

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

Department Name:	Transportation	Date:	9/27/2023	Total Rule Count:	6
IAC #:	761	Chapter/ SubChapter/ Rule(s):	132	Iowa Code Section Authorizing Rule:	No specific rule authority
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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 support the designation of Iowa Byways (formerly the state scenic byways). The Iowa Byways program identifies, protects, and enhances routes that exemplified the state's scenic qualities and historic resources.

Is the benefit being achieved? Please provide evidence.

Yes, but there are not a significant number of routes seeking to be designated and only 14 Iowa Byways have been designated since 1988.

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

The cost of assembling an application borne by local government coalitions or other local organizations is the only public cost to comply with the rule chapter.

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 and the review of any applications. The Iowa DNR, Cultural Affairs, and Iowa Economic Development Authority also assist with reviews of applications and would also incur staff time costs.

Do the costs justify the benefits achieved? Please explain.

No. Very few applications are submitted and, as the number of designated Iowa Byways has increased, the Department has become increasingly conservative in its approach to reviewing additional designations to avoid oversaturation of the state, which may dilute the tourism benefit of existing designated routes.

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.

Though there are limited costs directly associated with the rule chapter, each designated Iowa Byway creates additional costs to the Department that are not directly associated with the rule chapter. For each new Iowa Byway, the Department must develop individual brands and logos and then design, fabricate, and install signage along any newly designated route. The Department also provides financial support at start up to assist the byway with setting up a byway organization and developing a Corridor Management Plan. All Iowa Byways also receive some limited financial support for administrative costs. These other costs to the Iowa Byways program are administered according to various internal Department policies and procedures not addressed in this rule chapter. Topics included in this rule chapter could be incorporated into a single published guidance document along with the internal Department policies and procedures for the program if this rule chapter was rescinded. For example, the Ohio Byway Program publishes all program

guidelines in a guidance document on the program website and does not have any additional formal rules.
<https://transportation.ohio.gov/static/Programs/ScenicByways/program-information/ProgramGuidelines2012.pdf>

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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None noted.

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

Entirety of chapter 132:
132.1; 132.2; 132.3; 132.4; 132.5; 132.6

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

None noted.

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

METRICS

Total number of rules repealed:	6
Proposed word count reduction after repeal and/or re-promulgation	1,305
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	14

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

None noted.