

Commission Meeting Minutes
March 10, 2026

Commission Workshop Summary
March 10, 2026
March 19, 2026

IOWA TRANSPORTATION COMMISSION

Meeting Agenda / Commission Orders

March 10, 2026

Lincoln Highway Conference Room, Iowa DOT Complex
Ames, IA

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
1:00 p.m.			
D-2026-64	*Approve Minutes of the February 10, 2026 Commission Meeting Commission Comments DOT Comments	Jill Smith	3
D-2026-65	*Approve Commission Meeting Dates from July 2026 Through June 2027	Jill Smith	5
TD-2026-66	*Administrative Rules – 761 IAC Chapter 920, State Transit Assistance	Stuart Anderson	7
TD-2026-67	*Administrative Rules – 761 IAC Chapter 911, School Transportation Services Provided by Regional Transit Systems	Stuart Anderson	15
TD-2026-68	*Administrative Rules – 761 IAC Chapter 910, Coordination of Public Transit Services	Stuart Anderson	23
TD-2026-69	*Administrative Rules – 761 IAC Chapter 813, Close-Clearance Warning Signs Along Railroad Tracks	Stuart Anderson	33
TD-2026-70	*Administrative Rules – 761 IAC Chapter 810, Railroad Safety Standards	Stuart Anderson	39
TD-2026-71	*Administrative Rules – 761 IAC Chapter 800, Items of General Application for Railroads	Stuart Anderson	44
MV-2026-72	*Administrative Rules – 761 IAC Chapter 615, Sanctions	Kathleen Meradith-Eyers	50
SO-2026-73	*Administrative Rules – 761 IAC Chapter 164, Traffic Safety Improvement Program	Wes Musgrove	54

SO-2026-74	*Administrative Rules – 761 IAC Chapter 150, Improvements and Maintenance on Primary Road Extensions	Wes Musgrove	61
SO-2026-75	*Administrative Rules – 761 IAC Chapter 143, Traffic Signal Synchronization	Wes Musgrove	71
SO-2026-76	*Administrative Rules – 761 IAC Chapter 142, Speed Zoning on Primary Highways	Wes Musgrove	76
SO-2026-77	*Administrative Rules – 761 IAC Chapter 140, Traffic Signals and Beacons on Primary Roads	Wes Musgrove	80
SO-2026-78	*Administrative Rules – 761 IAC Chapter 136, Lighting	Wes Musgrove	84
SO-2026-79	* Administrative Rules – 761 IAC Chapter 119, Tourist-Oriented Directional Signing	Wes Musgrove	88
SO-2026-80	* Administrative Rules – 761 IAC Chapter 118, Logo Signing	Wes Musgrove	93
TD-2026-81	*Statewide Line Items (2027-2031 Highway Program)	Shawn Majors	97
1:19 p.m.	Adjourn		

*Action Item

On Tuesday, March 10, the Commission and staff will meet informally at 9:30 a.m. in the Lincoln Highway Conference Room. Transportation-related matters will be discussed, but no action will be taken.

Commissioner Gaesser called the meeting to order at 1:00 pm on March 10, 2026, in the Lincoln Highway Conference Room at the Iowa DOT in Ames, Iowa.

Commissioners present: Ray Gaesser, Sally Stutsman, Linda Juckette, and Brian Quirk. Rich Arnold, Mary Mulgrew Gronen and Bill Anderson were via phone.

D-2026-64

Jill Smith, Director's Office

Commissioner Gaesser asked if there was a motion to approve the minutes from the February 10, 2026, Commission meeting.

Commissioner Juckette moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

Commission Comments

None

DOT Comments Comments

None

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Director's Office Order No. D-2026-65
 Submitted by Jill Smith Phone No. 515-239-1067 Meeting Date March 10, 2026
 Title Meeting Dates from July 2026 through June 2027

DISCUSSION/BACKGROUND:

In March of every year, the Commission identifies their future meeting dates for the next fiscal year. These meeting dates are subject to change but will only be changed through formal Commission action.

Below are the recommended meeting dates for the next fiscal year.

2026	2027
July 14	January 12
August 10/11*	February 9
September 8	March 9
October 12/13*	March 18**
November 10	April 12/13*
December 8	May 11
	June 7/8*

*Tour/Public Input Meeting
 **Workshop Only

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the proposed July 2026 through June 2027 meeting dates.

COMMISSION ACTION:			Vote	Nay	Pass
			Aye	Nay	Pass
Moved by <u>Quirk</u>	Seconded by <u>Stutsman</u>	Anderson	<u>x</u>	_____	_____
		Arnold	<u>x</u>	_____	_____
		Gaesser	<u>x</u>	_____	_____
		Juckette	<u>x</u>	_____	_____
		Mulgrew Gronen	<u>x</u>	_____	_____
		Quirk	<u>x</u>	_____	_____
		Stutsman	<u>x</u>	_____	_____
_____ Division Director	_____ Legal	_____ State Director			

D-2026-65

Jill Smith, Director's Office

Commissioner Gaesser asked if there was a motion to approve the fiscal year 2027 meeting dates.

Commissioner Quirk moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division Order No. TD-2026-66
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 920, State Transit Assistance

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 920 and adopt a new Chapter 920 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—920 should be rescinded and repromulgated. This proposed chapter is intended to implement Iowa Code chapter 324A, providing applicant eligibility and project requirements for the receipt of State Transit Assistance funding. Contents from rescinded chapter 761-921 are being integrated into this chapter.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 920.

COMMISSION ACTION:			Vote
Aye	Nay	Pass	
Anderson	x	_____	_____
Arnold	x	_____	_____
Gaesser	x	_____	_____
Moved by <u>Juckette</u>	x	_____	_____
Seconded by <u>Quirk</u>	x	_____	_____
	x	_____	_____
	x	_____	_____
	x	_____	_____

_____ Division Director _____ Legal _____ State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to state transit assistance
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 920, “State Transit Assistance,” Iowa Administrative Code, and to adopt a new Chapter 920 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 324A.4.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 324A.4.

Purpose and Summary

This proposed chapter is intended to implement Iowa Code chapter 324A, which provides applicant eligibility and project requirements for the receipt of State Transit Assistance funding.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 6, 2025

The Department received no comments.

Fiscal Impact

This proposed rulemaking has no fiscal impact to the State of Iowa. This proposed rulemaking explains the types of projects that may be funded with State Transit Assistance, a funding program distributed entirely to Iowa’s designated public transit systems.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 9 to 9:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 376 193 737#
January 28, 2026 3 to 3:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 853 221 925#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 920 and adopt the following **new** chapter in lieu thereof:

CHAPTER 920
STATE TRANSIT ASSISTANCE

761—920.1(324A) Statement of policy. State financial assistance to any public transit system is restricted to joint projects with the department that hold substantial promise of accomplishing the following goals:

920.1(1) Development, maintenance and improvement of transit services for the general public and for transportation disadvantaged persons.

920.1(2) Protection of the rights of private enterprise public transit providers, especially those providing intercity scheduled services on fixed routes.

920.1(3) Improvement of transit system effectiveness and efficiency.

761—920.2(324A) General information. The department will post annually the required forms and instructions for applying for state transit assistance through an online portal furnished to the transit systems by the department and notify each public transit system in Iowa of the availability. Requests for assistance and questions about application preparation should be directed to: Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.233.7870. For more information, visit www.iowadot.gov/modes-travel/transit.

761—920.3(324A) Definitions. The definitions in Iowa Code section 324A.1, except for the definition of “urban transit system,” apply to this chapter. In addition:

“*Formula assistance*” means state transit assistance appropriations minus funds reserved for special projects.

“*Operating deficit*” means the funding gap remaining after subtracting the passenger revenues from the service’s operating costs.

“*Project*” means a concerted set of actions that will develop, maintain, or improve one or more elements of the public transit system’s service.

“*Urban transit system*” means a system designated by the department that meets the requirements of Iowa Code section 324A.1(8). To be designated as an urban transit system for the purposes of this chapter, the system must serve a city or urbanized area with a population of 20,000 or more. The system also must be managed by a board of local officials who have either been elected by the public or appointed by elected officials, and who are responsible for policy and oversight of transit services for one or more incorporated areas within Iowa.

761—920.4(324A) Types of projects.

920.4(1) *Formula projects.* A formula project may involve operations assistance, capital assistance, planning or any combination of the three. These projects are developed with input from the appropriate planning agencies and shall ensure public participation and discussion.

920.4(2) *Special projects.*

a. Special projects are extraordinary, emergency or innovative in nature and may include but are not limited to the following purposes:

- (1) Expanding the scope of planning, managerial, or technical expertise.
- (2) Increasing the public’s awareness and understanding of transit.
- (3) Enhancing the capacity for administration consolidation and service coordination.
- (4) Reducing impediments to intramodal or intermodal transfers.
- (5) Increasing the cooperation and coordination between private and public sectors.
- (6) Developing, demonstrating, or refining a technical, procedural, or mechanical innovation that may be utilized by other public transit systems in Iowa.
- (7) Responding to an emergency situation that places an extraordinary and unforeseen strain on the resources of a public transit system.

b. Applications for training fellowships may be submitted to the department at any time.

c. Applications for special projects are due to the department by October 1 each year. The department may announce to the public transit systems the acceptance of special project applications at other times of the year if unobligated funds are available.

761—920.5(324A) Standards for projects.

920.5(1) *Requirements for transit system.* A public transit system is eligible for project assistance if the system is in compliance with all the following criteria. The transit system:

- a. Abides by all applicable state and federal laws and regulations.
- b. Maintains primary documentation for all revenues and expenses for a period of at least three years after contract closeout.
- c. Maintains the system’s policies, routes, schedules, fare structure and budget in a manner that encourages public review, responsiveness to user concerns, energy conservation and fiscal solvency.
- d. Received departmental approval of the system’s plan or schedule for repayment of any loan administered by the department.
- e. Accurately reports all services to be supported with project formula assistance and ensures that all services are open to the general public.

920.5(2) *Project conditions.* The department will obligate state transit assistance for joint projects that meet the following criteria:

- a. Each project must be included in the current year of the locally adopted transportation improvement program.
- b. Each project shall contain payment criteria, through the contract, which are mutually agreed upon by the department and the contracting officer of the transit system.
- c. Each special project shall have a preestablished basis for determining success using a specified means of performance measurement and include a detailed budget of the resources available and the assistance necessary for implementation.
- d. State assistance for a special project involving capital expense shall not exceed 85 percent of the project’s total capital expense. State assistance for a special project involving operating support shall not exceed 80 percent of the project’s total operating deficit in the first year and 50 percent of the project’s total operating deficit in the second year.

920.5(3) *Items not eligible for assistance.*

a. Administrative, operations or capital expenses that are determined by the department to be inconsistent with department policies, public law, officially approved planning and programming documents or inconsistent with the purpose of improving the effectiveness and quality of transit services.

b. Development of managerial, administrative or operational systems that duplicate programs made available at no charge to the transit system by the department.

920.5(4) *Determination of system eligibility for formula assistance.*

a. Prior to the beginning of each fiscal year, each state-designated public transit system's formula percentage will be determined through the process shown in the appendix located at the end of this chapter.

(1) Transit system data used in determining formula percentage is based only on services that are open to the general public and is derived from the last fiscal year for which complete information is available.

(2) The process shown in the appendix establishes the percentage of available state transit assistance funds not reserved for special projects for which each transit system is eligible during the fiscal year.

b. The amount of each system's eligibility for formula assistance from this appropriation will be determined by multiplying the system's formula percentage by the amount of the appropriation not reserved for special projects.

c. If the dollar amount of state transit assistance is not known until the funds are actually deposited in the state transit assistance account, the amount of each system's eligibility for formula assistance from these funds will be determined as follows: At the beginning of each month, the system's formula percentage will be multiplied by the amount of new funds not reserved for special projects that were deposited in the state transit assistance account during the previous month.

d. A transit system's eligibility for programmed project assistance may be reduced if it is subject to the sanctions outlined in Iowa Code section 324A.5 or 761—Chapter 910.

920.5(5) *Determination of amount reserved for special projects.* Each fiscal year, at least \$300,000 will be reserved from state transit assistance appropriations for special projects. Any special project funds not obligated in the previous fiscal year and any funds made available through closeout of previously approved projects may also be reserved for special projects. Special project funds are distributed by the department on a discretionary basis in accordance with subrule 920.4(2).

761—920.6(324A) Processing.

920.6(1) *Review and recommendation.* The department will review the proposed projects and, based on available funds and the project priorities established by the transit systems, prepare a set of funding recommendations.

920.6(2) *Approval and agreement.* Upon approval of the projects by the transportation commission, the department will prepare a contract and send it to each public transit system for execution.

920.6(3) *Advance payment allowed.* Each transit system with a signed contract may be paid formula assistance monthly starting on the execution date of the contract, one-twelfth (or 8.33 percent) of the total contract amount, in advance of project expenditures, if all of the following conditions are met:

a. The transit system included in its application for state transit assistance a request for advance allocations as set forth in Iowa Code section 324A.6.

b. The transit system is current on all reporting required by the department.

c. The transit system is current on all scheduled repayments under loan contracts from the department.

d. The application for advance allocation includes:

(1) The name of the transit system.

(2) A specific statement of the reasons why an advance allocation is required by the transit system.

(3) The signature of the contract officer of the transit system and the date of the signature.

e. The department will give consideration to the following items in determining the approval, disapproval or deferment of advance allocation applications:

- (1) The justification submitted with the application pursuant to paragraph 920.6(3)“d.”
- (2) The department’s previous experience with the transit system making application, including but not limited to the following:
 1. Timeliness of contract and application materials as assessed by the department.
 2. Fiscal management capability of the transit system as assessed by the department.
- f. If the department defers or disapproves of the transit system’s application for advanced allocation of formula assistance, the department will notify the transit system with reasons for that decision.
- g. Any transit system that receives advance allocation payments shall deposit the funds in a separately identified interest-bearing account until such time as the funds are expended on costs incurred by the transit system. All income derived from interest-bearing accounts and investments shall be credited to the transit system and its transit accounts as a nonoperating or nontransportation revenue.

761—920.7(324A) Reporting.

920.7(1) Transit systems receiving state transit assistance shall provide quarterly and end-of-the-year financial and statistical reports to the department in the manner and within the time limits described in the state transit assistance contract. These reports shall be made through an online portal furnished to the transit systems by the department.

920.7(2) Failure to file quarterly and end-of-the-year financial and statistical reports by any transit system with the department in the manner and within the time limits described in the state transit assistance contract shall be cause for withholding of state transit assistance payments. The department will notify any transit system of such actions. Withheld state transit assistance payments, both advanced and reimbursement, will resume once the transit system’s required reporting is current.

761—920.8(324A) Contract closeout and audits. After the end-of-the-year financial and statistical reports are submitted or after the department has instituted any action(s) for failure to do so, the department will require an audit of the transit system’s books, accounts, records and other material and information necessary to determine contract compliance. The advance allocations paid to the transit system will be taken into consideration and made part of the amount to be audited.

These rules are intended to implement Iowa Code chapter 324A.

