

**COMMISSION MINUTES**  
**September 10, 2024**

# IOWA TRANSPORTATION COMMISSION

## Meeting Agenda / Commission Orders

September 10, 2024

Materials Conference Room – Iowa DOT Complex

Ames, Iowa

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
1:00 p.m.			
D-2025-10	* Approve Minutes of the August 13, 2024 Commission Meeting	Cindy Dorhout	2
	Commission Comments		
	DOT Comments		
D-2025-11	* Administrative Rules – 761 IAC Chapters 1 and 2	Scott Marler	4
SO-2025-12	* Administrative Rules – 761 IAC Chapters 106, 121, and 124	Dave Lorenzen	8
TD-2025-13	* Administrative Rules – 761 IAC Chapters 28, 102, 132, 161, 170, 172, 173, and 174	Stuart Anderson	12
TD-2025-14	* Administrative Rules – 761 IAC Chapter 103, Secondary Road Fund Distribution Methodology	Stuart Anderson	17
TD-2025-15	* Public Transit Infrastructure Grant Program Funding Recommendations	Brent Paulsen	22
TD-2025-16	* Federal Fiscal Year (FFY) 2024 Transit Program (Vehicle Replacement)	Brent Paulsen	24
1:10 p.m.			
	Adjourn		

### \* Action Item

On Tuesday, September 10, the Commission and staff will meet informally at 9:30 a.m. in the Materials Conference Room. Transportation-related matters will be discussed, but no action will be taken.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2025-10  
Submitted by Cindy Dorhout Phone No. 515-239-1067 Meeting Date September 10, 2024  
Title Approve Minutes of the August 13, 2024 Commission Meeting

**DISCUSSION/BACKGROUND:**

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the minutes of the August 13, 2024 Commission meeting.

**COMMISSION ACTION:**

Moved by Anderson Seconded by Mulgrew Gronen

\_\_\_\_\_  
Division Director                      Legal                      State Director

	Aye	Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

Commissioner Stutsman called the meeting to order at 1:00 pm on September 10, 2024.

Commissioners present: Sally Stutsman, Ray Gaesser, Bill Anderson, Rich Arnold, Linda Juckette, Mary Mulgrew Gronen (remotely via Teams), and Tom Rielly.

**D-2025-10**

Stuart Anderson, on behalf of Cindy Dorhout, Executive Assistant

Commissioner Stutsman asked if there was a motion to approve the minutes from the August 13, 2024, Commission meeting.

Commissioner Anderson moved and Commissioner Mulgrew Gronen seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

**Commission Comments**

None

**DOT Comments**

None

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director Order No. D-2025-11  
Submitted by Scott Marler Phone No. 515-239-1111 Meeting Date September 10, 2024  
Title Administrative Rules-761 IAC Chapters 1 and 2

**DISCUSSION/BACKGROUND:**

The rulemaking proposes to permanently rescind Chapter 1, *Organization of the Department of Transportation*, and Chapter 2, *Provisions Applicable to All Rules*.

The department reviewed these two chapters in accordance with Executive Order 10 and determined these chapters are not necessary. Information concerning the department’s organization is available on the department’s website and the definitions of “commission,” “department,” and “director” or “director of transportation” are included in the department’s rule chapters, as needed.

The public comment period ended on August 15, 2024. The department did not receive any written or oral comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended that the Commission approve the rescission of these chapters.

**COMMISSION ACTION:**

Moved by Arnold Seconded by Rielly

\_\_\_\_\_  
Division Director                      Legal                      State Director

	Aye	Vote	
		Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Proposing rulemaking related to rescission of chapters  
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 1, “Organization of the Department of Transportation,” and Chapter 2, “Provisions Applicable to All Rules,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 307.

*Purpose and Summary*

Chapter 1 describes the organization of the Department as required by Iowa Code section 17A.3(1) “a.” This proposed rulemaking rescinds Chapter 1 because 2024 Iowa Acts, Senate File 2370, section 4, strikes Iowa Code section 17A.3(1)“a.” The Department’s website, [www.iowadot.gov](http://www.iowadot.gov), provides the public with this information.

Chapter 2 defines “commission,” “department,” and “director” or “director of transportation.” This proposed rulemaking rescinds Chapter 2 because these definitions are included in the Department’s chapters, as needed. A separate chapter is not necessary.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

*Public Comment*

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on August 15, 2024. Comments should be directed to:

Tracy George  
Department of Transportation  
DOT Rules Administrator, Government and Community Relations  
800 Lincoln Way  
Ames, Iowa 50010  
Email: [tracy.george@iowadot.us](mailto:tracy.george@iowadot.us)

*Public Hearing*

Public hearings at which persons may present their views orally will be held as follows:

August 15, 2024  
10:30 to 11 a.m.

