

Commission Minutes  
February 14, 2017



DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2017-43  
Submitted by Danielle Griggs Phone No. 515-239-1919 Meeting Date February 14, 2017  
Title Approve Minutes of the January 10, 2017 Commission Meeting

**DISCUSSION/BACKGROUND:**

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the minutes of the January 10, 2017 Commission meeting.

**COMMISSION ACTION:**

Moved by Leonard Boswell Seconded by Loree Miles

|         | Aye           | Vote<br>Nay       | Pass              |
|---------|---------------|-------------------|-------------------|
| Boswell | <u>x</u>      | <u>          </u> | <u>          </u> |
| Fehrman | <u>x</u>      | <u>          </u> | <u>          </u> |
| Huber   | <u>Absent</u> | <u>          </u> | <u>          </u> |
| Miles   | <u>x</u>      | <u>          </u> | <u>          </u> |
| Putney  | <u>x</u>      | <u>          </u> | <u>          </u> |
| Rose    | <u>x</u>      | <u>          </u> | <u>          </u> |
| Yanney  | <u>x</u>      | <u>          </u> | <u>          </u> |

\_\_\_\_\_  
Division Director                      Legal                      State Director

D-2017-43

Commissioner Boswell made a motion to approve the minutes as written.  
Commissioner Miles seconded the motion Commissioner Huber, absent; remaining  
Commissioners voted aye.

Commission Comments

Commissioner Rose thanked Mark for keeping us up to date with the Director's Report.

Commissioner Boswell said he would like to discuss the Swap Program more in a future  
Commission Workshop.

DOT Comments

None.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2017-44  
Submitted by Danielle Griggs Phone No. 515-239-1919 Meeting Date February 14, 2017  
Title Approve Commission Meeting Dates from June 2017 through May 2018

**DISCUSSION/BACKGROUND:**

The Commission is requested to approve the following proposed June 2017 through May 2018 meeting dates.

|                  |                 |             |
|------------------|-----------------|-------------|
| June 12/13 2017* | October 9/10*   | February 13 |
| July 11          | November 14     | March 13    |
| August 7/8*      | December 12     | April 9/10* |
| September 12     | January 9, 2018 | May 8       |

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the proposed June 2017 through May 2018 meeting dates.

**COMMISSION ACTION:**

Moved by David Rose Seconded by Leonard Boswell

\_\_\_\_\_  
Division Director                      Legal                      State Director

|         | Aye           | Vote<br>Nay | Pass  |
|---------|---------------|-------------|-------|
| Boswell | <u>x</u>      | _____       | _____ |
| Fehrman | <u>x</u>      | _____       | _____ |
| Huber   | <u>Absent</u> | _____       | _____ |
| Miles   | <u>x</u>      | _____       | _____ |
| Putney  | <u>x</u>      | _____       | _____ |
| Rose    | <u>x</u>      | _____       | _____ |
| Yanney  | <u>x</u>      | _____       | _____ |

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Systems Planning Order No. PPM-2017-45  
 Submitted by Stuart Anderson Phone No. 515-239-1661 Meeting Date February 14, 2017  
 Title Administrative Rules – 761 IAC 28, Iowa Transportation Map

**DISCUSSION/BACKGROUND:**

The department is proposing to make changes to 761 IAC 28, Iowa Transportation Map, as part of the required five-year review of Iowa DOT’s rule chapters.

The proposed amendments:

- Update the responsible office.
- Identifies the Web site where the map is available.
- Clarifies the electronic version as well as the paper version is not to be altered for distribution.

The public comment period ended on February 7, 2017, and no comments or requests for oral presentations were received.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached rule amendments.

**COMMISSION ACTION:**

Moved by Charese Yanney Seconded by Loree Miles

|         | Aye           | Nay   | Pass  |
|---------|---------------|-------|-------|
| Boswell | <u>x</u>      | _____ | _____ |
| Fehrman | <u>x</u>      | _____ | _____ |
| Huber   | <u>Absent</u> | _____ | _____ |
| Miles   | <u>x</u>      | _____ | _____ |
| Putney  | <u>x</u>      | _____ | _____ |
| Rose    | <u>x</u>      | _____ | _____ |
| Yanney  | <u>x</u>      | _____ | _____ |

\_\_\_\_\_  
Division Director                      \_\_\_\_\_ Legal                      \_\_\_\_\_ State Director

ITEM 1. Amend rule 761—28.1(307) as follows:

**761—28.1(307) Definition.**

“~~Iowa transportation map~~ Transportation Map” is the multicolored official map that is produced by the department to provide the motoring public with basic information on the location of cities and the highways connecting them.

ITEM 2. Amend rule 761—28.2(307) as follows:

**761—28.2(307) Information.** Information regarding ~~the map use, content and production of the Iowa transportation map~~ the map use, content and production may be obtained from: ~~the Office of Media and Marketing Services Systems Planning~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515) ~~239-1922~~ 239-1664.

ITEM 3. Amend rule 761—28.3(307) as follows:

**761—28.3(307) Policy.** The Iowa ~~transportation map~~ Transportation Map is to be distributed to the public without charge at department offices, at rest areas and on the department’s Web site at [www.iowadot.gov](http://www.iowadot.gov). The map is not to be sold or used for purposes of personal or professional gain. The paper version or the electronic version of the map is not to be altered for distribution in any way, including adding a name or address of an individual, business or organization.

