

  
**State of Iowa**  
**Executive Department**

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

**PROCLAMATION OF DISASTER EMERGENCY**

**WHEREAS**, on June 21, 2024, and continuing thereafter, a series of severe storm systems affected the state of Iowa; and

**WHEREAS**, this storm system caused severe weather, including damaging winds, straight-line winds, tornados, heavy rains, thunderstorms and record flash flooding, resulting in significant damage to public and private property, power outages resulting from downed power lines and poles and large debris piles; and

**WHEREAS**, Fremont, Harrison, Mills, Monona and Pottawattamie Counties suffered significant damage from this event; and

**WHEREAS**, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinators and others in the affected counties indicate that local resources and capabilities have been exhausted and that state assistance and resources are needed to respond to and recover from the effects of this event; and

**WHEREAS**, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinator within the affected counties indicate that state individual assistance pursuant to Iowa Code § 29C.20A and Iowa Admin. Code 605-11.2(1) is needed to assist certain individuals and families adversely affected by the disaster who cannot be helped by other means of financial assistance and for whom federal assistance under the Stafford Act is either not available or does not adequately meet the needs of the citizens in the disaster area; and

**WHEREAS**, these conditions threaten the public peace, health, and safety of citizens of the State of Iowa and have damaged and destroyed public and private property. Because of this, they provide legal justification for the issuance of a Proclamation 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 Fremont, Harrison, Mills, Monona and Pottawattamie Counties and do hereby **ORDER** and **DIRECT** the following:

**SECTION ONE.** As required by Iowa Code § 29C.6 (1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency activates the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plans applicable to the counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary to assist those citizens located in the disaster counties.

**SECTION TWO.** I temporarily suspend the regulatory provisions of Iowa Admin. Code 11-53.11(3) prohibiting pay to those State of Iowa employees for hours worked in excess of 40 hours per workweek while present in the State's Emergency Operations Center or

otherwise engaged in assigned disaster response missions or other activities. This suspension shall be retroactive to the initial activation of the State's Emergency Operations Center.

**SECTION THREE.** I temporarily suspend the regulatory provisions of Iowa Code Chapter 8A, Iowa Code § 313.10, Iowa Admin. Code chapters 11-117, 11-118 requiring the Iowa Department of Homeland Security and Emergency Management, the Iowa Department of Transportation, the Iowa Department of Public Safety, the Iowa Department of Health and Human Services, the Iowa Department of Natural Resources and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to respond to this disaster emergency.

**SECTION FOUR.** I temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service for disaster repair crews and drivers delivering goods and services while responding to disaster sites 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.** I temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(6) (a) and (b) and 321E.29 and Iowa Admin. Code 761-511, to the extent those provisions restrict the movement of loads related to disaster repairs on all highways within Iowa, excluding the interstate system, and require a permit to transfer such loads, when such loads:

- F. Do not exceed a maximum of 90,000 pounds gross weight,
- G. Do not exceed by more than twelve and one-half percent (12.5%) the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code § 321.463(6) (b),
- H. Do not exceed the legal maximum axle weight limit of 20,000 pounds, and
- I. Comply with posted weight limits on roads and bridges.
- J. Pursuant to Iowa Code § 29C.6(6), I hereby 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 soybeans, corn, hay, straw, silage, stover, fertilizer (dry, liquid, and gas), and manure (dry and liquid) and require a permit to transport such loads.

- K. 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.
- L. This action is intended to allow vehicles transporting soybeans, corn, hay, straw, silage, stover, fertilizer (dry, liquid, and gas), and manure (dry and liquid) to be overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.
- M. 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.
- N. The Iowa Department of Public Safety 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 SIX.** This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on July 24, 2024, 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 TWENTY-FOURTH DAY OF  
 JUNE IN THE YEAR OF OUR LORD TWO  
 THOUSAND TWENTY-FOUR

*Kim Reynolds*  
 \_\_\_\_\_  
 KIMBERLY K. REYNOLDS  
 GOVERNOR

**ATTEST:**

*Paul D. Pate*  
 \_\_\_\_\_  
 PAUL D. PATE  
 SECRETARY OF STATE