[Microsoft Teams Link](#)  
Or dial: 515.817.6093  
Conference ID: 970 639 09#

August 15, 2024  
2:30 to 3 p.m.

[Microsoft Teams Link](#)  
Or dial: 515.817.6093  
Conference ID: 399 906 461#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

- ITEM 1. Rescind and reserve **761—Chapter 1.**
- ITEM 2. Rescind and reserve **761—Chapter 2.**

**D-2025-11**

Scott Marler, Director

Director Marler explained that the rulemaking proposes to permanently rescind Chapter 1, Organization of the Department of Transportation, and Chapter 2, Provisions Applicable to All Rules.

The department reviewed these two chapters in accordance with Executive Order 10 and determined these chapters are not necessary. Information concerning the department's organization is available on the department's website and the definitions of "commission," "department," and "director" or "director of transportation" are included in the department's rule chapters, as needed.

The public comment period ended on August 15, 2024. The department did not receive any written or oral comments.

Therefore, Director Marler recommended that the Commission approve the rescission of these two chapters.

Commissioner Arnold moved and Commissioner Rielly seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.



**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Systems Operations Division Order No. SO-2025-12  
 Submitted by Dave Lorenzen Phone No. 515-239-1205 Meeting Date September 10, 2024  
 Title Administrative Rules—761 IAC Chapters 106, 121, and 124

**DISCUSSION/BACKGROUND:**

The rulemaking proposes to permanently rescind Chapter 106, *Promotion of Iowa Agricultural Products at Rest Areas*, Chapter 121, *Adopt-A-Highway Program*, and Chapter 124, *Highway Helper Sponsorship Program*.

The department reviewed these three chapters in accordance with Executive Order 10 and determined these chapters are not necessary. The Department will continue to provide a similar opportunity for nonprofit agricultural organizations to provide refreshments at rest areas during holiday periods under Chapter 105, *Holiday Rest Stops*. The Adopt-a-Highway Program will continue, and information is included on the department’s website. The Highway Helper Sponsorship Program is unnecessary and inappropriate.

The public comment period ended on August 16, 2024. The department received supportive comments from the Iowa Department of Blind for the rescission of Chapter 106. The department also received comments from a sponsor of the adopt-a-highway program for the rescission of Chapter 121; the commenter was reassured that the adopt-a-highway program will continue.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended that the Commission approve the rescission of these chapters.

<b>COMMISSION ACTION:</b>		Vote	Aye	Nay	Pass
Moved by	<u>Juckette</u>		<u>x</u>	_____	_____
Seconded by	<u>Gaesser</u>		<u>x</u>	_____	_____
			<u>x</u>	_____	_____
			<u>x</u>	_____	_____
			<u>x</u>	_____	_____
			<u>x</u>	_____	_____
			<u>x</u>	_____	_____

\_\_\_\_\_  
Division Director                      Legal                      State Director

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Proposing rulemaking related to rescission of chapters  
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 106, “Promotion of Iowa Agricultural Products at Rest Areas,” Chapter 121, “Adopt-a-Highway Program,” and Chapter 124, “Highway Helper Sponsorship Program,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code sections 23A.2, 307.12(1)“j” and 307.24 and 1995 Iowa Acts, chapter 18, section 2.

*Purpose and Summary*

This proposed rulemaking will rescind Chapters 106, 121 and 124 in accordance with Executive Order 10.

Chapter 106 provides Iowa agricultural organizations an opportunity to promote their products at Iowa interstate rest areas. However, only one promotional rest area has been designated since 1996 under Chapter 106. The Department will continue to provide a similar opportunity for nonprofit agricultural organizations to provide refreshments at rest areas during holiday periods under Chapter 105, “Holiday Rest Stops.”

Chapter 121 provides guidance for the Adopt-a-Highway litter pickup program. This program allows individuals or groups to pick up litter along certain highways as a volunteer public service. The Department is proposing to rescind Chapter 121; however, the program will continue. In lieu of rules on this subject, the public may find information on the Department’s website at: [www.iowadot.gov/maintenance/Adopt-a-Highway-information](http://www.iowadot.gov/maintenance/Adopt-a-Highway-information).

Chapter 124 establishes the requirements for a Highway Helper Sponsorship Program. No companies have stepped forward to apply to be a sponsor of this program. The Department reviewed the need for the sponsorship and determined a sponsorship is not appropriate or necessary.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

*Public Comment*

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on August 16, 2024. Comments should be directed to:

Tracy George  
Department of Transportation  
DOT Rules Administrator, Government and Community Relations  
800 Lincoln Way  
Ames, Iowa 50010  
Email: [tracy.george@iowadot.us](mailto:tracy.george@iowadot.us)

*Public Hearing*

Public hearings at which persons may present their views orally will be held as follows:

August 15, 2024 1 to 1:30 p.m.	<a href="#">Microsoft Teams Link</a> Or dial: 515.817.6093 Conference ID: 307 186 340#
August 16, 2024 10 to 10:30 a.m.	<a href="#">Microsoft Teams Link</a> Or dial: 515.817.6093 Conference ID: 141 207 268#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

- ITEM 1. Rescind and reserve **761—Chapter 106**.
- ITEM 2. Rescind and reserve **761—Chapter 121**.
- ITEM 3. Rescind and reserve **761—Chapter 124**.

