

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

Department Name:	Transportation	Date:	7-8-24	Total Rule Count:	12
IAC #:	761	Chapter/ SubChapter/ Rule(s):	163	Iowa Code Section Authorizing Rule:	315.10
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The Revitalize Iowa's Sound Economy (RISE) program promotes economic development in Iowa through the establishment, construction, improvement, and maintenance of roads and streets that assist value-adding activities providing maximum economic impact to the state. The program also is intended to encourage economic diversification, new business opportunities, small business development, exporting, import substitution and tourism in Iowa.

Is the benefit being achieved? Please provide evidence.

Yes. Local governments rely on the RISE program to supplement local resources in developing roadway projects that assist economic development. Without the RISE program, local governments may not have the financial resources to complete improvements that influence business location decisions.

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

The costs to local government of assembling an application and providing accomplishment reports following roadway completion are the only direct public cost to comply with the rule chapter.

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

Costs to the Department directly associated with the rule chapter includes the staff time associated with assisting potential applicants, the review of any applications, and monitoring program outcomes and project compliance.

Do the costs justify the benefits achieved? Please explain.

Yes. Since 1985, over 90,000 jobs have been directly assisted by the program and many other jobs have been created or retained by ancillary industries and related development.

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.

Topics included in this rule chapter could be incorporated into a single published guidance document. For example, the Department administers the federal Transportation Alternatives Set-Aside program for similar types of projects. No administrative rules are promulgated for this program, but guidance is published on

the program website at www.iowadot.gov/systems_planning/pdf/IJA-TAP-Guidance.pdf. If this rule chapter was rescinded, the Department would publish a similar document to the RISE program website.

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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163.1 definitions of “Department” and “RISE fund” as well as 163.5(1) reference to source of RISE funding are all duplicative of statutory language included in Iowa Code chapter 315.

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

163.2 (wording moved to new 163.1) and 163.3 (wording moved to new 163.2)

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

163.1 General.
163.2 Administration of RISE program.
163.3 Allocation and use of RISE funds.
163.4 Project financing and funding shares.
163.5 Eligibility of applicants and joint applications.
163.6 Project activities eligible and ineligible for RISE funds.
163.7 Advance eligibility of land acquisition and preliminary design costs incurred prior to funding commitment by commission.
163.8 Immediate opportunity projects.
163.9 Local development projects.
163.10 Project administration.

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

METRICS

Total number of rules repealed:	2
Proposed word count reduction after repeal and/or re-promulgation	39
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	128

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

Iowa Code chapter 315 could be amended to remove the language within Iowa Code section 315.10 that reads as follows: The department shall adopt rules pursuant to chapter 17A as necessary for the administration of this chapter.