

## February 2018 Director's Report

Hi, everybody! I hope you are all staying safe and well during this spate of winter weather we are having. I admit to having had some trepidation about writing this month's report, as I felt like I didn't have much of interest to open with – it's that time of year after the holidays where we are all trudging through winter and the adventures (unless you count running in snow, ice, and subzero temps) are fewer and farther between.

But then I walked into my office yesterday morning and found a box from the "Sioux City DIS Family" sitting on my table. ("DIS" stands for Driver & Identification Services – we changed the name from Driver Services to

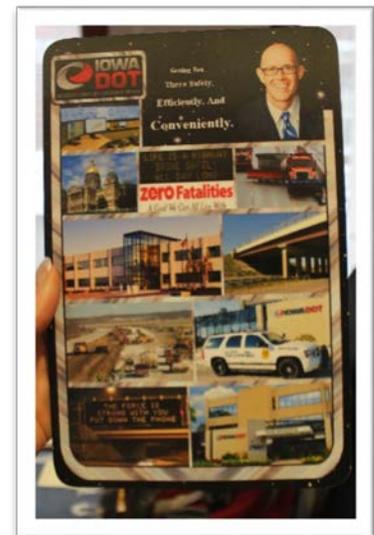
Driver & Identification Services last year to recognize the important role identity plays in safety and the important role we play in identity management.) You can imagine my curiosity in wondering what was in the box, and my total surprise when I opened it and found an action figure of me. (Despite the amount of time I work out, the action figure is still pretty generous on the muscular build, although the hair (or lack thereof) and glasses are spot on.) As a comic-book fan I of course found this totally cool.

Even more cool, however, was the note that came with it. I won't go into all the details at the fear of being self-aggrandizing, but the gist of it was to thank me for my leadership, and for being a "leader worthy of being immortalized by an action figure I think you will enjoy." The note was not signed, but I'm pretty sure the action figure was the talented handiwork of our own Thad Boyer, who leads our Sioux City service center.



*Action figure in its original packaging. You can't take it out and play with it; it will lose its value!*

Thank you, Thad and team! Although it is fun and I do enjoy it, it is truly a touching and humbling gesture, and you can't imagine the welcome boost it gave me. I often receive notes from many of you thanking me for my work and leadership, and although I truly appreciate them, they make me contemplate all the time how overstated my role can be, and how I get more credit than I deserve. **Leadership is the role of many people throughout our organization**, and not just the role of the director, the management team, or managers and supervisors – to borrow the words of the note there are people of purpose and vision who help us be successful throughout our organization – people who are positively influencing the work and people in



*Back of the package – for those wondering that's Tracy Bramble's well-manicured thumb on the left.*

their sphere of influence – and you all deserve to be immortalized by an action figure. As I once said at a Motor Vehicle Division leadership retreat (while wearing a Superman t-shirt), small acts of leadership will make you someone's hero, so be someone's hero every day (just like Thad and the Sioux City service center team were to me) and recognize and celebrate it throughout the organization. It will make me the least important person at the DOT, and that will be a good thing.

### Speaking of heroes . . .

Here's a real hero to talk about. I'm very proud to announce that Sgt. Jeff Jones of our Motor Vehicle Enforcement (MVE) was selected for the Heroes of the Heartland award. Last July Jeff administered CPR and deployed an AED to a commercial vehicle driver that had a heart attack at our scale facility on I-380 near Brandon (between Cedar Rapids and Waterloo). Thanks to his quick actions, the victim survived, despite being a long way from the nearest emergency room. (As a quick aside, this is also a testament to a) the value of knowing CPR and b) how remarkable Sgt. Jones' actions were – almost 90 percent of people who suffer out-of-hospital cardiac arrests die, but CPR, especially if performed in the first few minutes of cardiac arrest and coupled with the use of an AED, can double or triple a person's chance of survival. Knowing CPR, and having an AED nearby and knowing where it is and how to use it will make a huge difference in the chance of survival when someone has a cardiac event. We offer CPT and AED training periodically throughout the year – take advantage the next time it comes around.)



*MVE Sgt. Jeff Jones – a live action hero.*

Heroes of the Heartland awards are given out by Red Cross chapters in the Iowa Region to honor local heroes who have “saved lives, made significant and positive differences in their communities in the areas of emergency response, disaster preparedness and prevention, or exemplified the Red Cross mission in some way.” When recognized for this honor Jeff humbly responded, “Thank you all for your kind words and thoughts. Also thank you to our instructors in the various disciplines for their efforts in keeping us trained and ready for situations such as this. I just happened to be there and did the same as all of you would. This isn't about me, but this is about us and I'll accept the recognition on our behalf. Thank you, be safe and remember that Iowa Motor Vehicle Enforcement leads the way!”

Jeff will be honored in a ceremony on March 28<sup>th</sup> at the Iowa Events Center in Des Moines. You can read more about the incident and Jeff's actions in our [blog](#). Congratulations Jeff!

## New employee orientation video

I had the opportunity to shoot a “welcome” video for our new employee orientation, and I thought it would be good to share with all of you a little of the message I included there. I of course touched on our mission of getting you there safely, efficiently and conveniently and how important that mission is to the personal and economic vitality of our state, but I also talked about what we want for them as new employees – to be **welcome and comfortable** as they start their career here, and to be **successful and happy** long term.

I share it with you in part because we all have a role in helping new employees join our team, but more so because it applies for all of you, whether you have been here 30 days or 30 years. We spend a lot of time at work – often more than we do at home – so it should be a place where we all feel welcome and comfortable, and a place where we can all be successful and happy. We have the chance to make that for each other – be kind, be helpful, be open questions and answer them without criticism or judgment, help each other to know and improve your work, see and know people as individuals (and not titles) and treat others as you would want to be treated. If we do those things regularly for each other – new and tenured alike – we will truly be a great place to work. I'm confident we can be that for each other!

## What happened to Management Team notes?

For several years we published our management team notes, but I recently made the decision to discontinue doing so. As you know I'm really committed to open communication and dialogue, and I'm sure that decision can seem inconsistent with that. The reason is not that we have anything to hide or hold back, but just that the notes themselves were an unwieldy means of good communication. I think it's fair to say that for quite some time the notes were so summary that they were really not communicating much to someone that wasn't there, and to make them truly communicative and useful to people outside the conversation (so to speak), we had to spend a lot of time adding background and context, so much so that we could spend several hours collectively each week trying to get the notes right, and often on things that were somewhat routine or mundane. We decided it would be more effective to make our notes useful for our ongoing meeting purposes, and focus on communicating separately those things that really demand or are worthy of communication, whether through this report or in other forums like Yammer or Transportation Matters (or in the case of things that are immediately pressing, direct, agency-wide emails). I hope this makes sense; please let me know if you have questions or concerns about this. And, as always, please let me know if there are things you would like to hear or learn about that we are missing – the best conversations often start with a question.

## CDL test prep app off to a great start

In October, I talked about the development of our [CDL test prep app](#) and then last month I talked about the public release we did with Governor Reynolds and Lt. Governor Gregg. As an update, I'm happy to report that it's off to a very successful start. Between the free online, iOS, and Android app products, the total number of



users since the public release last month is over 7,600, and users have answered nearly 60,000 practice questions. Also promising is the average amount of time customers are spending on the app each session. Our app vendor, HLT, indicates customers are spending 9.5 minutes on the app each session, which is almost unheard of in the educational apps market. This validates what we thought when we developed the app – that there's a real demand out there for help preparing for the CDL knowledge tests, and that customers will find value in something that helps them do that.

The app is also a good reminder that **we have products, and like any business we need to market our products** to make sure they reach our customers and are useful to them – we can make great products and offer great services but they only have impact when they are known and used. Since the app's release the Motor Vehicle Division and Strategic Communications & Policy have been working with HLT to increase customer awareness and adoption. HLT is marketing the apps within Apple's App Store and the Google Play Store so that when a customer uses key search terms like "CDL," "CDL Test," and "CDL Exam Prep" our app is one of the first results returned. They're also promoting the app on their website and networking with their educational and publishing partners. Internally, we're promoting the app on our website and through social media messaging campaigns, as well as direct marketing, to CDL customers in our service centers.

Another important component in our marketing campaign is creating awareness through industry partners, community outreach and networking. The app has already been featured in articles with IMTA (Iowa Motor Truck Association), AAMVA (American Association for Motor Vehicle Administrators), and IPTA (Iowa Public Transit Association). We are also working with other state agencies to collaboratively reach shared customers. This includes networking with employment-opportunity agencies like Iowa Workforce Development, promoting our products at career fairs, and creating targeted seasonal campaigns so we can reach customers at times when these products will benefit them the most – think outreach with school districts when they are getting ready to hire school bus drivers or construction companies as they are preparing for the spring construction season.

This is what being customer driven is all about – great start, keep it going!



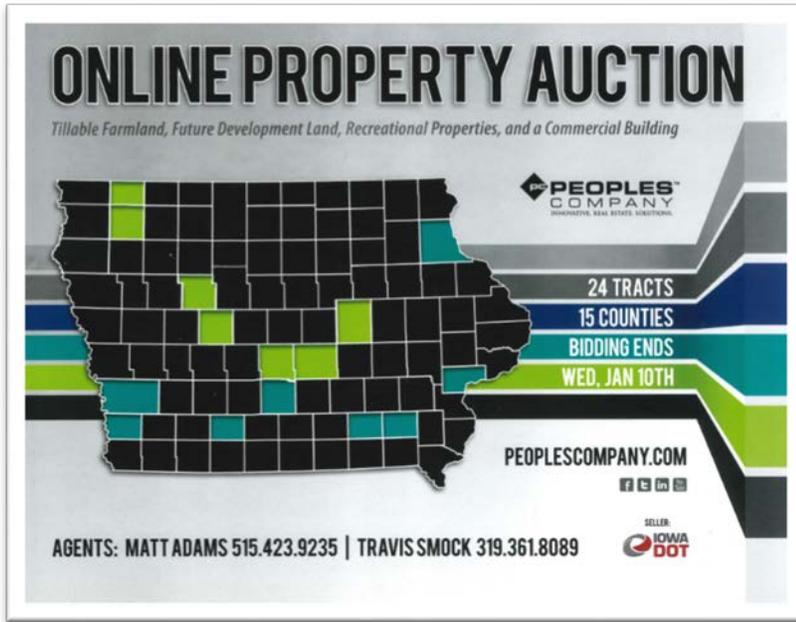
*Customer review screen shot*

## Electronic auction process makes a bid for great results

People often think of us as an acquirer of land and property – we regularly purchase and acquire land to get the right-of-way we need for highway projects, and our Office of Right-of-Way in the Highway Division leads that process. (You may often hear of our acquisition process referred to as condemnation, which is the legal process for acquiring private property for public purposes. I could spend paragraphs describing that legal process, but the basic concept is that when we acquire property for public purposes, we pay the owner the fair market value of the property in the open market, and we make good faith efforts to negotiate the purchase before formally pursuing condemnation. The condemnation process at its essence is the legal way in which the acquisition price is determined when we and the property owner can't agree.)

