

**Motor Vehicle Division Informational Memo # 23-07**  
***2023 Legislation – Hydroexcavation equipment (hydrovacs) exempted from certain size, weight, load, and permit requirements***

**DATE:** April 21, 2023

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

**TO:** All Motor Vehicle Division staff and county treasurer staff

**SUBJECT**

This informational memo explains legislation enacted during the 2023 legislative session. SF 154 adds hydroexcavation equipment to the list of vehicles, equipment, and apparatus exempted from certain size, weight, load, and permit requirements of Iowa Code chapters 321 and 321E.

**SUMMARY**

Iowa Code has a list of equipment, apparatus, and vehicles that are exempted from certain Iowa laws. These Iowa laws include the size, weight, and load restrictions in Iowa Code chapter 321 and the permit requirements of Iowa Code chapter 321E.

This new law, SF 154, adds “hydroexcavation equipment” to the list of exempted equipment, apparatus, and vehicles. To qualify, the hydroexcavation equipment must be used primarily for digging and excavation.

**The legislation is effective July 1, 2023.**

**LINK TO LEGISLATION**

<https://www.legis.iowa.gov/legislation/BillBook?ga=90&ba=sf154>

**CURRENT**

Under current law, hydroexcavation equipment must meet with all size, weight, and load restrictions in Iowa Code chapter 321 or meet the permit requirements of Iowa Code chapter 321E.

**NEW**

The legislation will allow hydroexcavation equipment to travel on non-interstate highways without needing to meet the size, weight, and load restrictions in Iowa Code chapter 321 or the permit requirements of Iowa Code chapter 321E under certain conditions (explained below).

**BUSINESS IMPACT**

This legislation will let hydroexcavation equipment travel on non-interstate highways under the following conditions:

- Must be registered. These vehicles are not exempt from paying registration fees.
- Must comply with posted signage that restricts the weights on highways, culverts, or bridges. Signage may be posted by the DOT (321.474) or the local authorities (321.471)

- Must comply with any ordinance or resolution from local authorities that operation of vehicles upon the highway will seriously damage or destroy the highway by reason of deterioration, rain, snow, or other climatic conditions, otherwise referred to as the spring pavement restrictions.

## **QUESTIONS AND ANSWERS**

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

### **WHAT IS HYDROEXCAVATION EQUIPMENT?**

Hydroexcavation uses pressurized water to break up soil and an industrial vacuum to remove the resulting mud slurry. The equipment we are aware of hauls water to a dig site, breaks up the soil, then hauls the mud slurry off-site. This equipment can sometimes be referred to as a “hydrovac,” but equipment that qualifies for this exemption may have a different name.

### **DOES THE HYDROEXCAVATION EQUIPMENT HAVE TO BE REGISTERED?**

Yes. All motor vehicles, trailers, and semitrailers driven or moved on a highway must be registered unless an exception applies. No exception applies to hydroexcavation equipment.

### **WHY ISN'T HYDROEXCAVATION EQUIPMENT CONSIDERED SPECIAL MOBILE EQUIPMENT?**

Hydroexcavation equipment hauls water to a site and hauls mud slurry from the site. Because it is hauling “property” it does not meet the definition of special mobile equipment. It must be registered.

### **WHAT WEIGHT WILL THIS HYDROEXCAVATION EQUIPMENT NEED TO BE REGISTERED FOR?**

Hydroexcavation equipment will be registered under Iowa Code 321.122, which sets registration weights based on the combined gross weight equal to or in excess of the unladen weight of the vehicle.

### **WHAT QUESTIONS SHOULD STAFF EXPECT ON THIS NEW LAW?**

We expect staff will continue to get questions about (1) if a customer’s vehicle is special mobile equipment and (2) if a customer’s vehicle needs a permit. For hydroexcavation equipment, staff should let the customer know that (1) this equipment is not special mobile equipment and must be registered and (2) the customer will not need a permit because this equipment is exempt from the permitting requirements of Iowa Code 321E.

County treasurer staff should feel comfortable referring any permit-related question to Motor Vehicle Division if county treasurer staff is not sure of the answer.