

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 151
“City Requests for Closure of Primary Road Extensions”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j”
State or federal law(s) implemented by the rulemaking: Iowa Code section 321.348

Public Hearing

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

May 21, 2025
1 to 1:30 p.m.

[Microsoft Teams Link](#)
Or dial: 515.817.6093
Conference ID: 462 311 997

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:

Tina Greenfield
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.357.0965
Email: tina.greenfield@iowadot.us

Purpose and Summary

The Department proposes to permanently rescind Chapter 151 because there is no specific rulemaking authority within the Iowa Code that requires these rules. The Department is proposing to instead publish an instructional memorandum that will be available on the Department’s website to provide guidance for the requirements and procedures for closing primary road extensions in cities for reasons other than fire, construction or repair.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• **Classes of persons that will bear the costs of the proposed rulemaking:**

The rescission of this chapter does not impose any costs. However, the following costs will continue under the instructional memorandum. The entity that will bear most of the direct costs is a city proposing to close a primary road extension for a civic event. There will also be some costs to the Department and Iowa State Patrol in reviewing the cities’ closure proposals and proposed detours.

• **Classes of persons that will benefit from the proposed rulemaking:**

Moving the guidance to an instructional memorandum will continue to benefit cities, local businesses and festivalgoers in the ability to host and attend large community events that enrich cities’ community culture and invigorate local businesses.

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:**

Rescinding this chapter does not cause a quantitative impact. Under the instructional memorandum, cities wishing to close primary extensions for civic events must still file a request to the Department and the Iowa State Patrol must still review the proposed detour for safety.

- **Qualitative description of impact:**

Rescinding this chapter and moving the content to an instructional memorandum will still provide cities with a clear procedure for planning civic events, and motorists will have safe and comprehensible detours to or around the event.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The costs to the Department and Iowa State Patrol include the staff time associated with reviewing closure requests.

- **Anticipated effect on state revenues:**

None were noted.

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

There are no costs due to rescinding this chapter and moving the content to an instructional memorandum. However, the direct costs are borne by cities that usually have a choice whether to participate; the costs versus benefits are likely positive or otherwise deemed a worthy risk by the city filing the closure request. Festivals can be an invigorating activity for local business and community image.

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

The Department determined that publishing an instructional memorandum instead of rules was the best method. The civic activity proposed is usually voluntary and occurs when it makes sense for the city.

6. **Alternative methods considered by the agency:**

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

There is no Iowa Code section requiring these rules. Therefore, the Department is proposing to permanently rescind this chapter and plans to instead replace it with an instructional memorandum.

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

Not applicable. The alternate method is favored and proposed.

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 small business impact due to rescinding this chapter. While small businesses are not allowed to participate directly, they may be indirectly impacted by a city's proposed closure and planned activity. The closure could be beneficial to small businesses in bringing visitors to local events or detrimental in detouring traffic away from their location. Therefore, the impact on small business is neutral.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **761—Chapter 151**.