1. This policy applies to but is not limited to candidates running for political office.
2. It is not a violation of this policy for the pictures of the governor and lieutenant governor and a personal message to appear on the map.

PPM-2017-45

Stuart Anderson, Planning, Programming and Modal Division; Chapter 28 is Iowa Transportation Map and is part of our five-year review of rules. There are very minor changes proposed as listed on the Commission Order. There were no comments received on these changes. It is recommended the Commission approve these rules as attached on the Commission order

Commissioner Yanney made a motion to approve the attached rules. Commissioner Miles seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Highway Division's Office of Traffic Safety's system  
Division/Bureau/Office operations section Order No. H-2017-46  
Submitted by Tim Crouch Phone No. 515 239 1513 Meeting Date February 14, 2017  
Title Administrative Rules: 761 IAC 143, Traffic Signal Synchronization

**DISCUSSION/BACKGROUND:**

The proposed amendments to Chapter 143 include:

- 1) Adding a new type of traffic signal system to the definitions in the rule, "Adaptive signal control system."
- 2) Edits to the language in section 143.4(1) changing the requirement for the operation of traffic signals in coordination to operation of traffic signals as a traffic signal system. Traffic signal system is defined in the rule as "two or more traffic signals operating in a coordinated manner."

No comments or requests for oral presentations were received during the public comment period.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached rule amendments.

**COMMISSION ACTION:**

Moved by Loree Miles Seconded by Charese Yanney

\_\_\_\_\_  
Division Director                      Legal                      State Director

|         | Aye           | Nay   | Pass  |
|---------|---------------|-------|-------|
| Boswell | <u>x</u>      | _____ | _____ |
| Fehrman | <u>x</u>      | _____ | _____ |
| Huber   | <u>Absent</u> | _____ | _____ |
| Miles   | <u>x</u>      | _____ | _____ |
| Putney  | <u>x</u>      | _____ | _____ |
| Rose    | <u>x</u>      | _____ | _____ |
| Yanney  | <u>x</u>      | _____ | _____ |



ITEM 1. Amend rule **761—143.1(364)**, definition of “Traffic signal system,” as follows:

“*Traffic signal system*” means two or more traffic signals operating in a coordinated manner. Types of coordinated systems:

1. “*Adaptive signal control system*” means a system in which traffic signals across a signal network are coordinated by adjusting the lengths of signal phases based on prevailing traffic conditions.

~~1.~~ 2. “*Computerized system*” means a system in which controllers are supervised by a computer.

~~2.~~ 3. “*Interconnected master-controlled system*” means a system in which local controllers are supervised by a master controller through a communications link (wire/radio). The master establishes a base line condition; the local then operates its intersection in a predetermined relationship with the base line.

~~3.~~ 4. “*Noninterconnected system*” means a system in which timing relationships between individual local controllers are coordinated by manual settings, without physical interconnection between the controllers.

~~4.~~ 5. “*Time-based coordinated system*” means a noninterconnected system in which the local controllers use a ~~very accurate~~ programmable digital timing and control device (time-based coordinator) to maintain coordination.

~~5.~~ 6. “*Traffic responsive system*” means a system in which a master controller specifies cycle timings based on the real time demands of traffic as sensed by vehicle detectors.

ITEM 2. Amend subrule 143.4(1) as follows:

**143.4(1)** Unless a traffic engineering study documents that it is not practical, traffic signals within one-half mile of each other along an arterial street or in a network of intersecting arterial streets shall be operated ~~in coordination; preferably in a computerized, interconnected master-controlled, time-based coordinated, or traffic responsive system~~ as a traffic signal system.

H-2017-46

Mitch Dillavou, Highway Division; Chapter 14, item one includes adding a new type of traffic signal system to the definitions in the rule, Adaptive Signal System. Item two edits the language in the section changing the requirement for the operation of traffic signals in coordination to operation of traffic signals as a traffic signal system. There were no comments or requests for oral presentations received during the public comment period, as we discussed at yesterday's workshop.

It is recommended the Commission approve the attached rule amendments.

Commissioner Miles made a motion to approve the attached amendments. Commissioner Yanney seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Motor Vehicle Division, Office of Vehicle & Motor

Division/Bureau/Office Carrier Services Order No. MV-2017-47

Submitted by Timothy Allen Phone No. 515-237-3157 Meeting Date February 14, 2017

Title Administrative Rule – 761 IAC 540, Transportation Network Companies

**DISCUSSION/BACKGROUND:**

The proposed rulemaking makes changes to comply with 2016 Iowa Acts, House File 2414, which amended Iowa Code 321.1, 321.40, 321.236, 321.466, 325A.1, 325A.2, 325A.6, 325A.11, 325A.12, and 327D.1; and created Iowa Code 321.241, and 321N et seq. to provide for the regulation of transportation network companies (TNC) and taxicabs, and providing penalties for noncompliance.

A TNC is prohibited from operating in Iowa without a permit issued by the department. To obtain a permit, a TNC must submit an application to the department containing specific identification information as listed in Iowa Code 321N.2.

