

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

| | | | | | |
|-------------------------|------------------------------|--------------------------------------|-------------------------|--|--------------|
| Department Name: | Department of Transportation | Date: | 8/8/2023 | Total Rule Count: | 1 |
| IAC #: | 761—Chapter 2 | Chapter/ SubChapter/ Rule(s): | 2.1 | Iowa Code Section Authorizing Rule: | 307.12 |
| Contact Name: | Tracy George | Email #: | Tracy.George@iowadot.us | Phone: | 515-239-1358 |

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

This chapter includes one rule that defines “Commission,” “Department,” and “Director” or “director of transportation.” Chapter 2 was added in 1987 so that these widely used terms didn’t have to be repeatedly defined in every chapter.

Is the benefit being achieved? Please provide evidence.

No. Several of our rule chapters define these terms instead of referring to the definitions in Chapter 2, and we’ve discovered at times the definitions or terms used are not consistent within all our chapters. We prefer to include the definitions, when needed, within the individual chapter.

There is only one chapter, Chapter 13, that currently refers the reader to Chapter 2 as follows:

761—13.1(17A) Definitions. The definitions in 761—Chapter 2 and in Iowa Code section 17A.2 are hereby adopted.

Also, Iowa Code section 307.1 defines these three terms.

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

There are no costs to the public to comply with this rule.

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

There are no costs to the Iowa DOT to implement the rule.

Do the costs justify the benefits achieved? Please explain.

There are no costs involved.

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.

Rescind Chapter 2 and continue to include the definitions, if needed, within the affected rule chapters and be consistent with the terms and definitions used throughout all our rule chapters.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

2.1—duplicative of statutory language and inconsistent

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

2.1

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

None

****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 | 80 |
| Proposed number of restrictive terms eliminated after repeal and/or re-promulgation | 0 |

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

No