

CHAPTER 28  
SNOWMOBILE AND ALL-TERRAIN VEHICLE REGISTRATION  
REVENUE COST-SHARE PROGRAM  
[Prior to 12/31/86; Conservation Commission[290] Ch 52]

**571—28.1(321G) Purpose and intent.** This program provides funds from snowmobile and all-terrain vehicle registrations to political subdivisions and incorporated private organizations for the acquisition of land; development and maintenance of snowmobile trails and all-terrain vehicle areas and trails; as well as appropriate facilities for such use on lands which may be in other than state ownership. This chapter is to clarify procedures used in implementing agreements under Iowa Code section 321G.7 between the department of natural resources, hereinafter referred to as the “DNR,” and other public agencies or incorporated private organizations, hereinafter referred to as “sponsors,” and the authority of the director of the DNR, hereinafter referred to as “director.” All areas, trails and facilities established or maintained using revenues under this program shall be open to use by the general public.

**571—28.2(321G) Distribution of funds.** The local cost-share portion of state snowmobile and all-terrain vehicle registration funds as established in Iowa Code section 321G.7 and this rule shall be distributed in accordance with this chapter and upon execution of agreements under Iowa Code section 321G.7. The local cost-share portion of each registration fund shall be at least 50 percent of appropriate registration revenues. The remaining revenues shall be known as the state share.

**571—28.3(321G) Application procedures.**

**28.3(1) Forms.** Applications for cost-share moneys shall be made on forms available from the department. The application must be completed and signed by the chairperson or chief executive officer of the applying sponsor. The application must be accompanied by a copy of the minutes of the sponsoring organization meeting at which the request was approved. If the sponsor is requesting prepayment of any project costs, the bond required by rule 28.12(321G) shall also accompany the application.

**28.3(2) Deadlines for application submission.**

*a.* Applications for snowmobile fund moneys must be received by the department no later than 4:30 p.m. on July 1 or the closest business day of each year.

*b.* Applications for all-terrain vehicle fund moneys must be received by the department no later than 4:30 p.m. on April 1 or October 1 or the closest business day of each year.

*c.* Applications received after the dates given in 28.3(2) “a” and “b” above will be returned to the submitting sponsor and shall not be considered for cost-share moneys during the current review and selection process, unless no applications were received prior to the application deadline and the deadline is extended by the director.

**571—28.4(321G) Review and selection committees.**

**28.4(1)** The committee responsible for reviewing, ranking and selecting projects to receive funding from the local cost-share portion of snowmobile registration revenues shall be comprised of the following:

- a.* Parks, recreation and preserves division administrator of the DNR or designee.
- b.* Chief of the program administration bureau of the DNR or designee.
- c.* Chief of the budget and grants bureau of the DNR or designee.
- d.* Two representatives appointed by the chairperson of the Iowa State Snowmobile Association.

**28.4(2)** The committee responsible for reviewing, ranking and selecting projects to receive funding from the local cost-share portion of all-terrain vehicle registration revenues shall be as provided in 28.4(1) “a,” “b” and “c” and shall include two representatives appointed by the chairperson of the Iowa All-Terrain Vehicle Association.

**28.4(3)** The review and selection committees shall meet at the DNR central office within one month following each application deadline for the programs. Applications eligible for funding will be reviewed, ranked and recommendations prepared for submission to the director.

**571—28.5(321G) Project selection criteria.** In reviewing, ranking and recommending projects to receive funds under this chapter, primary considerations for establishing priority shall include:

**28.5(1) Snowmobile program:**

- a. Availability of funds.
- b. Average snowfall.
- c. Addition to existing program or new program.
- d. Miles of trail.
- e. Trail diversity.
- f. Previous performance in grant program.
- g. Number of registered snowmobiles in project area.
- h. Average number of days with snow cover exceeding one inch.
- i. Sponsor’s share of project cost.

