



[www.iowacounty.org](http://www.iowacounty.org)

---

### 2013/14 SB509 IOH legislation

The bill enacts and repeals several existing statutory requirements for equipment utilized for agricultural or farming operations. A summary of those modifications are as follows:

- The bill creates 4 primary aspects:
  - Creates a no-fee permitting process for operators of Category II equipment which:
    - Allows a 15% weight increase to 92,000# for agricultural related operations
    - Establishes an OSOW violation to be based on statutory load tables, 80,000#
    - Length of permit may be determined by local maintenance authority – 5 years or annual, etc.
    - Permit provision and legislation sunset in 5-years for re-evaluation.
  - Local governmental entities may opt in or opt out of the permitting process through resolution or ordinance.
  - Established definitions and lighting and marking requirements for existing and new equipment.
  - Open Records exclusions are created for the no-fee permit applications and applicants.

In addition the bill does the following:

- Modifies the definition of Implement of Husbandry (IOH). Is a self-propelled or towed vehicles used exclusively in the conduct of agricultural operations.
- Creates a definition for an agricultural commercial motor vehicle. Establishes an ag CMV is excluded from motor vehicle registration with the DOT. The owner or operator must file a certification form as to the equipment status for ag purposes.
- Creates an increased weight limit for IOH's and ag CMV's that is 15% higher than the general statutory limits. The max gross weight of IOH or ag CMV cannot exceed 92,000#; except the interstate system and other limitations.
- No width limitations exist for IOH operations on the highway. Certain wide equipment are regulated to certain lighting and marking requirements.
- Creates general total width limitations for ag CMV's operated without a permit of 10 feet, but allows up to 12 feet for spreading lime or fertilizer and having extended tires, fenders, or fender flares.
- Creates length limitations for IOH operated on a highway without a permit based on the number of vehicles.
  - Single vehicle limitation of 60 feet
  - Vehicle combination or train may not exceed 70 feet
  - Travelling at a speed less than 20MPH may not exceed 100 feet.

- IOH train = 3 implements
- No height limitations for IOH on a highway. The operator of the equipment is responsible for ensuring adequate clearance.
- Creates a new annual or consecutive month no-fee permit for IOH and ag CMV's which exceed statutory length or weight limitations.
- Establishes maintaining authority is the local authority responsible for maintenance of the highway or its' designee.
- Establishes a local authority may issue no-fee permits authorizing operation of IOH and ag CMV's on highways under its' jurisdiction which exceed statutory length and weight.
- Local municipality may by Ordinance or resolution authorize operation on any or all highways under its' jurisdiction and issue a form letter and a copy of the resolution or ordinance to serve as an approved permit. In this case, a no-fee permit is not required to be accompanied by a listing of roads which can be travelled or on the standard DOT format.
- No-fee may be charged for the no-fee permit for an study or investigation in connection with an application.
- If a no-fee permit is denied:
  - Applicant must be notified in writing of the denial
  - Notice must include a reasonable and structurally based explanation related to preservation of the roadway.
  - If applicable to certain Cat II self-propelled IOH's denial must include an alternate route or map for operation on.
- Creates new lighting and marking requirements for Jan 1, 2014 and newer IOH operated on the highway exceeding 15 feet in total width or that extend over the center of the road intended for opposite directional traffic.
- Self-propelled IOH manufactured prior to Jan 2014 greater than 12 feet in width must be equipped with rotating yellow or amber strobes or beacons, or two flashing amber lights visible form the front and rear, and activated during operation.
- IOH greater than 20 feet in width must also have an escort vehicle with hazard lights activated unless operated for a distance of 0.25 miles or less.
- Creates an exception allowing a wide IOH satisfying the lighting and marking requirements, which is operated as much in the right half and in a single lane to
  - Extend over the center of the roadway
  - Extend into the passing lane of a 3-lane highway
  - Extend into the adjacent lane intended for travel in the same direction, if it does not impede other vehicles approaching from the rear.
  - Does not exempt the operator from other Rules fo the Road related to:
    - Operator must pass a vehicle proceeding in the opposite direction on the right and yield half of the roadway if possible
    - Vehicle operator may not drive on the left side of the roadway on a grade or curve where the operator's view is obstructed or in a designated no passing zone
    - Vehicle operator may not drive so slowly as to impede normal movement of traffic and must yield right-of-way to an overtaking vehicle.
- The exception that a vehicle operator may cross to the left of center in a no passing zone to overtake and pass with care any vehicle travelling at a speed less than half of the applicable speed limit, does not apply with respect to overtaking and passing IOH's or an ag CMV.
- No person in the business of selling farm equipment may sell equipment which can be operated on the highway unless at the time of sale, the person selling it discloses to the buyer the gross vehicle weight of the equipment.

- Specifies the equipment lights, reflectors, and other marking devices are required to be equipped with at the time of the sale, as those applicable to the equipment at the time of original manufacture.

Draft Summary