

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

Department Name:	Transportation	Date:	3-8-24	Total Rule Count:	3
IAC #:	761	Chapter/ SubChapter/ Rule(s):	172	Iowa Code Section Authorizing Rule:	307.12(1)“j,” 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?

To establish requirements for instructional memorandums for cities and counties, in accordance with Iowa Code section 307.24.

Is the benefit being achieved? Please provide evidence.

Yes. The Department provides instructional memorandums that are published on the Local Systems Bureau webpage. I.M.s are required to be followed by cities and counties. Because of the procedures listed in the I.M.s, processes are more efficient because everyone follows the same process.

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

No additional costs incurred by the public. Iowa Code requires DOT to assist the cities and counties, and I.M.s are one way we assist them. It is in the DOT’s best interest to assist them with instructions, as that makes things efficient for all taxpayers.

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

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

Do the costs justify the benefits achieved? Please explain.

Because of information included in the Instructional Memorandums, and because procedures are followed, this is recognized as a government efficiency.

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.

Local Systems I.M.s already exist and fulfill the Iowa Code requirements and Administrative rules. Counties and cities have multiple opportunities to provide input to I.M.s. Each time there is a change requested to the I.M.s, the Department seeks stakeholder input.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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Not obsolete, outdated or inconsistent. The Iowa Code requires assistance to cities and counties, and I.M.s are the way we have chosen to accomplish this requirement. The Administrative Rules are unnecessary.

RULES PROPOSED FOR REPEAL (list rule number[s]): 172

761 IAC 172:
172.1 Purpose
172.2 Contact Information
172.3 Instructional Memorandums to Local Public Agencies

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

****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	199
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	2

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

No.