But what many people don't know is that we are also a regular seller of property. When there is right-of-way that we no longer need (often called excess right-of-way), we sell that property and return it to private use. (Excess right-of-way can come about for a variety of reasons, including changes in road placement and configuration and release of property that is needed for construction but not long-term operation.) When we sell excess right-of-way, we have a legal obligation to obtain the fair market value of the property, and that's important because the money we obtain is returned to the Road Use Tax Fund to support future infrastructure projects and spending throughout the state. Competitive auction/bid processes have long been an important way in which we assure that, because a competition of interested purchasers is a good way to determine the value the market places on the property.

Excess right-of-way disposal used to be a very time and labor-intensive process. A parcel that didn't sell to a former owner, local governmental entity, or abutting owner (we're required by law to first offer the property to those potential purchasers in that order; learn more [here](#)) was sold by sealed bid. The sale was advertised in local papers and potential buyers would submit their bids in an envelope to be opened on a specific day. Bids had to be manually received, logged, held, and opened, and often the process yielded only one or two bids, which limited the competition that drives best return for the property. In April 2013, however, the Property Management section of the Office of Right of Way initiated a Kaizen event (Kaizen is a Japanese word meaning change for the better; a Kaizen event is really just a structured process improvement effort) to improve the excess right-of-way disposal process, and an electronic auction process was one of the recommendations that came out the Kaizen.



*On-line auction promotion*

multiple bidders we need to ensure a competitive bid process and the best return. Since we implemented the electronic auction process, the Property Management section has sold just over \$14 million of excess right of way from on-line auctions alone, and parcels that formerly might have attracted only one or two sealed bids now attract as many as 10 or 20 bidders for one tract. In late 2016, we reviewed Facebook Boost Activity for a DOT e-auction and it showed we reached over 183,000 people and generated 21,414 post-clicks. The same auction showed more than 6,000 hits on the auction consultant's website for our properties.

To date, the Property Management section has utilized this new process for nine electronic auctions, and the last one set a record for total number of registered bidders for a single auction – 237. Even more significant, however, is the fact that the new process has attracted a total of over 1100 registered bidders from the nine auctions. The electronic auction process is a terrific cross of our vision and mission – a smarter, simpler, customer-driven process yields better results that increases the resources we have to fulfill our mission of getting you there safely, efficiently, and conveniently. Fantastic work and results!

The electronic auction process we developed has proven to be very effective. In addition to eliminating all the manual tasks, time, and delay associated with mailing and receiving paper bids, the new process is more secure, more transparent, and generates more bids. Now, instead of advertising the sale in a single newspaper add, potential bidders receive information about the auctions through Facebook, LinkedIn, Twitter, email blasts, and the auction consultant's website. This has increased exposure to potential bidders, and the on-line process has made it easier for them to participate, all of which has helped attract the

## Legislative update

The 2018 legislative session opened just as I was sending my last report, and like most years it has been very busy for us. Since my last report we've made several presentations to and appearances before the legislature, including the following:

- **Our annual budget presentation to the Transportation, Infrastructure, and Capital Committee.** This bipartisan and bicameral committee (both Republicans and Democrats and House and Senate are represented on this committee) is where we start the approval process for our annual budget. I shared the details of our fiscal year 2019 (July 1, 2018 to June 30, 2019) budget in the December 2017 director's report, and they have not changed, other than an additional capital appropriation of about \$3.5M added by the governor's office to cover the maximum estimated cost of our participation in the statewide interoperability communications system by highway maintenance and Motor Vehicle Enforcement radio users. The presentation was well received and I'm not anticipating any issues with our budget at this point.
- **DOT "101" presentations to the House and Senate Transportation Committees.** This year we again gave presentation to the House and Senate Transportation Committees to give them more insight into our organization and functions. The House presentation covered two sessions and included our organization and major functions, the Transportation Commission and its role and functions, an overview of this state's highway system, an overview of the state highway funding and how it is distributed, a presentation on bridge condition and asset management strategy at the state and county level, and our highway operations strategies and functions and our implementation of transportation system management and operations (TSMO) strategies. (Want to see TSMO in action? Check out [this video](#) of vehicles stuck on a ramp during bad winter weather that we showed the House Transportation committee— with the Traffic Management center coordinating, Iowa State Patrol arrives and protects the scene, MVE comes in to move vehicles off the ramp, and highway maintenance then comes through and clears the ramp to resume safe operations. Sorry, I digressed a bit but I thought this was a cool way to show why we are so invested in operations.)

