

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 761—Chapter 511
“Special Permits for Operation and Movement of Vehicles and Loads of Excess Size and Weight”

Iowa Code sections authorizing rulemaking: 312.2(18), 321E.8(4), 321E.15, and 321E.24
State or federal law(s) implemented by the rulemaking: 312.2 and 321E.8

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 6, 2023
10 to 10:30 a.m.

Motor Vehicle Division, First Floor Training Room
6320 SE Convenience Boulevard
Ankeny, Iowa

Attendees will enter the front entrance, proceed straight through the automatic doors and check in at the Driver’s License Service Center desk. Attendees should state that they are present for the administrative rules public hearing.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis. Written comments in response to this Regulatory Analysis must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Motor Vehicle Division
6310 SE Convenience Boulevard
Ankeny, Iowa 50021
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Purpose and Summary

The Department proposes to update Chapter 511 to conform with 2022 Iowa Acts, House File 2518 and Senate File 2376, now codified in Iowa Code chapters 312 and 321E. The proposed amendments do the following:

1. Add references to the two new annual permits authorized under the newly enacted legislation: the annual all-systems overweight permit and the annual small crane permit.
2. Allow the two new permits to be transferred to a replacement vehicle if the originally permitted vehicle has been damaged in an accident, junked, or sold.
3. Identify for the new permits the fees, maximum axle weights, maximum gross weights, maximum dimensions, and distance requirements.
4. Establish procedures to distribute funds collected from the annual all-systems overweight permit to counties that designate secondary roads for travel under this permit.
5. Eliminate the requirement that overweight vehicles operating under a permit must display flashing amber lights.

Analysis of Impact

1. Persons affected by the proposed rulemaking:
 - Classes of persons that will bear the costs of the proposed rulemaking:

The proposed amendments do not create additional costs for any classes of persons beyond what was anticipated as a result of legislation. The legislation created costs for three classes of persons:

(1) Persons or businesses who purchase the new annual all-systems overweight permit will pay a statutory fee of \$500.

(2) Persons or businesses who purchase the new annual small crane permit will pay a statutory fee of \$400.

(3) Government entities responsible for maintaining the primary and secondary road systems must repair and maintain these systems based on heavier travel under these permits.

The proposed amendments that implement this legislation do not create additional costs for these classes of persons and do not affect additional classes of persons beyond those affected by the legislation.

- Classes of persons that will benefit from the proposed rulemaking:

The proposed amendments do not affect any classes of persons beyond what was anticipated as a result of legislation, with one exception described below.

The legislation created benefits for three classes of persons:

(1) Persons or businesses who purchase the new annual all-systems overweight permit will travel at increased weights for more efficient transport.

(2) Persons or businesses who purchase the new annual small crane permit will travel at increased axle weights for more convenient transport.

(3) Counties having jurisdiction over secondary roads authorized under the annual all-systems permit because the legislation authorizes 75 percent of the funds collected to be distributed to these counties.

In addition to the benefits anticipated as a result of the legislation, the proposed amendment to renumbered subrule 511.20(3) creates an additional benefit to persons or businesses who purchase overweight-only permits by eliminating a flashing amber lights requirement for these loads. The existing subrule requires permit holders for loads over 80,000 pounds to purchase and display a flashing amber light if the permit holder does not already own one. This requirement affects persons or businesses who purchase the new annual all-systems overweight permit as well as persons or businesses who purchase other overweight-only permits. The proposed amendment benefits these persons since it removes this regulatory burden.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- Quantitative description of impact:

Quantitative impact to businesses operating under the new permits

The legislation had a quantitative impact on businesses by allowing businesses to operate under two new permits for more efficient and effective travel. There are no additional quantitative impacts under the proposed amendments beyond what was anticipated in legislation.

Quantitative impact to the counties from the legislation and the proposed amendments

The legislation resulted in the following quantitative impact to the counties:

- (1) Increase in cost for county maintenance of the secondary road system.
- (2) Increase in revenue to counties from fees for the new annual small crane permit.
- (3) Increase in revenue to the counties in the aggregate from fees for the new annual all-systems overweight permit.

The proposed amendments do not have an additional impact on what the counties in the aggregate receive as anticipated in the legislation, but the proposed amendments may have a quantitative impact on individual counties since they propose to divide the funds between the participating counties as determined by the Department after consultation with county officials through their representative organizations.

