

**TRANSPORTATION DEPARTMENT[761]**

**Adopted and Filed**

**Rulemaking related to traffic safety improvement program**

The Transportation Department hereby rescinds Chapter 164, “Traffic Safety Improvement Program,” Iowa Administrative Code, and adopts a new Chapter 164 with the same title.

*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 307.12 and 312.2.

*Purpose and Summary*

The purpose of the Traffic and Safety Improvement Program is to provide funding for traffic safety improvements or studies on public roads under county, city or State jurisdiction. This chapter establishes necessary regulation for effectively administering the program and defining eligibility requirements.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 7, 2026, as **ARC 9876C**. Public hearings were held on the following date:

- January 28, 2026

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 March 10, 2026.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa. The changes are made with guidance created for Executive Order 10.

*Jobs Impact*

This rulemaking is not creating, removing, or changing jobs.

*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 May 20, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 164 and adopt the following **new** chapter in lieu thereof:

CHAPTER 164  
TRAFFIC SAFETY IMPROVEMENT PROGRAM

**761—164.1(307,312) General.**

**164.1(1) Definitions.**

“*Commission*” means the state transportation commission.

“*Jurisdiction*” means the department, a county, a city or any other public agency having responsibility for and control over a road or street.

“*Other public agency*” means any board, commission or agency having jurisdiction and control over roads and streets in any state park, state institution, and other state land road system.

“*State park, state institution, and other state land road system*” means the same as defined in Iowa Code section 306.3(10).

“*Traffic safety improvement program*” means the funding program created for traffic safety improvement projects pursuant to Iowa Code section 312.2(11).

**164.1(2) Information and forms.** Information, instructions and application forms may be obtained from the Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone 515.239.1557; or on the department’s website at [www.iowadot.gov/consultants-contractors/traffic-safety/programs/traffic-safety-improvement-program-tsip](http://www.iowadot.gov/consultants-contractors/traffic-safety/programs/traffic-safety-improvement-program-tsip).

**761—164.2(307,312) Program administration.**

**164.2(1) Purpose.** The traffic safety improvement program provides funding for traffic safety improvements or studies on public roads under county, city or state jurisdiction.

**164.2(2) Local participation.** The department will administer the traffic safety improvement program as a statewide program and will coordinate local participation in review and evaluation of applications for funding.

**164.2(3) Funding.**

*a.* The traffic and safety bureau will review all applications and availability of funds in order to make funding recommendations to the commission. The commission may choose to fund all or part of a project or limit funding to specific work items. Funding may also be made dependent upon adherence to a time schedule or fulfillment of specified conditions.

*b.* The commission need not commit all funds available during a fiscal year. Funds not committed by the commission will be retained for subsequent programming cycles. Awarded funds not used within a specified period or remaining after project closure will be retained for subsequent programming cycles.

*c.* The maximum traffic safety improvement program funding for a site-specific improvement will not exceed \$500,000. Total funding allotted for the traffic control device category will not exceed \$750,000 annually. Total funding allotted for the studies and outreach category will not exceed \$750,000 annually. All project costs exceeding the commitment of traffic safety improvement program funds shall be the responsibility of the applicant.

**761—164.3(307,312) Eligibility.**

**164.3(1) Applicant eligibility.** Any jurisdiction in the state of Iowa is eligible to apply for traffic safety improvement program funding. Applicants are to designate one jurisdiction as the principal contact for a project involving multiple jurisdictions.

**164.3(2) Project eligibility.** Projects located on a public roadway within the state of Iowa are eligible for funding. Projects located on a private road or for a private purpose are not eligible.

**761—164.4(307,312) Project costs.**

**164.4(1) Eligible project costs.**

*a. Site-specific improvements category.* Activities considered eligible for funding are those integral to the safety aspects of the project. Eligible activities include but are not limited to the following:

- (1) Road modernization, upgrading or reconstruction.
- (2) Intersection improvements.
- (3) Right-of-way purchases.
- (4) Drainage and erosion control measures.
- (5) Traffic control devices.
- (6) Traffic barriers and other roadside safety devices.
- (7) Removal of trees and other fixed objects.

*b. Traffic control devices category.* The cost of materials purchased for initial installation of traffic control devices or replacement of obsolete traffic control devices is considered eligible for funding. Devices shall comply with the applicable warrants in the “Manual on Uniform Traffic Control Devices” (MUTCD) as adopted in rule 761—130.1(321).