**SO-2025-12**

Stuart Anderson, on behalf of Dave Lorenzen, Director, Systems Operations Division

Stu explained that the department proposes to permanently rescind Chapter 106, Promotion of Iowa Agricultural Products at Rest Areas, Chapter 121, Adopt-A-Highway Program, and Chapter 124, Highway Helper Sponsorship Program. The Department will continue to provide a similar opportunity for nonprofit agricultural organizations to provide refreshments at rest areas during holiday periods under existing Chapter 105, Holiday Rest Stops. The Adopt-a-Highway Program will continue, and information is included on the department's website. The Highway Helper Sponsorship Program is determined to be unnecessary and inappropriate.

Stu stated that the public comment period ended on August 16, 2024. The department received supportive comments from the Iowa Department of Blind for the rescission of Chapter 106. The department also received comments from a sponsor of the adopt-a-highway program for the rescission of Chapter 121; the commenter was reassured that the adopt-a-highway program will continue.

Therefore, Stu recommended that the Commission approve the rescission of the chapters as listed on the Commission Order.

Commissioner Juckette moved and Commissioner Gaesser seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division Order No. TD-2025-13  
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date September 10, 2024  
 Title Administrative Rules—761 IAC Chapters 28, 102, 132, 161, 170, 172, 173, and 174

**DISCUSSION/BACKGROUND:**

The rulemaking proposes to permanently rescind Chapter 28, *Iowa Transportation Map*, Chapter 102, *Secondary Road Fund Distribution Committee*, Chapter 132, *Iowa Byways Program*, Chapter 161, *Highway Bridge Program for Cities and Counties*, Chapter 170, *Allocation of Farm-to-Market Road Funds*, Chapter 172, *Availability of Instructional Memorandums to Local Public Agencies*, Chapter 173, *Preparation of Secondary Road Construction Programs, Budgets, and County Annual Reports*, and Chapter 174, *Reimbursable Services and Supplies*.

The department reviewed these eight chapters in accordance with Executive Order 10 and determined these chapters are not necessary.

- Chapter 28: The instances of using the Iowa Transportation Map for personal or professional gain are extremely rare.
- Chapter 102: 2024 Iowa Acts, Senate File 2385, section 368, repealed Iowa Code section 312.3C, which gave the Secondary Road Fund Distribution Committee authority to adopt Chapter 102. The Commission will be adopting a new chapter 103 concerning the Secondary Road Fund and Farm-to-Market Road Fund distribution methodologies in accordance with Senate File 2385, sections 303 through 307.
- Chapter 132: There have been few Iowa Byways designated since 1988. In lieu of rules, the department established guidelines that are available on the department’s website.
- Chapters 161, 170 and 172: The department already publishes instructional memorandums concerning federal-aid county and city highway bridge funding programs and the counties’ allocation of farm-to-market funds and rules are duplicative. Cities and counties have multiple opportunities to provide input on the instructional memorandums which are on the department’s website.
- Chapter 173: The department already publishes the requirements for preparation of secondary road construction programs, budgets, and county annual reports on its website and rules are duplicative.
- Chapter 174: The department already publishes instructional memorandums and various other internal procedures listing the services the Department provides to cities and counties on its website and rules are duplicative.

The public comment period ended on August 16, 2024. The department did not receive any written or oral comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended that the Commission approve the rescission of these chapters.

COMMISSION ACTION:			Vote		
			Aye	Nay	Pass
			Anderson	<u>x</u>	_____
			Arnold	<u>x</u>	_____
			Gaesser	<u>x</u>	_____
Moved by <u>Rielly</u>	Seconded by <u>Anderson</u>		Juckette	<u>x</u>	_____
			Mulgrew Gronen	<u>x</u>	_____
			Rielly	<u>x</u>	_____
			Stutsman	<u>x</u>	_____
_____ Division Director	_____ Legal	_____ State Director			

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Proposing rulemaking related to rescission of chapters  
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 28, “Iowa Transportation Map,” Chapter 102, “Secondary Road Fund Distribution Committee,” Chapter 132, “Iowa Byways Program,” Chapter 161, “Highway Bridge Program for Cities and Counties,” Chapter 170, “Allocation of Farm-to-Market Road Funds,” Chapter 172, “Availability of Instructional Memorandums to Local Public Agencies,” Chapter 173, “Preparation of Secondary Road Construction Programs, Budgets, and County Annual Reports,” and Chapter 174, “Reimbursable Services and Supplies,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j” and 312.3C.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 306D and sections 307.12(1)“j,” 307.14, 307.24, 307.44, 309.22, 309.93, 310.27, 312.2, 312.3, 312.3B, 312.3C, 312.5 and 313.4(1).