Upon filing a permit application by a TNC with the department, and a determination by the department that the TNC is in compliance with the provisions of Iowa Code 321N, the department must issue a permit to the TNC. If granted, the permit is valid for one year and must be renewed annually if the permit holder intends to continue to hold a valid permit.

The department may deny issuing a permit if the department determines, and evidence demonstrates, that the TNC is not in compliance or is unable to comply with the provisions of Iowa Code 321N.

The department may suspend a TNC's permit for a violation of Iowa Code 321N or these proposed rules until the TNC demonstrates that the TNC is in compliance with the applicable requirements. The department may revoke a TNC's permit for continued noncompliance.

To determine whether a TNC is in compliance with the applicable requirements, the department may examine a TNC's records, including a random sample of the TNC's records related to drivers and prearranged rides. An examination is required to take place at the department's Motor Vehicle Division building unless another location is agreed to by the department and the TNC, and such examinations may not occur more than twice per year unless additional examinations are necessary to investigate a complaint.

The public comment period ended on February 7, 2017, and the department did not receive any comments or requests for oral presentations.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached rule amendment.

**COMMISSION ACTION:**

Moved by David Rose Seconded by Loree Miles

|         | Aye           | Vote<br>Nay | Pass  |
|---------|---------------|-------------|-------|
| Boswell | <u>x</u>      | _____       | _____ |
| Fehrman | <u>x</u>      | _____       | _____ |
| Huber   | <u>Absent</u> | _____       | _____ |
| Miles   | <u>x</u>      | _____       | _____ |
| Putney  | <u>x</u>      | _____       | _____ |
| Rose    | <u>x</u>      | _____       | _____ |
| Yanney  | <u>x</u>      | _____       | _____ |

\_\_\_\_\_  
Division Director                      Legal                      State Director

MV-2017-47

Mark Lowe, Iowa DOT Interim Director; As we discussed yesterday at the workshop, Chapter 540 is a new chapter in Administrative Rules that implements regulations regarding permitting and operations of Transportation Network Companies, which are essentially ride share companies, such as Uber or Lift. The proposed rules implement HF 2414 which created a new chapter 321N in the Iowa Code that appoints the Department of Transportation as the agency to regulate their operation.

We received no public comment on this. It is recommended for approval as written in the Commission Order.

Commissioner Rose made a motion to approve as written. Commissioner Miles seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Motor Vehicle Division, Office of Vehicle & Motor

Division/Bureau/Office Carrier Services Order No. MV-2017-48  
 Submitted by Timothy Allen Phone No. 515-237-3157 Meeting Date February 14, 2017  
 Title Administrative Rules – 761 IAC 400, 401, 425, 602, and 604

**BACKGROUND/DISCUSSION:**

The department is proposing to amend the following chapters to comply with 2016 Iowa Acts, House File 2437, which amended Iowa Code 321 to designate certain three-wheeled motor vehicles as autocycles and align the rules to conform to department practices. The proposed amendments are described below.

- 1) 761 IAC 400, Vehicle Registration and Certificate of Title
  - a. Exclude an autocycle from the weigh ticket requirement in the same manner as motorcycles, trucks, truck tractors, road tractors, and trailer-type vehicles are currently excluded from applying for a certificate of title or original registration for a specially constructed, reconstructed, street rod, or replica motor vehicle.
  - b. Require an autocycle to be registered as an autocycle if designed or converted to transport property less than 1,000 pounds and require an autocycle to be registered as a motor truck if the autocycle is designed or converted to transport property more than 1,000 pounds.
  - c. Require a validation sticker to be affixed to the upper left corner of an autocycle license plate.
- 2) 761 IAC 401, Special Registration Plates
  - a. Restrict the number of characters of a personalized autocycle license plate to no less than two and no more than six characters.
  - b. Exclude the availability of collegiate plates for an autocycle.
- 3) 761 IAC 425, Motor Vehicle and Travel Trailer Dealers
  - a. Align the size of the impacted areas with that of those required of a motor vehicle dealer offering a motorcycle or motorized bicycle for sale.
- 4) 761 IAC 602, Classes of Driver’s Licenses
  - a. Clarify that an autocycle, as defined in Iowa Code 321.1, is a vehicle that shall be operated with a valid Class C noncommercial driver’s license.
  - b. Update an implementation sentence.
- 5) 761 IAC 604, License Examination
  - a. Provide that an autocycle shall not be used for a Class C operator’s driving test.
  - b. Update an implementation sentence.

The public comment period ended on February 7, 2017, and the department did not receive any comments or requests for oral presentations.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached rule amendment.

|   |  | Vote          | Pass  |
|---|--|---------------|-------|
| COMMISSION ACTION:  |  | Aye           | Nay   |
|   | Boswell  | <u>x</u>      | _____ |
|   | Fehrman  | <u>x</u>      | _____ |
|   | Huber  | <u>Absent</u> | _____ |
|   | Miles  | <u>x</u>      | _____ |
|   | Putney   | <u>x</u>      | _____ |
|   | Rose   | <u>x</u>      | _____ |
|   | Yanney   | <u>x</u>      | _____ |
| Moved by <u>Leonard Boswell</u> Seconded by <u>Charese Yanney</u> | _____<br>Division      Legal      State Director<br>Director |               |       |

ITEM 1. Amend paragraph **400.16(2)“b”** as follows:

*b.* The investigator shall contact the applicant and schedule a time and place for an examination of the vehicle and the ownership documents. The owner of the vehicle may drive or tow the vehicle to and from the examination location by completing an affidavit to drive on a form provided by the department. The form shall state that the vehicle is reasonably safe for operation and must be signed by the owner. The applicant, when appearing with the vehicle for the examination, shall submit to the investigator the ownership document for the vehicle, the ownership documents for essential parts, and a weigh ticket indicating the weight of the vehicle. However, a weigh ticket is not required for motorcycles, autocycles, trucks, truck tractors, road tractors or trailer-type vehicles.

