Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 20
"Governor's Traffic Safety Bureau"

Iowa Code section(s) or chapter(s) authorizing rulemaking: Executive Order 23

State or federal law(s) implemented by the rulemaking: Executive Order 23, signed June 9, 1986, and 23 U.S.C. Section 402

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 21, 2025 2:30 to 3 p.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Public Safety no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 20 and adopt a new chapter in lieu thereof. The chapter designates the Commissioner of the Department as Governor's highway safety representative for Iowa and establishes the Department as the State highway safety agency. Additionally, the chapter outlines responsibilities of the Governor's Traffic Safety Bureau (GTSB) and establishes funding criteria and program requirements for federally appropriated funds.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Any person or organization wishing to apply for funding through the GTSB will bear the costs of the rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

Any person or organization wishing to apply for funding through the GTSB will benefit from the rulemaking. The motoring public traveling on Iowa's roadways will also benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

Persons or organizations interested in applying for federal funds may require staff time to complete the necessary application.

- **Qualitative description of impact:**

The public benefits from improved highway safety as a result of GTSB-funded projects that aim to reduce unsafe driver behaviors that cause motor vehicle crashes resulting in property damage, serious injuries, and/or fatalities.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are none.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Inaction is not an option because the State is federally required to have a highway safety program.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined this to be the least costly and least intrusive method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 20 and adopt the following **new** chapter in lieu thereof:

CHAPTER 20
GOVERNOR'S TRAFFIC SAFETY BUREAU

661—20.1(23USC402,ExecOrd23) Authority. 23 U.S.C. Section 402 requires each state to have a highway safety program sponsored by the U.S. Secretary of Transportation under the responsibility of the governor.

20.1(1) The governor designated the commissioner of the department of public safety as the governor's highway safety representative for Iowa and established the department of public safety as the state highway safety agency.

20.1(2) The governor's traffic safety bureau administers the state highway safety program in accordance with the provisions of 23 U.S.C.

661—20.2(23USC402,ExecOrd23) Purpose. The purpose of the highway safety program is to provide a coordinated federal, state and local effort to reduce traffic-related deaths, injuries, and property damage crashes.

661—20.3(23USC402,ExecOrd23) Responsibilities.

20.3(1) The governor's traffic safety bureau develops and prepares the state's highway safety plan based on evaluation of highway crashes and traffic safety problems within the state.

20.3(2) The governor's traffic safety bureau encourages and assists local units of government in improving their traffic safety programs.

20.3(3) The governor's traffic safety bureau serves as a reviewing authority for federal and state traffic safety programs.

20.3(4) The governor's traffic safety bureau monitors safety program activity and expenditures of funds by state and local agencies as authorized by 23 U.S.C. Section 402.

20.3(5) The governor's traffic safety bureau coordinates the state highway safety plan with other state agencies.

20.3(6) Application for funding.

a. Proposals for funding highway safety programs may be submitted during set application time periods by any city, county, or state agency or nonprofit organization or any other eligible organization or individual.

b. Applications for funding in the next federal fiscal year, beginning October 1, must be received on or before March 1 to be considered. The bureau chief of the governor's traffic safety bureau may amend the deadline dates in order to implement projects and special activities as deemed appropriate.

c. Initial proposals should include project title, statement of the highway safety problem to be addressed supported by crash data, what is being proposed to solve the problem, how it will be evaluated, a proposed budget, and a letter of intent accepting responsibility for the proposed project from the responsible authority of the organization making application.

d. Only requests containing the listed elements will be considered for funding.

e. Assistance in developing and submitting proposals for highway safety funding may be obtained by contacting the governor's traffic safety bureau, Iowa department of public safety, by email at gtsbinfo@dps.state.ia.us.

661—20.4(23USC402,ExecOrd23) Funding criteria.

20.4(1) Allocation of federally appropriated funds administered by the governor's traffic safety bureau pursuant to 23 U.S.C. Section 402 are based on: (1) federally mandated projects; and (2) high-fatality and personal-injury crash causations and locations.

NOTE: The governor's traffic safety bureau refers to current federal authorization to dictate how funds are distributed.

20.4(2) At least 40 percent of all federal funds apportioned to the state of Iowa pursuant to 23 U.S.C. Section 402 for any fiscal year will be expended by political subdivisions of the state to carry out local highway safety programs authorized by the governor's representative for highway safety.

661—20.5(23USC402,ExecOrd23) Program requirements.

20.5(1) All approved programs funded by the governor's traffic safety bureau are administered in compliance with the current version of the Iowa Governor's Traffic Safety Bureau Policies and

Procedures Manual located on the department of public safety's website at dps.iowa.gov/gtsb-publications-surveys-reports. Copies may also be obtained by emailing gtsbinfo@dps.state.ia.us.

20.5(2) Highway safety contract procedures and reporting forms and their explanations are contained in the current version of the Iowa Governor's Traffic Safety Bureau Policies and Procedures Manual.

These rules are intended to implement Executive Order 23 and 23 U.S.C. Section 402.