**28.5(2) All-terrain vehicle:**

- a. Availability of funds.
- b. Number of registered all-terrain vehicles in project area.
- c. Project cost versus feasibility.
- d. Site feasibility including present use and modifications required to create a usable facility.
- e. Environmental impact of proposed project and means of addressing any concerns.
- f. Period of year facility will be open for public use.
- g. Proposed management of area including:
  - (1) Staffing.
  - (2) Signage.
  - (3) Access control.
  - (4) Rules governing use.
  - (5) Proposal to meet safety instruction requirements of Iowa Code section 321G.7, last unnumbered paragraph.
  - (6) Previous performance in grant program.
- h. Number of miles from nearest public riding area.

**571—28.6(321G) Director’s review of approved projects.** The director shall review, amend, reject or approve committee selections and may reject any application recommended by the committee for funding. Appeals of the director’s decision may be made to the natural resource commission.

Approved projects may be amended only with approval of the director. Changes in projects not receiving approval prior to being implemented may or may not be funded at the discretion of the director. A project is considered approved and the grant period shall begin on the date of the approval letter from the program administrator.

**571—28.7(321G) Eligibility of projects.** Only items listed in this chapter which can reasonably be utilized in the construction or maintenance of areas or trails for snowmobile or ATV riding shall be eligible for funding. Storage fees, shop or maintenance equipment such as tools, grease guns, and floor jacks will not be considered as eligible items for either program. Construction of permanent structures such as restrooms, storage areas, warming shelters or office/entry control facilities will also not be considered eligible for funding from the snowmobile program but may be funded from the ATV program.

**571—28.8(321G) Land acquisition procedures.**

**28.8(1)** Funding from the appropriate revenue source may be used for easement or fee title land acquisition as approved by the review and selection committee and director. All negotiation for property acquisition under the local cost-share portion of registration revenues must be done by the sponsor, unless otherwise approved by the DNR.

**28.8(2)** Title to property acquired using the local cost-share portion of registration revenues shall be in the name of the sponsor receiving the grant or subgrant unless otherwise approved by the DNR. All such property is to be available for use by the general public without fee except during special events or unless otherwise approved by the director.

**28.8(3)** Grants may be for prepayment or reimbursement of land acquisition expenses including appraisals, surveys and abstracts in addition to the property cost. The grant may pay the sale price or appraised value, whichever is less. Appraisals are required and must be approved by the DNR. Payments may be made directly to the landowner by the DNR.

**28.8(4)** The grant agreement may contain provisions in addition to those contained in this chapter for disposal of the property if it ceases to be managed and used for the purpose for which it was acquired.

**571—28.9(321G) Use of funded items.** Manufactured products or machinery purchased by sponsors with state assistance under these programs shall be used only for the purpose of establishing or maintaining riding areas, trails, or facilities and as emergency rescue equipment where applicable.

**571—28.10(321G) Disposal of equipment, facilities or property.**

**28.10(1)** Sponsors shall not dispose of any manufactured product valued over \$50 or machinery, facilities or property in which the DNR paid all or a portion of the actual cost without the prior written consent of the DNR.

**28.10(2)** Sponsors shall, in the case of equipment or facilities, reimburse the DNR a percentage of the disposal price received, that percentage being the percent of the original purchase price paid by the snowmobile or all-terrain vehicle fund.

**28.10(3)** Real property shall be disposed of as stipulated in the grant agreement under which it was acquired.

**28.10(4)** Reimbursements received by the DNR shall be credited to the appropriate snowmobile or all-terrain vehicle registration account from which the funding originated.

**571—28.11(321G) Record keeping.** Sponsors receiving funds under these programs shall keep adequate records relating to the administration of the grant, particularly relating to all incurred costs. These records shall be available for audit by appropriate personnel of the DNR, the state auditor's office, and the Iowa State Snowmobile Association or Iowa All-Terrain Vehicle Association as appropriate.

**571—28.12(321G) Sponsors bonded.** All nonpublic project sponsors making application for prepayment funds from these programs must produce proof that their chair and treasurer are covered under a fidelity bond, personal or surety, to the sponsor in a sum no less than \$10,000 for each office.

**571—28.13(321G) Items eligible for funding.**

**28.13(1) Facility and trail development.**

- a. Land acquisition subject to the provisions of rule 28.8(321G).
- b. Earthwork including necessary alterations to the existing land surface approved by the review and selection committee. If done by the sponsor, costs may include salary for labor at a maximum reimbursement rate of \$5.50 per hour. Labor costs shall be documented on logs provided by the DNR and shall be accompanied by proof that the cost was paid by the sponsor. If contracted, reimbursement shall be at the amount specified in the contract approved by the review and selection committee and the DNR. The sponsor shall obtain any federal, state or local permits required for the project.
- c. Actual material cost of fence openings—maximum \$50/opening.
- d. Actual material cost of gates up to \$80/gate.
- e. Actual material cost of temporary bridges and ditch crossings (culvert) up to \$300 per bridge or crossing.
- f. Actual material cost of permanent bridges including placement up to the amount approved by the review and selection committee. Permanent bridges are eligible only if placed on publicly owned property or on private property under a lease or easement for ten or more years.
- g. Fencing of newly acquired fee title property. Fencing done with revenue-sharing funds shall be only that portion of boundary fence falling under the custom of “right-hand half” unless stipulated otherwise in the property purchase documents and approved by the review and selection committee.

**28.13(2) Operation and maintenance.**

- a. Program and facility liability insurance. It shall be the sponsor’s responsibility to obtain program and liability insurance including snowmobile trail groomer liability insurance. A certificate of insurance must be provided to the DNR. This insurance coverage may include liability insurance for the sponsoring organization, excluding the cost of insurance for special events and excluding liability insurance on snowmobiles or all-terrain vehicles owned by the sponsor. The total payment from the snowmobile fund for insurance shall be 100 percent of the cost but limited to \$1,800 per approved grant application, unless otherwise approved by the director. The total payment from the all-terrain vehicle fund shall be 100 percent of the cost limited to \$3,500 per developed riding area. All insurance paid under this paragraph must be furnished by companies licensed to do business in Iowa.
- b. Diesel fuel, propane, gasoline, oil, parts replacement and repair bills for equipment used to groom or maintain riding areas as approved by the appropriate review and selection committee. The DNR may establish operational procedures to facilitate direct payment to vendors for emergency repairs of grooming equipment, the cost of which will exceed \$500 per repair provided by a single vendor.
- c. Purchase of equipment to be used in grooming or maintenance of riding areas or trails. Any equipment costing more than \$500 funded by grant funds must be purchased through a competitive bid or quotation process. Documentation of such process must be submitted prior to funds being released by the state. Equipment purchase may be paid in advance, in full for items purchased through competitive bids or quotation. Items purchased by any other means shall be limited to 50 percent cost-share for items other than snowmobile trail groomers as provided in subrule 28.14(1).

*d.* Cost of security services for privately operated ATV areas funded through the ATV program, subject to approval of the review and selection committee.

*e.* Cost of leasing equipment used to groom snowmobile trails as approved by the snowmobile review and selection committee. The actual per hour cost for the machine up to \$50 an hour may be reimbursed.

**28.13(3) *Trail signs.*** Signs shall be provided to the sponsor by the DNR. Only those signs approved by the DNR for use on funded areas or trails shall be used by the sponsor. Signs appropriate to each program shall be ordered on forms provided on request from the DNR. The sign order deadline for both snowmobile and all-terrain vehicle use shall be July 1 of each year. Posts for signs and installation costs are the responsibility of the sponsor.

**28.13(4) *Sanitary facilities.*** Rental of temporary approved portable restroom facilities may be prepaid by the department for a period of not more than six months' rental per calendar year.

**28.13(5) *Other expenses.*** Pursuant to an agreement between the department and the ATV or snowmobile association, miscellaneous personal expenses for association officers incurred in the review of grant applications and development of riding parks may be reimbursed.

