



State of Iowa
Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the 2022 planting season continues across Iowa; and

WHEREAS, Iowa is a national leader in the production of corn, soybeans, biofuels, and livestock products, and ranks second in the nation in the export of these and other agricultural commodities, providing food to millions across the globe; and

WHEREAS, concerns over a timely planting season have resulted in large amounts of agricultural truck traffic throughout the state and has hastened the need for efficient and effective collection, transport, and delivery of crop inputs as well as old crop; and

WHEREAS, a safe and complete planting season ensures a stable food supply for our state, country, and global population, especially during times of global conflict and supply chain disruption that threaten food security; and

WHEREAS, farmers and others along the food supply chain need increased access to fuel and other inputs to ensure timely planting of crops and are disproportionately affected by high fuel and energy prices; and

WHEREAS, strict compliance with certain hours of service regulations for drivers of commercial motor vehicles transporting motor fuels and other crop inputs in our state will prevent or hinder efforts to cope with time-sensitive planting activities in all counties of our state and a limited suspension of those regulations will ensure timely delivery and increase the amount of these products transported throughout the State of Iowa; and

WHEREAS, strict compliance with the permit and fee requirements of Iowa Administrative Code chapter 761-511 allowing overweight divisible loads under certain circumstances will prevent or hinder efforts to cope with time-sensitive planting activities in all counties of our state.

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

SECTION ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.463(6)(a) and (b) and Iowa Admin. Code chapter 761-511, to the extent that those provisions restrict the movement of overweight loads of corn, soybeans, other agricultural seed, water, herbicide, pesticide, fertilizer (dry, liquid, and gas), manure (dry and liquid), gasoline, diesel #1, diesel #2, ethanol, and biodiesel necessary to respond to this disaster 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, and comply with posted limits on roads and

bridges and the spring pavement restriction map and otherwise remain within the manufacturer's specification for the maximum load for the vehicle and combination of vehicles.

SECTION THREE. This proclamation is intended to allow vehicles transporting loads of corn, soybeans, other agricultural seed, water, herbicide, pesticide, fertilizer (dry, liquid, and gas), manure (dry and liquid), gasoline, diesel #1, diesel #2, ethanol, and biodiesel necessary to respond to this disaster to be overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

SECTION FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service for crews and drivers transporting corn, soybeans, other agricultural seed, water, herbicide, pesticide, fertilizer (dry, liquid, and gas), manure (dry and liquid), gasoline, diesel #1, diesel #2, ethanol, and biodiesel as necessary to respond to this disaster and during the duration of this disaster, subject to these conditions:

- A. Nothing contained in this Proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements under 49 CFR Part 382, the commercial drivers' license requirements under 49 CFR Part 383, the financial responsibility requirements of 49 CFR Part 387, or any other portion of the Code of Federal Regulations not specifically identified in this proclamation.
- B. No motor carrier operating under the terms of this Proclamation shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs 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.
- C. Upon the request of a driver, a commercial motor carrier operating under this proclamation must give a 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 consecutive days.
- D. Motor carriers that have an out-of-service order in effect may not take advantage of the relief from regulations that this declaration provides under title 49 CFR § 390.23.
- E. Upon the expiration of the effective date of this Proclamation, or when a driver has been relieved of all duty and responsibility to provide direct assistance to the emergency effort, a driver that has had at least thirty-four (34) consecutive hours off duty shall be permitted to start his or her on-duty status hours and 60/70 hour clock at zero.

SECTION FIVE. 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 SIX. The Iowa Department of Transportation is hereby directed to monitor the operation of this proclamation to assure the public's safety and facilitate the movement of trucks involved in our state's planting season.

SECTION SEVEN. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This state of disaster emergency shall now expire on June 10, 2022, at 11:59 p.m., unless sooner terminated or extended in writing by me.



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 ELEVENTH DAY OF MAY IN THE
YEAR OF OUR LORD TWO THOUSAND
TWENTY-TWO.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE