

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 135
“Warning Lights on Vehicles or Equipment in Road Work Zones”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.423(7)“a”
State or federal law(s) implemented by the rulemaking: Iowa Code section 321.423(7)“a”

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

February 25, 2025
1 to 1:30 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 414 627 489

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Brian Worrel
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1471
Email: brian.worrel@iowadot.us

Purpose and Summary

The purpose of this proposed rule is to establish the eligibility of vehicles or equipment that are not owned or operated by the Department to use flashing white lights in road work zones on state or local highways.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
There are no costs resulting from the proposed rule.
 - **Classes of persons that will benefit from the proposed rulemaking:**
Persons operating vehicles or equipment in road work zones and the traveling public will benefit from this chapter.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
 - **Quantitative description of impact:**
The impact is unknown because there are no known metrics on installation and use of flashing white lights on nonstate-owned vehicles and equipment.
 - **Qualitative description of impact:**
Allowing flashing white lights on nonstate-owned vehicles and equipment increases the visibility of construction vehicles and equipment on or adjacent to the roadway within road work zones.
3. **Costs to the State:**
 - **Implementation and enforcement costs borne by the agency or any other agency:**

There are no additional implementation or enforcement costs resulting from the proposed rule.

- **Anticipated effect on state revenues:**

There are no anticipated effects on state revenues.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

There are no increased benefits or decreased costs with inaction.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

There are no less costly or less intrusive methods to achieve the purpose of the proposed rule.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

The Department did not consider alternatives to the proposed rule.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Iowa Code section 321.423(7)“a” requires the Department to adopt rules.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking’s compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 761—Chapter 135 and adopt the following new chapter in lieu thereof:

CHAPTER 135

WARNING LIGHTS ON VEHICLES OR EQUIPMENT IN ROAD WORK ZONES

761—135.1(321) White warning lights on vehicles or equipment in road work zones.

135.1(1) Purpose. The purpose of this rule is to establish the eligibility of vehicles or equipment that are not owned or operated by the department to use flashing white lights in accordance with Iowa Code section 321.423(7)“a.”

135.1(2) Eligibility. A vehicle or other equipment that is not owned or operated by the department may use a flashing white light while the vehicle or other equipment is being used in road work zones on state or local highways.

135.1(3) Information. Information regarding this rule is available from the Construction and Materials Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; or by telephone at 515.239.1352.

This rule is intended to implement Iowa Code section 321.423(7)“a.”