In the Senate, we had a little less time (only one session), but focused on the Transportation Commission and its role in development of the highway program and a similar overview of the highway system and highway funding, as well as the bridge presentation. These presentations have been a great way to help these key committees become more familiar with who we are, what we do, and some of the key issues we and the Transportation Commission are addressing. Thanks to everyone who worked so hard to put these together and did them so well.

- **Legislative briefing.** As in years' past, we hosted a legislative briefing in the rotunda of the Capitol. The briefing always includes our division directors, as well as staff that represent featured topics or areas, and is just a chance to let legislators casually learn more about who we are and what we do, as well as

ask questions and get information on things they may want to know about. This year we featured our virtual reality capabilities and let legislators take a virtual tour of the I-74 bridge project, our new CDL app, and our five-year highway program interactive map, as well as rail and air modes of transportation. It's always a ton of work to put this together and we all really appreciate the effort that goes into it, including the super-early hours it takes to start this at 7:30AM (I think one group left Ames at 4:30AM). Thank you to everyone that contributed to this, and a special thanks to Commissioners Kathy Fehrman and Tom Rielly for joining us!

**Bills.** I outlined the bills we submitted as an agency in the November 2017 report, and except for the special-event signing bill, everything I outlined there is alive and moving. (We reconsidered the special event signing proposal and decided it was going to cause some unnecessary confusion so we pulled it so we can re-tool it and give it more consideration next year.) Here's a brief update on each of the remaining proposals:

- **Third-party commercial driver's license (CDL) skills testing by Iowa motor carriers.** This bill will eliminate a May 14, 2019 sunset provision and allow allowed Iowa-based motor carriers (or their subsidiaries) that operate a CDL training program to continue to conduct the skills (driving) tests a driver must pass to get a CDL at their premises and using their own examiners as they have been since 2014, provided we train and certify those examiners and audit their performance as required by the Federal Motor Carrier Safety Regulations. This bill has been filed as [House File 2197](#) and has been passed out of the House Transportation committee, and is now pending approval by the full House.
- **Charges for operating a commercial motor vehicle while texting or while using a handheld mobile device.** This bill assures continued compliance with Federal Motor Carrier Safety Regulations (FMCSRs) that prohibit a person from texting or using a hand-held mobile device (for instance a mobile phone) while driving a commercial motor vehicle, unless the device is being used to make a call and is within the immediate reach of the driver and can be activated by a single touch, by adopting them under a specific and separate code section that can be specifically cited and tracked to the driver's record to assure proper identification of drivers that are subject to disqualification of their CDL for multiple serious offenses. This proposal has been filed as [House File 2196](#) in the House and [Senate File 2162](#) in the Senate, and has passed out of the Transportation committee in both the House and Senate. It is now pending approval by the full membership of each.
- **Transportation Commission terms.** This proposal will shift the terms of members of our Transportation Commission from four-year terms beginning May 1 in the year of their appointment and ending April 30 in the year their term expires to July 1 in the year of their appointment and ending June 30 in the year their term expires, to assure that Commissioners that start developing a five-year highway program can see it through to its approval in June, and that new members aren't asked to immediately approve a program they are not familiar with. This proposal is filed as [House File 2195](#) and has passed out of the House Transportation committee and is now pending approval by the full House.
- **Blue/white lights on snow plows.** This bill would end a pilot project we started in 2015 and accelerate equipping all of our plow trucks with rear facing white and blue lights to improve their visibility and

avoid side-swipe and rear-end collisions during winter operations. This proposal is filed as [House File 2198](#) in the House and [Senate File 2163](#) in the Senate, and has passed out of the Transportation committee in both the House and Senate. It is now pending approval by the full membership of each.

- **Motor Vehicle Enforcement (MVE) officer authority.** Our original proposal here was to continue with the language the legislature established last year, which in general confirmed that our MVE peace officers have the same powers as all other peace officers in the state but retained our focus on size and weight enforcement and commercial motor vehicle safety by directing that we spend the preponderance of our time in those activities. Our original proposal was a very simply proposal that didn't change the language the legislature passed last year, and simply repealed the one-year sunset that was included in that legislation. The proposal has shifted a little bit, as the legislature wanted to make sure our highway enforcement activities continued to be well-aligned with and not unnecessarily duplicative of services or activities offered by the Department of Public Safety and the Iowa State Patrol. I was asked to work with the Commissioner of the Department of Public Safety to develop a proposal that we were both comfortable with and that would serve those interests, and so we (Commissioner Ryan and I) retooled the proposal to include language that met that purpose.

The result is HSB 639 [House Study Bill 639](#), which was filed late last week and titled as a bill for coordination between the Department of Public Safety and the Department of Transportation. This proposal retains the general structure and balance of last year's legislation, but adds a directive to us and to the Department of Public Safety to "coordinate to provide effective and efficient enforcement of all laws of the state, including any related regulatory action." It still repeals the sunset that was included in last year's legislation.

I'm entirely comfortable with that, as I think that's something that we should strive for with any executive agency with which our mission crosses paths, and I think it provides a necessary assurance that we're not trying to create a "second state patrol," as some unfamiliar with our work might incorrectly fear. As I have often said, we have a general mission of safe mobility and in MVE a specific mission of highway asset protection and commercial motor vehicle safety, and our goal has never been to compete with or usurp the Iowa State Patrol, but only enhance public safety by assisting and intervening appropriately and as needed in the things that present themselves or for which we are the closest resource as we execute or normal duties. I'm comfortable this proposal will allow us to continue doing that as we continue to fulfill our core mission.