APPENDIX TO
761—920.5(324A)

- LDI** Locally determined income. All transit system revenue dedicated for operations expense during a fiscal year, minus federal operating assistance from the U.S. Department of Transportation and minus all special project operating support and formula assistance funds received from the Iowa Department of Transportation.
- OpExp** Operations expense. All eligible transit system expenses related to operating, maintaining, and administering transit operations.
- Pass** Passenger. A person boarding a transit vehicle for the purpose of making a trip. A passenger is counted each time that person boards a vehicle for travel to a destination.
- RevMi** Revenue miles. Total vehicle miles traveled by revenue vehicles of public transit systems while in revenue service. Excludes miles traveled to and from storage facilities and other deadhead travel.

Iowa State Transit Assistance Formula Percentage Allocation

Regional System Allocation

$$\frac{\text{Regional RevMi}}{\text{Sum of Regional and Urban RevMi}} = \frac{\text{Total Regional Systems Allocation}}{\text{Total Regional Systems Allocation}} \times \left(.50 \times \left[\frac{\text{System LDI}}{\text{Total Regional LDI}} \right] + .25 \times \left[\frac{\text{System Pass to OpExp ratio}}{\text{Sum of Regional Pass to OpExp ratios}} \right] + .25 \times \left[\frac{\text{System RevMi to OpExp ratio}}{\text{Sum of Regional RevMi to OpExp ratios}} \right] \right) = \text{Individual Regional System Formula Allocation}$$

Urban System Allocation

$$\frac{\text{Urban RevMi}}{\text{Sum of Regional and Urban RevMi}} = \frac{\text{Total Urban Allocation}}{\text{Total Urban Allocation}} \times \left(.50 \times \left[\frac{\text{System LDI}}{\text{Total Urban LDI}} \right] + .25 \times \left[\frac{\text{System Pass to OpExp ratio}}{\text{Sum of Urban Pass to OpExp ratios}} \right] + .25 \times \left[\frac{\text{System RevMi to OpExp ratio}}{\text{Sum of Urban RevMi to OpExp ratios}} \right] \right) = \text{Individual Urban System Formula Allocation}$$

TD-2026-66

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 920 and adopt a new Chapter 920 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—920 should be rescinded and repromulgated. This proposed chapter is intended to implement Iowa Code chapter 324A providing applicant eligibility and project requirements for the receipt of State Transit Assistance funding.

The public comment period ended on January 28, 2026. The department did not receive any public comments. Therefore it is recommended that the Commission approve rescission and adoption of Chapter 920.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division Order No. TD-2026-67
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 911, School Transportation Services Provided by Regional Transit Systems

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 911 and adopt a new Chapter 911 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—911 should be rescinded and repromulgated. This chapter establishes standards for school transportation services provided by Iowa’s regional transit systems under contract with local schools.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 911.

COMMISSION ACTION:			Vote	Nay	Pass
Aye			x	_____	_____
Moved by <u>Quirk</u>	Seconded by <u>Stutsman</u>	Anderson	x	_____	_____
		Arnold	x	_____	_____
		Gaesser	x	_____	_____
		Juckette	x	_____	_____
		Mulgrew Gronen	x	_____	_____
		Quirk	x	_____	_____
		Stutsman	x	_____	_____
_____ Division Director	_____ Legal	_____ State Director			

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to school transportation services provided by regional transit systems and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 911, “School Transportation Services Provided by Regional Transit Systems,” Iowa Administrative Code, and to adopt a new Chapter 911 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321.377.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.1, 321.189, 321.343, 321.375 through 321.377 and 324A.1.

Purpose and Summary

This proposed chapter establishes standards for school transportation services provided by Iowa’s regional transit systems under contract with local schools.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 6, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. This proposed chapter outlines the requirements for regional public transit agencies to provide school transportation, allowing transit agencies and school districts to coordinate provision of student transportation.

Jobs Impact

This proposed chapter explains how school districts can coordinate with regional transit systems to provide school transportation. No private sector jobs are impacted by this proposed rulemaking.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way

Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 9:30 to 10 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 148 136 587#
January 28, 2026 2:30 to 3 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 917 640 938#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 911 and adopt the following **new** chapter in lieu thereof:

CHAPTER 911 SCHOOL TRANSPORTATION SERVICES PROVIDED BY REGIONAL TRANSIT SYSTEMS

761—911.1(321) Purpose and information.

911.1(1) Purpose. This chapter establishes standards for school transportation services provided by Iowa's regional transit systems under contract with local schools.

911.1(2) Information. Information and forms may be obtained from the Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.233.7870; or the department's website at www.iowadot.gov/transit.

761—911.2(321,324A) Definitions. The definitions in Iowa Code sections 321.1 and 324A.1 apply to this chapter. In addition:

“*Bus*” means a motor vehicle, excluding a trailer, designed to carry ten or more persons.

“*School bus*” means a bus that complies with all federal motor vehicle safety standards applicable to a school bus.

“*School transportation service*” means transit service provided under contract to a public or nonpublic school or other group, including day care centers, to transport students to or from schools or school-sponsored activities.

“*Student*” means a person attending a public or nonpublic school, grades prekindergarten through high school, including a Head Start participant.

“*Vehicle*” means an automobile, multipurpose vehicle, bus or school bus, including as defined in this rule.

761—911.3(321) Services to students as part of the general public. All services provided by regional transit systems must be open to the public. This chapter shall not be construed to restrict the use of these services by any individual fare-paying passenger, in either fixed route or demand response service.

761—911.4(321) Contracts for nonexclusive school transportation. Regional transit systems may contract with schools, day care providers, after-school program providers or others to provide nonexclusive school transportation service that meets the requirements of this chapter. Exclusive service contracts are prohibited.

761—911.5(321) Adoption of federal regulations.

911.5(1) Code of Federal Regulations. The department adopts the following portions of the October 1, 2024, Code of Federal Regulations, which are referenced throughout this chapter:

a. 49 CFR Part 38, Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles.

b. 49 CFR Part 571, Federal Motor Vehicle Safety Standards.

c. 49 CFR Part 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

911.5(2) Obtaining copies of regulations. Copies of these regulations are available from the state law library or online through the U.S. Government Publishing Office at www.ecfr.gov.

761—911.6(321) Driver standards. The following standards apply to regional transit system drivers assigned to provide school transportation service.

911.6(1) Federal Transit Administration (FTA) drug and alcohol testing. Each driver is subject to the following testing for drug and alcohol usage as detailed by the FTA in 49 CFR Part 655, including:

a. Preemployment testing.

b. Reasonable suspicion testing.

c. Postaccident testing.

d. Random testing.

e. Return to duty testing.

f. Follow-up testing.

911.6(2) Training. Each driver must, before or within the first 6 months of assignment and at least every 24 months thereafter, complete a course of instruction approved by the department of education in accordance with Iowa Code section 321.376.

911.6(3) Driving record check. The regional transit system must review the driving record of each driver prior to assignment and on an annual basis.

911.6(4) Criminal record check. The regional transit system must conduct a criminal records review of each driver prior to assignment and on an annual basis. This review verifies that the driver has no history of child abuse or other criminal activity.

911.6(5) Driver licensing. Each driver must be licensed appropriately for the size and type of vehicle used as provided in Iowa Code section 321.189. A Class A, B or C commercial driver's license with passenger endorsement may be required. A driver may operate the vehicle for purposes of training if the driver has the appropriate commercial learner's permit as described in 761—Chapter 607, and the restrictions in rule 761—607.20(321) shall apply. If a commercial driver's license is not required, a Class D (chauffeur) license is required.

911.6(6) Authorization to operate a school bus. Each driver who transports students must have an authorization to operate a school bus issued by the department of education in accordance with Iowa Code section 321.376.

911.6(7) Physical fitness.

a. Each driver who transports students must undergo a physical examination by a certified medical examiner who is listed on the National Registry of Certified Medical Examiners in accordance with Iowa Code section 321.375(1) "d" and with rule 281—43.15(285) or 281—43.17(285). Annually, the driver must submit the signed medical examiner's certificate to the driver's employer.

b. Upon a commercial driver's license issuance or renewal, the driver shall self-certify as to the type of driving the driver does and, if required, provide a current medical examiner's

certificate to the department unless the driver's medical examiner's certification is provided to the department electronically by the Federal Motor Carrier Safety Administration pursuant to 761—paragraph 607.37(1)“a” and 761—subrule 607.50(2).

761—911.7(321) Vehicle standards. The following standards apply to regional transit system vehicles assigned to provide school transportation service.

911.7(1) Vehicle construction.

a. Each vehicle must be constructed in compliance with the federal motor vehicle safety standards for that type of vehicle as set forth in 49 CFR Part 571. The capacity rating of automobiles and multipurpose vehicles shall not be modified or altered in any way except by the original manufacturer.

b. Each bus in use must also comply with the following federal motor vehicle safety standards:

(1) Standard No. 217, Bus Emergency Exits and Window Retention and Release. Buses utilized for school transportation shall incorporate a rear emergency exit door in meeting this standard.

(2) Standard No. 220, School Bus Rollover Protection.

(3) Standard No. 221, School Bus Body Joint Strength.

(4) Standard No. 301, Fuel System Integrity.

911.7(2) Passenger restraint/protection. Each automobile, multipurpose vehicle or school bus must provide passenger restraint/protection devices as required for that type of vehicle in the federal motor vehicle safety standards. Each bus must meet the standards listed in either paragraphs 911.7(2)“a” through “f” or paragraph 911.7(2)“g”:

a. Standard No. 207, Seating Systems.

b. Standard No. 208, Occupant Crash Protection.

c. Standard No. 209, Seat Belt Assemblies.

d. Standard No. 210, Seat Belt Assembly Anchorages.

e. Standard No. 213, Child Restraint Systems.

f. Standard No. 225, Child Restraint Anchorage Systems.

g. Standard No. 222, School Bus Passenger Seating and Crash Protection.

911.7(3) Accessibility for persons with disabilities. Each vehicle used for students with disabilities must comply with all applicable provisions of 49 CFR Part 38.

911.7(4) Signage. A vehicle must not be signed as a school bus.

911.7(5) Department of education inspection. Every vehicle must be inspected twice annually by the department of education school bus inspectors and officers of the Iowa state patrol to determine if the vehicle meets all vehicle standards set forth in this chapter. The department of education will notify each regional transit system of the dates and locations of scheduled inspections. Inspections must be documented on a form prescribed jointly by the departments of transportation and education.

911.7(6) Transfer to another public transit system. When a public transit system purchases a used vehicle from another public transit system, the previous owner's department of education's bus inspections stickers must be removed. If the purchasing public transit system plans to use the vehicle for school transportation service, a new inspection must be performed on the vehicle.

761—911.8(321) Maintenance. Regional transit system vehicles assigned to provide school transportation service must be maintained in a safe and operable condition. The following maintenance practices apply.

911.8(1) FTA drug and alcohol testing of mechanics. With the exception of mechanics providing vehicle maintenance services under contract to a regional transit system-recipient of funding from 49 U.S.C. 5311, all personnel providing maintenance services on regional transit system vehicles are subject to drug and alcohol testing as required by the FTA in 49 CFR Part 655.

911.8(2) Daily pretrip vehicle inspections. Drivers of these vehicles must perform daily pretrip vehicle inspections using a form prescribed by the department or a mobile application including the same information. Regional transit systems must retain daily pretrip vehicle inspection reports and documentation of follow-up maintenance for one year.

911.8(3) Annual vehicle inspection. Maintenance personnel must annually inspect each vehicle. Regional transit systems must retain annual vehicle inspection records for one year.

761—911.9(321) Safety equipment. Regional transit system vehicles assigned to provide school transportation service must carry the following safety equipment.

911.9(1) Communication equipment. Each vehicle must be equipped with a two-way radio, cellular telephone, or mobile data terminal tablet capable of emergency communication between the vehicle and the regional transit system's base of operations.

911.9(2) First-aid/body fluids cleanup kit(s). Each vehicle must be equipped with a first-aid kit of sufficient size and content for the capacity of the vehicle and be equipped with a body fluid cleanup kit. These may be provided as separate kits or combined into one kit. The contents of the kit(s) must be contained in one or more moistureproof and dustproof container(s) stored in an accessible location within the driver's compartment and must be removable from the vehicle in an emergency.

911.9(3) Fire extinguisher. Each bus or school bus must be equipped with a minimum 5-pound capacity, dry chemical fire extinguisher. Each automobile and multipurpose vehicle must be equipped with an extinguisher of at least 2.5-pound capacity. Extinguishers must have a 2A-10BC rating. All fire extinguishers shall be inspected and maintained in accordance with the National Fire Protection Association requirements. The standards for portable extinguishers are available online from the National Fire Protection Association at www.nfpa.org.

911.9(4) Seatbelt web cutter. A seatbelt web cutter must be mounted or placed within reach of the driver.

911.9(5) Roadside reflective triangles. Each vehicle must be equipped with roadside reflective triangles for use in case of breakdown or emergency.

911.9(6) Flashlight. Each vehicle must be equipped with an operable flashlight, or each driver must be assigned an operable flashlight to be in the vehicle at all times of operation.

911.9(7) Reflective vest. Each vehicle must be equipped with a reflective vest, or each driver must be assigned a reflective vest that must be in the vehicle at all times of operation. Individual regional transit systems are to establish a policy for when the reflective vests must be worn.

761—911.10(321) Operating policies. School transportation services provided by regional transit systems must be designed to maximize the safety of student riders and must, at a minimum, meet the following standards.

911.10(1) Passenger loading/unloading. Unless prohibited by law, students transported in vehicles other than school buses must be loaded and unloaded on the same side of the street as their residence or other origin or destination. Students may be released only to the custody of a designated school official, parent or guardian, employee of the department of health and human services, or law enforcement official, unless other arrangements are made in advance.

911.10(2) Student passenger behavior and discipline policy. Each contract for school transportation service must include a policy relating to the behavior of students while they ride in vehicles. The regional transit system or school must provide instruction to all drivers assigned to school transportation service relative to the content and application of the policy. If a student is removed from a vehicle for one or more policy violations, the student may be released only to the custody of a school official, parent or guardian, employee of the department of health and human services or a law enforcement officer. In all cases, the school must be notified immediately of any such disciplinary action, and a written report must be filed with the school describing the circumstances resulting in the removal.

911.10(3) Standing prohibited. Under no circumstances shall a student be permitted or required to stand while a vehicle is in motion. Every student must be provided an appropriate seat at all times.

911.10(4) Stops at rail crossings. Every driver must make a complete stop before driving across the tracks of any railroad crossing in accordance with Iowa Code section 321.343.

911.10(5) Accident reporting. If a driver is involved in a collision or other incident causing or having a potential to cause injuries to students, the regional transit system must immediately notify the school of the incident. The regional transit system must file all accident reports required by law. In addition, the regional transit system must complete a school bus accident report on a form prescribed by the department of education and submit it to the school or the department of education.

911.10(6) Passenger instruction/evacuation drills. Each school must provide students assigned to school transportation service with school bus passenger safety instruction and emergency evacuation

drills at least twice each school year. These evacuation drills must involve a vehicle of the same type used to provide the school transportation service.

911.10(7) *Special training for drivers carrying students with disabilities.* Each school contracting for school transportation services for a student with one or more disabilities must provide the regional transit system with information on any special needs of the student and, if necessary, provide the assigned driver with appropriate information and training on how to appropriately respond to the needs of the student during transit and in the event of an emergency.