At this time, the Department and the county officials through their representative organizations have agreed to even distribution between participating counties as shown below:

	January 2023	February 2023	March 2023
75 percent credit from the permit fees	\$415,125	\$152,625	\$248,250
Number of counties participating in the permit	40	54	59
Distribution per county	\$10,378.13	\$2,826.39	\$4,207.62

Accordingly, the Department's proposed amendments regarding the method of fund distribution may have an impact on individual county funds.

Finally, the proposed amendment to allow the two new permits to be transferred to a replacement vehicle when the original vehicle has been damaged in an accident, junked or sold may decrease anticipated revenue to the county revenues in the aggregate under paragraphs (2) and (3); however, the effect is anticipated to be minimal since the Department expects a very small number of vehicles will qualify under the transferability provisions (approximately 30 per year). Without this proposed amendment, these customers would be required to purchase a second permit for the replacement vehicle.

- Qualitative description of impact:

The proposed amendments do not have a qualitative impact beyond what was anticipated as a result of legislation.

The Department considered and rejected any negative traffic safety impact from the proposed amendments to renumbered subrule 511.20(3) to eliminate the requirement that overweight-only vehicles operating under a permit must display flashing amber lights. The existing flashing amber lights requirement is intended to alert other motorists that a particular vehicle is transporting a load under permit that exceeds 80,000 pounds. After further review and discussion with law enforcement, the primary safety concern that would warrant display of flashing lights is not loads that are only overweight. The primary safety concerns are (1) loads that are oversize such that the load is longer, wider, or taller than another motorist might expect or (2) loads that are both oversize and overweight and a motorist should exercise additional caution. The Department determined that eliminating the flashing light requirement will not have a qualitative negative traffic safety impact.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

There are no additional implementation or enforcement costs in the amendments that were not already anticipated as a result of the legislation.

The legislation had implementation costs to the State of Iowa in the form of an increase in cost for maintenance of the primary road system.

- Anticipated effect on state revenues:

The proposed amendment to allow the two new permits to be transferred to a replacement vehicle when the original vehicle has been damaged in an accident, junked or sold may decrease anticipated revenue to the Road Use Tax Fund (RUTF); however, the effect is anticipated to be minimal as the Department expects a very small number of vehicles will qualify under the transferability provisions (approximately 30 vehicles per year). Without this proposed amendment, these customers would be required to purchase a second permit for the replacement vehicle.

The remaining proposed amendments do not create any additional effect on state revenue beyond what was anticipated in legislation. The legislation had the following effect on state revenues:

- (1) Increase in revenue to the RUTF from fees for the new annual small crane permit.
- (2) Increase in revenue to the RUTF from fees for the new annual all-systems overweight permit.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

References to the two new permits throughout the chapter and identification of statutory requirements for the two new permits including fees, maximum axle weights, maximum gross weights, maximum dimensions, and distance requirements

The proposed amendments add references to the two new permits in all locations where the existing 12 permits in Chapter 511 are referenced and add requirements for the 2 new permits in the same format and content as the other 12 existing permits under the chapter. The benefit of these amendments is clarity and consistency in the existing Chapter 511 for permit holders, law enforcement, and private and public entities working with permit holders. The cost of these rules is possible redundancy with Iowa Code that will need to be later removed when the Department reviews all of Chapter 511 under Executive Order 10. The cost of inaction is inconsistency between the format, content, and processing of existing Department permits. Omission of these two new permits in the chapter could confuse permit holders, law enforcement, and private and public entities and, in turn, affect safe travel on Iowa's roadways.

The Department determined that the benefit of aiding the public with consistent information on the two new permits at this time outweighs future staff time to streamline the rules for all oversize and overweight vehicle permits.

