

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

Department Name:	Transportation	Date:	6-4-24	Total Rule Count:	4
IAC #:	761	Chapter/ SubChapter/ Rule(s):	160	Iowa Code Section Authorizing Rule:	312.2
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of the rules is to implement the county and city bridge construction funding programs.

Is the benefit being achieved? Please provide evidence.

Yes. The county and city bridge construction programs are utilized annually.

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

No costs incurred by the public.

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

No costs incurred by the Department or others to implement and enforce these administrative rules.

Do the costs justify the benefits achieved? Please explain.

Since there are no costs incurred, the benefits of the rule are achieved by providing funding to the city and county bridge construction funding programs.

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.

A Local Systems Instructional Memorandum (I.M.) would be able to document this information (most is already included in the I.M., and a few minor details would need to be added to the I.M.). Counties and cities have multiple opportunities to provide input to I.M.s. Each time there is a new federal transportation bill, we have stakeholder input prior to getting Iowa DOT Commission approval on how we plan to share the federal funding with the cities and counties. Even though this funding is state funding, the federal bridge programs can impact the state bridge programs, so we typically review the programs at the same time. Also, the language in the I.M. states that we ask for stakeholder input, and there is also an I.M. review group that looks at all proposed changes to I.M.s prior to publication on the Iowa DOT website https://www.iowadot.gov/local_systems/publications/im/1100.pdf.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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]

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160.3 is duplicative of statutory language (Iowa Code sections 312.2(12)).

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

Rescind Rule 761 IAC 160.3, Source of funds.

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

160.1 Purpose
160.2 Contact information
160.3 Administration of funds

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

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	66
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	9

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

Reword Iowa Code 312.2 (12.a.) to delete "in accordance with rules adopted by the Department"