*Purpose and Summary*

This proposed rulemaking will rescind Chapters 28, 102, 132, 161, 170, 172, 173 and 174 in accordance with Executive Order 10 and 2024 Iowa Acts, Senate File 2385, section 367, which repeals Iowa Code section 312.3C and affects Chapter 102.

Chapter 28 supports the development and use of the Iowa Transportation Map and restricts use of the map for personal or professional gain. The instances of using the map for personal or professional gain are extremely rare, and the Department determined that alternate methods to restrict this use of the map could be used and that the rules are unwarranted.

Chapter 102 establishes formulas used for the distribution of moneys in the Secondary Road Fund and the Farm-to-Market Road Fund and defines the process the Secondary Road Fund Distribution Committee administers its duties. 2024 Iowa Acts, Senate File 2385, section 368, repeals Iowa Code section 312.3C, which gave the Committee authority to adopt Chapter 102. Later this year, the Transportation Commission will be adopting a new chapter concerning the Secondary Road Fund and Farm-to-Market Road Fund distribution methodologies in accordance with Senate File 2385, sections 303 through 307.

Chapter 132 supports the designation of Iowa Byways; however, there have been only 14 Iowa Byways designated since 1988. In lieu of rules on the subject, the Department published a guidance document on the Department’s website at [www.iowadot.gov/iowasbyways/iowas-byways-home](http://www.iowadot.gov/iowasbyways/iowas-byways-home).

Chapter 161 implements the federal-aid county and city highway bridge funding programs. Chapter 170 establishes requirements for the counties’ allocation of farm-to-market funds. Chapter 172 establishes requirements for instructional memorandums for cities and counties. The Department already publishes instructional memorandums concerning the subject matter of Chapters 161, 170 and 172, so rules are duplicative and unnecessary. The Department’s instructional memorandums are available on the Department’s website at [www.iowadot.gov/local\\_systems](http://www.iowadot.gov/local_systems). Cities and counties have multiple opportunities to provide input on the instructional memorandums.

Chapter 173 establishes requirements for preparation of secondary road construction programs, budgets, and county annual reports. These requirements are already published on the Local Systems Bureau’s web page on the Department’s website.

Chapter 174 establishes requirements for reimbursable services and supplies for cities and counties. The Department provides reimbursable services to cities and counties, which is more efficient and less costly for taxpayers. The Department’s instructional memorandums and various other internal procedures list the services the Department provides to cities and counties.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

*Public Comment*

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on August 16, 2024. Comments should be directed to:

Tracy George  
Department of Transportation  
DOT Rules Administrator, Government and Community Relations  
800 Lincoln Way  
Ames, Iowa 50010  
Email: [tracy.george@iowadot.us](mailto:tracy.george@iowadot.us)

*Public Hearing*

Public hearings at which persons may present their views orally will be held as follows:

August 15, 2024 11 to 11:30 a.m.	<a href="#">Microsoft Teams Link</a> Or dial: 515.817.6093 Conference ID: 616 455 141#
August 16, 2024 2 to 2:30 p.m.	<a href="#">Microsoft Teams Link</a> Or dial: 515.817.6093 Conference ID: 931 936 951#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind and reserve **761—Chapter 28**.

- ITEM 2. Rescind and reserve **761—Chapter 102.**
- ITEM 3. Rescind and reserve **761—Chapter 132.**
- ITEM 4. Rescind and reserve **761—Chapter 161.**
- ITEM 5. Rescind and reserve **761—Chapter 170.**
- ITEM 6. Rescind and reserve **761—Chapter 172.**
- ITEM 7. Rescind and reserve **761—Chapter 173.**
- ITEM 8. Rescind and reserve **761—Chapter 174.**



**TD-2025-13**

Stuart Anderson, Director, Transportation Development Division

Stu stated that the department also proposes to permanently rescind the chapters listed on the Commission Order.

Stu explained that Chapter 102 regarding the Secondary Road Fund Distribution Committee is proposed to be eliminated because the authorizing Iowa Code section was repealed this past legislative session. The other chapters are proposed to be repealed because they are not required by Iowa Code and either are no longer needed or the information is already included in department guidance, policies, or instructional memorandum.

The public comment period ended on August 16, 2024. The department did not receive any written or oral comments.

Therefore, Stu recommended that the Commission approve the rescission of the chapters listed on the Commission Order.