ITEM 2. Amend rule 761—400.37(321) as follows:

**761—400.37(321) Motorcycle or autocycle primarily designed or converted to transport property.** A motorcycle or autocycle primarily designed or converted to transport less than 1000 pounds of property shall be registered as a motorcycle or autocycle. A motorcycle or autocycle primarily designed or converted to transport 1000 pounds of property or more shall be registered as a motor truck.

This rule is intended to implement Iowa Code sections 321.1 and 321.117.

ITEM 3. Amend subrule 400.53(1) as follows:

**400.53(1) Placement of validation sticker.** The validation sticker shall be affixed to the lower left corner of the rear registration plate. EXCEPTIONS: For motorcycle, autocycle and small trailer plates, the validation sticker shall be affixed to the upper left corner of the plate. For natural resources plates, the sticker may be affixed to the lower right corner of the rear plate.

ITEM 4. Amend subrule 401.6(2), introductory paragraph, as follows:

**401.6(2) Characters.** The personalized plates shall consist of no ~~less~~ fewer than two nor more than seven characters except that personalized plates for motorcycles, autocycles and small trailers shall consist of no ~~less~~ fewer than two nor more than six characters.

ITEM 5. Amend rule 761—401.7(321) as follows:

**761—401.7(321) Collegiate plates.**

**401.7(1) Application.** Application for collegiate plates shall be submitted to the department on a form prescribed by the department. The applicant may request letter-number designated collegiate plates or personalized collegiate plates. Collegiate plates for motorcycles, autocycles and small trailers are not available.

**401.7(2) Characters.** Personalized collegiate plates shall be issued in accordance with subrule 401.6(2) except that personalized collegiate plates are not available for motorcycles, autocycles and small trailers.

**401.7(3) to 401.7(5) No change.**

ITEM 6. Amend subparagraph **425.12(3)“b”(1)** as follows:

(1) For display of motorcycles, ~~and~~ motorized bicycles and autocycles, the minimum size of the display facility is 10 feet by 15 feet.

ITEM 7. Amend subparagraph **425.12(4)“e”(1)** as follows:

(1) The minimum size facility for motorcycles, ~~and~~ motorized bicycles and autocycles is an unobstructed rectangular area measuring 10 feet by 15 feet.

ITEM 8. Amend subparagraph **602.11(1)“a”(1)** as follows:

(1) A motor vehicle, including an autocycle as defined in Iowa Code section 321.1, that does not require a commercial driver’s license or a Class D driver’s license for its operation.

ITEM 9. Amend rule **761—602.11(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.1, 321.177, 321.178, 321.180B, 321.189, and 321.196.

ITEM 10. Amend subrule 604.31(1) as follows:

**604.31(1) Driving test requirements.** The driving test requirements for noncommercial driver’s licenses are as follows:

a. No change.

b. *Class C driver’s licenses.* For a Class C driver’s license other than an instruction permit or a motorized bicycle license, an operator’s driving test in a representative vehicle is required, except that an autocycle as defined in Iowa Code section 321.1 shall not be used for the driving test.

c. No change.

d. *Class M driver’s licenses and motorcycle endorsements.* The driving test for a Class M driver’s license or motorcycle endorsement consists of two parts: an off-street motorcycle skill test and an on-street driving test.

(1) The off-street motorcycle skill test is required. The on-street motorcycle driving test is also required if the applicant does not have another driver’s license that permits unaccompanied driving. Neither motorcycle test is required for the purposes of operating an autocycle.

(2) A motorcycle shall be used for these tests. If a three-wheeled motorcycle is used, the driver’s license shall be restricted: “Not valid for 2-wheel vehicle.” An autocycle is not considered a motorcycle or a three-wheeled motorcycle for testing purposes.

e. No change.

ITEM 11. Amend rule **761—604.31(321)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.1, 321.174, 321.178, 321.178A, 321.180, 321.180A, 321.180B, 321.186, 321.189, 321.193, 321.196 and 321.198.

MV-2017-48

Mark Lowe, Iowa DOT Interim Director; this affects rule chapters 400, 401, 425, 602, and 604 regarding autocycles. Autocycle is a specific type of motorcycle that operates more as a passenger vehicle. We have adjustments in the Iowa Code through HF 2437 defining autocycles as their own vehicle type and make sure that autocycles were treated as motorcycles for purposes of registration, titling, license plate display, and the dealership requirements that also apply. This rule package affects all of those things, and merely implements what was added to the Iowa Code.

We've received no public comment on this. It is recommended to approve the rule attached to the Commission Order.

Commissioner Boswell made a motion to approve as attached to the Commission order. Commissioner Yanney seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.