*c. Studies and outreach category.* Activities considered eligible for funding include but are not limited to the following:

- (1) Research addressing statewide traffic safety concerns.
- (2) Studies addressing traffic safety concerns at specific locations.
- (3) Initiatives emphasizing or improving traffic safety techniques or policies.

**164.4(2) Ineligible project costs.**

*a.* Any and all costs incurred prior to commission approval of funding for a project are ineligible.

*b.* Activities and costs not eligible for traffic safety improvement program funding within the site-specific improvements category include but are not limited to:

- (1) Routine maintenance of a road, street, bridge, culvert or traffic control device.
- (2) Contract administration costs.
- (3) Design and construction engineering and inspection.
- (4) Utility construction, reconstruction or adjustment, except as an integral part of a project.
- (5) Sidewalks, shared-use paths, or railroad-highway crossings, except as an integral part of a project.
- (6) Maintenance or energy costs for traffic control devices or lighting.
- (7) Expenditures for items not related to the roadway.

*c.* Activities and costs not eligible for traffic safety improvement program funding within the traffic control devices category include but are not limited to:

- (1) Maintenance or energy costs.
- (2) Installation costs.

**761—164.5(307,312) Applications.** Applications address funding needs in one of three categories: site-specific improvements, traffic control devices, or studies and outreach. Application procedures for each funding category are distinct.

**164.5(1) Site-specific improvements category.** Applications in the site-specific improvements category shall be submitted electronically on forms provided on the department’s website. Required information includes:

*a.* The applicant’s name, mailing address, telephone number, and a designated contact person.

*b.* A preliminary project concept statement, including a location map and a sketch plan. Concepts are to be developed using engineering principles and are to include details to generate project cost estimates.

*c.* Justification for the proposed construction project. Justification may be based on a location’s crash history, a location’s crash risk, or recommendations from a traffic study.

*d.* Data showing the anticipated effect of the project on traffic safety. Data shall include crash history based on the department’s current crash analysis software and the anticipated crash reduction as a result of the project.

- e. An itemized cost estimate for the project including a list of the sources and amounts of supplementary funds for the project. Safety-related work items and quantities shall be listed separately.
- f. A time schedule for the project.
- g. The jurisdiction's official endorsement, where applicable, of the project and written assurance that the improved site will be adequately maintained for a specified period of time.

**164.5(2) Traffic control devices category.** Applications in the traffic control devices category shall be submitted electronically on forms provided on the department's website. Required information includes:

- a. The applicant's name, mailing address, telephone number, and a designated contact person.
- b. A list of the number and types of devices requested, and whether each is for initial placement or a replacement.
- c. Justification for the requested devices, including compliance with the applicable warrants in the MUTCD as adopted in rule 761—130.1(321).
- d. A cost estimate.
- e. A time schedule for installation.
- f. The jurisdiction's official endorsement of the traffic control device project and written assurance that the traffic control device will be adequately maintained for a specified period of time.

**164.5(3) Studies and outreach category.** Applications in the studies and outreach category shall be submitted electronically on forms provided on the department's website. Required information includes:

- a. The applicant's name, mailing address, telephone number and a designated contact person.
- b. A description of the proposed subject matter and the goals or expected results of the effort.
- c. A cost estimate.
- d. A time schedule.

#### **761—164.6(307,312) Processing the application.**

##### **164.6(1) Submission.**

- a. The jurisdiction shall submit the complete application electronically to the traffic and safety bureau. An application may be submitted at any time.
- b. Complete applications received before August 16 of each year will be evaluated for funding in the following state fiscal year.
- c. An unfunded application may be resubmitted for consideration during a subsequent funding cycle.
- d. An application may be withdrawn at any time.

**164.6(2) Approval of projects.** Department staff will prepare, with input from local officials, a proposed program of projects for each funding category and submit the programs to the commission for approval. The criterion for determining funding priorities in each category is the demonstrated relationship of the project to traffic safety.

#### **761—164.7(307,312) Project agreement.**

**164.7(1)** After the commission has approved funding, a project agreement shall be negotiated and executed between the department and the jurisdiction. The agreement shall specify the following:

- a. Conditions for project funding, which may include such items as the responsibility for planning, design, right-of-way, contracting, construction, materials inspection, documentation and the criteria for each.
- b. The funding level for the eligible work items.

**164.7(2)** The department will reimburse the jurisdiction for actual eligible project costs not to exceed the amounts authorized by the project agreement.

These rules are intended to implement Iowa Code sections 307.12(1)“j” and 312.2(11).

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/15/26.