Commissioner Rielly moved and Commissioner Anderson seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.



CHAPTER 103  
SECONDARY ROAD FUND DISTRIBUTION METHODOLOGY

**761—103.1(312) General.**

**103.1(1) Purpose.** The purpose of these rules is to adopt the formulas to be used for distribution of moneys in the secondary road fund and the farm-to-market road fund and to formalize the process by which the commission will administer its duties in accordance with Iowa Code section 312.3 as amended by 2024 Iowa Acts Senate File 2385, section 303.

**103.1(2) Contact information.** Questions regarding this chapter may be directed to the Systems Planning Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515)239-1664.

**103.1(3) Definitions.** As used in this chapter:

“*Bridges*” means those structures under the jurisdiction of a county secondary roads department which are included in the National Bridge Inventory System.

“*Commission*” means as defined in Iowa Code section 312.16 as amended by 2024 Iowa Acts, Senate File 2385, section 306.

“*Committee*” means an ad-hoc committee as described in rule 761—103.2(7E,312).

“*Daily vehicle miles of travel*” means the product of a road segment’s length, in miles, multiplied by the daily traffic count thereon, in vehicles per day, reported for that segment by department, based on the most recent counts available.

“*Earth surfaced*” means roads under the jurisdiction of a county secondary roads department which are not surfaced.

“*Formula*” means the appropriate secondary road fund distribution formula or farm-to-market road fund distribution formula as described in subrules 103.3(1) and 103.3(2).

“*Granular surfaced*” means roads under the jurisdiction of a county secondary roads department which have crushed rock, gravel, or oiled earth surfaces.

“*Paved surfaced*” means roads under the jurisdiction of a county secondary roads department with hot mix asphalt, Portland cement concrete, or stabilized base with waterproof surfacing.

“*Rural population*” means the count, taken from the most recently certified decennial federal census, of persons who reside in the unincorporated areas of a county.

**761—103.2(7E,312) Composition and membership of the ad-hoc secondary road fund distribution committee.**

**103.2(1)** The committee is composed of six county engineers, six county supervisors, two representatives of the department, and the executive director of the Iowa County Engineers Association Service Bureau.

**103.2(2)** The county engineers are appointed by the president of the Iowa County Engineers Association, the county supervisors are appointed by the president of the Iowa State Association of County Supervisors, and the department representatives are appointed by the department.

**103.2(3)** The county engineer members and the county supervisor members are selected according to the population of their counties, as follows:

- a. Two county engineers and two county supervisors from large counties.
- b. Two county engineers and two county supervisors from medium counties.
- c. Two county engineers and two county supervisors from small counties.

**103.2(4)** To the extent possible, the committee is geographically diverse, and no county may have both an engineer and a supervisor as members simultaneously.

**103.2(5)** All county members are voting members. The department representatives and the executive director of the Iowa County Engineers Association Service Bureau are nonvoting members.

**103.2(6)** The committee selects from its membership a chair and a vice-chair. The vice-chair presides at a meeting in the absence of the chair.

### **761—103.3(312) Formulas.**

**103.3(1)** *Formula for determining secondary road fund allocation factors.* The Iowa County Engineers Association Service Bureau annually computes percentage allocation factors for the allocation of secondary road fund revenues among the counties by using the methodology determined by the commission and calculating and summing the following percentage subtotals for each county:

- a. Thirty percent times the ratio that the total area of each county bears to the total area of the state.
- b. Ten percent times the ratio that the rural population of each county bears to the total rural population of the state.
- c. Twelve and one-half percent times the ratio that the total daily vehicle miles of travel on each county's secondary roads bears to the total daily vehicle miles of travel on all secondary roads in the state.
- d. One-half percent times the ratio that the earth-surfaced miles of secondary roads of each county bears to the total miles of earth-surfaced secondary roads in the state.
- e. Twenty percent times the ratio that the granular-surfaced miles of secondary roads of each county bears to the total miles of granular-surfaced secondary roads in the state.
- f. Thirteen percent times the ratio that the paved-surfaced miles of secondary roads of each county bears to the total miles of paved-surfaced secondary roads in the state.
- g. Fourteen percent times the ratio that the length, in lineal feet, of secondary road bridges of each county bears to the total length of secondary road bridges in the state.