**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Motor Vehicle Division, Office of Vehicle &  
Motor Carrier Services

Division/Bureau/Office Motor Carrier Services Order No. MV-2017-49  
Submitted by Timothy Allen Phone No. 515-237-3157 Meeting Date February 14, 2017  
Title Administrative Rules – 761 IAC 520, 529, and 607

**BACKGROUND/DISCUSSION:**

The proposed rule amendments makes changes to comply with:

- 1) Iowa Code 321.188, which requires the department to adopt rules to administer commercial driver’s licenses in compliance with certain portions of 49 CFR 383.
- 2) Iowa Code 321.449, which requires the department to adopt rules consistent with the Federal Motor Carrier Safety Regulations promulgated under 49 U.S.C., and found in 49 CFR 385 and 390 to 399.
- 3) Iowa Code 321.450, which requires the department to adopt rules consistent with the Federal Hazardous Materials Regulations promulgated under 49 U.S.C., and found in 49 CFR 107, 171 to 173, 177, 178, and 180.

The proposed amendments to 761 IAC 520, Regulations Applicable to Carriers, adopt the current CFR dated October 1, 2016, for 49 CFR 107, 171, 172, 173, 177, 178, 180, 385, and 390 to 399.

The proposed amendment to 761 IAC 529, For-Hire Interstate Motor Carrier Authorities, adopts the current CFR dated October 1, 2016, for 49 CFR 365-368 and 370-379.

The proposed amendment to 761 IAC 607, Commercial Driver Licensing, adopts the current CFR dated October 1, 2016, for certain portions of 49 CFR 383.

The public comment period ended on January 24, 2017, and the department did not receive any comments or requests for oral presentations.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached rule amendment.

| <b>COMMISSION ACTION:</b>        |                               | Aye    | Vote<br>Nay             | Pass  |
|----------------------------------|-------------------------------|--------|-------------------------|-------|
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | Absent | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
|                                  |                               | x      | _____                   | _____ |
| Moved by <u>Kathleen Fehrman</u> | Seconded by <u>David Rose</u> |        |                         |       |
| _____<br>Division<br>Director    | _____<br>Legal                |        | _____<br>State Director |       |

ITEM 1. Amend paragraph **520.1(1)“a”** as follows:

*a. Motor carrier safety regulations.* The Iowa department of transportation adopts the Federal Motor Carrier Safety Regulations, 49 CFR Parts 385 and 390-399 (October 1, ~~2015~~ 2016).

ITEM 2. Amend paragraph **520.1(1)“b”** as follows:

*b. Hazardous materials regulations.* The Iowa department of transportation adopts the Federal Hazardous Materials Regulations, 49 CFR Parts 107, 171-173, 177, 178, and 180 (October 1, ~~2015~~ 2016).

ITEM 3. Amend rule 761—529.1(327B) as follows:

**761—529.1(327B) Motor carrier regulations.** The Iowa department of transportation adopts the Code of Federal Regulations, 49 CFR Parts 365-368 and 370-379, dated October 1, ~~2011~~ 2016, for regulating interstate for-hire carriers.

Copies of this publication are available from the state law library or through the Internet at <http://www.fmcsa.dot.gov>.

ITEM 4. Amend paragraph **607.10(1)“c”** as follows:

*c.* The following portions of 49 CFR Part 383 (October 1, ~~2015~~ 2016):

- (1) Section 383.51, Disqualification of drivers.
- (2) Subpart E—Testing and Licensing Procedures.
- (3) Subpart G—Required Knowledge and Skills.
- (4) Subpart H—Tests.

MV-2017-49

Mark Lowe, Iowa DOT Interim Director; this an update of federal rules that we are required to adopt that effect commercial driver's services, Federal Motor Carrier Safety Regulations, and Federal Hazardous Materials Regulations. It is an annual update that brings us up-to-date to the rules that are at the federal level beginning October 1, 2016 which is the start of the Federal Fiscal Year.

We've received no public comment on this. It is recommended to approve the rule amendments attached to the Commission Order.

Commissioner Fehrman made a motion to approve the amendments as attached to the Commission order. Commissioner Rose seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION  
**COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Aviation Order No. PPM-2017-50  
Submitted by Shane Wright Phone No. 515-239-1048 Meeting Date February 14, 2017  
Title Federal Fiscal Year (FFY) 2018 Federal Aviation Administration (FAA) Funding Preapplications

**DISCUSSION/BACKGROUND:**

The Office of Aviation requests the Iowa Transportation Commission approve the submittal of FFY 2018 FAA funding preapplications prepared by Iowa airports that are eligible for federal funding. The list of preapplications is attached.

Preapplications will be submitted to FAA for review and action.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the submittal of the FAA funding preapplications as presented.