Providing for the transfer of the two new permits to a replacement vehicle in certain situations

The proposed amendment mirrors the provision in existing subrule 511.5(4), which allows a currently valid annual oversize/overweight permit to be transferred to a replacement vehicle when the original vehicle has been damaged in an accident, junked or sold, to allow transfer of the two new permit types in the same situations. The benefit of this is to ensure that purchasers of the new annual permit(s) can utilize the permit(s) for the full period of validity even if an unforeseen event occurs, such as a crash or needing to sell the original vehicle. The cost of not allowing the new permits to be transferable is that customers would need to purchase a brand-new permit for the replacement vehicle if the originally permitted vehicle is damaged in an accident, junked or sold. The Department determined that the benefit of allowing the new permits to be transferred in these narrow circumstances outweighs any potential lost revenue from requiring permit holders to purchase a new annual permit for their replacement vehicles.

For the new annual all-systems overweight permit, establish procedures to distribute funds to participating counties

The proposed amendments establish procedures to divide the statutorily authorized funds among the participating counties. The proposed amendments divide the funds as determined by the Department after consultation with county officials through their representative organizations. The cost of inaction on this provision is that the Department would act contrary to the legislation that requires the Department to adopt rules to distribute these funds. Inaction would leave ambiguity on specific procedures to distribute these funds and result in uncertainty to the Department's county partners on their role in the decision making. The benefit to this amendment is that it complies with the legislative directive to adopt rules for fund distribution, provides clarity to the counties, and ensures representation in how these funds are distributed.

Eliminating the flashing amber lights requirement for overweight-only loads

The proposed amendment eliminates the flashing amber lights requirement for overweight-only loads operating under permit. The cost of inaction is that customers traveling under the new all-systems permit who do not already have an amber light will need to purchase one and operate with it. The Department is aware this is a burden to permit holders. The benefit of the amendment is that it removes a burden for permit holders who are only traveling at the higher weights under permit and does not have a negative safety impact.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

The purpose of the proposed amendments is clarity and consistency on permit requirements for permit holders, law enforcement, and private and public entities working with permit holders and compliance with the legislative mandate to adopt rules to distribute permit funds to the counties. As the proposed amendments do not impose any requirements beyond those contained in the authorizing legislation, no less costly methods or less intrusive methods exist to achieve this purpose.

6. Alternative methods considered by the agency:
 - Description of any alternative methods that were seriously considered by the agency:

The Department considered alternative methods for the rule to divide the monthly credit amount received from the permit fees among the participating counties. The legislation gave the Department rulemaking authority to govern the distribution of the 75 percent of funds credited to participating counties.

As an alternative to the proposed rulemaking, the Department considered three specific funding methods:

Method 1: The Department distributes funds evenly between the counties. The Department would distribute the same funds to a county that authorizes all roads for travel under the permit as a county that authorizes 20 roads for travel. The benefit of this method is that all counties would be treated the same. The cost is that there is no incentive for counties to include additional roads once the threshold of a single authorized road is met.

Method 2: The Department distributes funds proportionately based on number of authorized roads or authorized miles of road within each county. The Department would distribute more funds to a county that authorizes 20 roads or 20 miles of road for travel under the permit than a county that authorizes 5 roads or 5 miles of roads. The benefit of this method is that there is incentive for counties to include additional roads to receive more funding. The cost is that a county may not have as many roads that can tolerate the increased weights at this time, and this could disproportionately restrict funds from certain counties.

Method 3: The Department distributes funds proportionately based on existing factors used by the Secondary Road Fund Distribution Committee. These factors are listed in 761—Chapter 102 and include, for example, the total daily vehicle miles of travel on a particular road and the area of the county compared to the area of the total state. The Department could distribute more funds to a larger county with higher traffic than a smaller county with lower traffic. The benefit of this method is counties are familiar with these factors and the factors capture useful information related to traffic patterns and county needs. The cost is that these factors may disproportionately restrict funding from smaller counties or counties with less traffic.

Eliminating the flashing amber lights requirement for overweight-only loads

The Department also considered keeping the flashing amber lights requirement for overweight-only loads operating under permit. The benefit to retaining this requirement is consistency with past practice to require lights for overweight-only loads. The cost to customers is having to purchase and display a new amber light when operating under the new all-systems annual overweight permit.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

The Department's proposed amendment to distribute annual all-systems overweight permit funds to participating counties allows flexibility. The Department rejected the alternatives to include a specifically prescribed fee distribution method to allow flexibility to shift between funding methods and adopt the method that encourages increased county participation in the new permit. The legislation requires all counties to authorize roads for travel by July 1, 2025. The legislation also limits funding distribution to only counties that have authorized roads for participation in the permit. The Department identified the legislative intent to be that the Department distributes funding to all participating counties for all counties to maintain and improve roads that are most beneficial to commerce and travel.

