

Motor Vehicle Division Informational Memo # 23-06

2023 Legislation- New authority to exceed statutory weight limits on single-trip permits for special or emergency situations

DATE: April 21, 2023

FROM: Kelli Huser, Compliance Officer, MVD

TO: All Motor Vehicle Division staff

SUBJECT

This informational memo explains legislation enacted during the 2023 which authorizes the department to exceed statutory axle and gross weight limits on single-trip permits for special or emergency situations.

SUMMARY

SF 153 makes the existing single trip permit broader for special or emergency situations. Under the permit, the DOT may issue a permit for a vehicle or combination of vehicles where it exceeds:

- **The combined gross weight in Iowa Code 321.463 and/or**
- **Gross weight on any one axle or group of axles in Iowa Code 321.463.**

The permit is subject to the limits and routes established by the permit-issuing authority. The permit-issuing authority may also exempt movement from the restrictions of Iowa Code 321E.7 and Iowa Code 321E.32.

The legislation is effective July 1, 2023.

LINK TO LEGISLATION

<https://www.legis.iowa.gov/legislation/BillBook?ga=90&ba=sf153>

CURRENT

Under current law, no permitted load may exceed the combined gross weight or gross weight on any one axle or group of axles to exceed Iowa Code 321.463. Also under current law, the permit-issuing authority may not exempt movements from the restrictions of Iowa Code sections 321E.7 or 321E.32.

NEW

The legislation will allow the DOT and local agencies to issue a single-trip permit for special or emergency situations to allow the vehicle or combination of vehicles to exceed Iowa Code 321.463 for either the combined gross weight, the gross weight on any on axle or group of axles, or both. While any permit issuing authority can issue permits for special or emergency situations, the department must first declare the special or emergency situation exists to trigger the exemption. Only the DOT has the authority to make this declaration.

The legislation also allows any permit-issuing authority to exempt movements under permit from the restrictions of Iowa Code sections 321E.7 and 321E.32.

BUSINESS IMPACT

This legislation will allow the DOT and local agencies to issue a single-trip permits for special or emergency situations. No IT impact is expected as this is not a new permit, but rather an expansion of authority to an existing permit. For this permit, either the director or the director’s designee will determine a “special or emergency situation” exists to authorize the permit. Staff would then be directed to issue this permit subject to the approved route.

QUESTIONS AND ANSWERS

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

WHEN IS THIS SINGLE-TRIP PERMIT AVAILABLE?

This single-trip permit is only available when:

- The vehicle has an indivisible load,
- The permit-issuing authority has reviewed the route and has approved the movement, and
- A special or emergency situation exists as declared by the department.

WHAT IS A SPECIAL OR EMERGENCY SITUATION?

A special or emergency situation is defined in Iowa Administrative Code. It means movement is necessary because:

- there is a national or other disaster,
- national defense officials need movement,
- public or private utilities need movement to maintain public services,
- Movement is essential to ensure safety and protection of any person or property due to an event such as, but not limited to, pollution of natural resources, a potential fire, or an explosion,
- Weather or transportation problems create an undue hardship for citizens of the state of Iowa,
- Movement involves emergency-type vehicles,
- Movement is essential to the existence of an Iowa business and the move may be accomplished without causing undue hazards to the safety of the traveling public or undue damage to private or public property, or
- Other unique circumstances.

WHO DECIDES IF IT IS A SPECIAL OR EMERGENCY SITUATION?

The DOT Director or the Director’s designee. If staff gets a question from a customer about this permit, staff should contact their supervisor, who will contact the designee.

WHAT EXEMPTIONS MAY A PERMIT-ISSUING AUTHORITY GIVE UNDER THIS PERMIT?

The legislation lets a permit-issuing authority exempt the trip under permit from the restrictions of Iowa Code sections 321E.7, 321E.11, and 321E.32.

- **Exempting from 321E.7** means the permit-issuing authority may let the vehicle exceed the statutory axle weight limit of 20,000 pounds per axle under permit.
- **Exempting from 321E.11** means the permit-issuing authority may let the vehicle travel prior to sunrise and after sunset, travel on holidays, is not restricted to certain primary and nonprimary highway system roadways at least twenty-two feet width with eleven feet of lane width, is not required to have operating projecting-load lightening devices or any of the required vehicle lighting or warning lights.
- **Exempting from Iowa Code 321E.32** means the permit-issuing authority may let the vehicle using dolly axles have an inside spacing of less than the statutorily required 5-foot minimum.

WILL THERE BE IT PROGRAMMING OR FORM UPDATES?

No. This permit will be issued under the existing single-trip permit process. It will only be issued at the direction of the director or the director's designee and therefore no specific forms are needed.