

Commission Minutes
August 17, 2020



IOWA TRANSPORTATION COMMISSION

Meeting Agenda / Commission Orders

August 11, 2020
Materials Conference Room
Ames DOT Complex

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
12:00 p.m.			
D-2021-4	* Approve Minutes of the July 14, 2020 Commission Meeting Commission Comments DOT Comments	Danielle Griggs	3
C-2021-5	* Commission Guidebook	Nancy Maher	5
MV-2021-6	* Administrative Rules – 761 IAC 400 and 505	Melissa Gillett	7
PPM-2021-7	* Revitalize Iowa's Sound Economy (RISE) – Bondurant	Craig Markley	17
PPM-2021-8	* Public Transit Infrastructure Grant Program Funding Recommendations	Sree Mitra	19
PPM-2021-9	* Fiscal Year 2021 State Aviation Program	Shane Wright	21
12:40 p.m.	Adjourn		
*Action Item			

On Tuesday, August 11, the Commission and staff will meet informally at 9:30 a.m. in the Materials Conference room at the Iowa DOT Ames Campus. 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-2021-4
Submitted by Danielle Madden Phone No. 515-239-1919 Meeting Date August 11, 2020
Title Approve Minutes of the July 14, 2020 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the July 14, 2020 Commission meeting.

COMMISSION ACTION:

Moved by Kathy Fehrman Seconded by John Putney

Division Director Legal State Director

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

D-2021-4

Commissioner Fehrman made a motion to approve the minutes as written. Commissioner Putney seconded the motion. Motion passed unanimously.

Commission Comments

DOT Comments

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Commission Order No. C-2021-5
Submitted by Nancy Maher, Chair Phone No. 712-215-2884 Meeting Date August 11, 2020
Title Commission Guidebook

DISCUSSION/BACKGROUND:

The purpose of the guidebook is to provide new and existing Commissioners with reference material regarding roles/responsibilities, conduct of meetings, conduct of Commissioners, relevant Iowa Code statutes, meeting schedules, contact information, and other relevant background information. The guidebook is reviewed, updated, and approved annually.

PROPOSAL/ACTION RECOMMENDATION:

Commissioner Maher recommends the Commission approve the Commission Guidebook.

COMMISSION ACTION:

Moved by Kathy Fehrman Seconded by Linda Juckette

Division Director Legal State Director

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2021-6
Submitted by Melissa Gillett Phone No. 515-237-3010 Meeting Date August 11, 2020
Administrative Rules — 761 IAC 400, Vehicle Registration and Certificate of Title, and 761 IAC 505,
Title Motor Vehicle Fuel Licenses and Permits

DISCUSSION/BACKGROUND:

This rule making updates Chapters 400 and 505 to align the rules with Iowa Code sections 321.116, 321.117 and Iowa Code Chapter 452A as amended by 2019 Iowa Acts, House File 767, sections 1, 2, 4, 5, 23 and 28 to 32. The proposed rule amendments represent regulatory changes that conform with legislation enacted during the 2019 legislative session related to implementation of a new electric motor vehicle annual registration fee for battery electric (BEV) and plug-in hybrid electric (PHEV) motor vehicles as well as excise taxes on hydrogen fuel and electric fuel, which are collected by the department for applicable commercial motor vehicles under the International Fuel Tax Agreement.

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

The public comment period ended August 4, 2020. The department did not receive any public comments or requests for oral presentations.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve the rule amendments included in the attached Notice of Intended Action.

COMMISSION ACTION:

Moved by Tom Rielly Seconded by Linda Juckette

	Aye	Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rule making related to electric vehicle fees and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 400, “Vehicle Registration and Certificate of Title,” and Chapter 505, “Interstate Motor Vehicle Fuel Licenses and Permits,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 452A.59.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 452A and Iowa Code sections 321.116 and 321.117 and 2019 Iowa Acts, House File 767, sections 1, 2, 4, 5, 23 and 28 to 32.

Purpose and Summary

This proposed rule making updates Chapters 400 and 505 to align the rules with Iowa Code sections 321.116 and 321.117 and chapter 452A as amended by 2019 Iowa Acts, House File 767, sections 1, 2, 4, 5, 23 and 28 to 32. Sections 1, 2, 4 and 5 of House File 767 were effective January 1, 2020. Sections 23 and 28 to 32 have a delayed effective date of July 1, 2023.

House File 767 required a special annual registration fee for an electric vehicle that is in addition to the annual registration fee assessed based on a vehicle’s weight and value. The legislation also established an additional registration fee for a battery electric vehicle (BEV) or a plug-in hybrid electric vehicle (PHEV), in addition to the registration fee based on the model year. The legislation was enacted because, while Iowa motor fuel taxes are the largest single source of revenue for road and bridge funding in Iowa, fuel tax revenue is declining as average fuel efficiency is increasing and electric vehicles are entering the market. As a result, increasing and significant losses to critical state road and bridge funding has been predicted, especially as more electric vehicles are purchased and their usage increases.

There are three fee levels and three successive implementation dates for electric vehicles, depending upon vehicle type (BEV, PHEV or BEV/PHEV motorcycle), as demonstrated by the following table:

Vehicle Type	January 1, 2020, Fee	January 1, 2021, Fee	January 1, 2022, Fee
BEV	\$65.00	\$97.50	\$130.00
PHEV	\$32.50	\$48.75	\$ 65.00
Motorcycle (BEV or PHEV)	\$ 4.50	\$ 6.75	\$ 9.00

The following paragraphs explain the proposed rule making:

The proposed amendments to rule 761—400.1(321) add a new definition for an “electric vehicle annual registration fee” to describe the new annual registration fee that will be assessed for a BEV and PHEV, in addition to the traditional annual registration fee assessed based on the weight and value of the vehicle. The definition provides that any reference to an annual registration fee in Chapter 400 shall include the electric vehicle annual registration fee, if that is the type of vehicle that is the subject of the registration action, unless otherwise specifically addressed. Also, the proposed amendments to rule 761—400.1(321) modify the definition of “half-year fee” to provide that a half-year fee does not include an electric vehicle annual registration fee because the electric vehicle annual registration fee only applies

to vehicles registered under Iowa Code section 321.109(1)“a” and vehicles with half-year registration fees are excluded from registration under Iowa Code section 321.109.

The proposed amendment to subparagraph 400.16(2)“c”(2), which addresses procedures for application for title and registration for a specially reconstructed vehicle, provides that the Department shall determine if the vehicle being examined for purposes of obtaining a title is subject to the electric vehicle annual registration fee.

The proposed amendment to paragraph 400.32(2)“b,” which addresses vehicles owned by nonresident members of the armed services, states that if a nonresident is seeking to register a BEV or PHEV in Iowa under rule 761—400.32(321), the electric vehicle annual registration fee will apply. House File 767 did not authorize the Department to waive electric vehicle registration fees for nonresident members of the armed services. Additionally, the existing rules provide that a person who qualifies to register a vehicle under subrule 400.32(2) is still required to pay the standard registration fee based on the weight of the vehicle.

The proposed amendment to subrule 400.44(1), which addresses penalties on registration fees, provides that if multiple penalties for delinquent registration fees are assessed, such as if an applicant is delinquent on paying the regular annual registration fee and the electric vehicle annual registration fee, then the resultant penalty amounts will be added together first, and the sum will be rounded to the nearest whole dollar.

The proposed amendment to subrule 400.60(1), which addresses credits of registration fees, provides that while there is no credit available for the unexpired portion of the electric vehicle annual registration fee, that fee will still be eligible for a refund under the provisions of rule 761—400.50(321,326). A refund is required in lieu of a credit to allow for the necessary accounting reconciliation for county treasurers collecting registration fees.

The proposed amendments to rule 761—505.1(452A) add definitions for “electric fuel,” “fuel supply tank,” and “hydrogen gallon” to conform with House File 767, which established new definitions for all those terms, and to align with the current Department practice of directing individuals seeking copies of the International Fuel Tax Agreement (IFTA) to the IFTA website.

The proposed amendment to subrule 505.3(2), which addresses non-IFTA member requirements, provides that on or after July 1, 2023, the non-IFTA member must not enter Iowa with more than 350 kilowatt hours of electric fuel, making this provision consistent with the current requirement that a non-IFTA member may not enter Iowa with more than 30 gallons of traditional (non-electric) fuel.

The proposed amendments to subrule 505.3(3), which addresses the determination of fuel supply process, add a diesel gallon equivalent to the traditional fuel determination and include the method of determination of the fuel supply and amount of fuel for electric fuel.

