



Motor Vehicle Division Informational Memo # 20-27

SPECIAL PROVISIONS FOR CUSTOMERS IMPACTED BY STORMS- Motor Carrier Services

DATE: August 21, 2020
FROM: Melissa Gillett, Director
Motor Vehicle Division
TO: Iowa Motor Carriers
Iowa Motor Truck Association
All Vehicle & Motor Carrier Services staff
Iowa DOT Motor Vehicle Enforcement

SUBJECT

This informational memo is to inform motor carriers, law enforcement, and staff about the Governor's Proclamation of Disaster Emergency issued August 10, 2020 to provide relief from regulatory provisions for motor carriers responding to disaster sites throughout Iowa related to the severe storm system.

This memo was originally issued August 21. It was revised on September 10 to implement the Governor's September 9 Proclamation.

SUMMARY

The Governor's proclamation provides relief for the following:

- Allows a vehicle to move overweight loads up to 90,000 pounds without needing to obtain a permit, except on the interstate system (Iowa Code § 321E and Iowa Administrative Code 761-511).
- Allows Iowa DOT to issue permits for divisible loads. Normally these loads are not eligible for permits. Iowa Code §§ 321.463, 321E.2, 321E.8, and 321E.9).
- No requirement to register for the gross weight of the vehicle and its load (Iowa Code 321E.12).
- No requirement to pay the permit fee (Iowa Code 321E.14).
- Allows extended hours of service of motor carriers and drivers of commercial motor vehicles (Iowa Code 321.449).

The President's disaster declaration issued August 17 allows Iowa DOT to issue permits for overweight divisible loads on the interstate.

This regulatory relief applies to movement of loads related to disaster repairs throughout Iowa related to this severe storm system.

HELPFUL QUESTIONS AND ANSWERS

The following questions and answers will provide additional clarification for staff and customers.

WHICH DIVISIBLE LOADS ARE ALLOWED TO TRAVEL WITHOUT PERMIT UNDER THE GOVERNOR'S AUGUST 10 PROCLAMATION?

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

- The load relates to disaster repairs throughout Iowa related to this severe storm system.

- 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.

WHICH DIVISIBLE LOADS ARE ALLOWED TO TRAVEL WITH PERMIT UNDER THE GOVERNOR’S AUGUST 10 PROCLAMATION?

Divisible loads may exceed 90,000 pounds on Iowa highways if these motor carriers obtain a permit. The load must relate to disaster repairs throughout Iowa related to this severe storm system.

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

No, but President’s Trump’s disaster declaration has authorized Iowa to issue a permit for interstate travel for overweight divisible loads. The Iowa DOT will issue these permits until at least October 9, 2020.

ARE THESE OVERWEIGHT LOADS REQUIRED TO REGISTER FOR THE GROSS WEIGHT OF THE VEHICLE AND LOAD?

No, the Governor’s proclamation suspended this requirement. Divisible and indivisible vehicles and loads are not required to register for the gross weight of the vehicle and load. The vehicle and load must relate to responding to and recovering from this disaster.

ARE THESE OVERWEIGHT LOADS REQUIRED TO PAY THE PERMIT FEE?

No, divisible and indivisible vehicles and loads will not pay a permit fee. The vehicle and loads must relate to responding to and recovering from this disaster.

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

The Governor’s proclamation of August 10 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 disaster repair crews and drivers delivering goods and services while responding to disaster sites through Iowa related to this severe storm system during the duration of this 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 in 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.

WHEN DOES THE GOVERNOR’S PROCLAMATION EXPIRE ?

October 9 unless sooner terminated or extended by the Governor.

HOW IS THIS PROCLAMATION DIFFERENT FROM THE GOVERNOR’S PUBLIC HEALTH PROCLAMATIONS?

Different customers are affected by this proclamation. This proclamation affects motor carriers with loads related to disaster repairs throughout Iowa related to this severe storm system. The prior proclamations affected motor carriers with loads related to responding to and recovering from COVID-19.

The substantive regulatory suspensions are the same except the prior public health proclamations and extensions included additional suspensions and waivers related to that disaster. For additional information, please refer to Informational Memo 20-12:

<https://iowadot.gov/mvd/ctmanual/memos/IM-20-12.pdf>.

WHAT IS THE BEST WAY TO CONTACT DOT REGARDING QUESTIONS?

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