### **Bridging concerns about overhead structures on I-80**

Many of you have been following or participating in the [planning environmental linkages \(PEL\) study](#) we have been doing for the I-80 corridor. The PEL study is evaluating safety, capacity, and infrastructure deficiencies in the I-80 corridor across Iowa to increase mobility across the interstate system, establish a vision and goals for

the system, study improvement strategies, and help us prioritize segments for and guide future improvements to I-80.

The PEL study is not yet complete, but initial work predicts the corridor will grow to a six-lane facility across the state and by 2045. Expansion to that width will require replacement and reconstruction of many overhead structures (bridges) to allow six full-width lanes to pass underneath them.

To make good investment recommendations the PEL study asked whether all the overhead bridges that currently span the I-80 corridor should be replaced as the corridor expands, and prioritized the overhead bridges based on traffic volume and out-of-distance travel for surrounding users should the bridge not be replaced. Bridges were prioritized for replacement on a 5-point scale, where bridges ranked 1 or 2 were high priority, 3 was medium priority, and 4 or 5 was low priority. Our initial recommendation was to require a county cost share for bridges that ranked 3 or lower, meaning that we would not replace the bridge unless the county in which the bridge was located contributed to the cost of replacing the bridge.

This strategy caused concern that counties (especially rural counties) would be forced to bear some of the cost of the interstate expansion at the expense of other county road and bridge needs, and so in early January we met with legislators and county officials to discuss the study recommendations. After getting their feedback and discussing further internally, we have decided not to require a local cost share for any existing overhead bridge that may be affected by future expansion of the I-80 corridor, and instead switch to an incentive approach.

Under an incentive approach, our default position is that a low-priority bridge currently spanning the corridor will be replaced as part of our project (and without county contribution) when required by expansion, but the county the bridge serves may voluntarily agree to not replace the structure in exchange for an incentive payment from the Iowa DOT. We have not yet determined the details of the incentive program, but the basic idea is that the amount of the incentive could be pro-rated based on the bridge replacement priority and either the estimated cost to replace the structure, or some other amount based on the impacts to property owners and local traffic. Counties could then use these funds to replace other county bridges or compensate impacted property owners. We think this is a preferable approach because it retains a prioritized, asset management approach that is fiscally responsible, lets us capture asset-life savings that can be returned to other parts of the system, and allows the decision to keep or retire a particular bridge in the hands of the local county government that is most accountable to the users of the county system and the bridge in question.

The wrap-up technical memo of the I-80 PEL study will document the final recommendations. The study is scheduled to wrap-up later this spring, and at that time we will provide another briefing to the Commission. In the meantime, I think it's important to recognize the organizational strength this change in strategy reflects. Immature and unintelligent organizations will stubbornly cling to initial recommendations and decisions, often to their own detriment and the detriment of their customers. Intelligent and mature organizations (to borrow a phrase from Amazon CEO Jeff Bezos) will exercise **patience, persistence, and flexibility** to see their vision

through. This shift in strategy exhibits all three and I was very proud of the organizational maturity and intelligence we displayed in reaching it.

### Song of the month

I said I was going to go with Buddy Holly this month, but then it dawned on me that it was Valentine's Day this week so I decided to go with something more positive than remembering a deadly plane crash. So then in planning environmental linkages (PEL) study in honor of Valentine's Day, I was going to go with "Good Lovin'" by the Young Rascals. (Later just the Rascals, I assume they got older. Maybe they are the Senior Rascals now.) I'd forgotten how much I loved this song (I think I first came across it watching "The Big Chill," if anyone remembers that classic 80's movie) but for some reason I'd forgotten about it until I was listening to an oldies show on IPR the other day. But THEN I drove in this morning and saw our Message Monday, which read "All you need is love . . . and a seatbelt," which is a clear reference to the Beatles' 1967 classic "All You Need is Love" (the B-side to the single was "Baby You're a Rich Man" for Beatles trivia buffs). I love the Beatles and the DOT, so how could I not go with that? So "All You Need is Love" is it this month.

Long-time-listener and first-time caller Craig Markley asked me last month what my favorite one-hit wonder band was. I'm in something of a tie between Soft Cell and their 1981 cover of "Tainted Love" (it's actually a 1965 song originally released by Gloria James) and The Knack's 1979 hit "My Sharona," but I have to give the nod to the Knack, mostly for the prominent role it played in my first junior high dance and the embarrassing way we used to drive around Carroll bobbing our heads whenever it came on the radio. I place these in the "guilty pleasures" section of my library. Don't judge.

### Wellness tip

I may have mentioned this one before, but I saw it in our wellness newsletter this month and thought it was worth mentioning again, probably because it's one that I struggle with myself – sleep and the adequate indulgence therein. As much as I focus on fitness and health it's an area that I'm always shortchanging, and I suspect a lot of us do in the constant quest to do all the things we need and want to do.