The proposed amendments to subrule 505.3(9), which addresses temporary fuel permits, align with current procedures in that truck stops are no longer designated by the Department to issue temporary fuel permits. The Department has extensively updated the Department’s website to provide for an online application process for temporary fuel permits, in addition to still allowing application by mail or fax. This subrule is also updated to strike outdated procedures related to utilizing Vital Chek and monthly billing options to pay the temporary fuel permit fees.

Finally, the proposed amendments to subrule 505.4(13), which addresses the Department’s duty to estimate gallonage to determine tax liability, include the Department’s authority to estimate kilowatt hours used, which aligns with the new duty to compute and collect interstate motor fuel taxes on electric fuel.

Fiscal Impact

While the administrative rules themselves do not cause a fiscal impact, the underlying legislation has resulted in approximately \$83,156 in fees being deposited into the Road Use Tax Fund as of March 31, 2020.

Jobs Impact

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

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 4, 2020. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Strategic Communications and Policy Bureau
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear requested oral presentations will be held via conference call. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on August 4, 2020, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

August 5, 2020
10 to 11 a.m.

Department of Transportation
Motor Vehicle Division
6310 SE Convenience Boulevard
Ankeny, Iowa

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

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

The public hearing will be canceled without further notice if no oral presentation is requested.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making 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 rule-making actions are proposed:

ITEM 1. Adopt the following **new** definition of “Electric vehicle annual registration fee” in rule **761—400.1(321)**:

“*Electric vehicle annual registration fee*” means an annual registration fee for a battery electric or plug-in hybrid electric motor vehicle as provided in Iowa Code sections 321.116 and 321.117. Unless

otherwise provided, for purposes of this chapter, any reference to a registration fee shall also include an annual registration fee for a battery electric or plug-in hybrid electric motor vehicle if that vehicle is a battery electric or plug-in hybrid electric motor vehicle as defined in Iowa Code sections 321.116 and 321.117.

ITEM 2. Amend rule **761—400.1(321)**, definition of “Half-year fee,” as follows:

“*Half-year fee*” means the first semiannual installment of an annual registration fee but does not include an electric vehicle annual registration fee. The term “half-year registration” shall be synonymous with the term “half-year fee.”

ITEM 3. Amend rule **761—400.1(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.1, 321.8, 321.20, 321.23, 321.24, 321.40, 321.45, 321.50, 321.116, 321.117, 321.123, 321.134, 321.157 and 322.2.

ITEM 4. Amend subparagraph **400.16(2)“c”(2)** as follows:

(2) If the vehicle is a passenger-type motor vehicle, the department shall determine its weight and value. The department shall also determine if the vehicle is subject to the electric vehicle annual registration fee. The vehicle weight shall be fixed at the next even 100 pounds above the actual weight of the vehicle fully equipped, as provided in Iowa Code section 321.162. The weight and value shall constitute the basis for determining the annual registration fee under Iowa Code section 321.109, except as provided in Iowa Code section 321.113.

ITEM 5. Amend rule **761—400.16(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.20, 321.23, 321.24, 321.52, 321.109, 321.116, 321.117 and 321.162.

ITEM 6. Amend paragraph **400.32(2)“b”** as follows:

b. The fee for a passenger-type vehicle registered under Iowa Code section 321.109 shall be based only on the weight of the vehicle; the part of the fee based on value shall be excluded. The fees for all other vehicles shall be determined as specified in Iowa Code chapter 321. The registration fee under Iowa Code sections 321.116 and 321.117 shall apply.

ITEM 7. Amend rule **761—400.32(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.53 to 321.55, ~~and~~ 321.109, 321.116 and 321.117.

ITEM 8. Amend subrule 400.44(1) as follows:

400.44(1) Monthly basis. The penalty on the delinquent payment of a registration fee shall be computed on a monthly basis, rounded to the nearest whole dollar. If multiple penalties are assessed, the penalties shall be first added together and then the sum shall be rounded to the nearest whole dollar.

ITEM 9. Amend subrule 400.60(1), introductory paragraph, as follows:

400.60(1) Credit for unexpired registration fee. The applicant may claim credit, as specified in Iowa Code ~~subsection~~ section 321.46(3), toward the registration fee for one newly acquired replacement vehicle. No credit shall be given for an unexpired electric vehicle annual registration fee; however, an unexpired electric vehicle annual registration fee is eligible for a refund as provided in rule 761—400.50(321,326).

