

Motor Vehicle Division Informational Memo # 24-12

May 2024 Severe Storm & Flooding Proclamation – Vehicle Services and Driver's License Services

DATE: May 29, 2024

FROM: Melissa Gillett, Director

TO: All Motor Vehicle Division staff; Iowa County Treasurers and County Treasurer Staff; Iowa State Patrol;
Iowa Motor Truck Association

EFFECTIVE: May 21, 2024 through June 27, 2024 (unless extended)

SUBJECT

This informational memo is to inform counties and staff about the Governor's Proclamations of Disaster Emergency issued May 21, 2024; May 22, 2024; May 24, 2024; and May 28, 2024, hereinafter referred to as "the proclamation." The proclamation provides relief from regulatory provisions related to certificates of vehicle title, registration cards, license plates or pairs of plates, driver's licenses and non-operator's identification cards and for motor carriers moving loads related to disaster repairs for the duration of this declared disaster in Adair, Adams, Black Hawk, Buena Vista, Butler, Calhoun, Cass, Cedar, Cerro Gordo, Clay, Clinton, Dallas, Dubuque, Fayette, Franklin, Hancock, Hardin, Harrison, Humboldt, Iowa, Jackson, Jasper, Johnson, Keokuk, Kossuth, Marion, Marshall, Mills, Montgomery, Muscatine, O'Brien, Page, Palo Alto, Polk, Pottawattamie, Poweshiek, Tama, Scott, Shelby, Story, Union, Warren, Washington, Webster and Wright Counties.

SUMMARY

On May 20, 2024, a storm system caused severe weather, including damaging winds, straight-line winds, tornadoes, heavy rains, thunderstorms, and flash flooding which resulted in significant damages to public and private property and power outages from downed power lines and poles. The proclamation provides relief as follows:

1. The normal five-day waiting period for a customer to receive a replacement title when the original title was lost or destroyed is waived. The customer must note in writing that the customer's original certificate of title was lost or destroyed due to the above-described severe weather.
2. The fee for a replacement title is waived when the original title was lost or destroyed. The customer must note in writing that the customer's original certificate of title was lost or destroyed due to the above-described severe weather.
3. The fees for replacement plates and registration cards (including the sticker) are waived. The customer must note in writing that the customer's registration card, plate or pair of plates was lost or made illegible due to the above-described severe weather.

4. The fee for issuance of a duplicate (replacement) driver's license and non-operator's identification card (as applicable) is waived. The customer must note in writing that the customer's driver's license or non-operator's identification card was lost or destroyed due to the above-described severe weather.
5. Allows a vehicle to move overweight loads up to 90,000 pounds without needing to obtain a permit on non-interstate highways (Iowa Code § 321E and Iowa Administrative Code 761-511).
6. Allows extended hours of service of motor carriers and drivers of commercial motor vehicles (Iowa Code 321.449).

This regulatory relief in items 1 - 4 above apply to certificates of vehicle title, registration cards, license plates or pairs of plates driver's licenses and non-operator's identification cards issued in any of the counties of Iowa and may be relied upon by the treasurers of any of the counties of Iowa, so long as the respective loss, destruction, or illegibility occurred in any one of the above-listed disaster counties and was because of the above-described severe weather. The regulatory relief in items 5 – 6 above apply to disaster repair crews and drivers delivering goods and services while responding to disaster sites and movement of loads related to disaster repairs on all highways in Iowa.

PROCLAMATION LINK(S)

[2024-12](#)

[2024-13](#)

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QUESTIONS AND ANSWERS

DOES THE REGULATORY RELIEF LISTED IN THE MAY 21, 22, 24 and 28 PROCLAMATIONS APPLY EQUALLY TO ALL LISTED DISASTER COUNTIES?

Yes. All the above-listed disaster counties are eligible for the same regulatory relief listed in items 1-6 in the summary above. It is true that the May 21 proclamation originally listed different relief provisions than the May 22, 24 and 28 proclamations, but all disaster counties (listed above) are eligible for the same relief.

