

Commission Minutes
January 11, 2023



IOWA TRANSPORTATION COMMISSION

Meeting Agenda / Commission Orders

January 11, 2023
Materials Conference Room
Ames DOT Complex

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
D-2023-40 1:00 p.m.	* Approve Minutes of the December 13, 2022 Commission Meeting (action) Commission Comments DOT Comments	Cindy Dorhout	2
MV-2023-41	* Administrative Rules – 761 IAC 451, Emergency Vehicle Certificate	Melissa Gillett	4
MV-2023-42	* Administrative Rules – 761 IAC 625, Driver’s Licenses for Undercover Law Enforcement Officers	Melissa Gillett	9
TD-2023-43	* Revitalize Iowa’s Sound Economy (RISE) – Pleasant Hill	Stuart Anderson	13
TD-2023-44	* Federal Recreational Trails Program Funding Recommendations	Stuart Anderson	15
TD-2023-45	* Iowa’s Clean Air Attainment Program Funding Recommendations	Stuart Anderson	17
TD-2023-46	* Federal Fiscal Year (FFY) 2022 Transit Program (vehicle replacement)	Kristin Haar	19
TD-2023-47	* Calendar Year (CY) 2023 Intercity Bus Program	Rebecca Law	23
TD-2023-48	* Railroad Revolving Loan and Grant Program	Tamara Nicholson	25
1:10 p.m.	Adjourn		

*Action Item

On Wednesday, January 11, the Commission and staff will meet informally at 9:30 a.m. in the Materials Conference Room at the DOT complex in Ames. Transportation-related matters will be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2023-40
Submitted by Cindy Dorhout Phone No. 515-239-1067 Meeting Date January 11, 2023
Title Approve Minutes of the December 13, 2022 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the December 13, 2022 Commission Meeting.

COMMISSION ACTION:

Moved by Kathy Fehrman Seconded by Sally Stutsman

Division Director Legal State Director

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

D-2023-40

Commissioner Arnold called the meeting to order. He began by asking for approval of the minutes of the December 13, 2022 Commission meeting.

Commissioner Fehrman moved, and Commissioner Stutsman seconded a motion to approve. The vote to approve was unanimous.

Commission Comments: There were none.
DOT Comments: There were none.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Motor Vehicle Division Order No. MV-2023-41
 Submitted by Melissa Gillett Phone No. 515-237-3010 Meeting Date January 11, 2023
 Title Administrative Rules – 761 IAC Chapter 451, Emergency Vehicle Certificate

DISCUSSION/BACKGROUND:

This proposed rule making conforms Chapter 451 with 2022 Iowa Acts, Senate File 333. This legislation adds certain privately owned vehicles to those eligible under Iowa Code section 321.451 for a certificate of designation as an authorized emergency vehicle by the department.

Prior to the department approving an application, additional requirements for these privately owned vehicles include that the owner must have completed an emergency vehicle operations course approved by either the Fire Service Training Bureau or the Department of Public Health as applicable, and that the owner must provide proof of financial liability coverage or risk pool coverage.

The proposed amendments provide that a person seeking an authorized emergency vehicle certificate must meet the requirements set forth under Iowa Code section 321.451 as amended by Senate File 333, section 9, and in addition these amendments expand the permitted operations of an authorized emergency vehicle to allow the driver of an authorized emergency vehicle to operate the vehicle during parades, events and funeral processions as identified in newly enacted Iowa Code sections 321.231A and 321.324A. The proposed amendments also align the department’s authority to deny an application or revoke a certificate of designation with the amended and additional requirements for operation of an authorized emergency vehicle.

The public comment period ended on December 20, 2022. The department did not receive any public comments or requests for oral presentations.

A complete summary explaining the proposed amendments 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:		Aye	Vote Nay	Pass
Moved by <u>Ray Gaesser</u> Seconded by <u>Tom Rielly</u>	Arnold	x	_____	_____
	Fehrman	x	_____	_____
	Gaesser	x	_____	_____
	Juckette	x	_____	_____
	Rielly	x	_____	_____
	Stutsman	x	_____	_____
	Yanney	x	_____	_____
_____ Division Director	_____ Legal	_____ State Director		

Melissa Gillett - Motor Vehicle Division

The proposed rule amendments to chapter 451 align the rules with senate file 333, which passed during the 2022 State Legislative Session. The rules expand eligibility to vehicles privately owned by a certified chief or certified fire officer of a volunteer fire department, a fire department composed of volunteer and paid members, or a nonprofit delivering emergency services, and to vehicles privately owned by a Chief, Medical Director, or Certified Medical provider of an authorized emergency medical service. The rules also expand permitted operations to include parades, events, and funeral processions.

It is recommended that the Commission approve the proposed rule amendments to chapter 451.

Commissioner Gaesser moved, and
Commissioner Rielly seconded a motion to approve.
The vote to approve was unanimous.

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rule making related to emergency vehicle certificates
and providing an opportunity for public comment**

The Transportation Department hereby proposes to amend Chapter 451, “Emergency Vehicle Certificate,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 321.451(1).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 321.231(2) to 321.231(4) and 321.451 as amended by 2022 Iowa Acts, Senate File 333, sections 2, 3 and 9, and sections 321.231(3A), 321.231A, and 321.324A(3A) as enacted by 2022 Iowa Acts, Senate File 333, sections 4, 5 and 7, respectively.

Purpose and Summary

This proposed rule making conforms Chapter 451 with 2022 Iowa Acts, Senate File 333. This legislation adds the following to the list of vehicles eligible under Iowa Code section 321.451 for a certificate of designation as an authorized emergency vehicle by the Department:

1. A vehicle privately owned by a certified chief or certified fire officer of a volunteer fire department, a fire department comprised of volunteer and paid members, or a nonprofit corporation delivering emergency services to a municipality under contract. The owner of the vehicle must provide proof of certification as a fire officer.
2. A vehicle privately owned by a chief, medical director, or certified medical provider of an authorized emergency medical service.

Prior to the Department approving an application, additional requirements for these categories of vehicles include that the owner must have completed an emergency vehicle operations course approved by either the Fire Service Training Bureau or the Department of Public Health as applicable, and that the owner must provide proof of financial liability coverage or risk pool coverage.

The proposed amendments provide that a person seeking an authorized emergency vehicle certificate must meet the requirements set forth under Iowa Code section 321.451 as amended by Senate File 333, section 9, and in addition these amendments expand the permitted operations of an authorized emergency vehicle to allow the driver of an authorized emergency vehicle to operate the vehicle during parades, events and funeral processions as identified in newly enacted Iowa Code sections 321.231A and 321.324A. The proposed amendments also align the Department’s authority to deny an application or revoke a certificate of designation with the amended and additional requirements for operation of an authorized emergency vehicle.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa beyond any impact anticipated by the legislation.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making 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 rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on December 20, 2022. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Government and Community Relations
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear oral presentations will be held on December 22, 2022, via conference call at 10:30 a.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on December 20, 2022, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

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

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

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

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 761—451.2(321) as follows:

761—451.2(321) Authorized emergency vehicle certificate.

451.2(1) Application. Application for a certificate which designates a privately owned vehicle as an authorized emergency vehicle shall be submitted to the motor vehicle division in the form and manner prescribed by the department. The department shall deny an application if the applicant does not establish for the department that the vehicle will be used as an authorized emergency vehicle, as described in Iowa Code section 321.451 as amended by 2022 Iowa Acts, Senate File 333, section 9, ~~or~~ that the vehicle does not otherwise demonstrate necessity for the designation, ~~or that the applicant does not meet the criteria for issuance of a certificate established by Iowa Code section 321.451 as amended by 2022 Iowa Acts, Senate File 333, section 9.~~

451.2(2) No change.

451.2(3) Limitation. In addition to the provisions of Iowa Code ~~section~~ sections 321.231(2), 321.231(4) and 321.451 as amended by 2022 Iowa Acts, Senate File 333, sections 2, 3 and 9, and

sections 321.231A and 321.324A(3A) as enacted by 2022 Iowa Acts, Senate File 333, sections 5 and 7, a towing or recovery vehicle with a valid certificate of designation may only display illuminated emergency lights in one of the following circumstances:

a. and b. No change.

This rule is intended to implement Iowa Code sections 321.231 and 321.451 as amended by 2022 Iowa Acts, Senate File 333, sections 2, 3 and 9, and sections 321.231A and 321.324A(3A) as enacted by 2022 Iowa Acts, Senate File 333, sections 5 and 7.

ITEM 2. Amend rule 761—451.3(17A,321) as follows:

761—451.3(17A,321) Application denial or certificate revocation.

451.3(1) The department may deny an application or revoke a certificate of designation if an applicant or certificate holder fails to comply with the applicable provisions of this chapter or Iowa Code section 321.231 ~~or~~ as amended by 2022 Iowa Acts, Senate File 333, sections 2 to 4, section 321.451, as amended by 2022 Iowa Acts, Senate File 333, section 9, section 321.231A as enacted by 2022 Iowa Acts, Senate File 333, section 5, or section 321.324A(3A) as enacted by 2022 Iowa Acts, Senate File 333, section 7; or if the certificate holder is no longer eligible for the certificate, or the certificate holder otherwise abuses the certification.

451.3(2) No change.

This rule is intended to implement Iowa Code chapter 17A and sections 321.13, 321.16, 321.231 ~~and~~ as amended by 2022 Iowa Acts, Senate File 333, sections 2 to 4, 321.451 as amended by 2022 Iowa Acts, Senate File 333, section 9, and sections 321.231A and 321.324A(3A) as enacted by 2022 Iowa Acts, Senate File 333, sections 5 and 7.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Motor Vehicle Division Order No. MV-2023-42
 Submitted by Melissa Gillett Phone No. 515-237-3010 Meeting Date January 11, 2023
Administrative Rules – 761 IAC Chapter 625, Driver’s Licenses for Undercover Law
 Title Enforcement Officers

DISCUSSION/BACKGROUND:

The proposed amendments add that an applicant who is employed by a state or local law enforcement agency that is located outside Iowa is ineligible for an undercover Iowa driver’s license. These officers typically have no jurisdictional authority to conduct official activity in Iowa and may seek to obtain an undercover driver’s license from their state of domicile. However, federal law enforcement officers remain eligible to obtain undercover driver’s licenses as provided in Iowa Code section 321.189A(2).

In addition, the proposed amendments update terminology from “disapprove” to “deny” in relation to application processing and clarify that the Bureau of Investigation and Identity Protection is responsible for collecting and canceling surrendered driver’s licenses.

The public comment period ended on December 20, 2022. The department received comments from Hendrik van Pelt. He expressed concerns that the department’s current practice of issuing undercover driver’s licenses in compliance with Iowa Code section 321.189A is noncompliant with federal REAL ID regulations in 6 CFR Part 37, and noncompliant with federal and state law limiting a person to possession of only one driver’s license or ID card at a time. He questions if the proposed amendments violate federal and state laws and regulations.

The department’s response identified the federal REAL ID regulation that expressly permits state driver’s license agencies to issue undercover driver’s license to law enforcement officials and clarified how the department’s existing practices and rules maintain compliance with the “one license” and “one REAL ID” requirements of federal and state law. The department will not be making any changes to the amendments due to comments received.

A complete summary explaining the proposed amendments 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:				Aye	Vote Nay	Pass
			Arnold	x	_____	_____
			Fehrman	x	_____	_____
			Gaesser	x	_____	_____
Moved by	<u>Tom Rielly</u>	Seconded by	<u>Sally Stutsman</u>	Juckette	x	_____
				Rielly	x	_____
				Stutsman	x	_____
				Yanney	x	_____
_____	_____	_____				
Division Director	Legal	State Director				

MV-2023-42

Melissa Gillett - Motor Vehicle Division

The proposed amendments to chapter 625 are results of the department's five year review of the chapter includes terminology updates, and a clarification that out-of-state law enforcement officers, who are not employed by a federal agency are not eligible for an Iowa undercover license. It is recommended that the Commission approve the rule amendments to chapter 625.

Commissioner Rielly moved, and
Commissioner Stutsman seconded a motion to approve.
The vote to approve was unanimous.

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rule making related to driver’s licenses for undercover law enforcement officers and providing an opportunity for public comment

The Transportation Department hereby proposes to amend Chapter 625, “Driver’s Licenses for Undercover Law Enforcement Officers,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 321.189A.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 321.189 and 321.189A.

Purpose and Summary

The proposed amendments add that an applicant who is employed by a state or local law enforcement agency that is located outside Iowa is ineligible for an undercover Iowa driver’s license. These officers typically have no jurisdictional authority to conduct official activity in Iowa and may seek to obtain an undercover driver’s license from their state of domicile. However, federal law enforcement officers remain eligible to obtain undercover driver’s licenses as provided in Iowa Code section 321.189A(2).

In addition, the proposed amendments update terminology from “disapprove” to “deny” in relation to application processing, clarify that the Bureau of Investigation and Identity Protection is responsible for collecting and canceling surrendered driver’s licenses, and update the chapter’s implementation sentence to add Iowa Code section 321.189, which is the statute that prescribes the content of all driver’s licenses issued by the Department.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making 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 rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on December 20, 2022. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Government and Community Relations
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear oral presentations will be held on December 22, 2022, via conference call at 9 a.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on December 20, 2022, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

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

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

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

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 761—625.2(321) as follows:

761—625.2(321) Application.

625.2(1) to **625.2(3)** No change.

625.2(4) The department shall approve or ~~disapprove~~ deny the application, based on the results of the investigation and the determination of necessity.

625.2(5) An applicant employed by a state or local law enforcement agency that is located in a state other than Iowa is not eligible for an undercover driver's license issued under this chapter.

ITEM 2. Amend rule 761—625.5(321) as follows:

761—625.5(321) Cancellation. When the need for an undercover license no longer exists or if the licensee ceases to be employed by the sponsoring law enforcement agency, the licensee shall surrender the undercover license to the ~~department~~ bureau of investigation and identity protection for cancellation.

ITEM 3. Amend **761—Chapter 625**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 22.7, 80G.3, 321.189, 321.189A, and 321.196 and 6 CFR Part 37.

Stuart Anderson, Director, Transportation Development Division

The city of Pleasant Hill was previously awarded a Rise Local Development grant to assist in the construction of approximately 1400 feet of new roadway located in the northeast side of town. An amendment to the scope and grant award was requested by the city to construct approximately 1,520 feet of Northeast 75th Street in 2,740 feet of new roadway located on the northeast side of town. This project is necessary to provide improved access to the Pleasant Hill Commerce Park, which is an Iowa Economic Development Authority certified site of more than 213 acres. Under our RISE local development criteria, the project received a rating of 64 points. The total estimated cost is \$4,239,400 and the City of Pleasant Hill is requesting a RISE grant of \$2,543,640 and will be providing 40% in local match.

Therefore, it is recommended the commission based on potential capital investment and future job creation approve a modification of the previously awarded certified site RISE grant to include \$3,208,712 of additional costs for a new total cost of \$4,239,400. And the estimated RISE grant increasing to \$2,543,640. Those funds come from the city share of the RISE fund or up to 60% of the Total RISE eligible project cost whichever is less since this is a certified site project. The actual award amount is subject to change as the project plans are finalized. Any additional changes to the scope or approved funding will be submitted by the department to the Commission for consideration as a modification to the award.

Commissioner Fehrman moved, and
Commissioner Juckette seconded a motion to approve.
Motion passes unanimously.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division Order No. TD-2023-44
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date January 11, 2023
 Title Federal Recreational Trails Program Funding Recommendations

DISCUSSION/BACKGROUND:

Review of the current round of applications for funding from the federal Recreational Trails Program has been completed. The following funding recommendations will be presented.

Cedar River Water Trail Access Improvements (Mitchell County Conservation Board)	\$665,050
Central Place Levee Trail Phase 2 (Des Moines)	\$300,000
Nicholson-Ford OHV Park Tree Clean Up (Iowa Department of Natural Resources)	\$131,600
Snowmobile Trail Maintenance (Iowa State Snowmobile Association)	\$246,000
Support for Bicycle Summit (Iowa DOT)	\$ 6,000
 Total	 \$1,348,650

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the federal Recreational Trails Program funding recommendations as listed.

COMMISSION ACTION:

Moved by Tom Rielly Seconded by Kathy Fehrman

	Aye	Vote Nay	Pass
Arnold	<u>x</u>	_____	_____
Fehrman	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Rielly	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____
Yanney	<u>x</u>	_____	_____

Division Director Legal State Director

TD-2023-44

Stuart Anderson, Director, Transportation Development Division

The Federal Recreational Trails program is an annual application based program with the funding to be used to develop and maintain recreational trails and trail related facilities for both motorized and non-motorized trail users. In this round, we are recommending awarding funding to five projects for a total cost of \$1,348,650.

It is recommended the Commission approve the Federal Recreational Trails program funding recommendations as listed on the Commission Order.

Commissioner Rielly moved, and
Commissioner Fehrman seconded a motion to approve.
Motion passes unanimously

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division Order No. TD-2023-455
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date January 11, 2023
 Title Iowa's Clean Air Attainment Program Funding Recommendations

DISCUSSION/BACKGROUND:

Review of the current round of applications for funding from Iowa's Clean Air Attainment Program has been completed. The following funding recommendations will be presented.

Traffic System Vehicle Detection Improvement – Phase 2 (West Des Moines)	\$ 432,000
Marketing Campaign (Des Moines Area Regional Transit Authority)	\$ 40,000
Altoona ITS Master Plan (Altoona)	\$ 75,888
100th Street Adaptive Signal Coordination (Urbandale)	\$ 144,000
Deployment of Ames Traffic Signal Master Plan – Phase 4 (Ames)	\$1,521,280
Ansborough Avenue Adaptive Signal Control Technology (Waterloo)	\$ 728,000
Broadway Street Adaptive Signal Control Technology (Waterloo)	\$ 880,000
Route 17 Extension to Bondurant – Year 3 (Des Moines Area Regional Transit Authority)	\$ 52,392
 Total	 \$3,873,560

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve Iowa's Clean Air Attainment Program funding recommendations as listed.

COMMISSION ACTION:

Moved by Sally Stutsman Seconded by Tom Rielly

Division Director Legal State Director

	Aye	Vote Nay	Pass
Arnold	x	_____	_____
Fehrman	x	_____	_____
Gaesser	x	_____	_____
Juckette	x	_____	_____
Rielly	x	_____	_____
Stutsman	x	_____	_____
Yanney	x	_____	_____

TD-2023-45

Stuart Anderson, Director, Transportation Development Division

The Commission established the Iowa's Clean Air Attainment Program in 1994 to fund projects that support reduced vehicle emissions. This program supports Iowa maintaining our air quality attainment status, which is important for the efficient administration of transportation funding. This is an annual application based program to award funds to projects with the highest potential for reducing transportation related congestion and air pollution.

It is recommended the Commission approve the Iowa's Clean Attainment Program funding recommendations as listed on the Commission Order.

Commissioner Stutsman moved, and
Commissioner Rielly seconded a motion to approve.
Motion passes unanimously

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division
Modal Transportation Bureau Order No. TD-2023-46
 Submitted by Kristin Haar Phone No. 515-233-7875 Meeting Date 6 January 11, 2023
 Title Federal Fiscal Year (FFY) 2022 Transit Program (Vehicle Replacement)

DISCUSSION/BACKGROUND:

The proposed FFY 2022 Transit Program (vehicle replacement) shortfall funding recommendation will be presented.

The specific vehicle replacement shortfall funding recommendations are listed on the attachment.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the FFY 2022 Transit Program (vehicle replacement) recommendations as attached.

COMMISSION ACTION:

Moved by Tom Rielly Seconded by Ray Gaesser

 Division Director Legal State Director

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

TD-2023-46

Kristin Haar, Transportation Development Division, Modal Transportation Bureau

Rather than funding a brand new list of buses as we would typically propose, this proposal requests funding for transit agencies to bridge the gap between old contracts and the new increased bus prices. This would provide funding for a 189 buses at 24 public transit agencies listed on the Commission Order. There was a question this morning about the number of buses that we had originally discussed in December. That number was 223. It is now paired back to 189 due to bus deliveries that happened in the interim between the list being generated and compiling it for you. And then also some transit agencies are downsizing their fleets to react to the current state of services needed.

We ask for your approval.

Commissioner Rielly moved, and
Commissioner Gaesser seconded a motion to approve.
Motion passes unanimously

FFY 2022 Transit Program (vehicle replacement)