ITEM 10. Amend rule **761—400.60(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.46, 321.46A, 321.48, 321.116, 321.117, 321.126 and 321.127.

ITEM 11. Adopt the following **new** definitions of “Electric fuel,” “Fuel supply tank” and “Hydrogen gallon” in rule **761—505.1(452A)**:

“*Electric fuel*” means electrical energy delivered or placed into the battery or other energy storage device of an electric motor vehicle from a source outside the motor vehicle for purposes of propelling the motor vehicle as defined in Iowa Code section 452A.40 as enacted by 2019 Iowa Acts, House File 767, section 23.

“*Fuel supply tank*” means a motor vehicle’s hydrogen fuel cells if the motor vehicle uses hydrogen as a special fuel.

“*Hydrogen gallon*” means a diesel gallon equivalent. A diesel gallon equivalent of hydrogen weighs 2.49 pounds.

ITEM 12. Amend rule **761—505.1(452A)**, definitions of “IFTA member jurisdiction” and “Non-IFTA member jurisdiction,” as follows:

“*IFTA member jurisdiction*” means a jurisdiction that is a member of the International Fuel Tax Agreement. A list of jurisdictions and their membership statuses may be obtained by contacting the ~~office of~~ vehicle and motor carrier services bureau.

“*Non-IFTA member jurisdiction*” means a jurisdiction that is not a member of the International Fuel Tax Agreement. A list of jurisdictions and their membership statuses may be obtained by contacting the ~~office of~~ vehicle and motor carrier services bureau.

ITEM 13. Amend rule **761—505.1(452A)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 452A.2 and 452A.57 and section 452A.40 as enacted by 2019 Iowa Acts, House File 767, section 23.

ITEM 14. Amend rule 761—505.2(452A) as follows:

761—505.2(452A) General information.

505.2(1) Information and location. Applications, forms and information on interstate motor vehicle fuel permits and licenses are available by mail from the ~~Office of~~ Vehicle and Motor Carrier Services Bureau, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at ~~(515)237-3224~~ (515)237-3268; ~~or~~ by facsimile at ~~(515)237-3354~~ (515)237-3225; by email at omcs@iowadot.us; or on the department’s website at www.iowadot.gov.

505.2(2) Organizational data. The ~~office of~~ vehicle and motor carrier services of the department’s motor vehicle division bureau is authorized, pursuant to Iowa Code chapter 452A, division III, to:

a. to c. No change.

d. Administer agreements with other jurisdictions for the collection and refund of interstate motor fuel tax. In accordance with this, the department has adopted the International Fuel Tax Agreement (IFTA). Such agreement and any revisions thereto are hereby incorporated into this chapter. International Fuel Tax Agreement governing documents do not create rights in the taxpayer. A copy of the agreement may be obtained by contacting the ~~office of motor carrier services or~~ may be reviewed through the Internet at www.iftach.org.

505.2(3) No change.

This rule is intended to implement Iowa Code sections 452A.51 and 452A.56.

ITEM 15. Amend rule 761—505.3(452A) as follows:

761—505.3(452A) General stipulations.

505.3(1) No change.

505.3(2) Non-IFTA member requirements. The operator of a qualified motor vehicle based in a non-IFTA member jurisdiction must do one of the following:

a. to c. No change.

d. On or after July 1, 2023, enter the state with less than 350 kilowatt hours of electric fuel.

~~d. e.~~ Enter the state with only Iowa tax paid fuel.

505.3(3) Determination of fuel supply.

a. To determine if a vehicle has entered the state with more than 30 gallons of fuel, the total of all fuel in all tanks that could be used to fuel the power source of the vehicle shall be considered to reach a total gallonage, or diesel gallon equivalent. The fuel tank connected to a “reefer unit” which can neither be directly nor indirectly connected to the power source of the vehicle shall not be considered in arriving at the ~~30-gallon~~ 30-gallon total.

b. To determine if a vehicle has entered the state with more than 350 kilowatt hours of electric fuel, the total of all electric fuel in the batteries or other energy storage devices of a commercial motor vehicle shall be considered to reach total kilowatt hours, regardless of whether the batteries or storage devices are connected to the motor of the vehicle.