911.10(8) *Posttrip inspection.* After each trip that had students on board, the driver must perform a posttrip inspection of the interior of the vehicle. The posttrip inspection must include a walk-through to the back of the vehicle to ensure no sleeping or hiding children are left behind.

These rules are intended to implement Iowa Code sections 321.1, 321.189, 321.343, 321.375 through 321.377 and 324A.1.

TD-2026-67

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 911 and adopt a new Chapter 911 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—911 should be rescinded and repromulgated. This chapter establishes standards for school transportation services provided by Iowa’s regional transit systems under contract with local schools.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 911.

Commissioner Quirk moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division Order No. TD-2026-68
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 910, Coordination of Public Transit Services

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 910 and adopt a new Chapter 910 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—910 should be rescinded and repromulgated. Proposed Chapter 910 describes the purpose, leadership, staffing, and duties of the statewide transportation coordination advisory council and the certification process for complying with the transportation coordination mandate in Iowa Code Chapter 324A. The changes made to this chapter include removing unnecessarily restrictive terms, correcting the timing of transportation coordination advisory council meetings, and editorial changes for brevity and readability.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 910.

COMMISSION ACTION:			Vote	
	Aye	Nay	Pass	
Moved by <u>Stutsman</u>	<u>x</u>	_____	_____	
Seconded by <u>Juckette</u>	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to coordination of public transit services
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 910, “Coordination of Public Transit Services,” Iowa Administrative Code, and to adopt a new Chapter 910 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 324A.4.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 325A.1, 324A.4 and 324A.5.

Purpose and Summary

Proposed Chapter 910 describes the purpose, leadership, staffing, and duties of the statewide Transportation Coordination Advisory Council and the certification process for complying with the transportation coordination mandate in Iowa Code chapter 324A. The changes made to this chapter include removing unnecessarily restrictive terms, correcting the timing of Transportation Coordination Advisory Council meetings, and editorial changes for brevity and readability.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 7, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. This rulemaking explains how agencies receiving funds for transportation for the public should coordinate with the local public transit provider.

Jobs Impact

This rulemaking explains how recipients of public funding for transportation for the public can comply with the mandate to coordinate public transportation services in the State. This rulemaking details the forms to fill out, timeline for compliance, and role of the Transportation Coordination Advisory Committee. No jobs are impacted by this rulemaking.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation

DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10 to 10:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 540 716 867#
January 28, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 492 215 555#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 910 and adopt the following **new** chapter in lieu thereof:

CHAPTER 910 COORDINATION OF PUBLIC TRANSIT SERVICES

761—910.1(324A) Definitions. For purposes of this chapter, the following definitions apply in addition to the definitions in Iowa Code section 324A.1:

“*Council*” means the statewide transportation coordination advisory council formed in rule 761—910.3(324A).

“*Emergency transportation*” means transportation provided when life, health or safety is in danger, such as ambulance or law enforcement transportation.

“*Incidental transportation*” means the provision of transit rides when existing public transportation services cannot meet demand.

“*Provider*” means any recipient of direct or indirect, state, federal or local funds, including a public transit system, that provides or contracts for public transit services.

“*Public school transportation*” means passenger transportation provided by or for a legally organized Iowa public school district for school district purposes.

“*Public transit service*” means any publicly funded passenger transportation for the general public or for specific client groups not including exclusive public school transportation, emergency transportation or incidental transportation or transportation provided by the department of health and human services or department of corrections on the grounds of the following institutions:

- State training school, Eldora;
- Cherokee mental health institute;
- Independence mental health institute;

Woodward resource center;
Civil commitment unit for sexual offenders, Cherokee;
Iowa veterans home, Marshalltown;
Iowa state penitentiary, Fort Madison;
Anamosa state penitentiary;
Iowa correctional institution for women, Mitchellville;
Mount Pleasant correctional facility;
Newton correctional facility;
Iowa medical and classification center, Coralville;
North central correctional facility, Rockwell City;
Fort Dodge correctional facility;
Clarinda correctional facility.
This rule is intended to implement Iowa Code section 324A.1.

761—910.2(17A) Information and location. Forms or information about the coordination of public transit services are available from the Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.233.7870 or on the department's website at iowadot.gov/modes-travel/transit.

This rule is intended to implement Iowa Code section 17A.3.

761—910.3(324A) Statewide transportation coordination advisory council.

910.3(1) Purpose. An advisory council will be formed by the department to assist with implementation of the compliance reviews required by statute. The council will assist in the review of information concerning the transportation operations of providers and advise the department as to whether the provider should be found to be in compliance with the transportation coordination mandate of Iowa Code chapter 324A.

910.3(2) Advisory council.

a. Membership. Membership in the council shall at minimum include one representative from the department of health and human services and one from the department. Other state, federal and private agencies funding local transportation services may also be granted membership.

b. Chairperson. The director of transportation or the director's representative shall serve as chairperson of the council.

c. Staff. Staff support for council activities will be provided by the department.

d. Meetings. Meetings will be held at least once each quarter and may be held more frequently if necessary to enable the council to expeditiously discharge its duties.

910.3(3) Duties. The council shall:

a. Review and make recommendations to the member agencies concerning guidelines and criteria for the review process operated by the council.

b. Provide the department with written recommendations for findings of compliance or noncompliance with the transportation coordination mandate of Iowa Code chapter 324A for individual providers based upon review of each provider's request for certification.

c. Upon request of a member agency, review all transportation components of funding applications or plans submitted by a recipient of the member agency.

d. Advise and make recommendations to the department concerning public transportation policy.

This rule is intended to implement Iowa Code sections 324A.4 and 324A.5.

761—910.4(324A) Certification process.

910.4(1) Requirement for certification. All providers are required to request a certification of compliance with the transportation coordination mandate of Iowa Code chapter 324A by submitting the certification application form in the Appendix to this rule plus a copy of a certificate of insurance or documentation of self-insurance. Agencies that provide a mixture of public transit service and other service will request certification based on that part of their overall operation that is public transit service.

910.4(2) Form distribution.

a. Recipients of state or state-administered funds. Each state agency in its own funding application or contract process will require each recipient of funding to submit a request for certification of compliance.

b. Recipients of other funds. The department will contact local governments and federal agencies to determine whether they are funding any providers that are not funded through the state. The department will send to any providers identified in this way, or by other means, an explanation of the certification requirement and a copy of the certification request form in the Appendix.

910.4(3) *Submission of request forms.*

a. Recipients of state funds shall submit both the certification application and the certificate of insurance forms annually to the funding agency.

b. Recipients of funds from multiple sources may submit a single request form to all state funding sources if it covers all agency transportation functions.

c. Providers not receiving any funds from state agencies are to return their completed forms within 20 working days of receipt.

d. Agencies or organizations that receive a form from the department and believe that none of their services fit the definition of public transit services are to respond to the department within 20 working days of receipt, stating this belief and providing a brief description of any passenger transportation service they do provide and why it should not be considered public transit service.

910.4(4) *Incomplete or unreturned request forms.*

a. Forms submitted to a state funding agency as part of a funding application will be reviewed for completeness by that agency within ten working days.

b. Forms submitted directly to the department by its recipients or by providers not receiving state or state-administered funds will be reviewed for completeness by the department within ten working days.

c. The reviewing agency will inform the provider in writing of any information deficiencies and allow ten working days from receipt for submittal of missing information.

d. Each state agency will report to the council each case in which a provider has failed upon notification to supply the necessary information within the required time frame.

e. All completed request forms submitted to state funding agencies will be forwarded to the council staff within five working days after verifying completeness.

910.4(5) *Processing requests.*

a. The council staff will evaluate completed requests based on the compliance standards found in rule 761—910.5(324A) and make a recommendation for a finding of compliance or noncompliance to the council within 20 working days of receiving the completed request form.

b. Ten working days prior to the council's scheduled quarterly meeting, the council staff will distribute to each council member and to the respective providers a meeting agenda and copies of all compliance-finding recommendations completed since the previous agenda mailing.

c. At the council's quarterly meeting, the council will consider the compliance-finding recommendations of the staff and may accept the staff recommendations as the council's recommendations to the director of transportation, change the recommendations and provide a statement of reasons, or defer action pending further review.

d. Upon consideration of the council recommendations, the department will make a final finding of compliance or noncompliance and notify the provider and the state funding agency, if applicable, in writing of the department's decision within five working days after the council meeting.

This rule is intended to implement Iowa Code section 324A.4.

761—910.5(324A) Standards for compliance. A provider shall be found compliant if the provider meets both of the following standards:

910.5(1) All vehicles used for the public transit services it provides or contracts for are insured for \$1 million per accident for all hazards or the provider maintains a self-insurance fund adequate to provide equivalent protection.

910.5(2) The provider:

a. Purchases all services from a designated public transit system, or

- b.* Operates all services open to the public under contract with and under control of a designated transit system, or
 - c.* Purchases all services from a private-for-profit operator of public transit services, or
 - d.* Operates its own services, which:
 - (1) The designated public transit system is currently unable to provide, or
 - (2) When considered as a whole using fully allocated costs, prove to be more economical than the purchase of equivalent services from the designated public transit system.
 - e.* Uses a combination of services in paragraphs 910.5(2) “*a*,” “*b*,” “*c*,” and “*d*.”
- This rule is intended to implement Iowa Code section 324A.4.

761—910.6(324A) Noncompliance. A provider shall be found noncompliant if:

910.6(1) The provider has not submitted required data upon expiration of either the original submittal deadline or the additional ten-day grace period after written notification of deficiencies in an original submittal.

910.6(2) The provider’s request for certification has been processed and the provider did not qualify for a finding of compliance.

This rule is intended to implement Iowa Code section 324A.4.

761—910.7(324A) Noncompliant sanctions. A provider that is denied certification and continues the noncompliant activities for more than 30 days shall be subject to the penalties and sanctions specified in Iowa Code section 324A.5(2).

910.7(1) If the department of health and human services purchases services from the noncompliant provider, the department will notify the department of health and human services of the noncompliant finding.

910.7(2) If the noncompliant provider is a recipient of public funds from other than the department of health and human services, the department will notify the proper authority as required in Iowa Code section 324A.5.

This rule is intended to implement Iowa Code sections 324A.4 and 324A.5.

761—910.8(324A) Revocation.

910.8(1) If certification is revoked, the department will send a written notice of revocation to the provider.

910.8(2) The affected public transit system, the provider and the department are to meet within ten days after the date of the revocation notice to determine an acceptable amendment of the transportation services. The amendments that are agreed upon shall become effective within 60 days. The contract between the provider and the affected public transit system shall be amended, if necessary, to agree with the service changes.

910.8(3) If the transportation services are not amended in a timely manner, the department will initiate actions as required in Iowa Code section 324A.5(2).

This rule is intended to implement Iowa Code section 324A.5.

Appendix to rule 761—910.4(324A)

Date _____

FY _____

CERTIFICATION APPLICATION

State/Federal Administering Agency _____

I. GENERAL INFORMATION:

Agency Name: _____

Address: _____

Contact Person: _____ Phone: (____) _____

Service Area (counties): _____

Types of Clients: _____

Types of Services: _____

Does agency provide transportation services? Yes _____ No _____

Does agency use public funds for transportation? Yes _____ No _____

II. TRANSPORTATION ACTIVITIES:

Population groups served: Elderly _____ Youth Economically Deprived _____ Public _____

Persons with physical disabilities _____ Persons with mental disabilities _____ Other _____

Describe others: _____

Services Accessed: Medical _____ Day Care _____ Shopping _____ Nutrition _____ Employment _____

Recreation _____ Education/training _____ Other social services _____

What percent of your transportation service (in terms of miles driven) is operated during the following time periods?

_____ % weekdays + _____ % evenings + _____ % weekends = 100%

Is any part of agency's transportation purchased from an urban or regional transit system?

Yes _____ No _____ If yes, please indicate system: _____

V. PURCHASE OF SERVICE (Contracts and Vendor Agreements):

Total \$ _____

	Average Monthly Ridership	Average Monthly Vehicle Miles	Projected Annual Expenditures
Taxi			\$
Intracity bus			\$
Regional/Urban Transit System			\$
Other - specify			\$
Total	-----	-----	\$

VI. OPERATION OF OWN TRANSPORTATION SERVICE:

Total \$ _____

STAFF	Number	% of Time	Projected Annual Expenditures
Administrative			\$
Drivers			\$
Maintenance			\$
Professional			\$
Escorts			\$
Volunteers reimbursement		\$ /mile	\$
Other - specify			\$
Subtotal	-----	-----	\$

VEHICLE OPERATING COSTS	Projected Annual Expenditures
Fuel and oil	\$
Maintenance and repair	\$
Insurance	\$
Licenses and fees	\$
Staff mileage reimbursement \$ /mile	\$
Indirect cost or overhead	\$
Other - specify	\$
Subtotal	\$

PURCHASE OR LEASE OF VEHICLES AND SPECIAL EQUIPMENT

Vehicle Type	No. to be Leased	No. to be Purchased	No. for Replacement	No. for Expansion	Special Equipment	Projected Annual Cost
						\$
						\$
						\$
Subtotal	-----	-----	-----	-----	-----	\$

Note: The total funding in Section IV should equal the total expenditures in Section V plus Section VI.

TD-2026-68

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 910 and adopt a new Chapter 910 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—910 should be rescinded and repromulgated. Proposed Chapter 910 describes the purpose, leadership, staffing, and duties of the statewide transportation coordination advisory council and the certification process for complying with the transportation coordination mandate in Iowa Code Chapter 324A. The changes made to this chapter include removing unnecessarily restrictive terms, correcting the timing of transportation coordination advisory council meetings, and editorial changes for brevity and readability.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 910.

Commissioner Stutsman moved and Commissioner Juckette seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to close-clearance warning signs along railroad tracks
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 813, “Close-Clearance Warning Signs Along Railroad Tracks,” Iowa Administrative Code, and to adopt a new Chapter 813 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 327F.13.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 327F.13.

Purpose and Summary

This chapter complies with Iowa Code section 327F.13 concerning close-clearance warning signs. These proposed rules define the criteria of a “close clearance,” identify what type of obstructions warrant the placement of a warning sign and concern enforcement and reimbursement of close-clearance signing. If obstacles are unable to be removed and meet the close-clearance criteria, a railroad operator must place signage near the close clearance to notify railroad employees riding the side of a train of the safety concern.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 30, 2025

The Department received no comments.

Fiscal Impact

There is no fiscal impact beyond what is required by statute.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way

Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 8:30 to 9 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 615 417 443#
January 28, 2026 1 to 1:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 703 065 947#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 813 and adopt the following **new** chapter in lieu thereof:

CHAPTER 813 CLOSE-CLEARANCE WARNING SIGNS ALONG RAILROAD TRACKS

761—813.1(327F) General.

813.1(1) Applicability.

- a. This chapter implements Iowa Code section 327F.13.
- b. This chapter applies to railroad companies as well as industries, agricultural cooperatives or other entities that are owners of a railroad track, and this chapter applies to individuals who are owners of a railroad track.

813.1(2) Contact information. Information regarding this chapter is available from the Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; or by telephone, 515.239.1140.

