

## **Motor Vehicle Division Informational Memo # 24-15 (Revised)** ***June 2024 Severe Weather and Flooding Proclamation – Motor Carrier Services***

**DATE:** July 3, 2024

**FROM:** Melissa Gillett, Director

**TO:** All Motor Vehicle Division staff; Iowa State Patrol; Iowa Motor Truck Association

**EFFECTIVE:** July 3, 2024

### **SUBJECT**

This informational memo is to inform motor carriers, law enforcement, and staff about the Governor's Proclamations of Disaster Emergency issued June 22, 2024 and July 2, 2024, hereinafter referred to as "the proclamation." The proclamation provides relief from regulatory provisions for motor carriers moving loads related to disaster repairs for the duration of this declared disaster in the following counties: Buena Vista, Cerro Gordo, Cherokee, Clay, Dickinson, Emmet, Floyd, Hancock, Humboldt, Kossuth, Lyon, O'Brien, Osceola, Plymouth, Pocahontas, Sioux, Webster, Winnebago, Woodbury, Worth, Wright.

### **SUMMARY**

On June 21, 2024, a storm system caused severe weather, including damaging winds, straight-line winds, tornadoes, heavy rains, thunderstorms, and flash flooding which resulted in significant damages to public and private property, power outages from downed power lines and poles and large debris piles. The Governor's proclamation provides relief from the following:

- 1) Allows a vehicle to move overweight loads up to 90,000 pounds without needing to obtain a permit on non-interstate highways (Iowa Code § 321E and Iowa Administrative Code 761-511).
- 2) Allows extended hours of service of motor carriers and drivers of commercial motor vehicles (Iowa Code 321.449).
- 3) Allows a vehicle to move permitted loads at night and movement under permit on holidays, after 12:00pm on days preceding holidays and holiday weekends.

This regulatory relief applies to disaster repair crews and drivers delivering goods and services while responding to disaster sites and movement of loads related to disaster repairs on all highways in Iowa.

### **PROCLAMATION LINK**

[Proclamation](#)

[Proclamation](#)

### **QUESTIONS AND ANSWERS**

#### **WHICH LOADS ARE ALLOWED TO TRAVEL WITHOUT PERMIT UNDER THE GOVERNOR'S PROCLAMATION?**

Certain indivisible and divisible loads may travel without permits on state highways if:

- The load is related to disaster repairs.
- The load does not exceed 90,000 pounds gross weight.
- The load does not exceed the maximum axle weight limit determined under the non- primary highway maximum gross weight table by more than 12.5%.
- The load does not exceed the legal maximum axle weight limit of 20,000 pounds.
- The load otherwise complies with posted limits on roads and bridges.

Under these conditions, the divisible load is authorized to travel on Iowa and US highways, excluding the interstate system, without a permit.

**CAN OVERWEIGHT LOADS RESPONDING TO THE DISASTER TRAVEL ON THE INTERSTATE WITHOUT A PERMIT?**

No, the Governor’s proclamation is limited to Iowa highways, excluding the interstate system.

**HOW DID THE GOVERNOR’S PROCLAMATION AFFECT HOURS OF SERVICE OF MOTOR CARRIERS AND DRIVERS OF COMMERCIAL VEHICLES?**

The Governor’s proclamation suspended the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service of motor carriers and drivers of commercial motor vehicles under certain conditions. To be eligible for this suspension, the following conditions apply:

- the customers are crews and drivers delivering goods and services while responding to disaster sites during the disaster.
- Motor carriers are not exempt from the controlled substances and alcohol use and testing requirements, commercial drivers’ license requirements, financial responsibilities requirements, or any other portion of the Code of Federal Regulations not specifically identified the Proclamation.
- Motor carriers cannot be required or allowed to operate if fatigued or ill.
- Drivers who inform a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required to return to service.
- Motor carriers must give the driver at least thirty-four (34) consecutive hours off when the driver has been on duty for more than seventy (70) hours during any eight (8) consecutive days.
- Motor carriers that have an out-of-service order in effect may not take advantage of this relief.

**WHAT TRAVEL RESTRICTIONS ARE WAIVED?**

OS/OW permits are typically not valid on holidays, holiday weekends, and at 12:00 noon on days preceding holiday weekends. The proclamation (as noted in provision 3 in the summary above) waives this requirement for permit loads related to disaster response and allows them to operate during these holiday periods.

Permit loads related to disaster relief will also be authorized “continuous movement” regardless of size or weight, which means they are authorized to operate 24/7.

**DOES THIS PROCLAMATION CONTAIN ANY RELIEF FROM DRIVER'S LICENSE OR VEHICLE REGISTRATION AND TITLING REQUIREMENTS?**

No. The regulatory relief for driver's license and vehicle registration and titling requirements is contained in a different proclamation that is further explained in [IM 24-17](#). The MVD-related relief in this proclamation is limited to motor carrier provisions.

**WHEN DOES THE GOVERNOR'S PROCLAMATION EXPIRE?**

Unless sooner terminated or extended by the Governor, the relief in provisions 1-2 in the summary above expires July 22, 2024 at 11:59 p.m. and the relief in provision 3 expires August 2, 2024.

**WHAT IS THE BEST WAY TO CONTACT DOT REGARDING QUESTIONS?**

[omcs@iowadot.us](mailto:omcs@iowadot.us)

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