**COMMISSION ACTION:**

|          |                    |             |                       |         |               |                 |
|----------|--------------------|-------------|-----------------------|---------|---------------|-----------------|
| Moved by | <u>Loree Miles</u> | Seconded by | <u>Charese Yanney</u> |         |               |                 |
|          |                    |             |                       | Boswell | <u>x</u>      | <u>        </u> |
|          |                    |             |                       | Miles   | <u>x</u>      | <u>        </u> |
|          |                    |             |                       | Reasner | <u>Absent</u> | <u>        </u> |
|          |                    |             |                       | Putney  | <u>x</u>      | <u>        </u> |
|          |                    |             |                       | Rose    | <u>x</u>      | <u>        </u> |
|          |                    |             |                       | Huber   | <u>x</u>      | <u>        </u> |
|          |                    |             |                       | Yanney  | <u>x</u>      | <u>        </u> |

         Division Director               Legal               State Director

# FFY 18 Federal Airport Improvement Program Preapplications

| Safety projects              |   |                  |                          |
|------------------------------|---|------------------|--------------------------|
| Airport                      | Project description   | Total amount     | 90 percent federal level |
| Keokuk                       | Remove airspace obstruction                                   | \$426,935        | \$384,241                |
| Winterset Municipal          | Remove obstruction and relocate 195th Street/N. Eighth Avenue | \$282,000        | \$253,800                |
| <b>Total safety projects</b> |   | <b>\$708,935</b> | <b>\$638,041</b>         |

| Planning projects              |   |                    |                          |
|--------------------------------|---|--------------------|--------------------------|
| Airport                        | Project description   | Total amount       | 90 percent federal level |
| Algona Municipal               | Design and approach survey for runway 12/30                               | \$170,000          | \$153,000                |
| Centerville Municipal          | Airport layout plan update  | \$155,000          | \$139,500                |
| Cherokee County Regional       | Design partial parallel taxiway   | \$145,000          | \$130,500                |
| Humboldt Municipal             | Design runway rehabilitation, line of sight correction, and lighting      | \$340,000          | \$306,000                |
| Independence Municipal         | South taxiway and taxilane widening design                                | \$65,000           | \$58,500                 |
| Iowa DOT                       | Conduct pavement condition inspections                                    | \$98,800           | \$88,920                 |
| Iowa DOT*                      | Update State Aviation System Plan   | \$350,000          | \$315,000                |
| Le Mars Municipal              | Runway extension design and airports geographic information system survey | \$110,000          | \$99,000                 |
| Manchester Municipal           | Environmental processing to acquire land                                  | \$89,000           | \$80,100                 |
| Maquoketa Municipal            | Design Runway 15 extension  | \$150,000          | \$135,000                |
| Marshalltown Municipal         | Storage hangar design   | \$50,000           | \$45,000                 |
| Monticello Regional            | Update Airport Layout Plan  | \$130,000          | \$117,000                |
| Northeast Iowa Regional        | Design taxiway reconstruction   | \$90,000           | \$81,000                 |
| Perry Municipal                | Runway 14/32 grading and drainage design                                  | \$198,700          | \$178,830                |
| Rockwell City Municipal        | Environmental assessment  | \$80,000           | \$72,000                 |
| Southeast Iowa Regional        | Design Runway 18/36 rehabilitation  | \$465,000          | \$418,500                |
| Waverly Municipal              | Design Runway 29 extension  | \$136,000          | \$122,400                |
| <b>Total planning projects</b> |   | <b>\$2,822,500</b> | <b>\$2,540,250</b>       |

\*FAA FY17 funds possible

| Maintenance and development projects |  |              |                          |
|--------------------------------------|--|--------------|--------------------------|
| Airport                              | Project description                                    | Total amount | 90 percent federal level |
| Ankeny Regional                      | Taxiway rehabilitation and reconstruction project      | \$1,189,000  | \$1,070,100              |
| Belle Plaine Municipal               | Runway rehabilitation                                  | \$200,000    | \$180,000                |
| Bloomfield Municipal                 | Eliminate pond on airport property                     | \$405,000    | \$364,500                |
| Boone Municipal                      | Reconstruct/Extend taxilanes                           | \$446,510    | \$401,859                |
| Clarinda Municipal                   | Acquire snow removal equipment                         | \$200,000    | \$180,000                |
| Clinton Municipal                    | Reconfigure and rehabilitate taxiways C and D          | \$425,000    | \$382,500                |
| Council Bluffs Municipal             | Acquire snow removal equipment                         | \$200,000    | \$150,000                |
| Creston Municipal                    | Construct runway turnarounds                           | \$475,000    | \$427,500                |
| Forest City Municipal                | Runway 15/33 lighting replacement                      | \$250,000    | \$225,000                |
| Fort Dodge Regional                  | Runway 12/30 surface seal coat                         | \$284,500    | \$256,050                |
| Fort Dodge Regional                  | Taxiways B, D, and F surface seal coat                 | \$261,025    | \$234,923                |
| Greenfield Municipal                 | Electrical vault improvements                          | \$250,000    | \$225,000                |
| Grinnell Regional                    | Runway 13/31 reconstruction                            | \$3,450,000  | \$3,105,000              |
| Grinnell Regional                    | Replace airport lighting system                        | \$950,000    | \$855,000                |
| Iowa City Municipal                  | Runway 25 threshold relocation                         | \$310,000    | \$279,000                |
| Jefferson Municipal                  | Relocate county road                                   | \$759,183    | \$683,265                |
| Knoxville Municipal                  | Rehabilitate runway 15/33 pavement and lighting system | \$3,380,000  | \$3,042,000              |
| Mason City Regional                  | Rehabilitate taxiway lighting systems                  | \$400,000    | \$360,000                |

