

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

<b>Department Name:</b>	Transportation	<b>Date:</b>	1-9-24	<b>Total Rule Count:</b>	5
<b>IAC #:</b>	761	<b>Chapter/ SubChapter/ Rule(s):</b>	161	<b>Iowa Code Section Authorizing Rule:</b>	No specific rule authority
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

This chapter implements the federal-aid county and city highway bridge funding programs.

**Is the benefit being achieved? Please provide evidence.**

Yes. The federal-aid county and city highway bridge funding programs are frequently utilized by cities and counties.

**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 chapter being eliminated, and information included in the Instructional Memorandum (I.M.) are recognized.

**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 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, the Department seeks stakeholder input prior to getting the Transportation Commission approval on how the Department plans 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 the Department typically reviews the programs at the same time. Also, the language in the I.M. states that the Department 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 [www.iowadot.gov/local\\_systems/publications/im/1100.pdf](http://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**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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] PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

Not obsolete, outdated or inconsistent. The I.M. and Administrative Rules are redundant, and the language could be included in the I.M. rather than the Administrative Rules.

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

761 IAC 161:  
161.1 Purpose  
161.2 Contact Information  
161.3 Source of Funds  
161.4 Swapping of Funds.  
161.5 Administration of Funds

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

None.

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

**METRICS**

<b>Total number of rules repealed:</b>	<b>5</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>441</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>9</b>

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

No.