505.3(4) Fuel license.

a. A fuel license may be obtained from the office of vehicle and motor carrier services bureau at a cost of \$10. The application must be complete and include, but not be limited to, the following information:

- (1) Name and address of company, corporation, or owner who operates or controls the qualified motor vehicle(s);
- (2) Name(s) and address(es) of principal or corporate officers;
- (3) Signature and telephone number of contact person; ~~and~~
- (4) A power of attorney if someone other than an officer or employee of the company will be completing quarterly reports or requesting information from the department; and
- (5) Any other information required by the department.

b. No change.

505.3(5) No change.

505.3(6) Possession of the license or temporary permit. A license or temporary permit must be carried in the vehicle to meet the requirements of Iowa Code chapter 452A. ~~Several vehicles~~ More than one vehicle may be operated and reported under the same license by making a photocopy of the license and carrying it in each vehicle operating under said license. A license, copy of a license or temporary permit is void if altered. A duplicate license may be purchased from the ~~office of vehicle and motor carrier services bureau~~ for a ~~charge of 50 cents.~~

505.3(7) No change.

505.3(8) Bond requirements.

a. and b. No change.

c. A copy of such bond shall be filed with the office of vehicle and motor carrier services bureau before a new license shall be issued. The office of vehicle and motor carrier services bureau shall be notified of bond cancellation 30 days before the cancellation is effective.

505.3(9) Temporary fuel permits.

a. A temporary fuel permit may be obtained by any person operating a qualified motor vehicle that is not otherwise covered by a license. The temporary permit may be obtained from the office of vehicle and motor carrier services bureau at a cost of \$20. The temporary permit may also be obtained from permit services; or processing agents or truck stops designated by the department. A designated list of authorized business locations may be obtained from the office of motor carrier services upon request. An application for a temporary permit may be made by phone, by facsimile or electronically to the ~~office of vehicle and motor carrier services bureau~~. Permittees who purchase temporary fuel permits in advance of use may not return unused permits for refund.

b. No change.

~~c. Application may be made to the office of motor carrier services or at locations designated by the department. Alternate locations designated shall be approved "truck stops" as defined in Iowa Code section 326.23. These truck stops shall obtain prepaid temporary fuel permits at a cost of \$20 each. If a truck stop subsequently ceases to sell temporary permits, the remaining unissued permits may be redeemed at the office of motor carrier services for the same price paid to obtain them. When a temporary permit is purchased from the truck stop, it shall be issued at a price of \$20 plus any specific cost attributable directly to that purchase. The effective date of a temporary fuel permit shall be the date and hour of purchase from the truck stop.~~

d. c. An application for a temporary fuel permit shall include, but is not limited to, the following information:

(1) to (3) No change.

e. d. The temporary permit fee shall also accompany the application unless a method of collection upon delivery is requested.

~~f. e.~~ A temporary permit shall not be transferred and is valid only for the carrier and the vehicle that are described on the permit. Once a temporary permit has been issued to a qualified motor vehicle, the purchase price is nonrefundable.

~~g. f.~~ The temporary permit must be completed and carried in the qualified motor vehicle for which it is issued.

~~h. g.~~ The 72-hour period for which the temporary permit is valid may be extended for “emergencies,” such as extreme weather conditions when travel is not advisable or other instances, at the discretion of the ~~office of vehicle and motor carrier services~~ bureau.

~~i. h.~~ A temporary fuel permit is invalid if the permittee has outstanding IFTA fuel tax bills.

~~j. i.~~ Fees for a temporary permit may be paid by cash, company or personal check, or credit card through Vital Chek. ~~At the discretion of the department, a payment procedure may also be established to allow for monthly billing. The following procedures shall apply:~~

~~(1) Applicants shall deposit sufficient funds with the permit issuing authority to guarantee payment of fees for the average number of permits ordered monthly. Deposits may be used to pay outstanding fees due when payment is not received upon billing.~~

~~(2) Monthly billings shall be sent to account holders.~~

~~(3) All future permit activity may be suspended after written notice of suspension to the account holder when the following requirements are not met:~~

~~1. Payment shall be received within 30 days from the date of the billing.~~

~~2. All information listed on the account holder’s permit shall match the information listed on the permit issuing authority’s permit.~~

~~(4) Account privileges may be permanently canceled for cause after written notice to the account holder.~~

~~(5) Any account holder in good standing may close the account and request return of the deposit. Accounts closed under these circumstances may be reopened.~~

505.3(10) No change.