## FFY 18 Federal Airport Improvement Program Preapplications

| Mount Pleasant Municipal         | Rehabilitate runway 15/33   | \$1,658,000         | \$1,492,200              |
|----------------------------------|---|---------------------|--------------------------|
| Muscatine Municipal              | Taxiway A design and reconstruction                                       | \$2,999,402         | \$2,699,462              |
| Oelwein Municipal                | Construct connector taxiway to runway 13 end                              | \$366,000           | \$329,400                |
| Oelwein Municipal                | Snow removal equipment  | \$153,500           | \$138,150                |
| Ottumwa Regional                 | Runway 13/31 reconstruction   | \$13,347,220        | \$12,012,498             |
| Pocahontas Municipal             | Reconstruct taxilane  | \$139,980           | \$125,982                |
| Sheldon Municipal                | Construct snow removal equipment building                                 | \$289,600           | \$260,640                |
| Southeast Iowa Regional          | Rehabilitate Runway 30  | \$335,000           | \$301,500                |
| Washington Municipal             | Apron expansion with fueling island - Phase II                            | \$330,000           | \$297,000                |
|                                  |   |                     |                          |
|                                  |   |                     |                          |
|                                  | <b>Total maintenance and development projects</b>                         | <b>\$33,453,920</b> | <b>\$30,078,529</b>      |
|                                  |   |                     |                          |
| <b>Land acquisition projects</b> |   |                     |                          |
| Airport                          | Project description   | Total amount        | 90 percent federal level |
| Ankeny Regional                  | Land acquisition for runway approach protection                           | \$1,896,000         | \$1,706,400              |
| Clarion Municipal                | Land acquisition for runway 14/32 widening and extension                  | \$408,000           | \$367,200                |
| Emmetsburg Municipal             | Land acquisition for existing Runway 3 protection zone                    | \$249,400           | \$224,460                |
| Harlan Municipal                 | Land acquisition for runway and parallel taxiway clearances               | \$403,800           | \$363,420                |
| Keokuk Municipal                 | Land acquisition for runway protection zone and building restriction line | \$363,767           | \$327,390                |
| Osceola Municipal                | Land acquisition for parallel taxiway and building restriction line       | \$429,400           | \$386,460                |
| South Central Regional           | Land acquisition  | \$900,000           | \$810,000                |
| Tipton Municipal                 | Land acquisition  | \$1,300,000         | \$1,170,000              |
| West Union Municipal             | Land acquisition  | \$90,000            | \$81,000                 |
|                                  |   |                     |                          |
|                                  |   |                     |                          |
|                                  | <b>Total land acquisition projects</b>                                    | <b>\$6,040,367</b>  | <b>\$5,436,330</b>       |
| <b>55 Total projects</b>         | <b>Total preapplications</b>  | <b>\$43,025,722</b> | <b>\$38,693,150</b>      |

MV-2017-50

Shane Wright, Office of Aviation; At yesterday's workshop, we presented to you the list of Federal Fiscal Year 2018 FAA Funding Preapplications prepared by Iowa airports that are eligible for federal funds. This list included 55 projects at 50 airports requesting a total of approximately \$38.6. With Commission approval, these preapplications will be submitted to the FAA for review and action.

It is recommended the Commission approve the submittal of FAA funding preapplications as presented.

Commissioner Miles made a motion to approve the submittal as presented. Commissioner Yanney seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Systems Planning Order No. PPM-2017-51  
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date February 14, 2017  
 Title Revitalize Iowa's Sound Economy (RISE) Application – Wright County

**DISCUSSION/BACKGROUND:**

Wright County submitted a RISE Immediate Opportunity application requesting a grant to assist in the construction of turn lanes and paving of 13,374 feet of County Road C-56, turn lanes on Iowa 17, and turn lanes at the intersection of Iowa 17 and County Road C-56 located south of Eagle Grove. This project is anticipated to be completed by November 2018.

These improvements are necessary to provide improved access to the proposed site of Prestage Foods of Iowa LLC, a pork slaughter and fabrication plant producing fresh and frozen products for sale to retail markets, wholesale markets, further processors, food service operations and export markets. This company conforms to the legislative requirements of the RISE program.

These improvements will support:

- The creation of 196 new full-time jobs.
- \$263,986,120 in associated capital investment.

The RISE cost per job assisted will be \$11,961.62 and there will be a total capital investment of \$112.60 for each RISE dollar requested.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$2,344,478 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE Fund.

| COMMISSION ACTION:   |                   |                | Aye                    | Vote<br>Nay | Pass  |
|----------------------|-------------------|----------------|------------------------|-------------|-------|
|                      |                   |                | x                      | _____       | _____ |
|                      |                   |                | x                      | _____       | _____ |
|                      |                   |                | Absent                 | _____       | _____ |
| Moved by             | <u>David Rose</u> | Seconded by    | <u>Leonard Boswell</u> | x           | _____ |
|                      |                   |                |                        | x           | _____ |
|                      |                   |                |                        | x           | _____ |
|                      |                   |                |                        | x           | _____ |
|                      |                   |                |                        | x           | _____ |
| _____                | _____             | _____          |                        |             |       |
| Division<br>Director | Legal             | State Director |                        |             |       |



**RISE Immediate Opportunity Funding  
Economic Analysis Summary**

**GENERAL INFORMATION**

**Applicant:** Wright County

**Project Location and Description:** Wright County submitted a RISE Immediate Opportunity application requesting a grant to assist in the construction of turn lanes and paving 13,374 feet of Wright County Road C-56, turn lanes on Iowa 17, and turn lanes at the intersection of Iowa 17 and Wright County Road C-56 located south of Eagle Grove.

