

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

<b>Department Name:</b>	Transportation	<b>Date:</b>	12-29-23	<b>Total Rule Count:</b>	5
<b>IAC #:</b>	761	<b>Chapter/ SubChapter/ Rule(s):</b>	173	<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?**

To establish requirements for preparation of secondary road construction programs, budgets, and county annual reports.

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

Yes. The requirements and instructions are published on the Local Systems Bureau webpage. Many users refer to these instructions, and the Iowa DOT benefits from producing instructions because submittals are more streamlined and accurate.

**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 agency 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 Instructions are recognized. The costs (time) of writing instructions are achieving the benefits of having instructions, so submittals are more streamlined and accurate, saving counties time.

**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. already documents requirements. Counties 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.  
[https://www.iowadot.gov/local\\_systems/publications/im/2010.pdf](https://www.iowadot.gov/local_systems/publications/im/2010.pdf)  
[https://www.iowadot.gov/local\\_systems/publications/im/2080.pdf](https://www.iowadot.gov/local_systems/publications/im/2080.pdf)  
 We also publish instructions for the Budget and Program:  
[https://iowadot.gov/local\\_systems/publications/county\\_bp\\_instructions.pdf](https://iowadot.gov/local_systems/publications/county_bp_instructions.pdf)  
 We also publish instructions for the Annual Report:  
[https://iowadot.gov/local\\_systems/publications/county\\_annual\\_report\\_instructions.pdf](https://iowadot.gov/local_systems/publications/county_annual_report_instructions.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]**

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Not obsolete, outdated or inconsistent. The I.M. and Administrative Rules are redundant, and the language already is included in the I.M. to update the instructions annually. It could remain in the I.M. rather than the Administrative Rules.

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

761 IAC 173:  
173.1 Purpose  
173.2 Contact information  
173.3 Secondary road construction program  
173.4 County secondary road budget  
173.5 County annual report

**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>320</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>12</b>

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

No.