The Department determined that setting a specific fee distribution method prior to July 1, 2025, could hinder legislative intent by disproportionately distributing funding and inadvertently keeping funding from roads that are most beneficial to particular stakeholders. The Department weighed three specific fee distribution methods as explained above.

All three alternative methods are beneficial under different circumstances; however, the Department determined that none of the methods fully meet the unique needs of each county.

Because the counties have until July 2025 under the legislation to authorize particular roads, the Department proposed an amendment with flexibility to adjust between these funding methods as needed. At the time of this analysis, the method agreed to by the Department and participating counties is even distribution between the counties that designate any road for participation in the permit in any given month.

The Department's proposed amendment to eliminate the flashing lights requirement removes an unnecessarily burdensome regulation. The Department considered safety impacts and determined there was no negative safety impact from this proposed amendment that would outweigh the regulatory burden.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed amendments have no impact to small businesses beyond what was anticipated as a result of legislation.

Text of Proposed Rulemaking

ITEM 1. Amend rule ~~761—511.1(321E)~~, definition of “Emergency interstate permit,” as follows:
“Emergency interstate permit” means a permit issued under Iowa Code section 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 2. Amend rule ~~761—511.1(321E)~~, implementation sentence, as follows:
 This rule is intended to implement Iowa Code sections 321E.9, 321E.15, 321E.26, 321E.29, 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382~~, 321E.30 and 321E.34.

ITEM 3. Amend subrule 511.2(4), introductory paragraph, as follows:
511.2(4) Except as provided in rule ~~761—511.17(321,321E)~~ 761—511.10(321,321E) or 761—511.18(321,321E), permits may be issued only for the transporting of a single article which exceeds statutory size or weight limits or both, and which cannot reasonably be divided or reduced to statutory size and weight limits. However, permits may be issued for the transporting of property consisting of more than one article when:

ITEM 4. Amend subrule 511.3(2) as follows:
511.3(2) Movement shall be made only when roads are clear of ice and snow and visibility is at least one-quarter mile. Snow removal equipment operating under permit is exempt from this restriction while snow removal operations are conducted. EXCEPTION: Nothing in this subrule shall be construed to mean that the movement of a compacted rubbish vehicle permitted under rule ~~761—511.11(321E)~~ 761—511.12(321E) shall be subject to this restriction.

ITEM 5. Amend rule ~~761—511.4(321E)~~ as follows:
761—511.4(321E) Permits. Permits issued shall be in writing or in electronic format and may be either single-trip, multitrip, annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, compacted rubbish, emergency interstate, annual fluid milk products, ~~or~~ all-systems oversize, or all-systems overweight permits.

511.4(1) and **511.4(2)** No change.

511.4(3) *Validity.*

a. Annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, compacted rubbish, annual fluid milk products, ~~and~~ all-systems oversize, and all-systems overweight permits shall expire one year from the date of issuance.

b. and *c.* No change.

d. Emergency interstate permits issued under Iowa Code section 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382~~, shall be effective for 30 calendar days. However, the permit shall not exceed the expiration of the applicable governor's proclamation of disaster emergency issued under Iowa Code section 29C.6 in conjunction with the presidential declaration allowing interstate travel under the Stafford Act or the expiration of the declaration of major disaster under the Stafford Act, whichever expires first.

511.4(4) No change.

This rule is intended to implement Iowa Code sections 321E.2, ~~and~~ 321E.3, 321E.8 and ~~section~~ 321E.29B ~~as enacted by 2021 Iowa Acts, House File 382~~.

ITEM 6. Amend rule 761—511.5(321,321E) as follows:

761—511.5(321,321E) Fees and charges.

511.5(1) *Annual oversize permit.* A fee of \$50 shall be charged for each annual oversize permit issued pursuant to Iowa Code section 321E.8, payable prior to the issuance of the permit. Carriers purchasing annual oversize permits in advance of use cannot return unused permits for refunds.

511.5(2) No change.

511.5(3) *Annual raw forest products permit.* A fee of \$175 shall be charged for each annual raw forest products permit issued pursuant to Iowa Code section 321E.26 for divisible loads of raw forest products, payable prior to the issuance of the permit.