**103.3(2)** *Formula for determining farm-to-market road fund allocation factors.* The Iowa County Engineers Association Service Bureau annually computes percentage allocation factors for the allocation of farm-to-market road fund revenues among the counties by using the methodology determined by the commission and calculating and summing the following percentage subtotals for each county:

- a. Thirty percent times the ratio that the total area of each county bears to the total area of the state.
- b. Fifteen percent times the ratio that the rural population of each county bears to the total rural population of the state.
- c. Ten percent times the ratio that the total daily vehicle miles of travel on each county's farm-to-market roads bears to the total daily vehicle miles of travel on all farm-to-market roads in the state.
- d. Nine percent times the ratio that the granular-surfaced miles of farm-to-market roads of each county bears to the total miles of granular-surfaced farm-to-market roads in the state.
- e. Twenty-three percent times the ratio that the paved-surfaced miles of farm-to-market roads of each county bears to the total miles of paved-surfaced farm-to-market roads in the state.
- f. Thirteen percent times the ratio that the length, in lineal feet, of farm-to-market road bridges of each county bears to the total length of farm-to-market road bridges in the state.

**103.3(3)** *Considerations for a new or modified distribution formula.* A distribution formula that is proposed in accordance with rule 761—103.4(312) should substantially meet the following objectives:

- a. Funding levels to counties should be relatively stable, with only small changes occurring from year to year.
- b. The formula should be able to factor in changes in population, mileages, the centerline lineal feet of bridges, and traffic levels as they occur over time, without needing to be revised.

### **761—103.4(312) Process for approval of a new or modified distribution formula.**

**103.4(1)** Proposals to adopt a new or modified distribution formula may be initiated by the executive board of either the Iowa County Engineers Association or the Iowa State Association of County Supervisors upon request to the commission.

**103.4(2)** When a formula change has been initiated or requested, the commission directs the committee to develop a work plan and set up a work schedule.

**103.4(3)** The committee is to evaluate the proposal and, within 18 months after initiation or receipt of the proposal, publish an official report outlining the committee's findings and recommendations.

**103.4(4)** If the official report recommends adoption of a new or modified distribution formula, the chair communicates the details of the committee's recommendations to all county engineers, all county

supervisors and the department in such a manner as the committee deems appropriate. This communication solicits comments on the committee's recommendations.

**103.4(5)** After receipt and consideration of comments from counties, the committee may adopt a resolution that formally proposes a distribution formula and places it into official consideration.

**103.4(6)** The chair forwards the resolution to the executive boards of both the Iowa County Engineers Association and the Iowa State Association of County Supervisors, with a request for endorsement of the proposed distribution formula.

**103.4(7)** If both executive boards endorse the proposed distribution formula, the chair requests each individual county to consider and adopt a resolution in favor of or in opposition to the proposed distribution formula.

**103.4(8)** If at least 66 counties adopt resolutions in favor of the proposed distribution formula, the chair forwards the distribution formula to the commission for action.

**103.4(9)** If adopted by the commission, the committee chair notifies the following organizations and groups when the distribution formula has been approved:

- a. The executive board of the Iowa County Engineers Association.
- b. The executive board of the Iowa State Association of County Supervisors.
- c. The systems planning and local systems bureaus of the department.
- d. The office of the treasurer of state.
- e. All county engineers and county supervisors.
- f. The Iowa County Engineers Association Service Bureau.

**761—103.5(312) Judicial review.** Any county that is aggrieved or adversely affected by a decision of the commission may seek judicial review of such agency action under the provisions of Iowa Code section 17A.19.

**761—103.6(312) Severability clause.** If any section, provision, or part of these rules is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of these rules as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

These rules are intended to implement Iowa Code sections 7E.3(3) as amended by 2024 Iowa Acts, Senate File, 2385, section 69; 312.2; 312.3 as amended by 2024 Iowa Acts, Senate File 2385, section 303; 312.3B as amended by 2024 Iowa Acts, Senate File 2385, section 304; 312.3C and 312.5 as amended by 2024 Iowa Acts, Senate File 2385, section 305; and 312.16 as amended by 2024 Iowa Acts, Senate File 2385, section 306.

**TD-2025-14**

Stuart Anderson, Director, Transportation Development Division

Stu explained that this rulemaking proposes to adopt new Chapter 103 in accordance with 2024 Iowa Acts, Senate File 2385. This rule chapter sets forth requirements for the adoption of the formulas to be used for distribution of moneys in the Secondary Road Fund and the Farm-to-Market Road Fund. It also formalizes the process by which the Transportation Commission will administer its duties.

Stu explained that with Commission approval, the Department will be publishing the proposed chapter draft, attached to the Commission Order, along with a Regulatory Analysis in the October 2, 2024, Iowa Administrative Bulletin.

Therefore, Stu recommended that the Commission approve the new proposed Chapter 103 as attached to the Commission Order.

