

# Iowa Legislative Update

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The 82nd (first regular) session of the Iowa General Assembly came to a close in the early morning hours of April 29, 2007, leaving behind several significant pieces of passed and failed legislation. Here are a few legislative pieces of interest.

## HF 793 – Self Propelled Implements of Husbandry with Floatation Tires

Under the Transportation Omnibus Bill, the state legislature passed new regulations regarding the operation of farm equipment that exceeds 20,000 lbs. (but no more than 25,000 lbs.) per axle. The new regulations will go into effect on July 1, 2007.

Permits are required for implements between 20,000 and 25,000 lbs. per axle that were ordered or purchased prior to February 1, 2007, and are considered to be “newly manufactured.” Model numbers affected under this legislation are the AGCO application equipment Terra-Gator 8000s (liquid) and 9000s series.

Prior to issuing a permit, the Iowa Department of Transportation – Office of Motor Carrier Services will collect a fee of \$600 per county/per vehicle, not to exceed a total amount of \$3,500 and permitted to operate in no more than 10 counties. Violations of this statute can result in a fine of up to \$10,000.

In addition to the special increase from 20,000 to no more than 25,000 lbs per axle, implements in this weight range 1) are restricted to non-interstate highways in a county where a permit has been issued; 2) cannot cross any bridge; 3) are restricted to a speed less than 35 mph; and 4) must carry a copy of the permit in the vehicle.

Anyone wishing to obtain an operator’s permit must apply by July 1, 2007. For permit forms visit the Iowa Department of Transportation – Office of Motor Carrier Services vehicles at: [www.iamvd.com/omcs/forms.htm](http://www.iamvd.com/omcs/forms.htm).

## HF 742 – Regulation of Snowmobiles and ATVs

Under new state law, HF 742 requires all snowmobile or all-terrain vehicle distributors/dealers to register annually with the Department of Natural Resources (DNR). The \$15 fee qualifies the registrant to be issued a special registration certificate with a general identification number. An additional duplicate certificate can be issued for \$2 each. The bill eliminates requirements for dealers relating to inventory records, incidental sales of used vehicles and dealer purchases.

The bill specifies that the owner of an all-terrain vehicle or member of the owner’s family who operates the all-terrain vehicle within the area between the shoulder of the roadway and the owner’s property line must comply with the registration, safety and age requirements applicable to operators on public land.

The bill defines “off-road utility vehicles” as larger vehicles with at least four wheels and outfitted with a bench seat. The bill subjects such vehicles to the registration requirements, but not the dealer registration requirements or the titling requirements, applicable to all-terrain vehicles, and specifies where they may be operated.

In addition, the DNR will be developing new rules and regulations governing operations, registration and titling regarding off-road vehicles. The DNR has assured I-NEDA that it will have the opportunity to review the proposed rules as they are developed and be allowed to provide input in the developmental process.

**IDNR – Air Construction Permitting Exemption**

In 2006, it was brought to the attention of the Association that the emissions from equipment used for agricultural and construction purposes could be considered subject to air construction permitting under Chapter 22 of 567 Iowa Administrative Code (IAC).

Specifically, when agricultural and construction equipment with internal combustion engines are operated on or off-road, a permit is not required. However, when this equipment is serviced at a repair facility or dealership, the emissions from the equipment when operated inside the facility are frequently vented through a vent or stack. These facilities are considered stationary

sources by definition, so the Department has the authority through the construction permitting process to regulate the emissions from these facilities.

I-NEDA worked with the Iowa DNR and other interested stakeholders to develop an exemption to this rule. Based on available emissions and operating information from this type of equipment, the Iowa DNR determined that exempting emissions from agricultural and construction equipment mobile internal combustion engines at non-major repair facilities and dealerships from the construction permitting requirements would have no environmental or human health consequences. The Environmental Protection Commission concurred with the Iowa DNR’s rule proposal and adopted the exemption after public comment and a public hearing were completed. The new exemption can be found in paragraph nn of 567 IAC 22.1.(2).

The new rule goes into effect June 27, 2007.

**SF 484 – Harvest Vehicle Weight Restriction**

Legislation was introduced this year that would permanently allow Iowa Farmers to haul transport loads of up to 90,000 pounds of soybeans, corn, hay, straw and stover on all highways within Iowa (excluding the Interstate system) during the fall harvest period. While this legislation passed in the Senate, it died in the House Agriculture Committee on the discovery that the U.S. DOT would withhold funding due to federal restrictions on weight. Currently, the Governor has to make a “proclamation of disaster emergency” each year to allow vehicles to exceed the current restriction of 80,000 lbs. It remains unlikely that this issue will be revisited in future legislative sessions. ■

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