Alyssa Sikkema, our Employee Health and Wellness Intern, tells me that that adults should get between seven and nine hours of sleep each night, and that getting inadequate sleep can increase the risk of heart disease, stroke, and Type 2 diabetes. On the other hand, getting adequate sleep decreases those risks and improves your immune function, as well as things like mood, energy levels, and athletic performance. Here are some tips I'm trying to follow to improve my sleep:

- Make your bedroom calm and relaxing – keep the tech and TV out.
- Don't compromise on bed time – go to bed at the same time every night and make sure it's a time that gives you a reasonable chance to get an adequate amount of sleep.
- Don't drastically change your sleep pattern on the weekend – stay consistent.

- Don't exercise or eat too late.

As I have said before, you don't owe work your health, and in fact it's the other way around. Get plenty of rest – it's probably one of the easiest things we can let ourselves do to improve our health, and you don't need a gym membership to do it!

\* \* \* \* \*

Well my friends, we have reached the end of another report. I would be remiss if I did not mention all the people who have been working so hard through the last few weeks to keep us all safe on the roads during these winter events. We are constantly receiving compliments and thanks for all the work you are doing; as exemplified by the following:

*As a paramedic on Johnson County Ambulance Service in Iowa City and a emergency responder on West Branch Fire and Rescue I want to thank all the men and/or women who work in your department to keep our roads cleared year round, but especially this time of year. The importance of me being able to get to and from work to my family, in addition to be able to respond to emergency calls in Cedar and Johnson County cannot be understated. The great work your staff do allow us to go out and save lives, so you deserve to be acknowledged. You are our unsung heroes and I just wanted to acknowledge how important you are to us. I just want to say thanks for all you do day in and day out that goes unacknowledged.*

I can't thank you enough for the excellence and dedication of your work. Please stay safe in all that you are doing.

*Mark*

**PROPOSAL**



# WHITE & BLUE SAFETY LIGHTS ON SNOW PLOW TRUCKS

**ISSUE:** Snow plows operating during winter conditions are often hit by passing vehicles, causing unnecessary damage, repair costs, and downtime to the snow plows, exposing snow plow operators to injury, and exposing the passing vehicles and their occupants to damage and injury.

**PROPOSED SOLUTION:** Permanently include snow plow trucks in the list of vehicles authorized to use blue and white rear-facing lights to increase visibility during winter operations and reduces crashes with passing vehicles.



## ? WHY THIS PROPOSAL SHOULD BE IMPLEMENTED

Section 321.423 of the Iowa Code, which governs the use of flashing lights on vehicles, limited snow plow trucks to amber flashing lights and did not allow them to use blue or white flashing lights. In 2015 the legislature authorized us to initiate a pilot program to equip our plow trucks with rear facing white and blue lights and use them during winter operations, in an effort to avoid side-swipe and rear-end collisions during winter storms. The results of the pilot show that the strategy is effective and should be implemented statewide, on a permanent basis.

### PILOT PROGRAM

We mounted the blue and white lights (in addition to the usual amber lights) on 170 plows in Highway District 1 (the central 12 counties, which includes the regions of Ft. Dodge, Ames, Marshalltown, and Des Moines) by November, 2015. We also equipped around 10 trucks in each of our five other districts with blue and white lights to improve safety in high-crash regions and to spread experience and driver recognition of blue/white/amber plow lights.



### RESULTS

**The results were very positive.** In the winter of 2014-2015, before we implemented the blue and white lights, District 1 plows were sideswiped or hit from the rear on average once every 2,801 hours of winter operation.

In the next two winter seasons the crash rate for those type of crashes dramatically decreased, to one for every 8,321 hours of winter operation in 2015-2016 and one for every 8,813 hours of winter operation in 2016-2017. We have not experienced any concerns with confusion with law enforcement, and think that is mitigated by the difference in presentation (smaller, higher placed lights that are not in a light bar presentation).

### HOURS OF OPERATION WITHOUT A CRASH



### END OF PILOT AND MOVE TO STATEWIDE IMPLEMENTATION

The 2015 legislation ends the pilot in 2019 by including language that repealed the authority to use the blue and white lights on July 1, 2019. Based on the results, we recommend ending the pilot period now and permanently authorizing the use of blue and white lights on our plow trucks by striking the repeal language, so we can quickly implement the solution statewide.

### FISCAL IMPACT

We have approximately 670 Iowa DOT plows not already equipped with blue and white lights; we estimate the cost of the upgrade to be \$500 each for a total cost of \$335,000, which **we can pay within budgeted operational funds – no increase in funding or additional appropriation is needed to do this.** We expect the initial investment will be quickly offset by the benefit of less damage and repair to snow plow trucks, less downtime for snow plow trucks, and better safety for the traveling public.



$$670 \times \$500 = \$335,000$$

**194** CRASHES SINCE 2009

**75%** OF CRASHES WERE REAR END OR SIDE SWIPE

**\$7,725** AVG. COST OF 1 CRASH IN COMBINED MOTORIST & STATE PROPERTY DAMAGE

 PROPOSAL



## CONTINUE CDL SKILLS TESTING BY IOWA MOTOR CARRIERS

**ISSUE:** To overcome commercial driver shortages and meet their ongoing demand for well-qualified commercial drivers, some Iowa-based motor carriers have implemented commercial driver training programs to recruit, develop and employ new commercial drivers. In 2014 the legislature helped these carriers more quickly and effectively license and employ students in their programs by authorizing the carriers to administer the commercial driver's license (CDL) skills test to their students. However, the authorization to do this expires May 14, 2019.

