State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, because of the late harvest and high demand for petroleum products throughout the Midwest, the people of the State of Iowa are faced with extremely low supplies of propane as well as difficulty transporting adequate supplies of anhydrous ammonia for agricultural activities; and

WHEREAS, adequate supplies of propane are necessary to continue to process and dry harvested crops and to provide residential heating to our citizens, particularly those in rural portions of the state; and

WHEREAS, the effects of this propane shortage are being felt throughout the State of Iowa and have also resulted in difficulties transporting adequate quantities of anhydrous ammonia for agricultural activities; and

WHEREAS, strict compliance with the permit and fee requirements of Iowa Code § 321E.29 and Iowa Admin. Code chapter 761-511 allowing oversize and overweight divisible loads under certain circumstances will prevent or hinder efforts to cope with this incident; and

WHEREAS, these conditions threaten the peace, health, and safety of the citizens of the State of Iowa and its agricultural industry and accordingly provide legal justification for the issuance of a Proclamation of a State of Disaster Emergency pursuant to Iowa Code § 29C.6 (1).

NOW, THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (1), and all other applicable laws, do hereby proclaim a **STATE OF DISASTER EMERGENCY** for the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

SECTION ONE. Pursuant to Iowa Code § 29C.6 (6), I hereby suspend the regulatory provisions of Iowa Code §§ 321.463 (6) (a) and (b) and 321E.29 and Iowa Admin. Code chapter 761-511, to the extent that those provisions restrict the movement of oversize and overweight loads of propane and anhydrous ammonia, and require a permit to transport such loads.

SECTION TWO. Suspension of these provisions applies to loads transported on all highways within Iowa, excluding the interstate system, and those which do not exceed a maximum of 90,000 pounds gross weight, do not exceed the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code § 321.463 (6) (b), by more than twelve and one-half percent (12.5%), do not exceed the legal maximum axle weight limit of 20,000 pounds, comply with posted limits on roads and bridges, and otherwise remain within the manufacturer's specification for the maximum load for the vehicles and combination of vehicles.

SECTION THREE. This action is intended to allow vehicles transporting propane and anhydrous ammonia to be oversize and overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

SECTION FOUR. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION FIVE. This state of disaster emergency shall be effective at 12:01 a.m. on November 16, 2019, shall continue for thirty (30) days, and shall expire on December 15, 2019, at 11:59 p.m., unless sooner terminated or extended in writing by me. Iowa Code § 29C.6(1).

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS FIFTEENTH DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE