

**TRANSPORTATION DEPARTMENT[761]**

**Adopted and Filed**

**Rulemaking related to county and city bridge construction funds**

The Transportation Department hereby rescinds Chapter 160, “County and City Bridge Construction Funds,” Iowa Administrative Code, and adopts a new chapter with the same title.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code sections 307.12(1)“j” and 312.2.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code section 312.2.

*Purpose and Summary*

This rulemaking repromulgates Chapter 160 in compliance with Executive Order 10. Chapter 160 implements the county and city bridge construction funding programs in accordance with Iowa Code section 312.2.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on November 13, 2024, as **ARC 8333C**. Two public hearings were held on the following date(s):

- December 11, 2024

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Department on January 21, 2025.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

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

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking 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 rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking will become effective on March 26, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 160 and adopt the following **new** chapter in lieu thereof:

*SPECIAL HIGHWAY PROGRAMS*

CHAPTER 160

COUNTY AND CITY BRIDGE CONSTRUCTION FUNDS

**761—160.1(312) Purpose.** The purpose of these rules is to establish requirements for the counties' and cities' bridge construction funds in accordance with Iowa Code section 312.2.

**761—160.2(312) Contact information.** Questions regarding this chapter may be directed to the Local Systems Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

**761—160.3(312) Administration of funds.** The department allocates the funds to counties and cities for bridge construction and reconstruction projects based on need, and the funds will be administered by the local systems bureau.

**160.3(1)** The county bridge construction fund is to be allocated for projects on secondary roads as determined by the department after consultation with county officials through their representative organizations.

**160.3(2)** The city bridge construction fund is to be allocated for projects on city streets as determined by the department after consultation with city officials through their representative organizations.

**160.3(3)** To be considered for funding, a proposed project needs to be on the appropriate eligibility list maintained by the department.

*a.* The department maintains a county bridge construction fund eligibility list and a city bridge construction fund eligibility list.

*b.* A local jurisdiction may propose a project by submitting a project application to the local systems bureau.

*c.* Unless otherwise agreed to by the city and county, a proposed project for a bridge located on the line dividing incorporated and unincorporated areas is to be placed on the eligibility list that corresponds to the jurisdiction submitting the application.

**160.3(4)** Prior to allocation, the department ranks the proposed projects within each eligibility list by a priority system based on needs, as developed under subrules 160.3(1) and 160.3(2). The priority system will include various items, such as but not limited to structural condition, traffic, and detour length. For each list, the department allocates funds, within the limits of funding availability, to those projects ranked as having the greatest needs.

These rules are intended to implement Iowa Code section 312.2.

[Filed 1/30/25, effective 3/26/25]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/19/25.