

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rule making related to applications
and providing an opportunity for public comment**

The Department of Transportation hereby proposes to amend Chapter 920, “State Transit Assistance,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 324A.

Purpose and Summary

The proposed amendments modify subrule 920.4(2) to specify that applications for training fellowships may be submitted to the Department at any time throughout the year and add a new paragraph to state that applications for special projects are due annually on October 1. Currently, all special project funding is issued on a first-come, first-served basis. However, because special projects are increasing in size and funds are limited, the Department is proposing to implement a deadline to allow for competition for funding for special projects.

The proposed amendments also correct the name of the Public Transit Bureau and add a definition of “urban transit system” to include a population threshold of 20,000.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 5, 2021. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Strategic Communications and Policy Bureau
800 Lincoln Way
Ames, Iowa 50010
Email: tracy.george@iowadot.us

Public Hearing

If requested, a public hearing to hear oral presentations will be held on January 7, 2021, via conference call from 1 to 2 p.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on January 5, 2021, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department's rules administrator, and advise of specific needs.

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

Review by Administrative Rules Review Committee

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

The following rule-making actions are proposed:

ITEM 1. Amend rule 761—920.2(324A) as follows:

761—920.2(324A) General information. The department shall post annually the required forms and instructions for applying for state transit assistance to the department's ~~Web site~~ [website](#) at www.iowadot.gov and notify each public transit system in Iowa of the availability. Requests for assistance and questions about application preparation should be directed to: ~~Office of Public Transit Bureau~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515)233-7870.

ITEM 2. Amend rule 761—920.3(324A), introductory paragraph, as follows:

761—920.3(324A) Definitions. The definitions in Iowa Code section 324A.1, except for the definition of "urban transit system," apply to this chapter. In addition:

ITEM 3. Adopt the following **new** definition of "Urban transit system" in rule **761—920.3(324A)**:
"Urban transit system" means a system designated by the department which meets the requirements of Iowa Code section 324A.1(8). To be designated as an urban transit system for the purposes of this chapter, the system must serve a city or urbanized area with a population of 20,000 or more. The system also must be managed by a board of local officials who have either been elected by the public or appointed by elected officials, and who are responsible for policy and oversight of transit services for one or more incorporated areas within Iowa.

ITEM 4. Amend subrule 920.4(2) as follows:

920.4(2) Special projects.

- a. No change.
- b. ~~Proposals~~ Applications for ~~special projects~~ training fellowships may be submitted to the department at any time.
- c. Applications for special projects are due to the department by October 1 each year. The department may announce to the public transit systems the acceptance of special project applications at other times of the year if unobligated funds are available.