WHAT ADJUSTMENT REASON IN ARTS SHOULD BE USED FOR FEE WAIVERS FOR REPLACEMENT TITLES, REGISTRATION CARDS AND PLATES?

The "Administrative Decision" reason code should be used. Using this reason code requires a text explanation and we request that a standard explanation of "May 2024 tornado disaster" be used.

HOW DO I WAIVE THE FEE IF THE CUSTOMER IS REQUESTING A DUPLICATE (REPLACEMENT) DRIVER'S LICENSE OR NON-OPERATOR'S ID CARD?

Driver's license staff should use the "no charge" option in ARTS to waive the fee for a duplicate driver's license or ID card.

MUST THE WRITTEN STATEMENT FROM A CUSTOMER CLAIMING TO BE AFFECTED BY THE SEVERE WEATHER BE IN A CERTAIN FORMAT?

No. We are not prescribing a specific form or format for the written statement. A single written statement may suffice for multiple applications. County and MVD staff retain the authority to determine the reasonableness and applicability of a customer's written statement regarding severe weather impacts. The statement should be retained and stored in the county records system or ERMS ("miscellaneous doc"), as appropriate.

DOES THE PROCLAMATION WAIVE ANY OTHER REQUIREMENTS RELATING TO MOTOR CARRIERS, CERTIFICATES OF TITLE, REGISTRATION CARDS, LICENSE PLATES OR ISSUANCE OF DRIVER'S LICENSES OR NON-OPERATOR'S IDENTIFICATION CARDS?

No. Only the relief listed in items 1-6 in the summary above apply. The proclamation does not waive any other requirements related to issuing any of these products or for motor carriers. For example, a customer seeking a REAL ID must still provide all the required documents and the proclamation does not waive the fee for a regular or renewed driver's license or identification card.

WHICH LOADS ARE ALLOWED TO TRAVEL WITHOUT PERMIT UNDER THE PROCLAMATION?

Certain indivisible and divisible loads may travel without permits on state highways if:

1. The load is related to disaster repairs.
2. The load does not exceed 90,000 pounds gross weight.
3. The load does not exceed the maximum axle weight limit determined under the non- primary highway maximum gross weight table by more than 12.5%.
4. The load does not exceed the legal maximum axle weight limit of 20,000 pounds.
5. The load otherwise complies with posted limits on roads and bridges.

Under these conditions, the divisible load is authorized to travel on Iowa and US highways, excluding the interstate system, without a permit.

CAN OVERWEIGHT LOADS RESPONDING TO THE DISASTER TRAVEL ON THE INTERSTATE WITHOUT A PERMIT?

No, the proclamation is limited to Iowa highways, excluding the interstate system.

HOW DID THE PROCLAMATION AFFECT HOURS OF SERVICE OF MOTOR CARRIERS AND DRIVERS OF COMMERCIAL VEHICLES?

The proclamation suspended the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service of motor carriers and drivers of commercial motor vehicles under certain conditions. To be eligible for this suspension, the following conditions apply:

- the customers are crews and drivers delivering goods and services while responding to disaster sites during the disaster.
- Motor carriers are not exempt from the controlled substances and alcohol use and testing requirements, commercial drivers' license requirements, financial responsibilities requirements, or any other portion of the Code of Federal Regulations not specifically identified the Proclamation.
- Motor carriers cannot be required or allowed to operate if fatigued or ill.
- Drivers who inform 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.

- Motor carriers must give the 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 (8) consecutive days.
- Motor carriers that have an out-of-service order in effect may not take advantage of this relief.

WHEN DOES THE PROCLAMATION EXPIRE?

June 27, 2024 at 11:59 p.m. unless sooner terminated or extended by the Governor.

WHAT IS THE BEST WAY TO CONTACT DOT REGARDING QUESTIONS?

Please continue to go through your normal channels of communication for questions relating to certificates of vehicle title, registration cards, license plates or pairs of plates, as well as driver's licenses and non-operator's identification cards. For questions regarding motor carrier provisions, please contact omcs@iowadot.us or 515-237-3264.