511.5(4) No change.

511.5(5) ~~All-systems~~ *Annual all-systems oversize permit.* A fee of \$160 shall be charged for each annual all-systems oversize permit issued pursuant to Iowa Code section 321E.8(1), payable prior to the issuance of the permit.

511.5(6) *Annual all-systems overweight permit.* A fee of \$500 shall be charged for each annual all-systems overweight permit issued pursuant to Iowa Code section 321E.8(2), payable prior to the issuance of the permit. Transfer of current annual all-systems overweight permit to a replacement vehicle may be allowed when the original vehicle has been damaged in an accident, junked or sold.

~~511.5(6)~~ **511.5(7)** *Bridge-exempt permit.* A fee of \$25 shall be charged for each bridge-exempt permit issued pursuant to Iowa Code section 321E.7, payable prior to the issuance of the permit.

~~511.5(7)~~ **511.5(8)** *Multitrip permit.* A fee of \$200 shall be charged for each multitrip permit, payable prior to the issuance of the permit.

~~511.5(8)~~ **511.5(9)** *Raw milk permit.* A fee of \$25 shall be charged for each raw milk permit issued pursuant to Iowa Code section 321E.29A, payable prior to the issuance of the permit.

~~511.5(9)~~ **511.5(10)** *Single-trip permit.* A fee of \$35 shall be charged for each single-trip permit, payable prior to the issuance of the permit.

~~511.5(10)~~ **511.5(11)** *Special alternative energy multitrip permit.* A fee of \$600 shall be charged for each special alternative energy multitrip permit issued pursuant to Iowa Code section 321E.9B, payable prior to the issuance of the permit.

~~511.5(11)~~ **511.5(12)** *Compacted rubbish permit.* A fee of \$100 shall be charged for each compacted rubbish permit, payable prior to the issuance of the permit.

~~511.5(12)~~ **511.5(13)** *Annual fluid milk products permit.* A fee of \$400 shall be charged for each annual fluid milk products permit issued pursuant to Iowa Code section 321E.29B, payable prior to issuance of the permit.

511.5(14) *Annual small crane permit.* A fee of \$400 shall be charged for each annual small crane permit issued pursuant to Iowa Code section 321E.8(4), payable prior to issuance of the permit. Transfer of current annual small crane permit to a replacement vehicle may be allowed when the original vehicle has been damaged in an accident, junked or sold.

~~511.5(13)~~ **511.5(15)** *Duplicate permit.* A fee of \$2 shall be charged for each duplicate permit, payable prior to the issuance of the permit.

~~511.5(14)~~ **511.5(16)** *Registration fee.* A registration fee shall be charged for vehicles transporting buildings, except mobile homes and factory-built structures, on a single-trip basis. The vehicle shall be registered for the combined gross weight of the vehicle and load. The fee shall be 5 cents per ton exceeding the weight registered under Iowa Code section 321.122 per mile of travel and shall be payable prior to the issuance of the permit. Fees shall not be prorated for fractions of miles.

~~511.5(15)~~ **511.5(17)** *Fair and reasonable costs.* Permit-issuing authorities may charge any permit applicant:

a. and b. No change.

~~511.5(16)~~ **511.5(18)** *Methods of payment.* Fees and costs required under this chapter shall be paid in the form and manner prescribed by the department.

This rule is intended to implement Iowa Code sections 321.12, 321.122, 321E.8, 321E.14, 321E.29, 321E.29A and 321E.30.

ITEM 7. Amend rule 761—511.6(321E) as follows:

761—511.6(321E) Insurance and bonds.

511.6(1) Insurance.

a. Public liability insurance in the amounts of \$100,000 bodily injury each person, \$200,000 bodily injury each occurrence, and \$50,000 property damage with an expiration date to cover the tenure of the annual oversize, annual oversize/overweight, annual raw forest products, annual small crane, annual all-systems oversize, annual all-systems overweight, multitrip, emergency interstate, annual fluid milk products or single-trip permit shall be required. In lieu of filing with the permit-issuing authority, a copy of the current certificate of public liability insurance in these amounts shall be carried in the vehicle for which the permit has been issued. Proof of liability insurance may be either in writing or in electronic format.

b. No change.

