

Motor Vehicle Division Information Memo # 19-10
Annual Code of Federal Regulations Updates to Administrative Rules –
Commercial Motor Vehicle Drivers

DATE: May 14, 2019

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Motor Vehicle Division and Motor Vehicle Enforcement staff and County Treasurers and County Treasurer's Staff that issue commercial driver's licenses

SUBJECT

This informational memo explains the regular, annual update to administrative rules in 761 IAC chapters 520, 529 and 607 related to commercial motor vehicle drivers and adopts the most recent updates to the Code of Federal Regulations (CFR) dated October 1, 2018.

SUMMARY

At the conclusion of each federal fiscal year (September 30), we initiate an administrative rulemaking to adopt the most recent CFR updates to chapter 520 – Regulations Applicable to Carriers; 529 – For-Hire Interstate Motor Carrier Authority; and 607 – Commercial Driver Licensing.

We are required to make updates to these rule chapters by the following Iowa Code sections:

- Iowa Code section 321.188 requires us to adopt rules to administer commercial driver's licenses in compliance with certain portions of 49 Code of Federal Regulations (CFR) Part 383.
- Iowa Code section 321.449 requires us to adopt rules consistent with the Federal Motor Carrier Safety Regulations (FMCSR) promulgated under United States Code, Title 49, and found in 49 CFR Parts 385 and 390 to 399.
- Iowa Code section 321.450 requires us to adopt rules consistent with the Federal Hazardous Materials Regulations (HMR) promulgated under United States Code, Title 49, and found in 49 CFR Parts 107, 171 to 173, 177, 178 and 180.

The rulemaking at the link below provides specific descriptions of the amendments to the FMCSRs and HMRs that have become final since the 2018 edition of the CFR that affects 761 IAC chapters 520, 529 and 607.

While commercial vehicles transporting goods in interstate commerce and commercial vehicles transporting hazardous materials in interstate commerce or transporting certain hazardous materials intrastate are subject to the FMCSRs and the HMRs on the effective dates specified in the Federal Register (FR), respectively, **the state administrative rule amendments are effective May 15, 2019.**

LINK TO IOWA ADMINISTRATIVE RULES

<https://www.legis.iowa.gov/docs/aco/arc/4401C.pdf>

CURRENT

Previously, the above-referenced administrative rule chapters adopted the 2017 edition of the CFR.

NEW

As of May 15, 2019, the above-referenced administrative rule chapters will adopt the 2018 edition of the CFR.

BUSINESS IMPACT

This directive does not significantly impact the way that MVD functions, but it is important to understand that these particular administrative rule chapters adopt the 2018 edition of the CFR as related to commercial motor vehicle drivers, which is updated on an annual basis.