813.1(3) Definitions.

“*Close clearance*” means a permanent or temporary situation where an obstruction near a railroad track physically impedes a person who is lawfully riding the side of a train from clearing the obstruction.

“*Obstruction*” means a building, machinery (other than equipment designed for operation on a railroad track when actually located on a railroad track), tree, brush or other object.

“*Owner*” means the railroad company, industry, agricultural cooperative, other entity or individual that holds a fee simple title, easement, leasehold, contract to purchase, license or other legal or equitable interest or right in the railroad track and is in primary possession and control of the railroad track.

“*Tangent track*” means a track segment without any curves.

761—813.2(327F) Close-clearance dimensions. Close clearance for a tangent track is a location along the railroad track where there is an obstruction that falls within the following dimensions: starting at the

centerline of track at top of rail and extending 5 feet both sides horizontally and level therewith, thence upward vertically 15 inches, thence upward diagonally to a point 4 feet above top of rail and 8 feet laterally from centerline of track, thence vertically to a point 20 feet above top of rail, thence diagonally to a point 6 feet from centerline of track and 22 feet above top of rail, thence horizontally to centerline of track. Vertical clearance is to be 18 feet above top of rail at the entrance to and inside buildings. On curved track, clearances on each side of the track centerline are to be increased 1½ inches per degree of curvature (Figure 1).

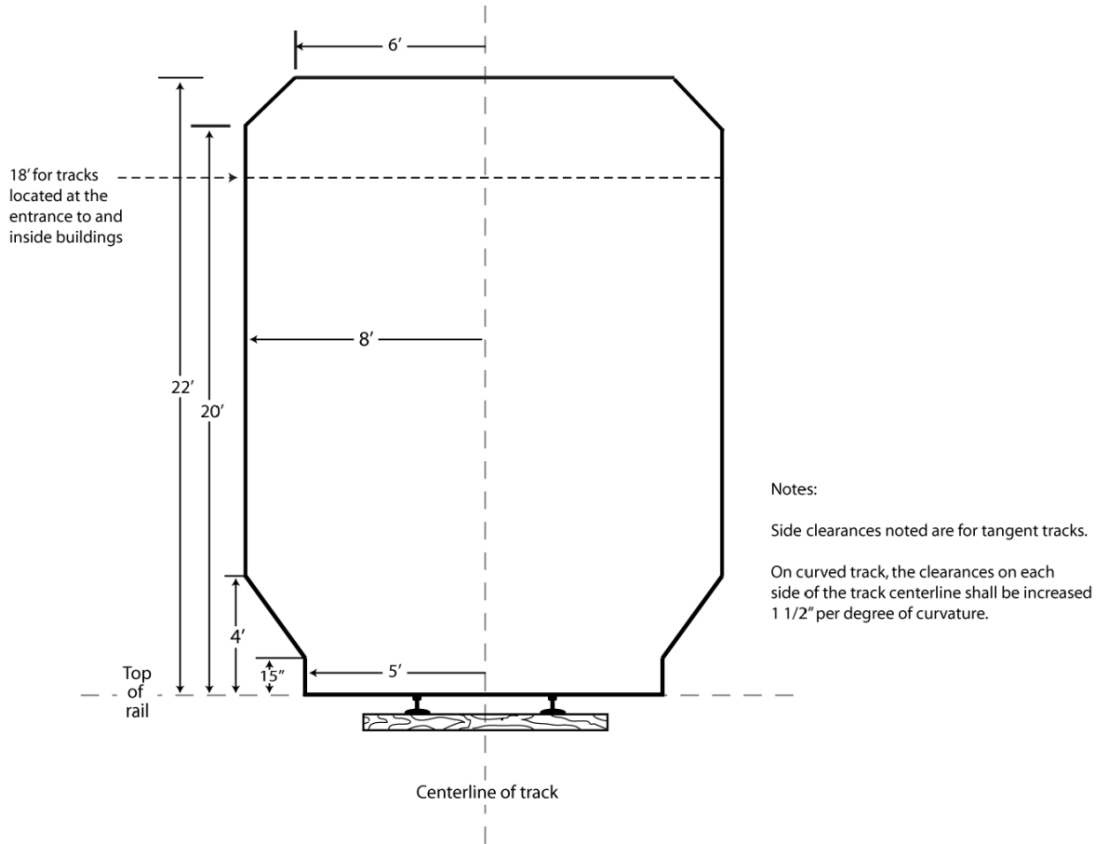


Figure 1

761—813.3(327F) Signing standards.

813.3(1) A close-clearance warning sign or signs are necessary at all locations where there is close clearance. It is the responsibility of the owner to ensure that all close-clearance locations have warning signs in accordance with this chapter and Iowa Code section 327F.13.

813.3(2) If an obstruction creating a close-clearance situation is a temporary or nonpermanent obstruction, in lieu of signage, the owner may remove the obstruction or remove the track from service until the obstruction is removed.

813.3(3) A close-clearance warning sign is to comply with the following:

- a. Include the words “no clearance.” The letters must be black on a white reflective background and be a minimum of three inches high.
- b. Be a vertical sign not less than 42 inches in height and 4 inches in width.
- c. Be placed at least one foot off the ground or on the obstruction and within three feet of the close-clearance location or on the obstruction. Signs are to be located on both sides of the obstruction so as to be visible from both directions.
- d. Not be within eight feet of the centerline of the tracks.

813.3(4) In the event that the placement of the close-clearance warning sign according to paragraph 813.3(3) “c” or “d” does not provide adequate notice for a person who is lawfully riding the side of a

train to prepare for the close clearance (such as a curve or other sight obstruction), an additional sign reading “no clearance ahead” is to be placed in a location that provides adequate notice to the person who is lawfully riding the side of the train so that the person may prepare for the close clearance. Depending on the particular environment that makes an additional no clearance ahead sign necessary, a no clearance ahead sign may be needed on one or on both sides of the obstruction so as to be visible from both directions.

813.3(5) In the event that the physical environment prevents the placement of a warning sign in accordance with paragraph 813.3(3) “c” or “d,” the sign is to be placed in a highly visible location that is clearly indicative of the point of close clearance. An alternative size and shape of sign may be used if there is no location available where a standard size and shape sign may be used. Any alternative sign must clearly be identifiable as an indicator of the close-clearance situation.

813.3(6) In limited situations where multiple instances of insufficient clearance occur within a confined area or over a distance, and where posting of multiple warning signs could on its own be a safety hazard, or where multiple signs would create a confusing environment, making it difficult to discern the areas that lack clearance, a sign reading “no clearance ahead” may be posted in lieu of multiple signs.

813.3(7) A line or other marker is to be maintained at a distance of eight feet from the centerline of the track on all platforms, excluding passenger platforms, to indicate the space along the edge of such platform that is to be kept clear of merchandise, material or other articles that could create a temporary close-clearance situation.

761—813.4(327F) Enforcement.

813.4(1) If the owner is provided written notice by an employee, a person working on or near the tracks or a railroad inspector that a location is in need of a close-clearance warning sign, the owner is to investigate and, if warranted, ensure the placement of a warning sign or signs within 30 calendar days of notification. If a close-clearance warning sign is not warranted, the owner is to inform the person who provided notice, in writing within 30 calendar days, that a sign is not warranted and explain why the location does not need a close-clearance warning sign.

813.4(2) If the owner fails to respond to a written notice by an employee or another person working on or near the tracks or if the employee or other person disagrees with the owner’s determination that a warning sign is not warranted, the employee or other person may notify the department. The department will investigate and make a determination if the location warrants the placement of a close-clearance warning sign.

a. If the department determines a close-clearance warning sign is warranted, the department will notify the owner in writing. The owner shall have 14 calendar days from the date of the notification to install the proper warning sign. Failure to install the close-clearance warning sign is evidence that the owner is in violation of Iowa Code section 327F.13.

b. The owner, an employee or a person working on or near the tracks may contest the determination. If the determination is contested, 761—Chapter 13 applies.

761—813.5(327F) Reimbursement.

813.5(1) The owner may request reimbursement from the department for up to \$100 per sign for the cost and installation of the close clearance or no clearance ahead warning sign.

813.5(2) To be reimbursed, the owner is to complete Form 291303, “Close-Clearance Warning Sign Certification.” The form is available on the department’s website at www.iowadot.gov or from the modal transportation bureau.

813.5(3) The owner is to submit the form to the modal transportation bureau and certify that the warning sign complies with the obligations in rule 761—813.3(327F) and provide proof of purchase.

813.5(4) The department may inspect, at any time, the sign installation to confirm that the warning sign meets the minimum obligations.

These rules are intended to implement Iowa Code section 327F.13.

TD-2026-69

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 813 and adopt a new Chapter 813 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—813 should be rescinded and repromulgated. This chapter complies with Iowa Code section 327F.13 concerning close-clearance warning signs. These proposed rules define the criteria of a “close clearance,” to identify what type of obstructions warrant the placement of a warning sign and concern enforcement and reimbursement of close-clearance signing.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 813.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division Order No. TD-2026-70
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 810, Railroad Safety Standards

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 810 and adopt a new Chapter 810 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—810 should be rescinded and repromulgated. This proposed chapter is intended to comply with Iowa Code sections 321.449A, 327C.4, 327F.38 and 327F.39, governing safety standards for railroad tracks and employee conditions. The rules adopt by reference, with dates certain, the Federal Railroad Administrations’ federal regulation (49 CFR Part 213) and the Federal Motor Carrier Safety Administration’s regulation (49 CFR Section 393.77). These federal regulations address track safety standards and heater equipment requirements in motor vehicles used to transport railroad workers. This proposed chapter establishes guidance regarding the availability of first aid and medical treatment for railroad employees and sets expectations for track inspection credentials. Additionally, this proposed chapter implements procedures for addressing violations of heating equipment requirements in vehicles used to transport railroad workers and rest periods for drivers transporting railroad workers. These proposed rules create consistency and uniformity of standard safety measures.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 810.

COMMISSION ACTION:			Vote		
			Aye	Nay	Pass
		Anderson	<u>x</u>	_____	_____
		Arnold	<u>x</u>	_____	_____
		Gaesser	<u>x</u>	_____	_____
Moved by	<u>Juckette</u>	Seconded by	<u>Stutsman</u>	<u>x</u>	_____
		Juckette	<u>x</u>	_____	_____
		Mulgrew Gronen	<u>x</u>	_____	_____
		Quirk	<u>x</u>	_____	_____
		Stutsman	<u>x</u>	_____	_____
_____	_____	_____			
Division Director	Legal	State Director			

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to railroad safety standards
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 810, “Railroad Safety Standards,” Iowa Administrative Code, and to adopt a new Chapter 810 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j,” 327F.38 and 327F.39.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 307.12(1)“j,” 307.26, 321.449A, 327C.4, 327F.38 and 327F.39.

Purpose and Summary

This proposed chapter is intended to comply with Iowa Code sections 321.449A, 327C.4, 327F.38 and 327F.39, governing safety standards for railroad tracks and employee conditions. These proposed rules adopt by reference, with dates certain, the Federal Railroad Administrations’ federal regulation (49 CFR Part 213) and the Federal Motor Carrier Safety Administration’s regulation (49 CFR Section 393.77). These federal regulations address track safety standards and heater equipment requirements in motor vehicles used to transport railroad workers. This proposed chapter establishes guidance regarding the availability of first aid and medical treatment for railroad employees and sets expectations for track inspection credentials. Additionally, this proposed chapter implements procedures for addressing violations of heating equipment requirements in vehicles used to transport railroad workers and rest periods for drivers transporting railroad workers. These proposed rules create consistency and uniformity of standard safety measures.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 29, 2025

The Department received no comments.

Fiscal Impact

This proposed rulemaking has no fiscal impact to the State of Iowa. This proposed chapter is in accordance with Executive Order 10, and the affected CFR parts and United States Code adopted by the Department are updated to reflect a current date certain. The CFR updates will bring uniformity and consistency to the industry.

Jobs Impact

This proposed rulemaking has no jobs impact to the State of Iowa. The proposed chapter is in accordance with Executive Order 10, and the affected CFR parts and United States Code adopted by the Department are updated to reflect a current date certain.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10 to 10:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 121 553 953#
January 28, 2026 2:30 to 3 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 822 775 496#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 810 and adopt the following **new** chapter in lieu thereof:

CHAPTER 810
RAILROAD SAFETY STANDARDS

761—810.1(307,327C,327F) General.

810.1(1) *Federal citations.*

a. The department adopts the following portions of the Code of Federal Regulations concerning railroad track safety standards and heaters in vehicles.

- (1) 49 CFR Part 213 (July 1, 2025).
- (2) 49 CFR Section 393.77 (October 1, 2024).

b. Copies of the federal regulations are available from the state law library or online at www.govinfo.gov.

810.1(2) Track inspection credentials. Authorized department employees must be admitted to any railroad property to conduct safety inspections of the track and track structures and must present state identification cards upon request.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 307.26(5), 327C.4 and 327F.39.

761—810.2(307,321,327F) Railroad safety standards.

810.2(1) First aid and medical treatment for railroad employees.

a. Railroad employees who are injured in the course of employment are to have reasonable and adequate access to first aid or medical treatment. A railroad or railroad employee shall not:

(1) Deny, delay or interfere with first aid or medical treatment for any railroad employee who is injured in the course of employment.

(2) Discipline or threaten to discipline any railroad employee for requesting first aid or medical treatment when the employee is injured in the course of employment.

b. All railroads operating in the state must make reasonable efforts to have emergency first-aid kits available at locations where railroad employees perform their employment duties.

c. Nothing in this rule is to be construed to force a railroad or railroad employee to perform first aid or medical care.

810.2(2) Heating system and driver rest period.

a. *Heater.* Pursuant to Iowa Code section 327F.39(4), a motor vehicle used to transport railroad workers shall comply with the safety standards established in 49 CFR Section 393.77.

b. *Driver rest period.* A railroad worker transportation company and railroad worker transportation company driver are to comply with the rest period conditions of Iowa Code sections 321.449A and 327F.39(5).

c. *Report procedure.*

(1) A person is to report an alleged violation of paragraph 810.2(2)“a” or “b” in writing to the responsible railroad company at its corporate headquarters.

(2) If within 30 days the railroad company does not respond or if the response is unsatisfactory, the person may report the alleged violation to the department at the following address: Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

(3) The report is to include the date, time, weather conditions and all facts pertinent to the alleged violation; the name and contact information of the driver employed by the railroad worker transportation company; or the railroad worker transportation company alleged to have had a driver violate the provisions of the Iowa Code (if applicable). The report is to also include a copy of the railroad’s response or, if the railroad failed to respond, proof of the date the report was submitted to the railroad.

(4) The director of the modal transportation bureau or the director’s designee may request additional information from the person submitting the report, the railroad worker transportation company or the railroad.

(5) The director of the modal transportation bureau or the director’s designee, which may include peace officers within the commercial motor vehicle unit of the department of public safety, may investigate the alleged violation.

(6) The director of the modal transportation bureau or the director’s designee will issue a decision within 60 days of receipt of the report or 60 days after receipt of the requested additional information. The decision may include any order as necessary to enforce Iowa Code section 327F.39 as set forth in Iowa Code section 327F.39(6).

(7) The department will notify the person and the railroad of the decision.

