



2017
Iowa Acts
for the
Iowa Department of Transportation

2017 Session of the
87th General Assembly

Prepared by the
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NUMERICAL LIST OF HOUSE AND SENATE FILES
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BILLS

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BILLS

[SF 1](#)
[SF 234](#)
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[SF 351](#)
[SF 358](#)
[SF 405](#)
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★[SF 462](#)
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[SF 472](#)
[SF 497](#)
[SF 498](#)
[SF 500](#)
[SF 509](#)
[SF 513](#)
[SF 516](#)

★Indicates a full explanation of DOT-sponsored bill is included.

The signed enrolled bills are individually linked above to the Iowa General Assembly's website.

Note: The above, linked enrolled bills include the governor's signing letters and if applicable, reflect the Governor's item veto.

The following legislation of interest to the DOT was not included in the 2017 Iowa Acts because it was line-item vetoed by Governor Branstad.

[HF 643](#)

Section 20 was line-item vetoed by the governor. This section would have required the Department of Administrative Services (DAS) to conduct an inventory and study of vacant buildings owned by the state. Section 20 would have directed half of the profits from potential sales of these buildings to the Department of Cultural Affairs for the state historical building and the other half of the profits to DAS for major maintenance projects.

**Reports required by the 87th General Assembly 2017 Iowa Legislative Session
that affect or are of interest to the DOT**

The following bill requires the DOT to issue a report.

[HF 463](#) Section 3 amends Iowa Code section 321.477 to require the DOT to submit a report to the General Assembly on or before December 1 of each year detailing the nature and scope of motor vehicle enforcement activities conducted in the previous fiscal year by DOT peace officers who are assigned to the supervision of Iowa highways. The report must include a comparison of commercial and noncommercial motor vehicle enforcement activities conducted by DOT peace officers. **Note:** Section 3 is effective on May 11, 2017, and is repealed on July 1, 2018.

The following bill requires the DOT to consult on a report.

[SF 444](#) Section 12 creates new Iowa Code section 901D.10 to require the Department of Public Safety, in consultation with the judicial branch and the DOT, to submit a report to the General Assembly by December 1, 2021, detailing the effectiveness of the Iowa Sobriety and Drug Monitoring Program, and to make recommendations concerning the continued implementation or elimination of the program. **Note:** Iowa Code chapter 901D is repealed on July 1, 2022.

The following report is of interest to the DOT.

[SF 513](#) Section 35 requires the Iowa Energy Center to prepare an annual report in coordination with the Iowa Economic Development Authority. The report is due by January 15 to the General Assembly and the Legislative Services Agency. The DOT is a member of the Iowa Energy Center Governing Board. **Note:** Section 35 is effective on October 1, 2017, and is repealed on July 1, 2022.

Iowa DOT's Administrative Rules affected by 2017 Legislation

(Please note that other administrative rules may need to be updated. This list does not include all the rule changes that may be needed.)

[HF 203](#) This bill amends Iowa Code section 313.4(1) and adds a paragraph stating that the Transportation Commission may, after consultation with specific stakeholders, periodically allocate moneys from the Primary Road Fund for the establishment, construction, and maintenance of the Secondary Road System and Municipal Street System in exchange for retaining all or a portion of federal-aid road funds that would otherwise be allocated to counties and cities. This bill is effective July 1, 2017, and affects 761 IAC 161 and 761 IAC 162.

[HF 296](#) This bill amends the definition of controlled substance within Iowa Code section 124.201 and temporarily designates substances as controlled substances. This bill is effective July 1, 2017, and may affect 761 IAC 607.

[HF 463](#) Section 1 amends Iowa Code section 321.180(2)(c) to change the validity period of a commercial learner's permit from 180 days to the period provided in 49 CFR 383.25(c) and 49 CFR 383.73(a)(2)(iii). This section is effective July 1, 2017, and affects 761 IAC 607.20.

Section 2 amends Iowa Code section 321.463 to add a new subsection that allows commercial motor vehicles with auxiliary power or idle-reduction technology to exceed the maximum gross weight limits. This section is effective July 1, 2017, and may affect 761 IAC 181 and 761 IAC 511.

[HF 601](#) This bill amends Iowa Code section 22.7(50) and relates to the confidentiality of certain physical infrastructure, cyber security, and critical infrastructure information and records developed, maintained, or held by a government body. The bill strikes the paragraph that required a government body to adopt a rule identifying specific records that will be treated as confidential. This bill is effective July 1, 2017, and affects 761 IAC 4.

