

State of Iowa

Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on March 13, 2019, and continuing thereafter, widespread flooding and flash flooding events began to impact the State of Iowa due to rapid snow melt combined with heavy rains, which are causing dangerous flood conditions across much of the state; and

WHEREAS, on March 22, 2019, a Proclamation of Disaster Emergency was issued statewide, waiving certain rules and regulations in order to assist those citizens and responders coping with the emergency; and

WHEREAS, additional limitations are preventing, hindering, and/or delaying necessary action in coping with the emergency relating to the transportation and delivery of goods and services while responding to and recovering from this event as a result of strict compliance with the provisions of various state statutes, orders, and rules governing the conduct of business; and

WHEREAS, strict compliance with the provisions of various state statutes, orders, and rules governing the conduct of business is hindering necessary actions of residents coping with this event; and

WHEREAS, the aforementioned proclamation continues to be needed and specific amendments and clarifications are needed to support those impacted by this event; 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 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** throughout the State of Iowa 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 Code §§ 321.463(6)(a), (6)(b) and 321E.29 and 761 Iowa Admin. Code Chapter 511, to the extent those provisions restrict the movement of loads related to disaster repairs and recovery on all highways within Iowa, excluding the interstate system, and require a permit to transfer such loads, when such loads:

- A. Do not exceed a maximum of 90,000 pounds gross weight,
- B. 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(5) (b),
- C. Do not exceed the legal maximum axle weight limit of 20,000 pounds, and
- D. Comply with posted weight limits on roads and bridges.

Iowa Code § 29C.6(6).

SECTION THREE. I temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(3), 321E.2, 321E.8, and 321E.9 that limit issuance of permits for oversize or overweight loads to loads which are indivisible, to allow annual permits issued under Iowa Code § 321E.8 and single-trip permits issued under § 321E.9 to be issued for loads which are divisible and related to disaster repair and recovery. I further waive for vehicle and loads, whether divisible or indivisible, the regulatory provisions of Iowa Code § 321E.12 that require the vehicle traveling under a permit to be registered for the gross weight of the vehicle and load and the regulatory provisions of Iowa Code § 321E.14 that require the payment of a fee for a permit issued for a vehicle and load related to disaster repair and recovery. The provisions of this paragraph apply only when the movement of the vehicle and load is related to disaster repair and recovery. The movement of any vehicle or load under this paragraph must comply with all other requirements of Chapter 321E of the Iowa Code and of the permit issued, other than as suspended herein. The provisions of this paragraph relating to the permitting and movement of divisible loads authorize the movement of such loads on all highways of this state, excluding the interstate system. Iowa Code § 29C.6(6).

SECTION FOUR. I temporarily suspend the regulatory provisions of Iowa Code § 321.457(2)(n) and any rules adopted by the Iowa Department of Transportation, to the extent those rules restrict the movement of combinations of vehicles otherwise permitted under that section to economic export corridors established by the department, and allow such vehicles be operated on all highways of the state, other than the interstate system, provided the movement is related to disaster repair and recovery. Iowa Code § 29C.6(6).

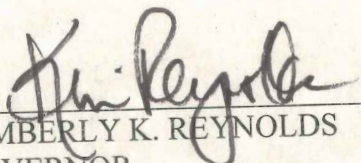
SECTION FIVE. I do hereby suspend the regulatory provisions of Iowa Code § 321.195 prescribing a fee for issuance of a duplicate or substitute driver's license or non-operator's identification card as applied to a person whose driver's license or non-operator's identification card was lost or destroyed in any one of the disaster counties as a result of the above-described severe weather and flooding. A written statement by the person, in or appended to the person's application for same, confirming that the person's driver's license or non-operator's identification card was lost or destroyed in any one of the disaster counties as a result of the above-described severe weather and flooding shall be required to invoke this suspension. Iowa Code § 29C.6(6).

SECTION SIX. The suspensions listed in section "5" above apply to driver's licenses or 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 disaster counties as a result of the above-described severe weather and flooding.

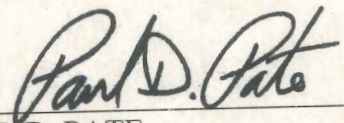
SECTION SEVEN. This state of disaster emergency shall be effective on March 25, 2019, shall continue for thirty (30) days, and shall expire on April 24, 2019, unless sooner terminated or extended in writing by me. Iowa Code § 29C.6 (1).



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 TWENTY-FIFTH DAY OF MARCH
IN THE YEAR OF OUR LORD TWO
THOUSAND NINETEEN


KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:


PAUL D. PATE
SECRETARY OF STATE