(8) The decision is final agency action.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 307.26, 321.449A, 327F.38 and 327F.39.

TD-2026-70

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 810 and adopt a new Chapter 810 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—810 should be rescinded and repromulgated. This proposed chapter is intended to comply with Iowa Code sections 321.449A, 327C.4, 327F.38 and 327F.39, governing safety standards for railroad tracks and employee conditions. The rules adopt by reference, with dates certain, the Federal Railroad Administrations’ federal regulation and the Federal Motor Carrier Safety Administration’s regulation. These federal regulations address track safety standards and heater equipment requirements in motor vehicles used to transport railroad workers.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 810.

Commissioner Juckette moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division Order No. TD-2026-71
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 800, Items of General Application for Railroads

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 800 and adopt a new Chapter 800 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—800 should be rescinded and repromulgated. This proposed chapter is intended to comply with Iowa Code chapters 327D and 327G, governing operations of railroads. These proposed rules implement annual reporting standards consistent with Surface Transportation Board requirements, adopt by date certain federal laws addressing the removal of railroad tracks after abandonment or discontinuance and the process to review and approve a local jurisdiction’s train speed ordinance and reference the procedure for acquisition or use of railroad right-of-way proposed for abandonment or trail use per 16 U.S.C. 1247(d). These proposed updates will bring uniformity and consistency to the industry.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 800.

COMMISSION ACTION:			Vote	
	Aye	Nay	Pass	
Moved by <u>Quirk</u>	<u>x</u>	_____	_____	
Seconded by <u>Stutsman</u>	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	
	<u>x</u>	_____	_____	

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to items of general application for railroads
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind new Chapter 800, “Items of General Application for Railroads,” Iowa Administrative Code, and to adopt a new Chapter 800 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j,” 327D.201 and 327G.24.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 307.12(1)“j,” 307.26, 327C.38, 327C.41, 327C.42, 327D.201, 327F.31 and 327G.24.

Purpose and Summary

This proposed chapter is intended to comply with Iowa Code chapters 327D and 327G, governing operations of railroads. These proposed rules implement annual reporting standards consistent with the Surface Transportation Board requirements, adopt by reference with dates certain federal laws addressing the removal of railroad tracks after abandonment or discontinuance and the process to review and approve a local jurisdiction’s train speed ordinance and reference the procedure for acquisition or use of railroad right-of-way proposed for abandonment or trail use per 16 U.S.C. 1247(d). These proposed updates will bring uniformity and consistency to the industry.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 29, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. The proposed chapter is in accordance with Executive Order 10, and the affected CFR parts and United States Code adopted by the Department are updated to reflect a current date certain. The CFR updates will bring uniformity and consistency to the industry.

Jobs Impact

This rulemaking has no jobs impact to the State of Iowa. The proposed chapter is in accordance with Executive Order 10, and the affected CFR parts and United States Code adopted by the Department are updated to reflect a current date certain.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10:30 to 11 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 797 604 269#
January 28, 2026 1:30 to 2 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 961 247 11#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 800 and adopt the following **new** chapter in lieu thereof:

RAILROADS
CHAPTER 800
ITEMS OF GENERAL APPLICATION FOR RAILROADS

761—800.1(327C,327D,327F,327G) General.

800.1(1) Definitions.

“*Crossing*” means the point where the railroad tracks and highway meet at the same location.

“*Railroad*” means persons who own rail facilities or who are responsible for the rail facilities’ operation and maintenance.

800.1(2) Contact information. Questions concerning this chapter may be directed to the Modal Transportation Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

800.1(3) Federal citations.

a. The department adopts the following portions of the Code of Federal Regulations, which are referenced throughout this chapter:

- (1) 49 CFR Part 1152 (October 1, 2024).
- (2) 49 CFR Part 1241 (October 1, 2024).
- (3) 49 U.S.C. 20106 (August 3, 2007).

b. Copies of the federal code or regulations cited in this chapter are available from the state law library or online at www.govinfo.gov.

This rule is intended to implement Iowa Code sections 327C.38, 327C.41, 327C.42, 327D.201, 327F.31 and 327G.24.

761—800.2(307,327C,327D) Accounts. All railroads operating in Iowa, except those whose accounts are regulated by the Surface Transportation Board, are to maintain accounts using the generally accepted accounting principles of the financial standards accounting board. The accrual method of accounting is to be used.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 327C.42, and 327D.201.

761—800.3(327C,327D) Annual reports.

800.3(1) A railroad company submitting an annual report to the Surface Transportation Board under 49 CFR Part 1241 is to submit a copy of this report to the department on or before April 1 following the close of the calendar year. The “State Statistics” report includes: annual data on additions and deletions of mileage within the state; mileage operated within the state at the end of the year; railway operating revenues earned within the state; statistics on rail line operations within the state, including locomotive unit-miles, car-miles and ton-miles; revenue freight carried within the state by commodity class; and a freight density map showing gross ton-miles for the railroad company’s system within the state.

800.3(2) A railroad company not required to submit an annual report to the Surface Transportation Board under 49 CFR Part 1241 is to submit an annual report to the department electronically on or before April 1 following the close of the calendar year.

This rule is intended to implement Iowa Code sections 327C.38, 327C.41, and 327D.201.

761—800.4(307,327F) Train speed ordinances. An ordinance or resolution adopted by a political subdivision that relates to the speed of a train in an area within the jurisdiction of the political subdivision is subject to department approval according to the following procedure:

800.4(1) The political subdivision is to submit the ordinance/resolution to the department supported by information or reasons that justify its approval by the department.

800.4(2) The department will notify the affected railroads.

800.4(3) The political subdivision and the affected railroads will have 30 days in which to submit position papers to the department before the department issues an order approving or disapproving the ordinance/resolution.

800.4(4) The department will issue an order approving or disapproving the ordinance/resolution in accordance with the following:

a. The department may approve the proposed ordinance/resolution only if the proposal satisfies the requirements of 49 U.S.C. 20106.

b. Generally, the department does not consider highway-railroad grade crossings or rail lines located near schools, residences, or commercial activities to be local safety hazards that can be remedied by train speed restrictions.

c. In making its decision, the department may also consider the following factors:

- (1) Traffic density and speed.
- (2) Accident frequency.
- (3) Causes of accidents.
- (4) Obstructions to visibility.
- (5) Traffic controls at crossings.
- (6) Population density.
- (7) Resulting burden on the rail transportation system.
- (8) Resulting benefit to residents of the political subdivision.

800.4(5) The department will mail notice of its order approving or disapproving the ordinance/resolution by certified mail, return receipt requested, to the political subdivision and the affected railroads.

800.4(6) If the department issues an order approving the ordinance/resolution, it will go into effect 25 days after the notice is mailed unless the order is contested pursuant to subrule 800.4(7).

800.4(7) Within 20 days after the notice is mailed, the political subdivision or an affected railroad may submit to the department a written statement contesting the department's order approving or disapproving the ordinance/resolution.

a. If the order is contested, 761—Chapter 13 applies.

b. If an order approving an ordinance/resolution is contested, the order shall be stayed pending the outcome of the contested case.

800.4(8) A submission to the department under this rule will be deemed timely submitted if it is delivered or postmarked within the time period specified.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 307.26 and 327F.31 and 2001 Iowa Op. Att’y Gen. #01-5-2.

761—800.5(327G) Removal of tracks from crossings.

800.5(1) 49 CFR Part 1152 contains the regulations governing the abandonment and discontinuance of railroad lines and rail transportation under 49 U.S.C. 10903 et seq. This part also contains the regulations and procedures for the acquisition or use of railroad rights-of-way proposed for abandonment for interim trail use and rail banking pursuant to 16 U.S.C. 1247(d).

800.5(2) A railroad corporation or its successor in interest having received authority to remove its tracks from a rail line pursuant to abandonment or interim trail use under 49 CFR Part 1152 is to, at the same time it removes its tracks from the railroad rights-of-way, remove its tracks from the crossings of highways, streets and alleys along the rail line and restore the surface of these crossings. A crossing is to be restored in a manner specified by the agency having jurisdiction over the highway, street or alley at the crossing.

800.5(3) If a railroad corporation or its successor in interest fails to remove its tracks from and restore the surface of a crossing as specified in subrule 800.5(2), then the agency having jurisdiction over the highway, street or alley at the crossing may, at the expense of the railroad corporation or its successor in interest, remove the tracks and restore the surface 120 days after the tracks adjacent to the crossing have been removed.

This rule is intended to implement Iowa Code section 327G.24.

TD-2026-71

Stuart Anderson, Transportation Development Division

The rulemaking proposes to rescind Chapter 800 and adopt a new Chapter 800 with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rules 761—800 should be rescinded and repromulgated. This proposed chapter is intended to comply with Iowa Code chapters 327D and 327G, governing operations of railroads.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 800.

Commissioner Quirk moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2026-72
 Submitted by Kathleen Meradith-Eyers Phone No. 515-231-1230 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 615, Sanctions

DISCUSSION/BACKGROUND:

The rulemaking proposes to amend Chapter 615.

The purpose of the proposed amendments to the chapter is to comply with 2025 Iowa Acts, Senate File 22, section 7. This legislation, which implements Iowa’s hands-free driving law, now includes convictions under Iowa Code section 321.276 in the determination of whether a driver’s license suspension will be issued.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

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 Stutsman Seconded by Juckette

	Aye	Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to sanctions and providing an opportunity for public comment

The Transportation Department hereby proposes to amend Chapter 615, “Sanctions,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321.210.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.210.

Purpose and Summary

The purpose of this proposed rulemaking is to comply with 2025 Iowa Acts, Senate File 22, section 7. This legislation, which implements Iowa’s hands-free driving law, now includes convictions under Iowa Code section 321.276 in the determination of whether a driver’s license suspension will be issued.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

The Department received no comments.

Fiscal Impact

There is no fiscal impact to the State beyond what is required by the underlying statute, which authorizes the Department to impose driver’s license sanctions for certain convictions, including violations of Iowa Code section 321.276.

Jobs Impact

There is no impact on jobs as a result of this proposed rulemaking that were not already required as a result of the underlying statutes.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10 to 10:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 587 705 335#
January 28, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 522 267 334#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Amend rule 761—615.5(321) as follows:

761—615.5(321) Suspension of a habitually reckless or negligent driver.

615.5(1) No change.

615.5(2) In this rule, speeding violations specified in Iowa Code section 321.210(2)“d” ~~and violations under Iowa Code section 321.276~~ are not included.

This rule is intended to implement Iowa Code section 321.210.

ITEM 2. Amend rule 761—615.6(321) as follows:

761—615.6(321) Suspension of a habitual violator.

615.6(1) and **615.6(2)** No change.

615.6(3) In this rule, speeding violations specified in Iowa Code section 321.210(2)“d” ~~and violations under Iowa Code section 321.276~~ are not included.

This rule is intended to implement Iowa Code section 321.210.

MV-2026-72

Kathleen Meradith-Eyers, Motor Vehicle Division

The rulemaking proposes to amend Chapter 615.

The purpose of the proposed amendments to the chapter is to comply with 2025 Iowa Acts, Senate File 22. This legislation, which implements Iowa's hands-free driving law, now includes convictions under Iowa Code section 321.276 in the determination of whether a driver's license suspension will be issued.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

Commissioner Stutsman moved and Commissioner Juckette seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-73
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 164, Traffic Safety Improvement Program

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 164 and adopt a new chapter with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—164 should be rescinded and repromulgated. The purpose of the Traffic and Safety Improvement Program is to provide funding for traffic safety improvements or studies on public roads under county, city or state jurisdiction. This proposed chapter establishes necessary regulation for effectively administering the program and defining eligibility requirements.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 164.

COMMISSION ACTION:

Moved by Juckette Seconded by Quirk

	Aye	Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to traffic safety improvement program
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 164, “Traffic Safety Improvement Program,” Iowa Administrative Code, and to adopt a new Chapter 164 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 307.12(1)“j” and 312.2(11).

Purpose and Summary

The purpose of the Traffic and Safety Improvement Program is to provide funding for traffic safety improvements or studies on public roads under county, city or State jurisdiction. This proposed chapter establishes necessary regulation for effectively administering the program and defining eligibility requirements.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 21, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. The proposed changes are made with guidance created for Executive Order 10.

Jobs Impact

This proposed rulemaking is not creating, removing or changing jobs.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10:30 to 11 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 680 942 736#
January 28, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 780 521 66#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 164 and adopt the following **new** chapter in lieu thereof:

CHAPTER 164
TRAFFIC SAFETY IMPROVEMENT PROGRAM

761—164.1(307,312) General.

164.1(1) Definitions.

“*Commission*” means the state transportation commission.

“*Jurisdiction*” means the department, a county, a city or any other public agency having responsibility for and control over a road or street.

“*Other public agency*” means any board, commission or agency having jurisdiction and control over roads and streets in any state park, state institution, and other state land road system.

“*State park, state institution, and other state land road system*” means the same as defined in Iowa Code section 306.3(10).

“*Traffic safety improvement program*” means the funding program created for traffic safety improvement projects pursuant to Iowa Code section 312.2(11).

164.1(2) Information and forms. Information, instructions and application forms may be obtained from the Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.239.1557; or on the department's website at www.iowadot.gov/consultants-contractors/traffic-safety/programs/traffic-safety-improvement-program-tsip.

761—164.2(307,312) Program administration.

164.2(1) Purpose. The traffic safety improvement program provides funding for traffic safety improvements or studies on public roads under county, city or state jurisdiction.

164.2(2) Local participation. The department will administer the traffic safety improvement program as a statewide program and will coordinate local participation in review and evaluation of applications for funding.

164.2(3) Funding.

a. The traffic and safety bureau will review all applications and availability of funds in order to make funding recommendations to the commission. The commission may choose to fund all or part of a project or limit funding to specific work items. Funding may also be made dependent upon adherence to a time schedule or fulfillment of specified conditions.

b. The commission need not commit all funds available during a fiscal year. Funds not committed by the commission will be retained for subsequent programming cycles. Awarded funds not used within a specified period or remaining after project closure will be retained for subsequent programming cycles.

c. The maximum traffic safety improvement program funding for a site-specific improvement will not exceed \$500,000. Total funding allotted for the traffic control device category will not exceed \$750,000 annually. Total funding allotted for the studies and outreach category will not exceed \$750,000 annually. All project costs exceeding the commitment of traffic safety improvement program funds shall be the responsibility of the applicant.

761—164.3(307,312) Eligibility.

164.3(1) Applicant eligibility. Any jurisdiction in the state of Iowa is eligible to apply for traffic safety improvement program funding. Applicants are to designate one jurisdiction as the principal contact for a project involving multiple jurisdictions.

164.3(2) Project eligibility. Projects located on a public roadway within the state of Iowa are eligible for funding. Projects located on a private road or for a private purpose are not eligible.

761—164.4(307,312) Project costs.