This rule is intended to implement Iowa Code sections 452A.52, 452A.53, 452A.54, 452A.58 and 452A.68.

ITEM 16. Amend rule 761—505.4(452A) as follows:

761—505.4(452A) Quarterly reports.

505.4(1) to 505.4(5) No change.

505.4(6) *Timely filing of report.*

a. The interstate fuel tax report required under Iowa Code section 452A.54 shall be deemed timely filed if received ~~in by~~ by the office of vehicle and motor carrier services bureau or postpaid, properly addressed, and postmarked by the United States Postal Service on or before midnight of the filing deadline. If the filing date falls on a Saturday, Sunday, or legal holiday, the next secular or business day shall be the filing deadline.

b. All reports and remittances shall be ~~either~~ filed online at the department’s website; mailed to the ~~Office of Vehicle and Motor Carrier Services Bureau~~, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; delivered in person to 6310 SE Convenience Blvd., Ankeny, Iowa; or sent by facsimile to ~~(515)237-3257~~ (515)237-3225.

c. No change.

505.4(7) to 505.4(11) No change.

505.4(12) *Reports, records and variations.* The department shall prescribe and furnish all forms upon which reports, claims for refund, temporary permits, and license applications shall be made under Iowa Code chapter 452A, division III.

a. No change.

b. The fact that the reporting party does not have the prescribed form shall not be an acceptable reason for failure to file. The ~~office of vehicle and~~ motor carrier services bureau may be contacted to request copies of any necessary forms needed.

505.4(13) *Estimating gallonage or kilowatt hours used.*

a. In the event the taxpayer's records are lacking or inadequate to support any report filed or to determine the tax liability, the department ~~shall have the power~~ is authorized to estimate the gallage or kilowatt hours used upon which tax is due. This estimation shall be based upon such factors as, but not limited to, the following:

(1) to (5) No change.

b. No change.

505.4(14) and **505.4(15)** No change.

505.4(16) *Supplemental billings.* The amount due is payable upon being billed by the ~~office of~~ vehicle and motor carrier services bureau. Billings shall be generated by the department for the collection of additional amounts due in the following circumstances:

a. to f. No change.

This rule is intended to implement Iowa Code sections 452A.54, 452A.55, 452A.60, 452A.61, 452A.63, 452A.64, and 452A.65.

ITEM 17. Amend paragraph **505.6(2)“b”** as follows:

b. If a licensee disputes the findings of an investigation or audit by the department, the licensee may request a hearing to present further evidence, information or records to support the claim. The written request for hearing shall be directed to the attention of the director of the ~~office of~~ vehicle and motor carrier services bureau within 30 days of the date of notice of audit results issued by the department.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Systems Planning Bureau Order No. PPM-2021-7
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date August 11, 2020
Title Revitalize Iowa's Sound Economy (RISE) Application – Bondurant

DISCUSSION/BACKGROUND:

The city of Bondurant submitted a RISE Immediate Opportunity application requesting a grant to assist in construction of approximately 490 feet of Shiloh Rose Parkway and 853 feet of 23rd Street SW located on the southwest side of town. This project is anticipated to be completed by June 2021.

Because this project will provide access to 38 acres for light industrial purposes and to maximize RISE support for this project, staff evaluated the application as a RISE Local Development project.

The evaluation and rating for the project will be discussed.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission, based on the capital investment commitment and potential for future job creation, reclassify the project as a RISE Local Development project in the February 2020 round of applications and award a RISE grant of \$1,065,032 or up to 50 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.

COMMISSION ACTION:

Moved by Charese Yanney Seconded by Kathy Fehrman

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

Division Director Legal State Director

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Public Transit Bureau Order No. PPM-2021-8
Submitted by Sreeparna Mitra Phone No. 515-239-1806 Meeting Date August 11, 2020
Title Public Transit Infrastructure Grant Program Funding Recommendations

DISCUSSION/BACKGROUND:

The Public Transit Bureau requests approval for the fiscal year (FY) 2021 Public Transit Infrastructure Grant program. The following funding recommendations will be presented:

West Burlington Vehicle Storage Facility (Region 16)	\$ 400,000
Remodeled Bus Storage and Administrative Facility (Cedar Rapids)	\$ 461,395
New HVAC system (CyRide - Ames)	\$ 292,093

Total: \$1,153,488

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the FY 2021 Public Transit Infrastructure Grant program funding recommendations as listed.