511.6(2) No change.

This rule is intended to implement Iowa Code ~~section~~ sections 321E.8, 321E.13 and section 321E.29B as enacted by 2021 Iowa Acts, House File 382.

ITEM 8. Amend rule 761—511.7(321,321E) as follows:

761—511.7(321,321E) Annual oversize permits. Annual oversize permits are issued for indivisible vehicles or indivisible loads for travel when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the department. Route, detour and road embargo information may be found online at www.511ia.org or the department's website for the embargo bridge maps. Annual oversize permits are issued for the following:

511.7(1) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.7(2) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. *Weight.* See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.7(3) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

~~511.7(4) Rescinded IAB 1/23/02, effective 2/27/02.~~

~~511.7(5)~~ **511.7(4)** Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

~~*e. Speed.* Rescinded IAB 2/7/01, effective 3/14/01.~~

~~*f. e. Roadway width.* At least 24 feet 0 inches.~~

~~*g. f. Limited movement.* Movement shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state and shall be on the most direct route necessary for the movement.~~

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8, 321E.10 and 321E.29A.

ITEM 9. Amend rule 761—511.8(321,321E), introductory paragraph, as follows:

761—511.8(321,321E) Annual oversize/overweight permits. Annual oversize/overweight permits are issued for indivisible vehicles or indivisible loads for travel when either the dimensions or the weight or both the dimensions and the weight exceed statutory limits. Travel is not allowed on the interstate. However, a carrier moving under this annual oversize/overweight permit may operate under the same restrictions as an annual oversize permit under rule 761—511.7(321,321E) when the vehicle meets the dimensions required by that rule. Routing is subject to embargoed bridges and roads and posted speed limits. Annual oversize/overweight permits are issued for the following:

ITEM 10. Amend paragraph **511.8(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 11. Amend rule 761—511.9(321,321E) as follows:

761—511.9(321,321E) All-systems Annual all-systems oversize permits. ~~All-systems Annual all-systems oversize~~ permits are issued by the motor vehicle division for indivisible vehicles or indivisible loads for travel on the primary road system and specified city streets and county roads when the dimensions of the vehicle or load exceed statutory limits but the weight is within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. ~~The motor vehicle division department~~ will provide a list map of the authorized city streets and county roads. Permit holders shall consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for the following:

511.9(1) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.9(2) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

511.9(3) Vehicles with indivisible loads, including special mobile equipment, mobile homes and factory-built structures, provided the following are not exceeded:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

e. No change.

~~511.9(4) Rescinded IAB 1/23/02, effective 2/27/02.~~

~~511.9(5)~~ **511.9(4)** Truck trailers manufactured or assembled in the state of Iowa provided the following are met:

a. to c. No change.

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

~~*e. Speed.* Rescinded IAB 2/7/01, effective 3/14/01.~~

f. Roadway width. At least 24 feet 0 inches.

~~*g. f. Limited movement.*~~ Movement shall be solely for the purpose of delivery or transfer from the point of manufacture or assembly to another point of manufacture or assembly within the state or to a point outside the state and shall be on the most direct route necessary for the movement.

~~511.9(6) Rescinded IAB 2/10/21, effective 3/17/21.~~

~~511.9(7)~~ **511.9(5)** Necessary trip routes must be obtained from the appropriate city and county jurisdictions.

This rule is intended to implement Iowa Code sections 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8 and 321E.10.

ITEM 12. Renumber rules ~~761—511.10(321,321E)~~ to ~~761—511.21(321)~~ as ~~761—511.11(321,321E)~~ to ~~761—511.22(321)~~.

ITEM 13. Adopt the following new rule ~~761—511.10(321,321E)~~:
761—511.10(321,321E) Annual all-systems overweight permits.

511.10(1) Issuance. Annual all-systems overweight permits are issued by the department for indivisible vehicles or indivisible or divisible loads for travel on the primary road system and specified city streets and county roads when the weight of the vehicle or load exceeds statutory limits but the dimensions are within statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The department will provide a map of the authorized city streets and county roads. Permit holders shall consult with local officials when traveling on county roads or city streets for bridge embargo, vertical clearance, detour, and road construction information. These permits are issued for vehicles with divisible or indivisible loads provided the following are not exceeded:

a. Width. Statutory: 8 feet 6 inches including appurtenances.

b. Length. Statutory: 75 feet 0 inches overall.

c. Height. Statutory: 13 feet 6 inches.

d. Weight. See rule ~~761—511.17(321,321E)~~.

e. Distance. Movement is allowed for unlimited distance; routing through the motor vehicle division and city and county jurisdictions is not required.

