

**TRANSPORTATION DEPARTMENT[761]**

**Adopted and Filed**

**Rulemaking related to the highway-railroad grade crossing surface repair fund**

The Department of Transportation hereby rescinds Chapter 821, “Highway-Railroad Grade Crossing Surface Repair Fund,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code section 307.12.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code sections 312.2, 327G.29 and 327G.30.

*Purpose and Summary*

The Department is rescinding Chapter 821 because this chapter is unnecessary. The Department provides guidance on the administration of the Highway-Railroad Grade Crossing Surface Repair Fund and includes information on eligibility, the application process and payment allocation among the highway authority having jurisdiction of the roadway, the operating railroad and the Department on the Department’s website: [Highway-Railroad Grade Crossing Surface Repair Program](#).

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 10, 2025, as **ARC 9795C**. Public hearings were held on the following date:

- December 30, 2025

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Department on February 17, 2026.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

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

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking 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.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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).

*Effective Date*

This rulemaking will become effective on April 22, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind and reserve **761—Chapter 821**.

[Filed 2/25/26, effective 4/22/26]

[Published 3/18/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/18/26.