

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to the intermodal pilot project program

The Transportation Department hereby rescinds Chapter 201, “Intermodal Pilot Project Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted 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This rule making rescinds Chapter 201 because 2008 Iowa Acts, chapter 1126, section 32, repealed Iowa Code section 473.11, which created the Energy Conservation Trust.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 The Intermodal Pilot Project Program is no longer active, and any funds have either been expended or returned to the DNR, the original source of the funding.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 29, 2022, as **ARC 6395C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on August 9, 2022.

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.

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).

Effective Date

This rule making will become effective on October 12, 2022.

The following rule-making action is adopted:

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

[Filed 8/11/22, effective 10/12/22]

[Published 9/7/22]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/7/22.