

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Transportation	Date:	3/19/2024	Total Rule Count:	5
IAC #:	761	Chapter/ SubChapter/ Rule(s):	105	Iowa Code Section Authorizing Rule:	314.27
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The rule chapter is intended to provide nonprofit organizations an opportunity to promote their products at Iowa rest areas during holiday periods.

Is the benefit being achieved? Please provide evidence.

Yes, several nonprofit organizations take part every year.

What are the costs incurred by the public to comply with the rule?

The public incurs no cost. The nonprofit organization wishing to provide the rest area promotion incurs the cost of the activity.

What are the costs to the agency or any other agency to implement/enforce the rule?

Costs to the Department directly associated with the rule chapter includes the staff time associated with assisting potential applicants, the review of any applications, and the placing/removal of any signs provided by the sponsor.

Do the costs justify the benefits achieved? Please explain.

Yes. The costs to the Department and public are small and the nonprofits that are voluntarily bearing most of the cost maintain steady participation.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The Department did not consider other alternatives. Iowa Code section 314.27 requires that the Department adopt rules concerning refreshments at rest areas during holiday periods.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Definitions were added for “free refreshments” and “holiday periods” due to duplicative statutory language within subrule 105.2(2).

Rule 105.5 was combined into Rule 105.4 to reduce redundant language and overall length. Also, the notification deadline for approval or disapproval of applications was edited to remove duplicative statutory language.

RULES PROPOSED FOR REPEAL (list rule number[s]):

105.5

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

105.1 to 105.4.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	380
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	35

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

None noted.