Transit System	Vehicle ID	Line Description	Federal Portion	# of Buses
AMES TRANSIT AGENCY	00390, 00391	Two 176" LD	\$47,388	2
AMES TRANSIT AGENCY	00390, 00391	Two 176" LD	\$47,753	2
AMES TRANSIT AGENCY	7654	One 176" wb light duty vehicle	\$33,135	1
AMES TRANSIT AGENCY	00954	Heavy Duty Bus (40-42 ft.)	\$21,985	1
AMES TRANSIT AGENCY	00953	Heavy Duty Bus (40-42 ft.)	\$21,985	1
BURLINGTON CITY OF	723B	ONE 138" LD BUS	\$18,377	1
BURLINGTON CITY OF	729	Medium Duty Bus (29-32 ft.)	\$5,266	1
CLINTON CITY OF (MTA)	1256	One LD 158" Bus	\$39,205	1
CLINTON CITY OF (MTA)	1255	One LD 76" Bus	\$35,122	1
CORALVILLE CITY OF	10225	ONE 176" LD	\$38,608	1
DELAWARE DUBUQUE JACKSON	143	ONE 176"LD	\$48,685	1
DELAWARE DUBUQUE JACKSON	348,998,999, 9144	FOUR 176"LD	\$120,169	4
DELAWARE DUBUQUE JACKSON	9143	ONE 176"LD	\$42,765	1
DELAWARE DUBUQUE JACKSON	4483, 485, 440	THREE 176"LD	\$140,344	3
DELAWARE DUBUQUE JACKSON	960	One minivan	\$31,263	1
DELAWARE DUBUQUE JACKSON	4484	Light Duty Bus (176" wb)	\$37,056	1
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	302,303, 480	THREE 138"LD BUSES	\$52,288	3
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	387	ONE 158"LD	\$46,124	1
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	216,263,301,390	FOUR 176"LD	\$94,721	4
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	260	ONE 30"MD BUS	\$17,738	1
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	482	One LD 158" Bus	\$46,124	1
EAST-CENTRAL IA COUNCIL OF GOVERNMENTS	308	One LD 76" Bus	\$38,890	1
FORT DODGE CITY OF	FD57	ONE 176"LD	\$36,263	1
FORT DODGE CITY OF	FD55	ONE 30"MD BUS	\$12,680	1
FORT DODGE CITY OF	FD56	32' MD Bus (exp)	\$12,334	1
FORT DODGE CITY OF	FD59	ONE 176"	\$37,846	1
FORT DODGE CITY OF	FD56	ONE 29-32' MD	\$15,738	1
FORT DODGE CITY OF	FD64	Minivan	\$21,913	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	EXP	TWO CONVERSION VANS (EXP)	\$55,376	2
HEART OF IOWA REGIONAL TRANSIT AGENCY	8723	ONE 158"LD BUS	\$51,695	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	3323	ONE 158"LD	\$47,930	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	1143, 1145	TWO CONVERSION VANS	\$53,064	2
HEART OF IOWA REGIONAL TRANSIT AGENCY	3325, 8725	TWO 176"LD	\$82,640	2
HEART OF IOWA REGIONAL TRANSIT AGENCY	4421, 6527	TWO CONVERSION VANS	\$53,064	2
HEART OF IOWA REGIONAL TRANSIT AGENCY	EXP	ONE CONVERSION VAN (EXP)	\$25,356	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	1146	ONE 176" LD (EXP)	\$39,371	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	4420	Light Duty Bus (138" wb)	\$40,516	1
HEART OF IOWA REGIONAL TRANSIT AGENCY	1144	Light Duty Bus (176" wb)	\$37,056	1
MIDAS COUNCIL OF GOVERNMENTS	06-2, 06-3	TWO 176" LD	\$86,686	2
MIDAS COUNCIL OF GOVERNMENTS	08-2,05-3,05-2,06-1	FIVE 158"LD	\$252,293	5
MIDAS COUNCIL OF GOVERNMENTS	05-1,06-4	TWO 176"LD	\$27,209	2
MIDAS COUNCIL OF GOVERNMENTS	05-7,06-6	TWO 176"LD	\$91,310	2
MIDAS COUNCIL OF GOVERNMENTS	05-4, 08-5	TWO 176"LD BUSES	\$82,640	2
MIDAS COUNCIL OF GOVERNMENTS	08-3, 09-1	TWO 176"LD	\$77,063	2
MIDAS COUNCIL OF GOVERNMENTS	09-2	Light Duty Bus (176" wb)	\$37,056	1
MIDAS COUNCIL OF GOVERNMENTS	09-5	Light Duty Bus (176" wb)	\$34,357	1
MIDAS COUNCIL OF GOVERNMENTS	09-3	Light Duty Bus (176" wb)	\$34,357	1
MUSCATINE CITY OF - 1459 WASHINGTON ST, MUSCATINE, IA	246	ONE 176" LD	\$37,708	1
MUSCATINE CITY OF - 1459 WASHINGTON ST, MUSCATINE, IA	247, 248	TWO 158" LD BUSES	\$59,140	2
MUSCATINE CITY OF - 1459 WASHINGTON ST, MUSCATINE, IA	247	Light Duty Bus (158" wb)	\$24,526	1
MUSCATINE CITY OF - 1459 WASHINGTON ST, MUSCATINE, IA	252	Light Duty Bus (176" wb)	\$19,226	1
MUSCATINE CITY OF - 1459 WASHINGTON ST, MUSCATINE, IA	251	Light Duty Bus (176" wb)	\$19,226	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D072, 9011	TWO 158" LD	\$89,111	2
NORTH IA AREA COUNCIL OF GOVERNMENTS	9017,D080,9016,9018, D075, D068	SIX 176"LD	\$249,176	6
NORTH IA AREA COUNCIL OF GOVERNMENTS	B021	Light Duty Bus (138" wb)	\$35,075	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D070	Light Duty Bus (158" wb)	\$36,246	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	9010	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	B019	Light Duty Bus (138" wb)	\$23,138	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	9015	Light Duty Bus (176" wb)	\$18,751	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D069	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	9022	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D078	Light Duty Bus (176" wb)	\$18,752	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	U003	Light Duty Bus (158" wb)	\$24,049	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D076	Light Duty Bus (176" wb)	\$18,752	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D079	Light Duty Bus (176" wb)	\$18,752	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	W005	Light Duty Bus (158" wb)	\$24,049	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D071	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D074	Light Duty Bus (176" wb)	\$18,752	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	M006	Light Duty Bus (158" wb)	\$26,078	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D077	Light Duty Bus (176" wb)	\$18,751	1

FFY 2022 Transit Program (vehicle replacement)

