

**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 307.10 and 307.12, the Department of Transportation hereby gives Notice of Intended Action to adopt new Chapter 162, "Bridge Safety Fund," Iowa Administrative Code.

2009 Iowa Acts, Senate File 376, section 34, created the Bridge Safety Fund under the authority of the Transportation Commission and required the Department of Transportation to adopt rules. These proposed new rules administer the expenditure of funds appropriated by the General Assembly in 2009 Iowa Acts, Senate File 376, section 13, subsection 6, for infrastructure projects relating to functionally obsolete and structurally deficient bridges on the state's primary road system. The proposed rules describe the purpose and source of funds, provide definitions, provide general information, and establish eligibility requirements.

These rules do not provide for 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.

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 are the subject of the comments or request.
3. Indicate the general content of a requested oral presentation.
4. Be addressed to Tracy George, Department of Transportation, Office of Policy and Legislative Services, 800 Lincoln Way, Ames, Iowa 50010; fax (515)239-1639; Internet E-mail address: [tracy.george@dot.iowa.gov](mailto:tracy.george@dot.iowa.gov).
5. Be received by the Office of Policy and Legislative Services no later than September 1, 2009.

A meeting to hear requested oral presentations is scheduled for Thursday, September 3, 2009, at 10 a.m. at the Administration Building, Third Floor Conference Room, Department of Transportation, 800 Lincoln Way, Ames, Iowa.

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

The proposed rules may have an impact on small business. A request for a regulatory analysis pursuant to Iowa Code section 17A.4A must be submitted to the Office of Policy and Legislative Services at the address listed in this Notice by September 14, 2009.

These rules were also Adopted and Filed Emergency and are published herein as **ARC 8026B**. The content of that submission is incorporated by reference.

These rules are intended to implement 2009 Iowa Acts, Senate File 376, section 34.