511.10(2) Distribution of monthly credit. In accordance with Iowa Code section 312.2(18), the department shall allocate the monthly credit as follows:

a. The department shall maintain a list of participating counties. The list shall be updated on a monthly basis as determined by the department after consultation with county officials through their representative organizations.

b. The monthly credit shall be divided among the participating counties as determined by the department after consultation with county officials through their representative organizations.

c. The funds from the monthly credit shall be distributed to each participating county based on the list of participating counties for the applicable month.

This rule is intended to implement Iowa Code sections 312.2, 321.454, 321.456, 321.457, 321.463, 321E.2, 321E.3, 321E.8 and 321E.10.

ITEM 14. Amend renumbered subrule 511.11(2) as follows:

511.11(2) Multitrip permits may be issued for all movements allowed under the single-trip permit provisions of rule ~~761—511.12(321,321E)~~ 761—511.13(321,321E) provided the movement is within the size and weight limitations of subrule ~~511.10(4)~~ 511.11(1).

ITEM 15. Amend renumbered paragraph **511.13(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 16. Amend renumbered paragraph **511.14(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 17. Amend renumbered paragraph **511.15(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 18. Amend renumbered rule **761—511.15(29C,321,321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 29C.6, 321.457, and 321.463 and ~~section 321E.29B as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 19. Amend renumbered rule ~~761—511.16(321,321E)~~, introductory paragraph, as follows:
761—511.16(321,321E) Annual fluid milk products permits. Annual fluid milk products permits are issued for indivisible loads of fluid milk products for travel when the weight of the vehicle or load exceeds statutory limits. Routing is subject to embargoed bridges and roads and posted speed limits. The owner or operator shall select a route using the vertical clearance map and road construction and travel restrictions map provided by the department. Route, detour, road embargo and bridge embargo for fluid milk products information may be found online at www.511ia.org and the department’s website.

ITEM 20. Amend renumbered paragraph **511.16(1)“d”** as follows:

d. Weight. See rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 21. Amend renumbered rule ~~761—511.17(321,321E)~~ as follows:

761—511.17(321,321E) Maximum axle weights and maximum gross weights for vehicles and loads moved under permit.

511.17(1) Annual oversize, annual all-systems oversize, and annual all-systems overweight permits.

a. For movement under an annual oversize or annual or all-systems oversize permit, the axle weight and combined gross weight shall not exceed the limits found in Iowa Code section 321.463(3).

b. For movement under an all-systems overweight permit, the axle weight shall not exceed the limits found in Iowa Code sections 321.463(3) and 321E.8. The combined gross weight shall not exceed the gross weight authorized under Iowa Code section 321E.8(2).

~~*b. c.*~~ See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(2) Annual oversize/overweight permits or annual raw forest products permits.

a. No change.

b. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(3) Multitrip permits.

a. No change.

b. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(4) Single-trip permits.

a. to c. No change.

d. See subrule ~~511.16(7)~~ 511.17(8) for exceptions for special mobile equipment.

511.17(5) and 511.17(6) No change.

511.17(7) Annual small crane permit. For movement under an annual small crane permit, the gross weight on any axle shall not exceed 24,000 pounds with a maximum of 80,000 pounds total gross weight.

~~**511.16(7)**~~ **511.17(8) Special mobile equipment.** Special mobile equipment may have a gross weight of 36,000 pounds on any single axle equipped with minimum size 26.5-inch by 25-inch flotation pneumatic tires and a maximum gross weight of 20,000 pounds on any single axle equipped with minimum size 18-inch by 25-inch flotation pneumatic tires, provided that the total gross weight of the vehicle or a combination of vehicles does not exceed a maximum of 80,000 pounds for movement

under an annual oversize or all-systems oversize permit and 126,000 pounds for movement under a single-trip, multitrip or annual oversize/overweight permit.