Transit System	Vehicle ID	Line Description	Federal Portion	# of Buses
NORTH IA AREA COUNCIL OF GOVERNMENTS	D067	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	T001	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	1001	Light Duty Bus (158" wb)	\$24,050	1
NORTH IA AREA COUNCIL OF GOVERNMENTS	D073	Light Duty Bus (158" wb)	\$24,050	1
NORTHEAST IA COMM ACTION	11033	ONE CONVERSION VAN	\$30,721	1
NORTHEAST IA COMM ACTION	11052	ONE MINIVAN	\$31,624	1
NORTHEAST IA COMM ACTION	09184, 09185	THREE 176"LD BUSES	\$130,030	3
NORTHEAST IA COMM ACTION	12051	ONE MINIVAN	\$32,708	1
NORTHEAST IA COMM ACTION	10181, 10186, 10188	THREE 176"LD	\$130,030	3
REGION 12 COUNCIL OF GOVERNMENTS	1007	Light Duty Bus (176" wb)	\$37,055	1
REGION 12 COUNCIL OF GOVERNMENTS	1102	Light Duty Bus (176" wb)	\$37,055	1
REGION 12 COUNCIL OF GOVERNMENTS	1101	Light Duty Bus (176" wb)	\$25,151	1
REGION 12 COUNCIL OF GOVERNMENTS	1201	Light Duty Bus (176" wb)	\$37,055	1
REGION 7	1001	Light Duty Bus (176" wb)	\$36,883	1
REGION SIX PLANNING COMMISSION	110	ONE CONVERSION VAN	\$26,532	1
REGION SIX PLANNING COMMISSION	112D, 212D	TWO CONVERSION VANS	\$34,520	2
REGION SIX PLANNING COMMISSION	EXP	ONE MINIVAN (EXP)	\$35,662	1
REGIONAL TRANSIT AUTH RIDES	918, 922	TWO 138"LD BUSES	\$89,670	2
REGIONAL TRANSIT AUTH RIDES	903,907,921,927,930	FIVE 158"LD	\$230,618	5
REGIONAL TRANSIT AUTH RIDES	901916	TWO 176"LD BUSES	\$82,640	2
REGIONAL TRANSIT AUTH RIDES	919	ONE 138"LD	\$42,306	1
REGIONAL TRANSIT AUTH RIDES	0902,0905,0906,0924,0928,0929	SIX 158	\$261,569	6
REGIONAL TRANSIT AUTH RIDES	925	ONE 176"LD BUS	\$38,430	1
REGIONAL TRANSIT AUTH RIDES	932	ONE 176"LD	\$42,701	1
REGIONAL TRANSIT AUTH RIDES	EXP	TWO MINIVANS (EXP)	\$66,564	2
REGIONAL TRANSIT AUTH RIDES	0914	Light Duty Bus (176" wb)	\$37,056	1
REGIONAL TRANSIT AUTH RIDES	0923	Light Duty Bus (138" wb)	\$40,516	1
REGIONAL TRANSIT AUTH RIDES	0920	Light Duty Bus (138" wb)	\$40,516	1
RIVER BEND TRANSIT	440,441,442,443,444	FIVE 176"LD	\$224,676	5
RIVER BEND TRANSIT	747	Light Duty Bus (176" wb)	\$35,154	1
RIVER BEND TRANSIT	745	Light Duty Bus (176" wb)	\$35,154	1
RIVER BEND TRANSIT	773	Light Duty Bus (158" wb)	\$39,898	1
RIVER BEND TRANSIT	772	Light Duty Bus (158" wb)	\$39,898	1
RIVER BEND TRANSIT	774	Light Duty Bus (158" wb)	\$39,898	1
SIOUX CITY TRANSIT SYSTEM	1348	ONE 176" LD	\$58,781	1
SIOUX CITY TRANSIT SYSTEM	1331	One HD 35-39'	\$100,848	1
SIOUX CITY TRANSIT SYSTEM	1355	176" wb light duty vehicle	\$39,230	1
SOUTHEAST IOWA REGIONAL Planning Commission	094, 095	TWO 176"LD	\$82,640	2
SOUTHEAST IOWA REGIONAL Planning Commission	021	Conversion Van	\$25,564	1
SOUTHERN IOWA TROLLEY	94,S-14,S-15,S-17	FOUR 176"LD	\$120,449	4
SOUTHERN IOWA TROLLEY	S-19	Light Duty Bus (158" wb)	\$36,729	1
SOUTHERN IOWA TROLLEY	S-20	Light Duty Bus (158" wb)	\$36,729	1
SOUTHERN IOWA TROLLEY	S-16	Light Duty Bus (158" wb)	\$36,729	1
SW IOWA TRANSIT AGENCY	712	ONE 176"LD	\$45,513	1
SW IOWA TRANSIT AGENCY	902	ONE 176"LD	\$47,678	1
SW IOWA TRANSIT AGENCY	1003	ONE 176"LD BUS	\$43,547	1
SW IOWA TRANSIT AGENCY	1005	ONE 176"LD	\$43,547	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	110	ONE 176"LD	\$3,606	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	102	ONE MINIVAN	\$33,962	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	151, 152, 156	THREE MINIVANS	\$115,655	3
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	154	Minivan	\$28,744	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	153	Minivan	\$28,744	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	155	Minivan	\$28,744	1
TEN-FIFTEEN REGIONAL TRANSIT SYSTEM	157	Minivan	\$28,744	1
UNIVERSITY OF IOWA CAMBUS	13	ONE 176" LD	\$32,393	1
UNIVERSITY OF IOWA CAMBUS	11	Heavy Duty Bus (30-34 ft.)	\$33,839	1
WATERLOO METROPOLITAN TRANSIT AUTHORITY	301	Heavy Duty Bus (30-34 ft.)	\$33,839	1
WATERLOO METROPOLITAN TRANSIT AUTHORITY	412	One LD 176"	\$42,970	1
WATERLOO METROPOLITAN TRANSIT AUTHORITY	503, 702	Two HD 30-34'	\$37,834	2

