

Red Tape Review Rule Report (Due: September 1, 2025)

Department Name:	Department of Transportation	Date:	9/19/2024	Total Rule Count:	8
IAC #:	761	Chapter/ SubChapter/ Rule(s):	11	Iowa Code Section Authorizing Rule:	17A.9A
Contact Name:	Tracy George	Email:	Tracy.George@iowadot.us	Phone:	515-239-1358

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

This chapter is intended is to establish a general process for granting waivers from the requirements of Department rules in accordance with Iowa Code section 17A.9A. The intended benefit is to provide clarity and transparency.

Is the benefit being achieved? Please provide evidence.

Yes, the benefit is being achieved because the process is clearly defined. The Department received three waiver requests in both CY 2022 and 2023 and has received one waiver request so far in CY 2024.

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

The chapter imposes no costs to the public.

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

There are no costs to the Department to implement this chapter.

Do the costs justify the benefits achieved? Please explain.

There are no costs. It is important for those who want to submit a petition for waiver of a rule to understand the process.

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.

The Department believes Chapter 11 is necessary.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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11.1(1) The last sentence is duplicative to Iowa Code section 17A.9A(5).
11.1(2) 11.1(3) and 11.1(4) Some of this language is duplicative.

11.3 This rule is duplicative of Iowa Code section 17A.9A.

11.5(1) There are some unnecessary words.

11.6(4) and 11.6(7) These subrules are duplicative to other language within the chapter.

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

11.3

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

11.1 General

11.2 Petition for Waiver

11.3 Action on petition and decision on waiver

11.4 Modification or cancellation of waiver

11.5 Records

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

METRICS

Total number of rules repealed:	3
Proposed word count reduction after repeal and/or re-promulgation	368
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	21

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

No.