[HF 621](#) Section 3 amends Iowa Code section 8A.111(7) and section 5 amends Iowa Code section 12.44. Section 4 strikes Iowa Code section 10A.104. These sections concern targeted small business certification and transfer the responsibility for certifying targeted small businesses and related reporting requirements from the Department of Inspections and Appeals to the Iowa Economic Development Authority. These sections are effective on July 1, 2017, and affect 761 IAC 20.

[SF 1](#) This bill adds new Iowa Code section 17A.4B and concerns job impact statements for administrative rulemakings. This bill is effective July 1, 2017, and will affect the administrative rule process.

- [SF 406](#) This bill amends Iowa Code section 321.453 by adding a new subsection to exempt motor vehicles carrying an implement of husbandry from certain permit requirements. This bill is effective July 1, 2017, and may affect 761 IAC 511.
- [SF 444](#) Section 16 amends Iowa Code section 321J.20 and states that the DOT may adopt rules in consultation with the Department of Public Safety for issuing and accepting a certification of participation in and compliance with the Iowa Sobriety and Drug Monitoring Program established within sections 3-12 of SF 444. This bill is effective July 1, 2017, and Division II and Division III of the bill are repealed on July 1, 2022. Section 16 may affect 761 IAC 620.
- [SF 445](#) Section 5 creates new Iowa Code section 80G.3 and concerns the confidentiality of personnel information of undercover law enforcement officers. This section is effective on July 1, 2017, and affects 761 IAC 4.
- [SF 448](#) This bill amends Iowa Code sections 321.45(2), 321.52(4), 321.67, and 321.104(4) and relates to insurers in possession of salvage motor vehicles. This bill is effective on July 1, 2017, and may affect 761 IAC 400 or 761 IAC 405.
- [SF 462](#) This bill amends Iowa Code section 321A.3(1) and relates to the transfer of moneys collected by the chief information officer for furnishing certified abstracts of drivers' operating records. This bill is effective on July 1, 2017, and may affect 761 IAC 610.
- [SF 516](#) Section 25 amends Iowa Code section 321N.4(6) and relates to insurance maintained by transportation network companies. Section 25 removes reference to Iowa Code chapter 518, county mutual insurance associations, and removes language concerning a policy issued by a surplus lines insurer. This bill is effective on July 1, 2017, and affects 761 IAC 540.4(3).

[HF 313](#)

(DOT-sponsored legislation)

Quick clearance of damaged vehicles from the traveled portion of the road

This bill amends Iowa Code section 321.262 by eliminating the requirement that the driver is to stop the vehicle at the scene of the accident or as close thereto as possible, and inserts that the driver is required to remove the vehicle from the traveled portion of the roadway if the vehicle is operable and removal can be achieved in a safe manner. Directs the driver to remove the vehicle without obstructing traffic more than is necessary. Allows another person to remove the vehicle when the driver has not done so. Retains the requirement that the driver remain at the scene. Adds that any person who fails to remain at the scene of the accident or fails to fulfill the requirements in Iowa Code section 321.263 is guilty of a misdemeanor and punished as provided in Iowa Code section 321.482.

[HF 372](#)

(DOT-sponsored legislation)

Allows right- or left-hand turn on red from multiple lanes

Section 1 amends Iowa Code section 321.257(2)(a) to allow a driver to make a right turn from the right lane of traffic or another lane designated for right turns, and to allow a driver on a one-way street that is turning to another one-way street to turn left on a red light from the left lane of traffic or another lane designated for left turns.

Relates to the regulation of commercial motor vehicles, increased weight allowances for natural gas, and the enforcement of motor vehicle laws

Section 1 amends Iowa Code section 321.180(2)(c) to extend the time a commercial learner's permit (CLP) may be valid from no more than 180 days to the period as provided in 49 CFR 383.25(c) and 49 CFR 383.73(a)(2)(iii). Removes the provision that a CLP may be renewed for an additional 180 days without retaking the general and endorsement knowledge tests.