\$6,521,810 189

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Transportation Development Division

Division/Bureau/Office Modal Transportation Bureau Order No. TD-2023-477

Submitted by Rebecca Law Phone No. 515-239-1765 Meeting Date January 11, 2023

Title Calendar Year (CY) 2023 Intercity Bus Program

DISCUSSION/BACKGROUND:

The Modal Transportation Bureau requests approval for the CY 2023 Intercity Bus Program. The funding recommendations are listed below:

System	Project	Amount recommended
Burlington Trailways	Two over-the-road coaches	\$1,037,000
	Digital Repeater – aid in communication with drivers	\$8,800
	Driving Simulator	\$178,224
Jefferson Lines	Two over-the-road coaches	\$1,003,000
	Travel Information Center	\$18,151
	Lease Payments	\$7,200
	Marketing	\$7,500
City of Fort Dodge	Marketing of existing service	\$7,500
	Total	\$2,267,375

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the CY 2023 Intercity Bus Program funding recommendations as listed above.

COMMISSION ACTION:

Moved by Kathy Fehrman Seconded by Sally Stutsman

	Aye	Vote Nay	Pass
Arnold	x	_____	_____
Fehrman	x	_____	_____
Gaesser	x	_____	_____
Juckette	x	_____	_____
Rielly	x	_____	_____
Stutsman	x	_____	_____
Yanney	x	_____	_____

Division Director Legal State Director

TD-2023-47

Rebecca Law, Transportation Development Division, Modal Transportation Bureau

Last month we presented a recommendation for the calendar year 2023 Intercity Bus Program. The program is funded by utilizing 15% of the federal non urbanized FTA Section 5311 transit funding. We are requesting more than \$2.2 million for eight projects submitted by Burlington Trailways, Jefferson Lines, and the City of Fort Dodge.

It is recommended the commission approve the calendar year 2023 Intercity Bus Program funding recommendations as listed on the Commission Order.

Commissioner Fehrman moved, and
Commissioner Stutsman seconded a motion to approve.
Motion passes unanimously

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Transportation Development Division

Division/Bureau/Office Modal Transportation Bureau Order No. TD-2023-48

Submitted by Tamara Nicholson Phone No. 515-239-1052 Meeting Date January 11, 2023

Title Railroad Revolving Loan and Grant Program Amendment

DISCUSSION/BACKGROUND:

The Modal Transportation Bureau requests approval to amend the fiscal year (FY) 2023 Railroad Revolving Loan and Grant Program that was approved in October 2022. The amendment is requested to add the following rail port planning and development project to the FY 2023 program.

<u>Rail Port Planning & Development projects</u>	<u>Loan</u>	<u>Grant</u>
Iowa Crossroads of Global Innovation Dual Rail and Transload Study (Webster County)	-----	\$100,000
Total Awarded Funding:	-----	\$100,000

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the amendment to the FY 2023 Railroad Revolving Loan and Grant Program, as listed above.

		Aye	Vote Nay	Pass
COMMISSION ACTION:	Arnold	x	_____	_____
	Fehrman	x	_____	_____
	Gaesser	x	_____	_____
Moved by <u>Tom Rielly</u> Seconded by <u>Linda Juckette</u>	Juckette	x	_____	_____
	Rielly	x	_____	_____
	Stutsman	x	_____	_____
	Yanney	x	_____	_____
_____ Division Director	_____ Legal			_____ State Director

TD-2023-48

Tamara Nicholson, Transportation Development Division, Modal Transportation Bureau

The Railroad Revolving Loan and Grant Program's purpose is to provide loans and grants for railroad related improvement projects to benefit Iowa. Last month we presented an amendment and so we are requesting approval to amend the fiscal year 2023 Railroad Revolving Loan and Grant Program that was approved in October of 2022. The amendment is requested to add the rail port planning and development planning study to the FY 2023 program. The project is the Iowa Crossroads of Global Innovation Dual Rail and Transload study. The sponsor is Webster County. The purpose of this study is to determine the feasibility of a transload facility to serve Webster County. The study will determine the current and future needs of the area and prepare a plan for an efficient rail transportation network to meet those needs. Total cost of the project is \$200,000 and a grant is requested and recommended at a \$100,000.

It's recommended that the Commission approved the amendment to the FY 2023 Railroad Revolving Loan and Grant Program as listed on the commission order.

Commissioner Rielly moved, and
Commissioner Juckette seconded a motion to approve.
Motion passes unanimously