Commissioner Juckette moved and Commissioner Gaesser seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division  
Modal Transportation Bureau Order No. TD-2025-15  
 Submitted by Brent Paulsen Phone No. 515-239-1132 Meeting Date September 10, 2024  
 Title Public Transit Infrastructure Grant Program Funding Recommendations

**DISCUSSION/BACKGROUND:**

The Modal Transportation Bureau requests approval for the Fiscal Year (FY) 2025 Public Transit Infrastructure Grant Program. The funding recommendations are listed below:

Heat Pump Condenser Water Piping Replacement Project (Sioux City Transit)	\$ 600,000
Two Bay Parking Garage for Indoor Storage (North Iowa Area Council of Governments – Mason City)	\$ 500,000
Bus Storage Facility Project (River Bend Transit - Davenport)	\$ 109,600
Phase 1: Bus Storage Fire Mitigation Upgrade (CyRide - Ames)	\$ 511,323
<b>Total</b>	<b>\$1,720,923</b>

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the FY 2025 Public Transit Infrastructure Grant Program funding recommendations as listed.

		Vote		
<b>COMMISSION ACTION:</b>		Aye	Nay	Pass
Moved by <u>Rielly</u> Seconded by <u>Arnold</u>	Anderson	<u>x</u>	_____	_____
	Arnold	<u>x</u>	_____	_____
	Gaesser	<u>x</u>	_____	_____
	Juckette	<u>x</u>	_____	_____
	Mulgrew Gronen	<u>x</u>	_____	_____
	Rielly	<u>x</u>	_____	_____
	Stutsman	<u>x</u>	_____	_____
_____ Division Director	_____ Legal			_____ State Director

**TD-2025-15**

Brent Paulsen, Modal Transportation Bureau

Brent stated that the Modal Transportation Bureau requests approval for the Fiscal Year 2025 Public Transit Infrastructure Grant Program. The funding recommendations are listed on the Commission Order and are:

- Heat Pump Condenser Water Piping Replacement Project (Sioux City Transit) for \$600,000
- Two Bay Parking Garage for Indoor Storage (North Iowa Area Council of Governments – Mason City) for \$500,000
- Bus Storage Facility Project (River Bend Transit - Davenport) for \$109,600
- Phase 1: Bus Storage Fire Mitigation Upgrade (CyRide - Ames) for \$511,323

Brent stated these recommendations total \$1,720,923.

Therefore, Brent recommended that the Commission approve the FY 2025 Public Transit Infrastructure Grant Program funding recommendations as listed on the Commission Order.

Commissioner Rielly moved and Commissioner Arnold seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.



**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division  
Modal Transportation Bureau Order No. TD-2025-16  
 Submitted by Brent Paulsen Phone No. 515-239-1132 Meeting Date September 10, 2024  
 Title Federal Fiscal Year (FFY) 2024 Transit Program (Vehicle Replacement)

**DISCUSSION/BACKGROUND:**

The Modal Transportation Bureau requests approval for the Federal Fiscal Year 2024 Transit Program (Vehicle Replacement).

The specific vehicle replacement recommendations are listed on the attachment.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the Federal Fiscal Year 2024 Transit Program (Vehicle Replacement) funding recommendations as attached.

<b>COMMISSION ACTION:</b>			Vote	Aye	Nay	Pass
			Anderson	<u>X</u>	_____	_____
			Arnold	<u>X</u>	_____	_____
			Gaesser	<u>X</u>	_____	_____
Moved by <u>Rielly</u>	Seconded by <u>Gaesser</u>		Juckette	<u>X</u>	_____	_____
			Mulgrew Gronen	<u>X</u>	_____	_____
			Rielly	<u>X</u>	_____	_____
			Stutsman	<u>X</u>	_____	_____
_____ Division Director	_____ Legal	_____ State Director				

