweight loads of fluid milk products, including on the interstate, and is most applicable to staff involved in issuing special permits to motor carriers.

#### **SUMMARY**

Federal law 23 U.S.C. §127 authorizes states to issue special permits for overweight vehicles carrying fluid milk products, including on the interstate system. House File 869 establishes new Iowa Code section 321E.29B, which will allow a motor carrier to request, and us to issue, an annual permit for a vehicle transporting overweight loads of fluid milk products on the primary roads and primary road extensions in cities, including on the interstate, so long as the vehicle does not exceed a gross weight of 96,000 pounds or the maximum dimensions specified in Iowa Code sections 321.454 through 321.457.

This memo was originally issued June 11, 2021. It was revised on December 30, 2021.

**The legislation is effective January 1, 2022.**

#### **LINK TO LEGISLATION**

<https://www.legis.iowa.gov/docs/publications/LGE/89/HF869.pdf>

#### **CURRENT**

Under current law, we are not authorized to issue an annual permit that allows transportation of overweight loads of fluid milk on the interstate system.

#### **NEW**

As mentioned above, the legislation will now align with federal law and allow us to issue an annual permit for a vehicle transporting overweight loads of fluid milk products, including on the interstate. We will refer to this permit as an annual fluid milk permit. This permit will be valid for the interstate and primary roads and primary road extensions in cities.

#### **BUSINESS IMPACT**

This legislation will allow motor carrier staff who issue overweight permits to issue an annual fluid milk permit. Central office MVD staff has worked with Bentley to create the new permit type and any required forms.

## **QUESTIONS AND ANSWERS**

The following questions and answers provide additional information to you and to customers.

### **WILL THIS PERMIT ALLOW A CUSTOMER TO TRAVEL ON THE SECONDARY ROAD SYSTEM OR MUNICIPAL STREET SYSTEM?**

No. The permit only authorizes travel on primary roads and primary road extensions in cities, and includes the interstate. Customers will need to verify separately that their loads comply with Iowa law for the secondary road system and the municipal street system. The secondary road system is defined as roads under county jurisdiction. The municipal street system is defined as streets within municipalities that are not primary roads or secondary roads.

### **MAY COUNTIES OR CITIES ISSUE THIS PERMIT FOR USE ON THE SECONDARY ROAD SYSTEM OR MUNICIPAL STREET SYSTEM?**

No, the legislation only authorizes the department to issue these annual permits, and only on primary roads and primary road extensions in cities, including the interstate.

### **HOW DOES THIS PERMIT DIFFER FROM THE ANNUAL RAW MILK PERMIT?**

Both this permit and the annual raw milk permit are limited to transportation to or from a milk plant, receiving station, or transfer station. But the annual raw milk permit under Iowa Code 321E.29A is different from the new annual fluid milk permit in several ways. The main differences are the load being transported, the weight of travel, and the road systems authorized.

Under the annual raw milk permit, a raw milk transporter may only transport raw milk. The load may not exceed 80,000 lbs. The load may not travel on the interstate.

Under the new annual fluid milk permit, vehicles or combinations of vehicles may transport fluid milk products as defined in 7 C.F.R. § 1000.15. The load may not exceed 96,000 lbs. The load may travel on the interstate.

### **WILL WEIGHT LIMITS BE POSTED ON SIGNS ON OR NEAR THE BRIDGES EMBARGOED UNDER THIS PERMIT?**

No, at this time the Iowa DOT does not anticipate posting physical signs with the weight limits on the embargoed bridges specifically for this new permit. However, all embargo bridge maps are posted at the Iowa DOT website and routing under this permit is subject to the embargoed bridges. Owners or operators shall select the route after viewing the embargo bridge map to confirm a particular route is legal to travel.