Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 136
"Lighting"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)"j"
State or federal law(s) implemented by the rulemaking: None

Public Hearing

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

October 22, 2025 1 to 1:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 558 203 18#

Public Comment

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

Chris Poole
800 Lincoln Way
Ames, Iowa 50010
Email: chris.poole@iowadot.us

Purpose and Summary

The Department proposes to permanently rescind Chapter 136 and instead publish guidance in an operational manual that covers the requirements and procedures for entities to request the installation of lighting at the intersection of a side road or entrance with a primary road. The manual will be available on the Department's website.

Analysis of Impact

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

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

The rescission of this chapter does not impose any costs. However, the following costs will continue under the guidance in the operational manual. Entities such as cities and counties that choose to apply for approval to place lighting and end up installing lighting will bear those costs.

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

Moving the guidance to an operational manual will continue to benefit applicants, such as cities, counties, and commercial establishments.

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:**

Rescinding this chapter does not cause a quantitative impact. Entities wishing to install lighting at an intersection with a primary road will still need to submit a request to the Department that will be reviewed for approval.

- **Qualitative description of impact:**

Rescinding this chapter does not cause a qualitative impact.

3. **Costs to the State:**

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

Costs to the Department include the staff time associated with the processing of lighting requests.

- **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:**

There are no costs due to rescinding this chapter and moving the content to an operational manual.

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

The Department determined it would be less intrusive to include the guidance in an operational manual.

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

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

There is no Iowa Code section requiring these rules. Therefore, the Department is proposing to permanently rescind this chapter and plans to instead include the guidance in an operational manual.

- **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 impact on small business due to rescinding the chapter.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **761—Chapter 136**.