**PROPOSED SOLUTION:** Eliminate the sunset language and authorize Iowa-based motor carriers to continue to administer CDL skills tests to students in their training programs on a permanent basis.



### ? WHY THIS PROPOSAL SHOULD BE IMPLEMENTED

In 2014 the legislature passed a bill that authorized Iowa-based motor carriers (or their subsidiaries) that operate a CDL training program to conduct the skills (driving) tests a driver must pass to get a CDL at their premises and using their own examiners, provided we train and certify those examiners and audit their performance as required by the Federal Motor Carrier Safety Regulations.

This legislation included a sunset provision that repealed the legislation on May 14, 2019.

The practice has been working well and not only helps carriers safely and effectively bring new drivers to commercial driving (they can administer more tests at more times with less travel and wait going to state service centers), but also adds to our own testing and service capacity by keeping these drivers out of our service centers so we can serve other customers with less delay. We recommend the legislature eliminate the sunset provision and allow the practice to continue on a permanent basis.

### FISCAL IMPACT

 **1.5**  
 AVERAGE HOURS TO COMPLETE A SKILLS TEST

 **3,400**  
 SKILLS TESTS COMPLETED BY IOWA CARRIERS IN FY2017

 **5,100**  
 DOT EXAMINER HOURS SAVED

**\$165,789**  
 VALUE OF SAVINGS

In state fiscal year 2017 about 3,400 skills tests were administered by two Iowa-based motor carriers with training programs in Iowa:

- CRST in Cedar Rapids, and
- TMC in Des Moines.

Based on that figure and an average time of 1.5 hours to complete skills test, this proposal will save the Iowa DOT about 5,100 man hours of examiner time annually in the

form of reduced time administering these tests at Iowa DOT locations, and allows those hours to be devoted to serving other customers.

This equates to about three full time equivalents, which has a savings value of \$165,789 annually.

**If the sunset is not eliminated, we will have to assume these tests with our examiners and at our service centers and will need to add three FTEs at an equivalent cost.**

 PROPOSAL



# CHARGES FOR DRIVING A COMMERCIAL MOTOR VEHICLE WHILE TEXTING OR WHILE USING A HANDHELD MOBILE TELEPHONE

**ISSUE:** The Federal Motor Carrier Safety Administration (FMCSA) has indicated Iowa is not in compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) because we do not have a separate and distinct citation for commercial motor vehicle (CMV) operators that are charged with driving a CMV while texting or using a handheld mobile telephone. They are asking us to correct this to avoid a formal finding of noncompliance, which can result in a loss of federal highway funding of approximately \$35M.

**PROPOSED SOLUTION:** Specifically and distinctly adopt the FMCSRs that apply to texting or using a handheld mobile telephone while driving a CMV so the violations can be properly identified on a driver's record.



## ? WHY THIS PROPOSAL SHOULD BE IMPLEMENTED

The FMCSRs (49 CFR sections 392.80 and 392.82) prohibit a person from texting or using a hand-held mobile telephone while driving a CMV.

These provisions are more restrictive than Iowa's general texting-while-driving law (section 321.276 of the Iowa Code), which does not require one-touch operation and hands-free use of mobile phones and does not require the mobile phone to be within the driver's immediate reach. Iowa has already adopted these regulations through section 321.449 of the Iowa Code, which generally adopts the FMCSRs, and they are being enforced through citations issued under section 321.449.

Despite this, **FMCSA has verbally advised us that we are still not in compliance** with their regulations because these are

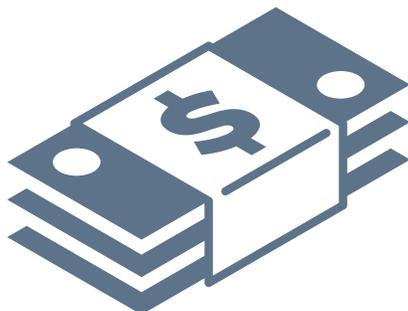
considered serious violations that in combination with other offenses may result in disqualification of a driver's CDL, and under our current statutory structure can't be tracked on a driver's record because they are cited generally under section 321.449, which covers all FMCSRs.

To correct this and avoid a finding of noncompliance that could result in a loss of federal highway funds, we recommend separately adopting these violations under a new, distinct code section that can be specifically cited, which will allow them to be properly and specifically identified and tracked on the driver's record. This won't result in new restrictions on commercial operators but will only ensure proper record keeping under restrictions that already exist and are being enforced.

## FISCAL IMPACT

This proposal will not result in any negative fiscal impact – again the restrictions already exist and are being enforced, and the proposed fine for a violation of the new section is the same fine that is being imposed for a citation written under section 321.449 – \$50.

**\$35**  
MILLION



**THIS PROPOSAL WILL HAVE A POSITIVE IMPACT FISCAL IMPACT BY AVOIDING A FINDING OF NONCOMPLIANCE THAT COULD RESULT IN A LOSS OF APPROXIMATELY \$35M IN FEDERAL HIGHWAY FUNDS ANNUALLY.**

## FEDERAL REGULATIONS



### WHAT THE FEDERAL REGULATIONS PROHIBIT

Driving a CMV while texting or while using a hand-held mobile telephone.