COMMISSION ACTION:

Moved by Kathy Fehrman Seconded by Rich Arnold

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

Division Director Legal State Director

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Aviation Bureau Order No. PPM-2021-9
 Submitted by Shane Wright Phone No. 515-239-1048 Meeting Date August 11, 2020
 Title Fiscal Year 2021 State Aviation Program

DISCUSSION/BACKGROUND:

The Aviation Bureau requests approval for the fiscal year (FY) 2021 State Aviation Program, including project recommendations for the Commercial Service Vertical Infrastructure, General Aviation Vertical Infrastructure, and the Airport Improvement Program. The recommended program with project costs is attached.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the FY 2021 State Aviation Program as attached.

COMMISSION ACTION:

Moved by Tom Rielly Seconded by Charese Yanney

Division Director Legal State Director

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Maher	<u>x</u>	_____	_____
Putney	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____



FY 2021 State Aviation Program

Airport Improvement Program	2,987,621
Aviation Safety AWOS maintenance and data link, runway marking, immediate safety enhancements, obstruction mitigation, wildlife mitigation, windsocks, education and outreach	596,040
Aviation planning and development Airport development projects, air service development, statewide planning and research	2,391,581
General Aviation Vertical Infrastructure	774,100
Commercial Service Vertical Infrastructure	1,000,000
Total Aviation Program	\$3,761,721

Airport Development projects

Airport	Project	Total Project Cost	State Amount
Algona Municipal Airport	2 Stall Hangar Approach Paving	68,000	51,000
Des Moines International Airport	General Aviation Taxilane	1,039,800	363,930
Fort Dodge Regional Airport	Reconstruct Taxilane F West	325,000	260,000
Marshalltown Municipal Airport	Rotating Beacon and Other Site Improvements	150,000	120,000
Mason City Municipal Airport	Construct General Aviation Taxilane - Final Phase	547,142	383,000
Newton Municipal Airport	Apron Expansion	400,000	320,000
Southeast Iowa Regional Airport	Reconstruct Row E Taxilane - Phase 1	50,775	42,651
The Eastern Iowa Airport	Paving for West T-Hangar Relocation	3,537,768	383,000
Total		\$6,118,485	\$1,923,581

General Aviation Vertical Infrastructure projects

Airport	Project	Total Project Cost	State Amount
Algona Municipal Airport	2 Stall Hangar Extension	384,000	150,000
Ankeny Regional Airport	Terminal Hangar Bi-Fold Door Replacement	120,000	75,000
Cherokee County Regional Airport	Replace Bi-Fold Hangar Door	45,000	22,500
Harlan Municipal Airport	Install Bi-Fold Doors	101,140	75,000
Lamoni Municipal Airport	Fuel Pump and Dispenser Improvement	16,000	8,000
Perry Municipal Airport	T-Hangar Drainage Improvement	68,400	58,140
Rock Rapids Municipal Airport	Hangar Rehabilitation	66,000	49,500
Sioux County Regional Airport	Snow Removal Equipment Building Addition	195,000	150,000
Spencer Municipal Airport	Terminal Building Rehabilitation Project	140,000	70,000
Vinton Veterans Municipal Airport	Rehabilitate Hangar Doors	85,000	68,000
Webster City Municipal Airport	Hangar Upgrade	65,921	32,960
Webster City Municipal Airport	Hangar Demolition	30,000	15,000
Total		\$1,316,461	\$774,100

Commercial Service Vertical Infrastructure projects

Airport	Project	Total Project Cost	Allocated State Share
Des Moines International Airport	Parking Garage Addition	21,440,934	376,123
Dubuque Regional Airport	Equipment Wash Facility	500,000	69,958
Fort Dodge Regional Airport	Terminal Exterior Renovation, Renovate SRE Building, Hangar Insulation, Hangar A	120,000	64,106
Mason City Municipal Airport	Replace Entrance Road Lighting	135,000	64,090
Sioux Gateway Airport	Terminal and Hangar Improvements	135,097	71,104
Southeast Iowa Regional Airport	Terminal Upgrades	121,857	64,135
The Eastern Iowa Airport	Cargo Logistics Facility	14,602,007	223,394
Waterloo Regional Airport	Hangar Rehabilitation	127,460	67,090
Total		\$37,182,355	\$1,000,000