164.4(1) Eligible project costs.

a. *Site-specific improvements category.* Activities considered eligible for funding are those integral to the safety aspects of the project. Eligible activities include but are not limited to the following:

- (1) Road modernization, upgrading or reconstruction.
- (2) Intersection improvements.
- (3) Right-of-way purchases.
- (4) Drainage and erosion control measures.
- (5) Traffic control devices.
- (6) Traffic barriers and other roadside safety devices.
- (7) Removal of trees and other fixed objects.

b. *Traffic control devices category.* The cost of materials purchased for initial installation of traffic control devices or replacement of obsolete traffic control devices is considered eligible for funding. Devices shall comply with the applicable warrants in the “Manual on Uniform Traffic Control Devices” (MUTCD) as adopted in rule 761—130.1(321).

c. *Studies and outreach category.* Activities considered eligible for funding include but are not limited to the following:

- (1) Research addressing statewide traffic safety concerns.
- (2) Studies addressing traffic safety concerns at specific locations.
- (3) Initiatives emphasizing or improving traffic safety techniques or policies.

164.4(2) Ineligible project costs.

a. Any and all costs incurred prior to commission approval of funding for a project are ineligible.

b. Activities and costs not eligible for traffic safety improvement program funding within the site-specific improvements category include but are not limited to:

- (1) Routine maintenance of a road, street, bridge, culvert or traffic control device.
- (2) Contract administration costs.
- (3) Design and construction engineering and inspection.
- (4) Utility construction, reconstruction or adjustment, except as an integral part of a project.
- (5) Sidewalks, shared-use paths, or railroad-highway crossings, except as an integral part of a project.
- (6) Maintenance or energy costs for traffic control devices or lighting.
- (7) Expenditures for items not related to the roadway.

c. Activities and costs not eligible for traffic safety improvement program funding within the traffic control devices category include but are not limited to:

- (1) Maintenance or energy costs.
- (2) Installation costs.

761—164.5(307,312) Applications. Applications address funding needs in one of three categories: site-specific improvements, traffic control devices, or studies and outreach. Application procedures for each funding category are distinct.

164.5(1) *Site-specific improvements category.* Applications in the site-specific improvements category shall be submitted electronically on forms provided on the department's website. Required information includes:

- a. The applicant's name, mailing address, telephone number, and a designated contact person.
- b. A preliminary project concept statement, including a location map and a sketch plan. Concepts are to be developed using engineering principles and are to include details to generate project cost estimates.
- c. Justification for the proposed construction project. Justification may be based on a location's crash history, a location's crash risk, or recommendations from a traffic study.
- d. Data showing the anticipated effect of the project on traffic safety. Data shall include crash history based on the department's current crash analysis software and the anticipated crash reduction as a result of the project.
- e. An itemized cost estimate for the project including a list of the sources and amounts of supplementary funds for the project. Safety-related work items and quantities shall be listed separately.
- f. A time schedule for the project.
- g. The jurisdiction's official endorsement, where applicable, of the project and written assurance that the improved site will be adequately maintained for a specified period of time.

164.5(2) *Traffic control devices category.* Applications in the traffic control devices category shall be submitted electronically on forms provided on the department's website. Required information includes:

- a. The applicant's name, mailing address, telephone number, and a designated contact person.
- b. A list of the number and types of devices requested, and whether each is for initial placement or a replacement.
- c. Justification for the requested devices, including compliance with the applicable warrants in the MUTCD as adopted in rule 761—130.1(321).
- d. A cost estimate.
- e. A time schedule for installation.
- f. The jurisdiction's official endorsement of the traffic control device project and written assurance that the traffic control device will be adequately maintained for a specified period of time.

164.5(3) *Studies and outreach category.* Applications in the studies and outreach category shall be submitted electronically on forms provided on the department's website. Required information includes:

- a. The applicant's name, mailing address, telephone number and a designated contact person.
- b. A description of the proposed subject matter and the goals or expected results of the effort.
- c. A cost estimate.
- d. A time schedule.

761—164.6(307,312) Processing the application.

164.6(1) *Submission.*

- a. The jurisdiction shall submit the complete application electronically to the traffic and safety bureau. An application may be submitted at any time.
- b. Complete applications received before August 16 of each year will be evaluated for funding in the following state fiscal year.
- c. An unfunded application may be resubmitted for consideration during a subsequent funding cycle.
- d. An application may be withdrawn at any time.

164.6(2) *Approval of projects.* Department staff will prepare, with input from local officials, a proposed program of projects for each funding category and submit the programs to the commission for approval. The criterion for determining funding priorities in each category is the demonstrated relationship of the project to traffic safety.

761—164.7(307,312) Project agreement.

164.7(1) After the commission has approved funding, a project agreement shall be negotiated and executed between the department and the jurisdiction. The agreement shall specify the following:

a. Conditions for project funding, which may include such items as the responsibility for planning, design, right-of-way, contracting, construction, materials inspection, documentation and the criteria for each.

b. The funding level for the eligible work items.

164.7(2) The department will reimburse the jurisdiction for actual eligible project costs not to exceed the amounts authorized by the project agreement.

These rules are intended to implement Iowa Code sections 307.12(1)“j” and 312.2(11).

SO-2026-73

Wes Musgrove, Systems Operations Division

The rulemaking proposes to rescind Chapter 164 and adopt a new chapter with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—164 should be rescinded and repromulgated. The purpose of this proposed chapter establishes necessary regulations for effectively administering the program and defining eligibility requirements.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 164.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to improvements and maintenance on primary road extensions and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 150, “Improvements and Maintenance on Primary Road Extensions,” Iowa Administrative Code, and to adopt a new Chapter 150 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 306A and 318 and sections 17A.9A, 307.12(1)“j,” 309.1, 313.4, 313.5, 313.21 through 313.24, 313.27, 313.36, 314.5, 314.6, 318.1, 321E.3 and 362.2.

Purpose and Summary

The Department proposes to rescind and repromulgate Chapter 150. This chapter defines responsibilities, requirements, and procedures for construction and maintenance on primary road extensions within cities and responsibilities for facilities commonly impacted by these activities, including traffic signals, lighting, bridges, intersection paint markings, signs, and rights-of-way. This proposed chapter was reorganized to improve readability and includes several clarifications to the definitions and maintenance responsibilities outlined in the chapter. Responsibilities for previously unmentioned features, including bike lanes, bridge graffiti removal, and roundabout center islands, were added.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 21, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 27, 2026 9 to 9:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 717 571 85#
January 27, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 676 783 674#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 150 and adopt the following **new** chapter in lieu thereof:

PRIMARY ROAD EXTENSIONS

CHAPTER 150

IMPROVEMENTS AND MAINTENANCE ON PRIMARY ROAD EXTENSIONS

761—150.1(306,306A,307,318,362) General.

150.1(1) Information. Information regarding this chapter is available from the Maintenance Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.239.1547.

150.1(2) Definitions.

“*Access control limits*” means the area where the department has acquired access rights in accordance with 761—Chapter 112.

“*City*” means a municipal corporation as defined in Iowa Code section 362.2.

“*Curbed cross section*” means a roadway with outside raised paved edges or rims (commonly called “curbs”) used for storm water drainage. Raised medians or inside curbs alone are not sufficient to constitute a curbed cross section.

“*Encroachment*” means an item that is supported or located on the highway right-of-way or that overhangs into the airspace of the highway right-of-way.

“*Freeway*” means a fully controlled access primary highway. The rights of ingress and egress from abutting properties have been legally eliminated by the department. Permanent access to the freeway

is allowed only at interchange locations. For the purpose of this chapter, a freeway is generally five or more miles in length.

“*MUTCD*” means the “Manual on Uniform Traffic Control Devices” as adopted in 761—Chapter 130.

“*Nonfreeway primary highway*” means a primary highway that is not a freeway.

“*Obstruction*” means the same as defined in Iowa Code section 318.1.

“*Right-of-way*” means the land for any public road, street or highway, including the entire area between the property lines.

“*Urban-state traffic engineering program*” or “*U-STEP*” refers to a department program that is intended for use by any Iowa city in order to solve traffic operations and safety problems on primary roads in Iowa cities as documented on the department’s “Grants and Programs” website at www.iowadot.gov/transportation-development/grant-programs/grant-program-list.

“*Utility*” means the same as defined in Iowa Code section 306A.13.

This rule is intended to implement Iowa Code sections 306.2, 306.3, 306A.13, 307.12(1)“j,” 318.1 and 362.2.

761—150.2(306,306A,307,313,314) Improvements and maintenance on extensions of freeways.

150.2(1) Construction. Except as otherwise provided, the department shall be responsible for all right-of-way and construction costs associated with the construction of freeway extensions.

a. The city shall be responsible for providing, without cost to the department, all necessary rights-of-way that involve dedicated streets or alleys.

b. The city may be responsible for providing, without cost to the department, all necessary rights-of-way that involve other city-owned lands, except parklands, subject to the condition that the department may reimburse the city for the functional replacement value of improved property and advanced purchases negotiated by the city for project purposes.

c. Outside the access control limits, the department shall be responsible for the costs of construction of longitudinal and outlet storm sewers made necessary by highway construction in the proportion that the street right-of-way of the primary road extension bears to the total drainage area to be served by the proposed sewers. The city shall be responsible for the remaining portion of storm sewer costs not paid for by the department.

d. The department shall be responsible for all storm sewer-related costs within the access control limits.

150.2(2) Maintenance. The department shall enter into an agreement with a city regarding the maintenance of primary roads within the corporate city limits. This is intended to include corporate line roads, when appropriate. Unless otherwise mutually agreed to and specified in the agreement, the maintenance of freeway extensions within the corporate city limits, including corporate line roads, shall be as follows:

a. The department shall be responsible for all maintenance costs on the through roadway, the on and off ramps, and the roadside features from right-of-way line to right-of-way line.

b. Where city streets cross the freeway, the department shall be responsible for:

- (1) Roadside maintenance within the freeway right-of-way.
- (2) Surface drainage of the freeway right-of-way.
- (3) Traffic signs and pavement markings required for freeway operation.
- (4) Guardrail at piers and guardrail at bridge approaches.
- (5) Expansion relief joints in approach pavement and approach panel leveling and maintenance.
- (6) All maintenance of bridges, including deck repair, structural repair, berm slope protection, painting, and inspection, except as noted in paragraph 150.2(2)“c.”

(7) Graffiti removal on bridges and abutments within the freeway right-of-way.

c. Where city streets cross the freeway, the city shall be responsible for:

- (1) All roadside maintenance outside the freeway right-of-way.
- (2) All pavement, subgrade and shoulder maintenance on the cross street except expansion relief joints and bridge approach panel leveling or repair.
- (3) All traffic lane markings on the cross street.

(4) Snow removal on the cross street, including bridges over the freeway and through ramp terminals.

(5) Cleaning and sweeping bridge decks on streets crossing over the freeway.

d. The city shall be responsible for maintenance and repair of pedestrian overpasses and underpasses, including snow removal, painting, lighting and structural repairs.

e. Should local service roads or streets be constructed as a part of a project, upon completion they shall become a part of the city street system. The department shall not be responsible for the maintenance of these roads or streets and corresponding drainage structures.

150.2(3) Lighting.

a. The department shall be responsible for:

(1) The cost of installation of lighting on the main-traveled-way lanes and the on and off ramps, including the terminals with cross streets when the department determines that lighting is required under established warrants.

(2) The energy and maintenance costs of lighting on the main-traveled-way lanes.

(3) The energy and maintenance costs of lighting through interchange areas and ramps at interchanges between freeways that do not provide service to local streets.

(4) The energy and maintenance costs of lighting in interchange areas at interchanges between freeways and primary roads that are on corporate lines.

(5) At interchanges with city cross streets, the energy and maintenance costs of lighting on the main-traveled-way lanes, on and off ramps, ramp terminals, and, when the department determines full interchange lighting is required, the cross street between the outermost ramp terminals.

b. The department shall not be responsible for:

(1) The installation, energy and maintenance costs of any lighting on cross streets in advance of interchanges and between the outermost ramp terminals at interchanges where the department determines partial interchange lighting or no lighting is required.

(2) The installation, energy and maintenance costs of any lighting on pedestrian overpasses, pedestrian underpasses, bicycle overpasses or bicycle underpasses. The city may elect to provide lighting at its own expense.

c. Warrants for the lighting of freeways shall be according to the 2018 “AASHTO Roadway Lighting Design Guide.” The AASHTO publication may be ordered from the website www.transportation.org. The publication may be inspected at the department’s maintenance bureau.

This rule is intended to implement Iowa Code sections 306.4, 306.42, 307.12(1) “j,” 313.4, 313.5, 313.21 through 313.24, 313.27, 313.36, 314.5 and 314.6 and chapter 306A.

761—150.3(306,306A,307,309,313,314,321E) Improvements and maintenance on extensions of nonfreeway primary highways.

150.3(1) Construction.

a. The department shall be responsible for all right-of-way and construction costs to construct nonfreeway primary highway extensions to the minimum design criteria as established by the department. Construction improvement costs beyond minimum design criteria shall be the responsibility of the city, as specified in the project agreement. Minimum design criteria shall be in accordance with “A Policy on Geometric Design of Highways and Streets, 2018” (Seventh Edition AASHTO Green Book). The AASHTO publication may be ordered from the website www.transportation.org. The publication may be inspected at the department’s maintenance bureau.

b. The city shall be responsible for providing, without cost to the department, all necessary rights-of-way that involve dedicated streets or alleys.

c. The city may be responsible for providing, without cost to the department, all necessary rights-of-way that involve other city-owned lands, except parklands, subject to the condition that the department may reimburse the city for the functional replacement value of improved property and advanced purchases negotiated by the city for project purposes.

d. The city shall take all necessary legal action to discontinue and prohibit any past or present use of project rights-of-way for private purposes. The city shall prevent any future encroachment or obstruction within the limits of project rights-of-way.

e. The department shall be responsible for the costs of construction of longitudinal and outlet storm sewers made necessary by highway construction and construction of local service roads developed as a part of the construction or reconstruction of the through traffic lanes in the proportion that the right-of-way of the primary road extension bears to the total drainage area to be served by the proposed sewers. The city shall be responsible for the remaining portion of storm sewer costs not paid for by the department.

f. Unless otherwise mutually agreed to and specified in the project agreement, the department shall be responsible for the cost of acquiring rights-of-way and construction of local service roads developed as a part of the construction or reconstruction of the through traffic lanes.

150.3(2) Maintenance. The department shall enter into an agreement with a city regarding the maintenance of primary roads within the corporate city limits. This is intended to include corporate line roads, when appropriate. Unless otherwise mutually agreed to and specified in the agreement, the maintenance of nonfreeway primary highway extensions within the corporate city limits, including corporate line roads, shall be as follows:

a. On primary roads constructed with a curbed cross section, the department shall be responsible for:

(1) Maintenance and repairs to pavement and subgrade from face of curb to face of curb exclusive of parking lanes, culverts, intakes, manholes, public or private utilities, sanitary sewers and storm sewers.

(2) Primary road signing for moving traffic as set out in subrule 150.4(1), pavement markings for traffic lanes, guardrail and stop signs at intersecting streets.

(3) Surface drainage only, within the limits of pavement maintenance.

(4) Plowing of snow from the traffic lanes of pavement and bridges and treatment of traffic lanes with abrasives and chemicals.

