

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

**Proposing rule making related to the intermodal pilot project program
and providing an opportunity for public comment**

The Transportation Department hereby proposes to rescind Chapter 201, “Intermodal Pilot Project Program,” 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, 2008 Iowa Acts, chapter 1126, section 32; 1987 Iowa Acts, chapter 230, sections 1 and 4; and 1998 Iowa Acts, chapter 1211, section 1.

Purpose and Summary

This rule making proposes to rescind Chapter 201 because 2008 Iowa Acts, chapter 1126, section 32, repealed Iowa Code section 473.11, which created the Energy Conservation Trust. The Energy Conservation Trust Fund moneys appropriated to the Department for the Intermodal Pilot Project Program have all been used.

This program began in 1989 with a transfer of \$725,000 in overcharge funds for energy efficiency from the Department of Natural Resources (DNR). In 2000, an additional \$725,000 was received from the DNR. A number of projects were completed under this program with grants or loans. However, eligibility for projects was very narrow and exclusively dependent on energy savings benefits as a criterion. In 2008, the last project was funded. The Intermodal Pilot Project Program is no longer active, and any funds have either been expended or returned to the DNR, the original source of the funding.

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 application of the discretionary provisions of this rule making 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.

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 July 19, 2022. Comments should be directed to:

Tracy George
Department of Transportation
DOT Rules Administrator, Government and Community Relations
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 July 21, 2022, via conference call at 10 a.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on July 19, 2022, 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 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 action is proposed:

Rescind and reserve **761—Chapter 201**.