**571—28.14(321G) Items specific to the snowmobile cost-share program.**

**28.14(1) Grooming equipment.**

*a.* A minimum of 50 miles of groomable snowmobile trail is necessary for approval of groomer and associated equipment purchase for that trail system.

*b.* The state shall acquire committee-approved groomers and drags using the standard state purchasing procedure.

*c.* Prior to being assigned state-purchased grooming equipment, the sponsor shall pay the local cost-share portion of the state snowmobile fund 10 percent of the purchase price or appraised value of a groomer or associated equipment as appropriate.

*d.* After approval of the DNR and upon trade-in to the DNR of a used groomer by a sponsor for replacement purposes, the trade-in value shall be applied to the new groomer purchase and the local cost-share portion of the snowmobile fund shall pay the balance. The sponsor is responsible for obtaining liability insurance, licensing the machine as needed and providing personnel for daily operation and maintenance.

*e.* Upon sale or trade-in of a used groomer with no replacement, the snowmobile fund shall refund to the sponsor the percentage of the trade-in value which matches the percent originally invested in the groomer. Groomers shall not be traded between sponsors without written prior approval from the DNR.

**28.14(2) Rescinded IAB 3/11/98, effective 4/15/98.**

**28.14(3) Purchase of high-band radio equipment, portable or cellular telephones up to \$675 per groomer.** Monthly service charges shall be the sponsor's responsibility. This communication equipment is intended to be used in emergency breakdown situations only or to coordinate routes between groomers being operated on a contiguous trail system.

**28.14(4) Groomer maintenance, repair and operation wages** may be funded at a rate of \$5.50 per hour when performed by the sponsor. If repair is done by professional shops, payment shall be in the amount billed for the repair. Costs for towing disabled grooming equipment shall be reimbursed as billed by the company doing the work.

**571—28.15(321G) Prepayment for certain anticipated costs.** Prepayment as used in this chapter shall mean payment to the sponsor as approved by the grant agreement prior to expenditure by the sponsor for approved items.

1. Program or facility insurance may be 100 percent prepaid to qualified sponsors.
2. Approved facility and development costs, except items given in 28.13(1)“a,” and approved operation and maintenance costs, except as given in 28.13(2)“a,” may be prepaid at the rate of 75 percent of the approved grant request for these items.
3. Except for land acquisition under 28.8(321G), timing of payments or reimbursements shall be provided for in the grant agreement.

**571—28.16(321G) Expense documentation, balance payment or reimbursement.**

**28.16(1)** Documentation of expenditures eligible for prepayment or reimbursement shall be on forms provided by the DNR and shall be accompanied by applicable receipts showing evidence the expense is chargeable to the program. The sponsoring organization shall sign a certification stating that all expenses for which reimbursement is requested are related to the program and have been paid by the sponsor prior to requesting reimbursement. If necessary, the DNR may request copies of canceled checks to verify expenditures.

**28.16(2)** The sponsor is responsible for maintaining auditable records of all expenditures of funds received whether by prepayment or on a reimbursement basis. This documentation shall include daily logs of groomer or other maintenance equipment, operation and repair. Work done under contract to the sponsor requires a copy of the contract and copies of canceled checks showing payment.

**28.16(3)** Documentation of expenditures under the snowmobile portion of the revenue-sharing program must be received by the DNR prior to May 1 of each year.

**28.16(4)** Documentation of expenditures under the all-terrain vehicle portion of the revenue-sharing program must be received by the DNR within the time period established in the grant agreement, but in no case shall it be later than 18 months from the date of the grant award letter unless an extension is approved by the director. Substantial progress must be made on projects covered by grant agreements within 12 months of the grant award in order for those projects to qualify for a grant extension.

**28.16(5)** Approved expenditures by the sponsor in excess of the prepayment amount received, up to the maximum approved amount, will be reimbursed by the DNR if appropriately documented. In instances where the sponsor has expended less than the amount prepaid, the sponsor shall reimburse the balance to the DNR to be credited back to the annual local share of the appropriate fund.

These rules are intended to implement Iowa Code section 321G.7.

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