

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 307.12 and 307A.2, the Iowa Department of Transportation hereby gives Notice of Intended Action to adopt new Chapter 162, “Surface Transportation Block Grant Program,” Iowa Administrative Code.

The federal Surface Transportation Program was renamed the Surface Transportation Block Grant Program under the Fixing America’s Surface Transportation (FAST) Act. Because this program is now considered a federal block grant, Iowa Code section 8.41 requires that these funds be deposited into a special fund in the state treasury and then appropriated by the General Assembly to the Department. Therefore, during the past legislative session, 2016 Iowa Acts, Senate File 2320, section 4, amended 2015 Iowa Acts, chapter 130, to appropriate \$149,300,000 from the special fund in the state treasury to the Department for federal fiscal year (FFY) 2017. The dollar amount reflects the amount anticipated to be received from the federal government for FFY 2017 for the Surface Transportation Block Grant Program.

2016 Iowa Acts, Senate File 2320, section 4, requires the Department to expend the moneys appropriated as provided in 23 U.S.C. Section 133 and in conformance with rules adopted by the Department.

These rules do not provide for waivers. Any person who believes that the circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Any person or agency may submit written comments concerning these proposed rules or may submit a written request to make an oral presentation. The comments or request shall:

1. Include the name, address, and telephone number of the person or agency authoring the comments or request.
2. Reference the number and title of the proposed rules, as given in this Notice, that is the subject of the comments or request.
3. Indicate the general content of a requested oral presentation.
4. Be addressed to Tracy George, Rules Administrator, Iowa Department of Transportation, Operations and Finance Division, 800 Lincoln Way, Ames, Iowa 50010; e-mail: [tracy.george@dot.iowa.gov](mailto:tracy.george@dot.iowa.gov).
5. Be received by the Department’s rules administrator no later than November 1, 2016.

A meeting to hear requested oral presentations is scheduled for Thursday, November 3, 2016, at 10 a.m. in the Administration Building, First Floor, South Conference Room, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa.

The meeting will be canceled without further notice if no oral presentation is requested.

These rules were also Adopted and Filed Emergency and are published herein as **ARC 2745C**. The purpose of this Notice is to solicit public comment on that submission, the subject matter of which is incorporated by reference.

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

These rules are intended to implement 2016 Iowa Acts, Senate File 2320, section 4.