(5) Inspection, painting and structural maintenance of bridges as defined in Iowa Code section 309.1.

b. On primary roads constructed with a rural cross section (no curb), the department shall be responsible for all maintenance, except tree removal, sidewalks, retaining walls and repairs due to utility construction and maintenance, which shall be the city's responsibility.

c. On primary roads constructed with a curbed cross section, the city shall be responsible for:

(1) Maintenance and repairs to pavement in parking and bicycle lanes, intersections beyond the limits of department pavement maintenance, curbs used to contain drainage, and repairs to all pavement due to utility construction, maintenance and repair.

(2) Painting of parking stalls, stop lines and crosswalks, and the installation and maintenance of flashing lights. Pavement markings shall conform to the MUTCD.

(3) Maintenance of all storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.

(4) Removal of snow windrowed by departmental plowing operations, removal of snow and ice from all areas outside the traffic lanes, loading or hauling of snow which the city considers necessary and removal of snow and ice from sidewalks on bridges used for pedestrian traffic.

(5) Maintenance of sidewalks, retaining walls and all areas between curb and right-of-way line.

(6) Cleaning, sweeping and washing of streets.

(7) Maintenance and repair of pedestrian or bicycle overpasses and underpasses, including snow removal, painting and structural repairs.

(8) Roundabout center islands.

d. The city shall comply with the access control policy of the department as adopted in 761—Chapter 112 and obtain prior approval from the department for any changes to existing entrances or for the construction of new entrances.

e. Drainage district assessments levied against the primary road within the corporate limits of the city shall be shared equally by the department and the city.

f. Should local service roads or streets be constructed as a part of a project, upon completion they shall become a part of the city street system. The department shall not be responsible for the maintenance of these roads or streets and corresponding drainage structures.

150.3(3) Lighting.

a. The department shall not be responsible for the installation, energy, and maintenance costs of lighting on extensions of nonfreeway primary highways. The city may elect to provide lighting at its own expense. However:

(1) For cities with a population of 5,000 or fewer, the department may elect to install interchange or intersection lighting and to be responsible for or to participate in the energy and maintenance costs of this lighting.

(2) On a new construction project that results in a predominately fully controlled access highway, but incorporates some nonfreeway segments, the department may elect to participate in the installation of lighting at conflict points if the city agrees to be responsible for the energy and maintenance costs of this lighting.

b. At corporate line primary road junctions, the lighting shall be installed where necessary by the department in accordance with department warrants. The department shall be responsible for the installation costs. Unless otherwise agreed, the energy and maintenance costs shall be shared by the city and department in proportion to the number of luminaires in each jurisdiction as established by the corporate line. When and if the corporate line is extended to include any part of the lighting installation or a greater proportion of luminaires, the proportionate costs for maintenance and energy shall be redetermined on the basis of the number of luminaires in each jurisdiction as established by the new location of the corporate line.

This rule is intended to implement Iowa Code sections 306.4, 306.42, 307.12(1)“j,” 309.1, 313.5, 313.21 through 313.24, 313.27, 313.36, 314.5, 314.6 and 321E.3 and chapter 306A.

761—150.4(306,306A,307,313,314,318) General requirements for primary road extensions.

150.4(1) Signing.

a. The department shall be responsible for permanent traffic control signing on primary road extensions.

b. The department shall not be responsible for construction and maintenance work zone signing unless the work is being done by the department.

c. The department shall not be responsible for street name signs, any regulatory parking signs that denote special regulations as may be determined by the city in cooperation with the department, and those signs that regulate parking as to time, hours and days of the week.

d. The department shall not be responsible for signs facing traffic on primary road extensions that regulate traffic movements on city cross streets (one-way traffic).

e. “Business District” signs on primary road extensions may be permitted upon application by the city to the department.

f. All signing within the right-of-way shall conform to the MUTCD.

150.4(2) Encroachments and obstructions.

a. The city shall remove any existing obstructions within the highway right-of-way and prevent any future obstructions from occurring within the highway right-of-way in a manner consistent with Iowa Code chapter 318.

b. The city shall remove any existing encroachments and prevent any future encroachments from occurring within the highway right-of-way, except those authorized or permitted by the highway authority. Under no circumstances shall an overhanging sign or awning be allowed within two feet of the inside edge of the curb (also known as the face of the curb, which is that part of the curb that is next to traffic) or within two feet of the edge of the pavement in the absence of a curb. Any encroachments authorized or permitted by the highway authority shall be in accordance with Iowa Code chapter 318.

150.4(3) Pedestrian, equestrian, and bicycle routes (sidewalks).

a. The department shall remove and replace portions of existing routes as required by construction.

b. The department will consider the impacts to pedestrian accommodation at all stages of the project development process and encourage pedestrian accommodation efforts when pedestrian

accommodation is impacted by highway construction. The cost of pedestrian accommodation made at the time of the highway improvement may be considered an additional roadway construction cost. Providing pedestrian accommodation independent of a highway construction project may be considered with construction funding obtained from local jurisdictions or other federal and non-road use tax state sources.

c. If a project is initiated by the department, the department shall fund 100 percent of all curb ramps, turning spaces, transitions, sidewalks, curb drops and pedestrian signals within the right-of-way of primary road extensions to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) as amended by the ADA Amendments Act of 2008 (PL 110–325), codified at 42 U.S.C. 12101 et seq., if such improvements are in the project.

d. If a project is initiated by a local jurisdiction, the department may participate by funding 55 percent of the cost of constructing curb ramps, turning spaces, transitions, sidewalks, curb drops and pedestrian signals on existing sidewalks within the right-of-way of primary road extensions to meet the requirements of the Americans with Disabilities Act if such improvements are in the project. However, departmental participation shall not exceed \$250,000 per year for any one local jurisdiction and \$5 million per year in total.

150.4(4) *Overpasses and underpasses for pedestrian, equestrian, and bicycle routes.*

a. During initial construction of freeways and other relocated primary road extensions and when user-volumes and topographic conditions warrant the construction of a separation, the cost shall be shared between the department and the city on the basis of the current U-STEP cost apportionment.

b. The department may participate in a city-initiated separation that is not included in the department’s “Five-Year Iowa Transportation Improvement Program.”

150.4(5) *Utility relocation and removal.*

a. The city shall relocate or cause to be relocated, without cost to the department, all city-owned utilities necessary for construction when these utilities are within the existing street or alley right-of-way. The department shall reimburse the owner of a utility that is located on private right-of-way for the costs of relocation or removal, including the costs of installation in a new location.

b. The city shall comply with the utility accommodation policy of the department as adopted in 761—Chapter 115.

150.4(6) *Project concept statements and predesign project agreements for proposed construction projects.*

a. As early as possible after an urban project is included in the department’s “Five-Year Iowa Transportation Improvement Program,” a concept statement for the project shall be developed and shall be reviewed with the officials of the city prior to the public hearing.

b. During the design process, a predesign project agreement may be submitted to city officials for their approval. It shall include all the following:

- (1) A preliminary description of the project.
- (2) The general concepts of the project.
- (3) Responsibilities for right-of-way acquisition, storm sewer costs and utility adjustment costs.
- (4) The parking and access control restrictions to be applied to the project.
- (5) Financial participation above minimum standards.

150.4(7) *Preconstruction project agreements for proposed construction projects.*

a. The department shall maintain a close liaison with the city during the development of the project plan so that all parties will be fully informed of the details involved in the proposed improvement.

b. When the plan is sufficiently complete to provide typical cross sections, plan and profile drawings and incidental details, the department shall submit a preconstruction project agreement, which shall include known design data, to city officials for their approval. Terms for reimbursement to the state and local financial participation shall be stated in this agreement.

c. Modifications to this agreement necessitated by design changes encountered during construction shall be made by an extra work order agreed to in writing by the city, the contractor, and the department.

150.4(8) *Traffic signals.*

- a. All traffic signal installations shall meet the standards and warrants established in the MUTCD.
- b. When replacing pavement or adding lanes, the department may, by agreement, install or replace warranted traffic signals (including pedestrian-only signals) at no cost to the city.
- c. When new or upgraded traffic signals (including pedestrian-only signals) are part of a pavement maintenance or stand-alone traffic signal project, the department may, by agreement, participate in installation costs with its maximum share limited to that based on the current U-STEP cost-sharing policy. The city is responsible for preparing plans, awarding the contract, supervising installation, and covering the remaining costs.
- d. Signal modifications to coordinate with other city systems (outside the primary road extension system) are the city's full financial responsibility.
- e. The department will not fund signals intended solely for commercial use or signalization of primary road stub routes ending within the city.
- f. The department does not assume ownership or responsibility for any energy or maintenance costs for traffic signals.
- g. Signal phasing, initial and future, as well as timing and coordination between intersections shall be coordinated between the department and the city.

150.4(9) *Overdimensional and overweight vehicles.* The city shall comply with all current statutes, rules and regulations pertaining to overdimensional and overweight vehicles using primary roads when issuing special permits for overdimensional and overweight vehicles.

This rule is intended to implement Iowa Code sections 306.4, 307.12(1)“j,” 313.21 through 313.24, 313.27, 313.36, 314.5 and 314.6 and chapters 306A and 318.

761—150.5(17A,307) Special circumstances.

150.5(1) *Waivers.* The director of transportation or the director's designee may, in response to a written petition, waive provisions of this chapter in accordance with 761—Chapter 11. The written petition must contain the information as required in 761—subrule 11.5(2) and shall be submitted to the Rules Administrator, Office of the Director, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; or by email to the rules administrator's email address listed on the department's website at www.iowadot.gov/administrativerules.

150.5(2) *Waivers involving interstate highways.* The director shall not waive these rules if the request involves the interstate highway system, including its ramps, without the approval of the Federal Highway Administration.

This rule is intended to implement Iowa Code sections 17A.9A and 307.12(1)“j.”

SO-2026-74

Wes Musgrove, Systems Operations Division

The rulemaking proposes to rescind Chapter 150 and adopt a new chapter with the same title.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—150 should be rescinded and repromulgated. This chapter defines responsibilities, requirements, and procedures for construction and maintenance on primary road extensions within cities and responsibilities for facilities commonly impacted by these activities, including traffic signals, lighting, bridges, intersection paint markings, signs, and rights-of-way.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission and adoption of Chapter 150.

Commissioner Quirk moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-75
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 143, Traffic Signal Synchronization

DISCUSSION/BACKGROUND:

The rulemaking proposes to rescind Chapter 143 and adopt a new chapter with a new title, Traffic Signal Coordination.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—143 should be rescinded and repromulgated with a new title. This proposed chapter lays out requirements regarding the installation and coordination of traffic signals.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission and adoption of Chapter 143 with a new title.

COMMISSION ACTION:

Moved by Juckette Seconded by Stutsman

	Aye	Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Quirk	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to traffic signal synchronization
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 143, “Traffic Signal Synchronization,” and to adopt a new Chapter 143, “Traffic Signal Coordination,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 364.24.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 364.24.

Purpose and Summary

This proposed chapter lays out requirements regarding the installation and coordination of traffic signals.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 6, 2025

The Department received no comments.

Fiscal Impact

This proposed rulemaking has no fiscal impact to the State of Iowa. Local public agencies bear the costs of installing and maintaining traffic signal coordination equipment and services.

Jobs Impact

This proposed rulemaking maintains an already established requirement that certain traffic signal installations within a city be operated in a coordinated manner.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 9:30 to 10 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 951 108 212#
January 28, 2026 3:30 to 4 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 651 491 547#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 143 and adopt the following **new** chapter in lieu thereof:

CHAPTER 143
TRAFFIC SIGNAL COORDINATION

761—143.1(364) Definitions.

“*Arterial street*” means any U.S. or state numbered route, controlled access highway, or other major street or highway designated by the city within its respective jurisdiction as a part of a major arterial system of streets or highways.

“*Coordination*” means the establishment of a timing relationship between adjacent traffic signals.

“*Traffic signal*” means any permanently installed, electrically powered traffic control device by which traffic is alternately directed to stop and to proceed.

“*Traffic signal system*” means two or more traffic signals operating in a coordinated manner.

761—143.2(364) Applicability. This chapter applies to all cities with more than three traffic signals within the corporate limits.

761—143.3(364) Conditions.

143.3(1) Unless a traffic engineering study documents that it is not practical, traffic signals within one-half mile of each other along an arterial street or in a network of intersecting arterial streets shall be operated as a traffic signal system.

143.3(2) Traffic signal timing and operational plans are to be developed by the application of traffic engineering principles to provide maximum traffic flow efficiencies and safety for all users.

143.3(3) All traffic signal installations and operations are to comply with the department's traffic control device manual.

761—143.4(364) Contact information. Information regarding this chapter is available from: Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

Additional information and guidance may be found at www.iowadot.gov/consultants-contractors/traffic-safety/document-resource-library/traffic-safety-manual.

These rules are intended to implement Iowa Code section 364.24.

SO-2026-75

Wes Musgrove, Systems Operations Division

The rulemaking proposes to rescind Chapter 143 and adopt a new chapter with a new title, Traffic Signal Coordination.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—143 should be rescinded and repromulgated with a new title. This proposed chapter lays out requirements regarding the installation and coordination of traffic signals.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

It is recommended that the Commission approve rescission and adoption of Chapter 143 with a new title.

Commissioner Juckette moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-76
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 142, Speed Zoning on Primary Highways

DISCUSSION/BACKGROUND:

The rulemaking proposes to permanently rescind Chapter 142.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—142 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the procedure for entities to request changes to posted speed limits on primary highways. The manual will be available on the department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission of Chapter 142.

COMMISSION ACTION:

Moved by Stutsman Seconded by Quirk

	Aye	Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to speed zoning on primary highways
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 142, “Speed Zoning on Primary Highways,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.285 and 321.290.

Purpose and Summary

The Department proposes to permanently rescind Chapter 142 and instead publish guidance in an operational manual that covers the procedure for entities to request changes to posted speed limits on primary highways. The manual will be available on the Department’s website.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 6, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10 to 10:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 516 456 128#
January 28, 2026 2:30 to 3 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 234 474 985#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind and reserve **761—Chapter 142**.

SO-2026-76

Wes Musgrove, Systems Operations Division

The rulemaking proposes to permanently rescind Chapter 142.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—142 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the procedure for entities to request changes to posted speed limits on primary highways. The manual will be available on the department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission of Chapter 142.

Commissioner Stutsman moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-77
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 140, Traffic Signals and Beacons on Primary Roads

DISCUSSION/BACKGROUND:

The rulemaking proposes to permanently rescind Chapter 140.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—140 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the procedure and responsibilities for entities to request the installation of traffic signals and beacons on a primary road. The manual will be available on the Department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve rescission of Chapter 140.

COMMISSION ACTION:			Vote	
	Aye	Nay	Pass	
Anderson	<u>x</u>	_____	_____	
Arnold	<u>x</u>	_____	_____	
Gaesser	<u>x</u>	_____	_____	
Moved by <u>Juckette</u>	<u>x</u>	_____	_____	
Seconded by <u>Quirk</u>	<u>x</u>	_____	_____	
Mulgrew Gronen	<u>x</u>	_____	_____	
Quirk	<u>x</u>	_____	_____	
Stutsman	<u>x</u>	_____	_____	
_____ Division Director	_____ Legal	_____ State Director	80	

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to traffic signals and beacons on primary roads
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 140, “Traffic Signals and Beacons on Primary Roads,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.252.