For tire sizes and weights allowed between the maximum and minimum indicated, the following formula shall apply: Axle weight = 20,000 pounds + (tire width - 18) × 1,882 pounds.

~~511.17(8)~~ 511.17(9) *Permitted tandem axle weights.*

a. to c. No change.

This rule is intended to implement Iowa Code sections 321.463, 321E.7, 321E.8, 321E.9, 321E.9A, 321E.26, 321E.29B and 321E.32.

ITEM 22. Amend renumbered subrule 511.18(2) as follows:

511.18(2) At the discretion of the permit-issuing authority, the combined gross weight may exceed the statutory weight, but the axle weights shall be subject to rule ~~761—511.16(321,321E)~~ 761—511.17(321,321E).

ITEM 23. Amend renumbered subrule 511.20(3) as follows:

511.20(3) *Requirements for escorts, flags, signs and lights.* The following chart explains the minimum escort and warning devices required for vehicles operating under permit.

Minimum Warning Devices and Escort Requirements
for Vehicles Operating Under Permit

	Flags/Signs	Lights	Escorts	
			4-Lane	2-Lane
Length				
75'1" up to and including 85'	yes	not required	not required	not required
Over 85' up to and including 120'	yes	yes	not required	not required
Over 120'	yes	not required	rear	rear
Projections				
Front: over 25'	not required	yes	not required	not required
Rear: over 4' up to and including 10'	flags only	not required	not required	not required
Rear: over 10'	flags only	yes	not required	not required
Height				
Over 14'6" up to and including 20'	yes	not required	front with a height pole	front with a height pole
Weight				
Over 80,000 lbs.	not required	<u>yes not required</u>	not required	not required
Width				
Over 8'6" up to 12'0"	yes	not required	not required	not required
Over 12'0" up to and including 14'6"	yes	not required	rear *	front *
Over 14'6" up to and including 16'6"	yes	not required	rear *	front
Over 16'6" up to and including 18'	yes	not required	rear	front

*In lieu of an escort, a carrier can display an amber light or strobe light on the power unit and on the rear extremity of the vehicle or load.

yes = required

Definitions:

Flags - Red or orange fluorescent flags at least 18" square must be mounted as follows: one flag at each front corner of the towing unit and one flag at each rear corner of the load. In addition, there must be a flag at any additional protrusion in the width of the load.

Signs - A sign reading "Oversize Load" must be used. The sign must be at least 18" high by 7' long with a minimum of 10" black letters, with a 1½" stroke, on a yellow background, and mounted on the front bumper and on the rear of the load. The rear sign for mobile homes and factory-built structures must be mounted at least 7' above the highway surface, measuring from the bottom of the sign.

Lights - A flashing or strobe amber light that is visible for at least 500 feet and provides 360° warning must be mounted on the towing unit and be visible from front and rear. More than one light may be necessary.

The permit-issuing authority may require additional escorts when deemed necessary. The signs or warning devices must be removed or covered when the vehicle is within legal dimensions.

ITEM 24. Amend renumbered rule **761—511.20(321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321E.8, 321E.14, 321E.24 and 321E.34.

ITEM 25. Amend renumbered rule **761—511.21(321,321E)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.492, 321E.16, ~~and 321E.20 and section 321E.29B as enacted by 2021 Iowa Acts, House File 382.~~

ITEM 26. Amend renumbered paragraph **511.22(1)“c”** as follows:

c. The department shall exercise due regard for the safety of the traveling public and the protection of the highway surfaces and structures when establishing an economic export corridor. Factors to be considered include ability of the proposed economic export corridor to safely accommodate combinations of vehicles described in subrule ~~511.21(2)~~ 511.22(2), taking into account physical configurations and restrictions and traffic demands and capacity, as well as connection to markets that will benefit from the established economic export corridor.

ITEM 27. Amend renumbered paragraph **511.22(2)“a,”** introductory paragraph, as follows:

a. In addition to combinations of vehicles lawful for operation on roads or road segments not designated as an economic export corridor, the following combinations of vehicles may be operated on an economic export corridor designated under subrule ~~511.21(1)~~ 511.22(1) if the combinations of vehicles meet the requirements in paragraph ~~511.21(2)“b”~~ 511.22(2)“b”: