

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Public Safety	Date:	8/5/2024	Total Rule Count:	1
IAC #:	661	Chapter/ SubChapter/ Rule(s):	23 (formerly 761-450.6)	Iowa Code Section Authorizing Rule:	321.383
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Chapter 23 provides safety requirements for implements of husbandry on roadways. These regulations help to keep operators and the motoring public safe and preserve our state’s infrastructure. Implements typically operate at a slower speeds and need to be recognized by faster moving traffic.

Is the benefit being achieved? Please provide evidence.

This rule outlines minimum safety standards for the movement of implements of husbandry on a roadway, such as towing standards, braking requirements, mirror, lighting, turn signal, tires, warning devices, and drawbar and safety chain rules. As implements continue to get bigger and are on the road in the daylight and at night, this safety equipment is needed to increase their visibility and prevent crashes.

What are the costs incurred by the public to comply with the rule?

There is minimal cost for the public to comply with this rule.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the Department to enforce these rules.

Do the costs justify the benefits achieved? Please explain.

Yes, without this rule, the movement of some implements would put Iowa out of compliance with federal regulations jeopardizing significant grant opportunities the Iowa State Patrol (ISP)’s Commercial Motor Vehicle Unit (CMVU) is eligible for.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

No, this rule is necessary to keep Iowa in compliance with federal regulations and ISP eligible for grant opportunities.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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450.6(2)(b) contained duplicative statutory language, edited to reference applicable code section
450.6(2)(c) contained duplicative statutory language, edited to reference applicable code section
450.6(2)(d) contained duplicative statutory language, edited to reference applicable code section
450.6(2)(e) contained duplicative statutory language, edited to reference applicable code section
450.6(2)(f) contained duplicative statutory language, edited to reference applicable code section
450.6(2)(g) contained duplicative statutory language, edited to reference applicable code section

RULES PROPOSED FOR REPEAL (list rule number[s]):

None.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

761—450.6(321) Safety rules for the movement of implements of husbandry on a roadway. The following standards are minimum safety requirements for the movement of implements of husbandry on a roadway.

450.6(1) Towing standard. No power unit operated by a retail seller or manufacturer shall tow more than one implement of husbandry, except those implements of husbandry that are not self-propelled and are capable of being towed in tandem, from the manufacturer to the retail seller, from the retail seller to the farm purchaser, or from the manufacturer to the farm purchaser.

450.6(2) Equipment standards.

a. Braking. Braking equipment of the towing unit or self-propelled implement of husbandry is adequate under Iowa Code section 321.430 when the vehicle is traveling 20 miles per hour and the braking device does either of the following:

- (1) Stops the vehicle or vehicles within 30 feet if the gross weight is less than 5,000 pounds.
- (2) Stops the vehicle or vehicles within 50 feet if the gross weight is 5,000 pounds or more.

b. Rearview mirror. The rearview mirror equipment standard in Iowa Code section 321.437 may be met by the use and installation of a temporary rearview mirror.

c. Lighting. The requirement in Iowa Code section 321.387 applies to the towing or towed vehicle, the rearmost implement of husbandry being towed in tandem, or a self-propelled implement of husbandry. The rear taillight equipment standard may be met by the use and installation of a temporary rear taillight. If an implement of husbandry is being towed by a vehicle which is equipped with brake lights, the requirements of Iowa Code section 321.404 also apply to the towed unit.

d. Turn signal. The requirements of Iowa Code section 321.317 apply to the towing or towed vehicle, the rearmost implement of husbandry being towed in tandem, or a self-propelled implement of husbandry. The turn-signal device equipment standard may be met by the use and installation of a temporary turn-signal device.

e. Tires. The requirements of Iowa Code section 321.440 apply for pneumatic tires on the towing or towed vehicle, the rearmost implement of husbandry being towed in tandem, or a self-propelled implement of husbandry.

f. Warning devices. The requirements of Iowa Code section 321.383 apply to reflective devices on the self-propelled or towed implement of husbandry.

g. Drawbar and Safety Chain. The requirements of Iowa Code section 321.462 apply when one vehicle is being towed by another vehicle.

This rule is intended to implement Iowa Code section 321.383.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	202
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	15

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Not at this time.