Section 2 amends Iowa Code section 321.463 by inserting a new subsection for additional weight allowances for natural gas to align with changes in Fixing America's Surface Transportation (FAST) Act federal legislation. Allows a motor vehicle equipped with an engine fueled primarily by natural gas to exceed any applicable maximum gross weight limits under Iowa Code chapter 321, up to a maximum gross weight of 82,000 pounds, as determined by certain factors. Allows these motor vehicles equipped with an auxiliary power or idle reduction technology unit that reduces fuel use and emissions during engine idling to exceed any applicable maximum gross weight limit under Iowa Code chapter 321 by 550 pounds or the weight of the auxiliary power or idle reduction technology unit, whichever is less. To be eligible for this exception, the operator of the vehicle must be able to provide to the DOT a written certification of the weight of the auxiliary power or idle reduction technology unit; demonstrate or certify to the DOT that the idle reduction technology unit is fully functional at all times; and carry with the operator the written certification of the weight of the auxiliary power or idle reduction technology unit in the vehicle at all times to present to law enforcement as needed.

Section 3 amends Iowa Code section 321.477 to clarify the DOT peace officers' authority to enforce all laws of the state, including, but not limited to, the rules and regulations of the DOT, including the apprehension of violators. Requires these DOT peace officers who are assigned to the supervision of Iowa highways to spend the majority of their time conducting enforcement activities that assure safe and lawful movement and operation of commercial motor vehicles and vehicles transporting loads. Limits the DOT peace officers to exercise the general powers of a peace officer within any city when so ordered by the governor; when a request is made by the mayor of any city, with the approval of the DOT director; as requested by a sheriff or county attorney, with the approval of the DOT director; while in the pursuit of law violators or in investigating law violations; while making any inspection provided in Iowa Code chapter 321, or any additional inspection ordered by the DOT director; or when engaged in the investigation and enforcement of laws relating to narcotic, counterfeit, stimulant, and depressant drugs. These limits within a city shall not prohibit the power of DOT peace officers when a public offense is being committed in their presence. Amends Iowa Code section 321.477 to require the DOT to submit a report to the General Assembly on or before December 1 of each year detailing the nature and scope of motor vehicle enforcement activities conducted in the previous fiscal year by DOT peace officers who are assigned to the supervision of Iowa highways. The report must include a comparison of commercial and noncommercial motor vehicle enforcement activities conducted by DOT peace officers.

Section 4 repeals section 3 of this bill on July 1, 2018.

Section 5 makes section 3 of this bill effective on May 11, 2017.

[SF 462](#)

(DOT-sponsored legislation)

Relates to the transfer of moneys collected by the Office of the Chief Information Officer (OCIO) for furnishing certified abstracts of drivers' operating records

Amends Iowa Code section 321A.3(1) to allow the OCIO to directly transmit the fees to the treasurer of the state for deposit in the General Fund.

[HF 203](#)

Federal Funding Swap

Authorizes the use of Primary Road Fund moneys for the Secondary Road and Municipal Street systems

Section 1 amends Iowa Code section 313.4(1) and adds a new paragraph stating that the Transportation Commission may, after consultation with specific stakeholders, periodically allocate moneys from the Primary Road Fund for the establishment, construction, and maintenance of the Secondary Road System and Municipal Street System in exchange for retaining all or a portion of federal-aid road funds that would otherwise be allocated to counties and cities.

[HF 643](#)

Infrastructure appropriations

Makes appropriations from various funds, including the Rebuild Iowa Infrastructure Fund (RIIF).

Sections below affect the DOT.

Division I: Rebuild Iowa Infrastructure Fund

Section 1, subsection 12, appropriates the following RIIF moneys for FY 2018 to the DOT:

- \$1 million for recreational trails.
- \$1.5 million for the Public Transit Infrastructure Grant Fund for projects that meet the definition of “vertical infrastructure.”
- \$1 million for deposit in the Railroad Revolving Loan and Grant Fund.
- \$900,000 for infrastructure improvements at commercial service airports.
- \$500,000 for improvements at general aviation airports.

These moneys do not revert but shall remain available for expenditure until June 30, 2021. However, if the projects are completed in an earlier fiscal year, unencumbered or unobligated moneys revert at the close of that fiscal year.

Division V: Miscellaneous provisions

Section 16 amends Iowa Code section 8.57(5)(c) by expanding the list of public vertical infrastructure projects that RIIF moneys can be used on to include the Renewable Fuel Infrastructure Program.