Purpose and Summary

The Department proposes to permanently rescind Chapter 140 and instead publish guidance in an operational manual that covers the procedure and responsibilities for entities to request the installation of traffic signals and beacons on a primary road. The manual will be available on the Department’s website.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 6, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

This rulemaking has no jobs impact to the State of Iowa.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 10:30 to 11 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 808 514 461#
January 28, 2026 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 215 166 06#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind and reserve **761—Chapter 140**.

SO-2026-77

Wes Musgrove, Systems Operations Division

The rulemaking proposes to permanently rescind Chapter 140.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—140 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the procedure and responsibilities for entities to request the installation of traffic signals and beacons on a primary road. The manual will be available on the Department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve rescission of Chapter 140.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-78
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 136, Lighting

DISCUSSION/BACKGROUND:

The rulemaking proposes to permanently rescind Chapter 136.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—136 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the requirements and procedures for entities to request the installation of lighting at the intersection of a side road or entrance with a primary road. The manual will be available on the Department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve to rescission of Chapter 136.

COMMISSION ACTION:

Moved by Stutsman Seconded by Juckette

	Aye	Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to lighting and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 136, “Lighting,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 307.12(1)“j.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Executive Order 10.

Purpose and Summary

The Department proposes to permanently rescind Chapter 136 and instead publish guidance in an operational manual that covers the requirements and procedures for entities to request the installation of lighting at the intersection of a side road or entrance with a primary road. The manual will be available on the Department’s website.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 1, 2025. A public hearing was held on the following date(s):

- October 22, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 11 to 11:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 410 927 475#
January 28, 2026 1:30 to 2 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 101 252 062#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind and reserve **761—Chapter 136**.

SO-2026-78

Wes Musgrove, Systems Operations Division

The rulemaking proposes to permanently rescind Chapter 136.

The department reviewed this chapter in accordance with Executive Order 10 and determined rule 761—136 should be permanently rescinded. Instead, guidance will be published in an operational manual that covers the requirements and procedures for entities to request the installation of lighting at the intersection of a side road or entrance with a primary road. The manual will be available on the Department’s website.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

Therefore it is recommended that the Commission approve to rescission of Chapter 136.

Commissioner Stutsman moved and Commissioner Juckette seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-79
 Submitted by Wes Musgrove Phone No. 515-239-1124 Meeting Date March 10, 2026
 Title Administrative Rules—761 IAC Chapter 119, Tourist-Oriented Directional Signing

DISCUSSION/BACKGROUND:

The rulemaking proposes to amend Chapter 119 concerning the tourist-oriented directional signing program (TODS).

The proposed rulemaking removes the phrase “gender identity” from the list of considerations when determining whether businesses are complying with Iowa Code chapter 216 or other laws relating to discrimination, during the process of determining eligibility. This rulemaking implements 2025 Iowa Acts, Senate File 418, which removes gender identity from the list of protected classes in Iowa Code chapter 216.

This proposed rulemaking also removes the requirement that “CLOSED” panels be placed on the TODS signs during the off-season when the destination is not open to the public or when the hours of operation are below the minimum threshold for qualifying purposes.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

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

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve amendment of Chapter 119.

COMMISSION ACTION:

Moved by Juckette Seconded by Quirk

	Aye	Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u> </u>	<u> </u>	<u>x</u>

Division Director Legal State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rulemaking related to tourist-oriented directional signing
and providing an opportunity for public comment**

The Transportation Department hereby proposes to amend Chapter 119, “Tourist-Oriented Directional Signing,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321.252.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.252.

Purpose and Summary

This proposed rulemaking removes gender identity from the list in the applicable rule for which compliance is required concerning business eligibility for participation in the Tourist-Oriented Directional Sign (TODS) program. This rulemaking implements 2025 Iowa Acts, Senate File 418 (Senate File 418), which removes gender identity from the list of protected classes in Iowa Code chapter 216.

After public comment, this proposed rulemaking also removes the requirement that “CLOSED” panels be placed on the TODS signs during the off-season when the destination is not open to the public or when the hours of operation are below the minimum threshold for qualifying purposes.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

The Department received a comment from business owner Nicole Claeys of Red Granite Farms that the program requirements should be more accommodating for seasonal businesses. This could take the form of lowering the minimum hours of operation (currently set at 20 hours per week) or not requiring the placement of “CLOSED” panels over signs when businesses may still be open but operating under the minimum threshold. Some seasonal businesses, such as produce stands, have varied hours depending upon the growing season and availability of fresh produce. If the sign displays “CLOSED,” most motorists will assume that means the business is closed. The Department has received similar comments in the past regarding the use of the “CLOSED” panels for businesses that have off-season limited hours or special openings for a weekend.

Before addressing the use of the “CLOSED” panels, the Department will address the issue of lowering the minimum hours of operation for qualification purposes. The current standard of 20 hours per week was reduced from 40 hours per week in early 2020, after a multiagency committee arrived at a consensus in a December 17, 2019, meeting arranged by the Department. Further reductions do not seem warranted if the tourists are to have any chance of finding it open.

That said, the Department does acknowledge that the use of “CLOSED” panels has been a consistent cause of tension over the years between the Department and seasonal businesses that are sporadically open in the off-season. Furthermore, the installation and removal of the “CLOSED” panels requires frequent work orders for field staff, and the enforcement of the regulation requires monitoring of business operating times.

The Department proposes now to eliminate subrule 119.5(4), no longer requiring the use of “CLOSED” panels for seasonal businesses. This decision is supported by the fact that many tourists

use social media or websites to check operating hours, and, if not, the current minimum operating hours of 20 hours per week already build in a certain degree of chance on finding the destination open.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 9:30 to 10 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 818 779 133#
January 28, 2026 3 to 3:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 709 663 284#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Amend subrule 119.3(1) as follows:

119.3(1) The destination is open to the general public for a minimum of four days per week and 20 hours per week, year-round or during the normal season for the destination. These hours are exclusive of

any hours of operation that are by appointment, reservation or membership. The hours are conspicuously posted on the premises except for destinations that are open 24 hours per day.

ITEM 2. Amend subrule 119.3(9) as follows:

119.3(9) The destination complies with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, ~~gender identity~~, national origin, religion or disability.

ITEM 3. Amend subrule 119.5(1) as follows:

119.5(1) *Installation and maintenance of tourist-oriented directional signs.* ~~Except as provided in subrule 119.5(4), the~~ The department will fabricate and perform the installation, maintenance, removal and replacement of tourist-oriented directional signs that are located within the right-of-way.

a. and *b.* No change.

ITEM 4. Rescind and reserve subrule **119.5(4)**.

ITEM 5. Amend **761—Chapter 119**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 321.252 as amended by 2024 Iowa Acts, ~~Senate File 2385, section 317.~~

SO-2026-79

Wes Musgrove, Systems Operations Division

The rulemaking proposes to amend Chapter 119 concerning the tourist-oriented directional signing program (TODS).

The proposed rulemaking removes the phrase “gender identity” from the list of considerations when determining whether businesses are complying with Iowa Code chapter 216 or other laws relating to discrimination, during the process of determining eligibility. This rulemaking implements 2025 Iowa Acts, Senate File 418, which removes gender identity from the list of protected classes in Iowa Code chapter 216.

This proposed rulemaking also removes the requirement that “CLOSED” panels be placed on signs during the off-season when the destination is not open to the public or when the hours of operation are below the minimum threshold for qualifying purposes.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

It is recommended that the Commission approve amendment of Chapter 119.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The motion was approved with 6 'yes' votes and one abstention by Commissioner Stutsman.

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to logo signing and providing an opportunity for public comment

The Transportation Department hereby proposes to amend Chapter 118, “Logo Signing,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 306C.11.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 306C.

Purpose and Summary

This proposed rulemaking removes gender identity from the list in the applicable rule for which compliance is required concerning business eligibility for participation in the logo signing program. This rulemaking implements 2025 Iowa Acts, Senate File 418 (Senate File 418), which removes gender identity from the list of protected classes in Iowa Code chapter 216.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 27, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

January 28, 2026 9 to 9:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 957 506 440#
January 28, 2026 2:30 to 3 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 829 586 165#

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

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Ryan Pell and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Amend subrule 118.4(1) as follows:

118.4(1) The business is open to the general public; does not restrict entrance based on age; and conforms to all applicable laws concerning discrimination based on age, race, creed, color, sex, sexual orientation, ~~gender identity~~, national origin, religion, and disability.

SO-2026-80

Wes Musgrove, Systems Operations Division

The rulemaking proposes to amend Chapter 118.

The proposed rulemaking removes the phrase “gender identity” from the list of considerations when determining whether businesses are complying with Iowa Code chapter 216. This rulemaking implements 2025 Iowa Acts, Senate File 418, which removes gender identity from the list of protected classes in Iowa Code chapter 216.

The public comment period ended on January 28, 2026. The department did not receive any public comments.

It is recommended that the Commission approve amendment of Chapter 118.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The motion was approved with 6 'yes' votes and one abstention by Commissioner Stutsman.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Transportation Development Division
Program Management Bureau Order No. TD-2026-81
Submitted by Shawn Majors Phone No. 515-239-1288 Meeting Date March 10, 2026
Title Statewide Line Items (2027-2031 Highway Program)

DISCUSSION/BACKGROUND:

Prior to identifying specific roadway construction projects for the 2027-2031 Highway Program, funding targets for statewide line items are determined that come off-the-top of funding available for programming. These line items are for funding categories that are used to support specific statewide activities. Attached is the list of statewide line items with the targeted annual funding level.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the Statewide Line Items and funding targets as shown on the attached list.

COMMISSION ACTION:

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Quirk	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

Moved by Stutsman Seconded by Quirk

Division Director Legal State Director

Statewide Line Items (2027-2031 Highway Program)

		Estimated Costs X \$1,000					
County	Line Item	Type Of Work	2027	2028	2029	2030	2031
Statewide	Statewide Interstate Guardrail Repair	Guardrail Repair	2,000	2,000	2,000	2,000	2,000
Statewide	Statewide Lighting	Lighting	2,000	2,000	2,000	2,000	2,000
Statewide	Statewide Rest Area and Scale Contract Support and Building Repair	Rest Area Improvement	10,600	10,700	10,800	10,900	11,000
Statewide	Americans with Disabilities Act	Pedestrian Improvement	5,500	5,500	5,500	5,500	5,500
Statewide	Construction Training Program	Training	1,300	1,300	1,300	1,300	1,300
Statewide	Cooperative City/County/State Highway Research	Research	2,500	2,500	2,500	2,500	2,500
Statewide	Emergency & Contingency (U-STEP/C-STEP)	Construction	6,000	6,000	6,000	6,000	6,000
Statewide	Post Letting Project Cost	Construction	30,000	30,000	30,000	30,000	30,000
Statewide	Prevocational Training and DBE Support Services	Training	360	360	360	360	360
Statewide	Scenic Byway Program	Signs	500	500	500	500	500
Statewide	Statewide Consultant Services	Outside Services Engineering	75,000	75,000	75,000	75,000	75,000
Statewide	Statewide Contract Maintenance	Construction	53,300	58,000	58,500	59,000	59,500
Statewide	Statewide Railroad Crossings	Construction	500	500	500	500	500
Statewide	Statewide Roadside Improvement	Landscaping	2,500	2,500	2,500	2,500	2,500
Statewide	Statewide Traffic Control Devices	Traffic Signs	5,800	5,800	5,800	5,800	5,800
Statewide	Statewide Operations	Outside Services Engineering	16,000	16,000	16,000	16,000	16,000
Statewide	Statewide ITS	Equipment	8,000	8,000	8,000	8,000	8,000
Statewide	Winter Operations Materials	Materials	12,000	12,000	12,000	12,000	12,000
Statewide	Summer Infrastructure Rehabilitation Materials	Materials	1,500	1,500	1,500	1,500	1,500
Statewide	Pavement Markings	Paint	12,700	12,700	12,700	12,700	12,700

TD-2026-81

Shawn Majors, Program Management Bureau

Prior to identifying specific roadway construction projects for the 2027-2031 Highway Program, funding targets for statewide line items are determined that come off-the-top of funding available for programming. These line items are for funding categories that are used to support specific statewide activities. Attached is the list of statewide line items with the targeted annual funding level.

It is recommended the Commission approve the Statewide Line Items and funding targets as shown on the attached list.

Commissioner Stutsman moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

The meeting was adjourned 11:19 a.m.

March 10, 2026 Commission Workshop

The Commission workshop began at 9:30 am on March 10, 2026. The meeting was held in the Lincoln Highway Conference Room at the Iowa DOT complex in Ames, IA.

Commissioners present: Ray Gaesser, Sally Stutsman, Linda Juckette and Brian Quirk. Rich Arnold, Mary Mulgrew Gronen and Bill Anderson participated via phone.

The following topics were discussed:

1. Commission Input
Commission
2. Director's Welcome
Scott Marler
3. Future Commission Meeting Dates
Jill Smith, Executive Assistant
Transportation Commission
4. FY 2027 DOT Budget Presentation
Melissa Gillett, Chief Operating
Officer
Kevin Beichley, Chief Financial
Officer
5. Administrative Rules
 - Chapter 920 – State Transit Assistance
Stu Anderson, Director
Transportation Development
Division
 - Chapter 911 – School Transportation Services
Provided by Regional Transit Systems
Stu Anderson, Director
Transportation Development
Division
 - Chapter 910 – Coordination of Public Transit
Services
Stu Anderson, Director
Transportation Development
Division
 - Chapter 813 – Close-Clearance Warning
Signs Along Railroad Tracks
Stu Anderson, Director
Transportation Development
Division
 - Chapter 810 – Railroad Safety Standards
Stu Anderson, Director
Transportation Development
Division
 - Chapter 800 – Items of General Application
Stu Anderson, Director

for Railroads	Transportation Development Division
- Chapter 615 – Sanctions	Kathleen Meradith-Eyers, Director Motor Vehicle Division
- Chapter 164 – Traffic Safety Improvement Program	Wes Musgrove, Director Systems Operations Division
- Chapter 150 – Improvements and Maintenance on Primary Road Extensions	Wes Musgrove, Director Systems Operations Division
- Chapter 143 – Traffic Signal Synchronization	Wes Musgrove, Director Systems Operations Division
- Chapter 142 – Speed Zoning on Primary Highways	Wes Musgrove, Director Systems Operations Division
- Chapter 140 – Traffic Signals and Beacons on Primary Roads	Wes Musgrove, Director Systems Operations Division
- Chapter 136 – Lighting	Wes Musgrove, Director Systems Operations Division
- Chapter 119 – Tourist-Oriented Directional Signing	Wes Musgrove, Director Systems Operations Division
- Chapter 118 – Logo Signing	Wes Musgrove, Director Systems Operations Division
6. Transportation Trends Update	Stu Anderson, Director Transportation Development Division
7. 2026 Highway Program Balance Report	Matt Chambers Program Management Bureau
8. April Commission Tour Preview	Zac Bitting Program Management Bureau
9. Five-Year Program Discussion - Asset Management Summary	Charlie Purcell, Deputy Director Transportation Development Division

- Program Development

Shawn Majors, Director
Program Management Bureau

Matt Chambers
Program Management Bureau

The workshop ended at 11:40 am