### WHO THEY APPLY TO

Anyone that's required to have a CDL or CLP to operate the vehicle they are driving.



### HOW THEY DEFINE DRIVING

Operating a CMV on a highway, including while temporarily stopped because of traffic, a traffic control device, or other momentary delays. Driving doesn't include operating a CMV when the driver has moved the vehicle to the side of, or off, a highway and has stopped in a safe place.



### HOW THEY DEFINE TEXTING

Manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, emailing, instant messaging, a command or request to access a World Wide Web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication.



### WHAT THEY ALLOW

**Calls.** A driver of a CMV can use a mobile-telephone to make or take call as long as it is in hands-free mode, can be dialed or answered by pressing a single button, and can be reached without moving from a seated position while properly belted.

**Other systems/devices.** Texting doesn't include use of global position or navigation systems, or use of devices capable of performing multiple functions like fleet management systems, dispatching services, smart phones, CB radios, or music players for purposes that aren't otherwise prohibited.



### EMERGENCY EXCEPTION

It's not a violation to text or call when driving if necessary to communicate with law enforcement officials or other emergency services.



 PROPOSAL



# SHIFT TRANSPORTATION COMMISSIONER TERMS TO A FISCAL YEAR BASIS

**ISSUE:** New Iowa Transportation Commission members start their terms in May, which gives them an inadequate amount of time – only a month – to become familiar with the annual five-year highway program that is approved each June.

**PROPOSED SOLUTION:** Change the terms of Transportation Commissioners from a four-year period beginning May 1 and ending April 30 to a four-year term beginning July 1 and ending June 30.

## ? WHY THIS PROPOSAL SHOULD BE IMPLEMENTED

Members of our Transportation Commission are appointed by the Governor to serve four year terms, subject to approval by the Iowa Senate. They are currently subject to the same start and end dates for their term as all other board and commission members appointed by the Governor – under section 69.19 their term begins May 1 in the year of their appointment, and ends April 30 in the year their term expires.

**One of the Transportation Commission’s primary responsibilities is to develop and approve the five-year program of highway projects, and this term makes it difficult for new Transportation Commission members to participate in that process – they are in the difficult position of coming in well after we start development of the program and just as it’s being finalized.**

To avoid this in the future, we are proposing legislation that will change their terms to begin July 1 in their year of appointment and June 30 in the year their term expires, with implementation language that will extend the terms of existing commissioners to June 30 in the year their term expires to avoid any gaps in membership.

We did consider moving up development and approval of the five-year highway program, but doing that would force us to finalize the program before funding information needed to complete the program is available, which would inject unnecessary uncertainty into the programming process.

July | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June

PROGRAM DEVELOPMENT CYCLE (APPROVED AT THE JUNE COMMISSION MEETING EACH YEAR)

NEW COMMISSIONER START



JOHN PUTNEY



KATHY FEHRMAN



DANIEL HUBER



NANCY MAHER



TOM RIELLY



DAVID A. ROSE



CHARESE YANNEY

## THE TRANSPORTATION COMMISSION (ABOVE) UNANIMOUSLY SUPPORTS THIS PROPOSAL

AS SHOWN BY THE LETTER (SIDE 2) OF SUPPORT FROM COMMISSION CHAIR JOHN PUTNEY AND VICE CHAIR KATHLEEN FEHRMAN.

## FISCAL IMPACT

This proposal will have no fiscal impact.

# IOWA TRANSPORTATION COMMISSION

800 Lincoln Way | Ames, IA 50010

Phone: 515-239-1111

December 12, 2017

Iowa General Assembly  
Iowa State Capitol  
1007 East Grand Avenue  
Des Moines, IA 50319

**Re: Iowa Department of Transportation (DOT) Legislative Proposal – Commission Term**

Dear Senators and Representatives,

On behalf of the Iowa Transportation Commission (Commission), we express our unanimous support for the Iowa DOT's legislative proposal to modify the beginning and end date of Transportation Commissioner terms.

Section 69.19 of the Iowa Code currently sets the start of the term of all board and commission members appointed by the governor and subject to confirmation by the Senate at May 1 of the year of their appointment, and sets the expiration date of their term at April 30 in the last year of their appointment. This term structure has been a challenge for the Commission and new commissioners, because it puts new commissioners in the position of voting on an approximate \$3.5 billion Five-Year Transportation Improvement Program (Program) at their second meeting in June, without the benefit of the months of deliberation and discussion leading to the development of the Program. It also takes out of the final approval process the outgoing commission members who have been a part of that deliberation and discussion. We considered moving up the approval date of the Program to align with the current term cycle, but that would cause the Program to be developed without the most current funding and project development information, which would negatively impact efficient use of state and federal road and bridge funding. Therefore, we asked the Iowa DOT to develop a legislative proposal to shift the start and end dates for Transportation Commissioner terms to July 1 and June 30, respectively, to align Transportation Commissioner terms to the timeline for developing and approving the Program.

We reviewed the proposed legislation the Iowa DOT has recommended and fully support it. This will facilitate a more informed vote on each Program and will give new Transportation Commissioners a full-year of participation before they are expected to vote on a Program.

Thank you for considering this legislation. Please let us know if you have questions or need information.

Sincerely,



John Putney  
Chair



Kathleen Fehrman  
Vice-Chair