**Federal Fiscal Year (FFY) 2024 Transit Program (Vehicle Replacements) Handout**

Transit System	Vehicle ID	Replacement Vehicle Description	Public transit management system points	Total Cost	Federal Portion	Local Match
Cedar Rapids	2444	Heavy Duty Bus (35-39 ft.) Diesel, Hybrid	41.01	\$816,290	\$516,290	\$300,000
Cedar Rapids	2445	Heavy Duty Bus (35-39 ft.) Diesel, Hybrid	39.01	\$816,290	\$516,290	\$300,000
Iowa City	658	Heavy Duty Bus (40-42 ft.) Fixed-Route, Video Surveillance System, Low Floor, Electric	76.53	\$1,686,000	\$1,378,325	\$307,675
Mason City	50	Light Duty Bus (176" wb) Fixed-Route, Video Surveillance System, Low Floor	48	\$214,000	\$182,100	\$31,900
Mason City	49	Light Duty Bus (176" wb) Fixed-Route, Video Surveillance System, Low Floor	43.95	\$214,000	\$181,900	\$32,100
Muscatine	253	Light Duty Bus (176" wb) Fixed-Route, Video Surveillance System, Low Floor, Electric	37.28	\$300,000	\$255,000	\$45,000
Muscatine	255	Light Duty Bus (176" wb) Fixed-Route, Video Surveillance System, Low Floor	32.68	\$206,000	\$175,100	\$30,900
Region 10 (Cedar Rapids)	46L	Medium Duty Bus (29-32 ft.) Diesel, Video Surveillance System	433.46	\$226,100	\$192,185	\$33,915
Region 10 (Cedar Rapids)	246	Light Duty Bus (158" wb) Video Surveillance System	225.89	\$160,917	\$136,779	\$24,821
Region 13 (Atlantic)	1401	Minivan	159.05	\$96,980	\$82,433	\$14,547
Region 13 (Atlantic)	1701	Minivan	118.44	\$98,980	\$83,980	\$15,000
Region 13 (Atlantic)	1304	Light Duty Bus (176" wb)	113.72	\$150,645	\$128,048	\$22,597
Region 13 (Atlantic)	1307	Light Duty Bus (176" wb)	97.72	\$150,645	\$128,048	\$22,597
Region 13 (Atlantic)	1308	Light Duty Bus (176" wb)	96.72	\$150,645	\$128,048	\$22,597
Region 13 (Atlantic)	1711	Minivan	93.11	\$98,980	\$83,980	\$15,000
Region 13 (Atlantic)	1817	Minivan	88.97	\$98,980	\$83,980	\$15,000
Region 13 (Atlantic)	1407	Light Duty Bus (176" wb)	80.65	\$150,645	\$128,048	\$22,597
Region 13 (Atlantic)	1505	Light Duty Bus (176" wb)	71.56	\$155,645	\$130,645	\$25,000
Region 13 (Atlantic)	1506	Light Duty Bus (176" wb)	57.53	\$163,306	\$130,645	\$32,661
Region 13 (Atlantic)	1604	Minivan	43.64	\$6,804	\$5,443	\$1,361
Region 4 (Sioux City)	7550A	Light Duty Bus (176" wb) Video Surveillance System	49.25	\$313,000	\$266,050	\$46,950
Region 8 (Dubuque)	486	Light Duty Bus (176" wb) Video Surveillance System, Biodiesel	116.5	\$178,545	\$134,045	\$44,500
Region 9 (Davenport)	817	Light Duty Bus (158" wb) Video Surveillance System	35.02	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	821	Light Duty Bus (158" wb) Video Surveillance System	33.66	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	815	Light Duty Bus (158" wb) Video Surveillance System	33.57	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	818	Light Duty Bus (158" wb) Video Surveillance System	33.06	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	819	Light Duty Bus (158" wb) Video Surveillance System	32.04	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	829	Light Duty Bus (158" wb) Video Surveillance System	31.08	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	820	Light Duty Bus (176" wb) Video Surveillance System	30.4	\$160,200	\$136,170	\$24,030
Region 9 (Davenport)	828	Light Duty Bus (158" wb) Video Surveillance System	29.39	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	814	Light Duty Bus (158" wb) Video Surveillance System	28.79	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	813	Light Duty Bus (158" wb) Video Surveillance System	28.49	\$161,500	\$137,275	\$24,225
Region 9 (Davenport)	826	Light Duty Bus (158" wb) Video Surveillance System	28.47	\$161,500	\$137,275	\$24,225
Sioux City	1349	Light Duty Bus (176" wb) Low Floor	79.4	\$182,100	\$154,785	\$27,315
Sioux City	1340	Heavy Duty Bus (35-39 ft.)	35.69	\$607,400	\$485,920	\$121,480
Waterloo	903	Heavy Duty Bus (30-34 ft.) Diesel,UFRC,Video Surveillance System,Low Floor	80.35	\$671,453	\$570,735	\$100,718
Waterloo	515	Light Duty Bus (176" wb) Video Surveillance System	55.12	\$171,338	\$137,070	\$34,268
Waterloo	615	Light Duty Bus (176" wb) Video Surveillance System	50.12	\$171,338	\$137,070	\$34,268
Waterloo	415	Light Duty Bus (176" wb) Video Surveillance System	48.12	\$171,338	\$137,070	\$25,700
		Unobligated CRP			\$48,516	
		<b>Total = 39 Vehicles</b>		<b>\$10,203,564</b>	<b>\$8,227,451</b>	<b>\$2,016,745</b>

**TD-2025-16**

Brent Paulsen, Modal Transportation Bureau

Brent stated that the Modal Transportation Bureau requests approval for the Federal Fiscal Year 2024 Transit Program (Vehicle Replacement) and that the specific vehicle replacement recommendations are listed on the attachment.

Therefore, Brent recommended that the Commission approve the Federal Fiscal Year 2024 Transit Program (Vehicle Replacement) funding recommendations as attached to the Commission Order.

Commissioner Rielly moved and Commissioner Gaesser seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

The meeting adjourned at 1:10 p.m.