

March 29, 2019

RE: Temporary Waiver of International Registration Plan and International Fuel Tax Agreement requirements for operators of commercial motor vehicles traveling in and through Iowa to provide disaster relief in Iowa and Nebraska

To whom it may concern:

Major disaster declarations have been declared this month for the State of Iowa and the State of Nebraska as a result of severe storms and flooding. Presidential Disaster Declarations were declared on March 20, 2019, for the State of Nebraska and on March 22, 2019 for the State of Iowa. On March 19, 2019, the Federal Motor Carrier Safety Administration issued a Regional Declaration of Emergency in which it granted an exemption from Parts 390 through 399 of Title 49 of the Code of Federal Regulations for motor carriers and drivers providing direct assistance in the States of Iowa and Nebraska as a result of the flooding emergency. Additionally, on March 22, 2019, Governor Reynolds issued a Proclamation of Disaster Emergency in which certain state regulations were waived relating to size and weight permitting requirements for commercial vehicles providing disaster repair and recovery in this state.

As a result of the flooding emergencies referenced above, motor carriers transporting equipment, supplies, materials, and storm debris in conjunction with response and recovery efforts in the State of Iowa and State of Nebraska have requested suspension of the trip permit requirements set forth by the International Registration Plan (IRP) and of fuel permits required by the International Fuel Tax Agreement (IFTA) to expedite disaster relief and recovery in Iowa and Nebraska.

On behalf of the Iowa Department of Transportation, I am accepting these requests as a petition for rule waiver under 761 Iowa Administrative Code 500.3, which applies to IRP regulations, and 761 Iowa Administrative Code 505.2(3), which applies to IFTA regulations. Each of these sections authorize the director of the Iowa Department of Transportation to waive the provisions of each respective chapter if the director finds that special or emergency circumstances exist, and defines special or emergency circumstances to include circumstances in which movement of commercial motor vehicles is necessary to cooperate with cities, counties, other state agencies or other states in response to a national or other disaster. As director, I find that the Presidential Disaster Declarations for the State of Iowa and State of Nebraska constitute special or emergency circumstances and under the authority cited take the following actions to expedite the movement of commercial vehicles providing disaster relief to the State of Iowa and State of Nebraska.

1. I hereby waive IRP vehicle registration under 761 Iowa Administrative Code 500.1 et seq., to the extent the vehicle is not already registered under IRP, as long as the vehicle is registered in one of the 48 contiguous states, the District of Columbia, or a province of Canada. This waiver includes waiver of the requirement to obtain a trip permit under 761 Iowa Administrative Code 500.24.

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2. I hereby waive IFTA licensing under 761 Iowa Administrative Code 505.1 et seq., to the extent the vehicle is not already licensed under IFTA. This waiver includes waiver of the requirement to obtain a temporary fuel permit under 761 Iowa Administrative Code 505.3(9).

These waivers apply to commercial vehicles traveling in and through the state of Iowa for the purpose of providing direct assistance to disaster areas in the states of Iowa and Nebraska. These waivers shall become effective immediately and shall end on April 24, 2019, in concurrence with the expiration of the Governor's Proclamation of Disaster Emergency dated March 25, 2019, as amended.

Sincerely,



Mark Lowe, Director