

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Transportation	Date:	5-28-2024	Total Rule Count:	9
IAC #:	761	Chapter/ SubChapter/ Rule(s):	102	Iowa Code Section Authorizing Rule:	2024 Iowa Acts, SF 2385, section 368, repeals Iowa Code section 312.3C. This section provided the Secondary Road Fund Distribution Committee with rule authority.
Contact Name:	Garrett Pedersen	Email:	garrett.pedersen@iowadot.us	Phone:	515-239-1027

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of this chapter is the establishment of formulas used for the distribution of moneys in the Secondary Road Fund and the Farm-to-Market Road Fund, and to define a process by which the Secondary Road Fund Distribution Committee administers its duties.

Is the benefit being achieved? Please provide evidence.

Yes, the chapter gives the appointed committee the authority to propose a new or modified secondary road fund distribution formula, or farm-to-market road fund distribution formula. This authority allows for the committee to manage the formulas to maximize effectiveness. In fiscal year 2024, the Secondary Road Fund amounted to \$421.2 million and the Farm to Market Road Fund was \$118.8 million. These figures amount to 98 percent of the total non-appropriated funds in the county road fund. With this amount of funding, the ability of this committee to propose new or modified formulas is very impactful to the overall effective use of the funds.

What are the costs incurred by the public to comply with the rule?

There are no costs incurred by the public to comply with the rules.

What are the costs to the agency or any other agency to implement/enforce the rule?

Costs to the Department directly associated with the chapter include the staff time associated with the preparation of materials and administration of activities for the committee.

Do the costs justify the benefits achieved? Please explain.

Yes, the costs relate to staff time to help facilitate the committee work, which allows the committee to maximize their time serving as subject matter experts.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

SF 2385, sections 303 through 307 amend Iowa Code sections 312 and 312A to give the authorities previously held by the secondary road fund distribution committee to the state transportation commission. The Department will be adopting a new chapter in compliance with SF 2385.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

This chapter was made obsolete by SF 2385.

RULES PROPOSED FOR REPEAL (list rule number[s]):

Entirety of rule chapter 102:
102.1, 102.2, 102.5, 102.6, 102.7, 102.10, 102.11, 102.12 and 102.13. Note: Already reserved: 102.3, 102.4, 102,8 and 102.9.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

None noted.

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	9
Proposed word count reduction after repeal and/or re-promulgation	2,138
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	48

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No