SF 497

DOT appropriations

Makes transportation- and infrastructure-related appropriations to the DOT from the Road Use Tax Fund (RUTF) and the Primary Road Fund (PRF) for fiscal years 2018 and 2019

Division I of the bill (sections 1 and 2) appropriates fiscal year 2018 funds from the RUTF and PRF to the DOT and allocates 2,748 full-time equivalent positions for fiscal year 2018. As stated in the [Legislative Services' fiscal analysis](#), Division I appropriates \$50.8 million from the RUTF and \$333.3 million from the PRF in fiscal year 2018. Division II (sections 3 and 4) appropriates fiscal year 2019 funds at 50 percent of FY 2018 funding levels, with the exception of certain capital appropriations.

Sections 1 and 3 appropriate money from the RUTF to the DOT for fiscal years 2018 and 2019 for producing driver's licenses; salaries, support, maintenance, and miscellaneous purposes for various DOT areas; payment to the Department of Administrative Services (DAS) for utility services and workers' compensation claims; unemployment compensation; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; various costs associated with the county issuance of driver's licenses, vehicle registrations and vehicle titles; participation in the Mississippi River Parkway Commission; costs associated with the Traffic and Criminal Software Program and the Mobile Architecture and Communications Handling Program; Motor Vehicle Division field facility maintenance projects. Moneys appropriated for the payment of costs associated with the production of driver's licenses do not revert and are to remain available for expenditure until the end of the succeeding fiscal year. Moneys appropriated for the Motor Vehicle Division field facility maintenance projects at various locations do not revert but remain available for expenditure until June 30, 2021, and June 30, 2022, respectively. However, if the projects are completed in an earlier fiscal year, unencumbered or unobligated moneys revert at the close of that same fiscal year. Appropriates money in fiscal year 2018 for the replacement and relocation of the maintenance garage in Dubuque.

Sections 2 and 4 appropriate moneys from the PRF to the DOT for FYs 2018 and 2019. This includes funding for salaries, support, maintenance, and miscellaneous purposes for various DOT areas and specifies the number of full-time equivalent positions; payments to DAS for utility services and workers' compensations claims; unemployment compensation; disposal of hazardous wastes; payment to the General Fund for indirect cost recoveries; reimbursement to the state auditor for audit expenses; inventory and equipment replacement; utility improvements; roofing projects; heating, cooling, and exhaust system improvements; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; and improvements related to compliance with the federal Americans with Disabilities Act to facilities. Section 2 appropriates FY 2018 funds for the replacement of the Dubuque maintenance garage and renovations to the Adair maintenance garage. Section 4 appropriates FY 2019 funds for the renovations to the Waterloo maintenance garage and for costs associated with producing transportation maps.

Money appropriated from the PRF to the DOT for FYs 2018 and 2019 remain available for expenditure until June 30, 2021, and June 30, 2022, respectively, for utility improvements; roofing projects; heating, cooling, and exhaust system improvements; deferred maintenance projects at field facilities; maintenance projects at rest area facilities; and improvements related to compliance with the federal Americans with Disabilities Act to facilities. Money to remain available until June 30, 2021, for the replacement of the Dubuque maintenance garage and

renovations to the Adair maintenance garage. Money to remain available until June 30, 2022, for the Waterloo maintenance garage. However, if the projects are completed in an earlier fiscal year, unencumbered or unobligated moneys revert at the close of that same fiscal year.

Note: [SF 516](#), section 9, appropriates special funds for salary adjustments for FYs 2018 and 2019. Allows unappropriated moneys, for which the General Assembly has not established an operating budget, remaining in the PRF and RUTF to be used for salary adjustments as determined by the Department of Management. For more information on SF 516, see [Legislative Services' fiscal analysis](#).

[SF 498](#)

Provides Surface Transportation Block Grant Program appropriation

Section 11 appropriates \$152.5 million and \$155.2 million from the Surface Transportation Block Grant Program in federal fiscal years 2018 and 2019 respectively to the DOT. These appropriations are the anticipated amounts to be received from the federal government under 23 U.S.C. 133, which provides funding allocated by the Transportation Commission for state and local transportation projects. Requires the DOT to expend the moneys appropriated as provided in federal law and in conformance with rules established by the DOT.

Sections 17–19 specify the procedures for appropriating federal funds to various programs if federal funding received is reduced or increased, or if any additional federal funds are appropriated. Section 17 permits the governor to allocate funds to accomplish the purposes of the programs if the governor determines the funds allocated will not sufficiently accomplish the purposes of a program. Section 20 appropriates federal grants, receipts, and or other nonstate grants, receipts, and funds to the DOT and other departments and agencies.