**Associated Economic Development:** The project provides improved access to the proposed site of Prestage Foods of Iowa LLC, a pork slaughter and fabrication plant producing fresh and frozen products for sale to retail markets, wholesale markets, further processors, food service operations, and export markets.

**ECONOMIC IMPACT**

**Total Roadway Project Cost: \$2,930,598**

**RISE Funds Requested:** \$2,344,478; **Grant:** \$2,344,478; **Loan \$----**

**Effective Project Cost to RISE Program:** \$2,344,478

**Local Participation:** \$586,120; **Sources:** Wright County

**Non-RISE Total Capital Investment:** \$263,986,120

(**Public:** \$16,786,120; **Private:** \$247,200,000)

**Direct Jobs Created:** 196; (**Other, Potential Future Jobs:** 928)

**Direct Jobs Retained:** 0; **Total Direct Jobs Assisted, Short-Term:** 729

**Number of Existing Jobs:** 0

**Project Average Wage Rate of New Jobs:** \$22.26/hr.

**100% Average Laborshed Wage Rate:** \$15.99/hr.

**KEY RATIOS**

**Local Match Ratio:** 20% (\$586,120/\$2,930,598)

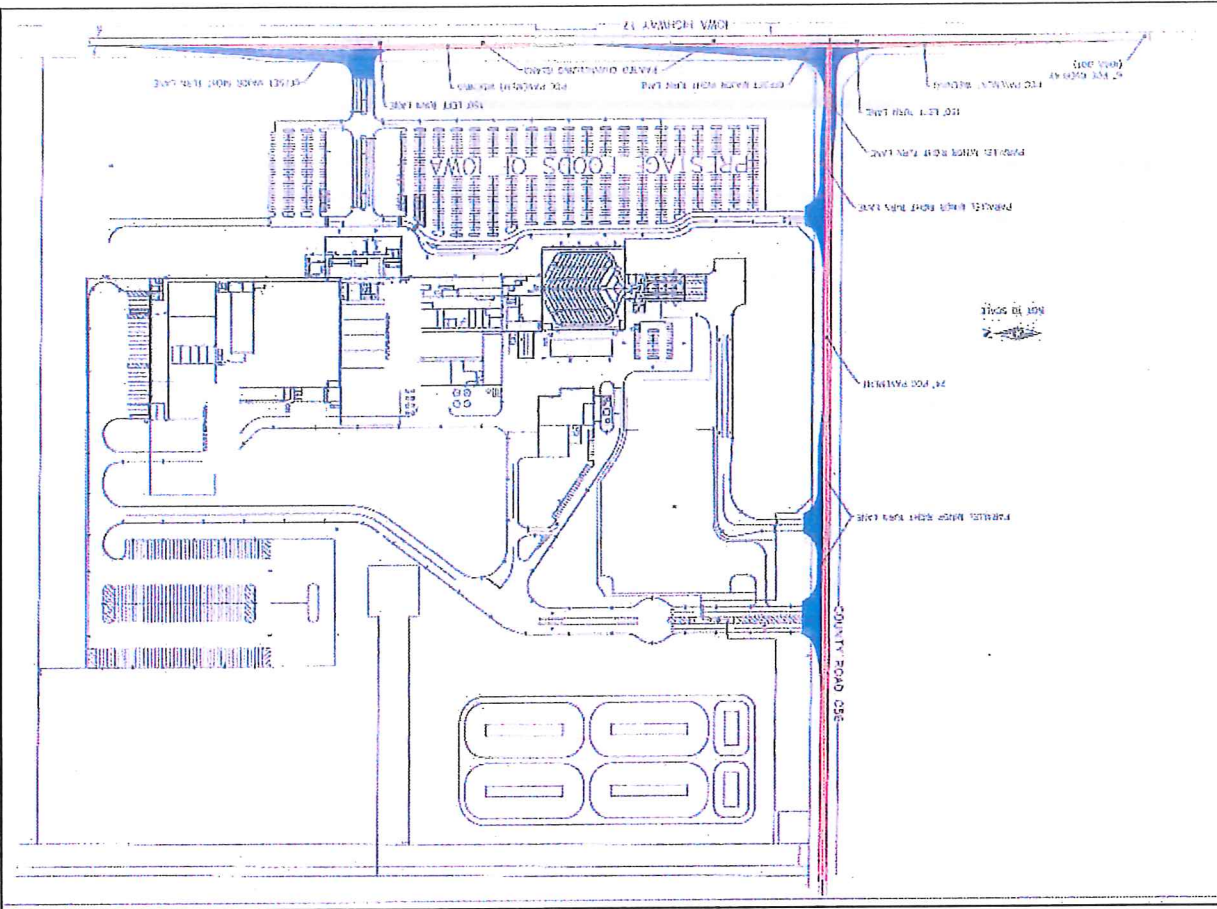
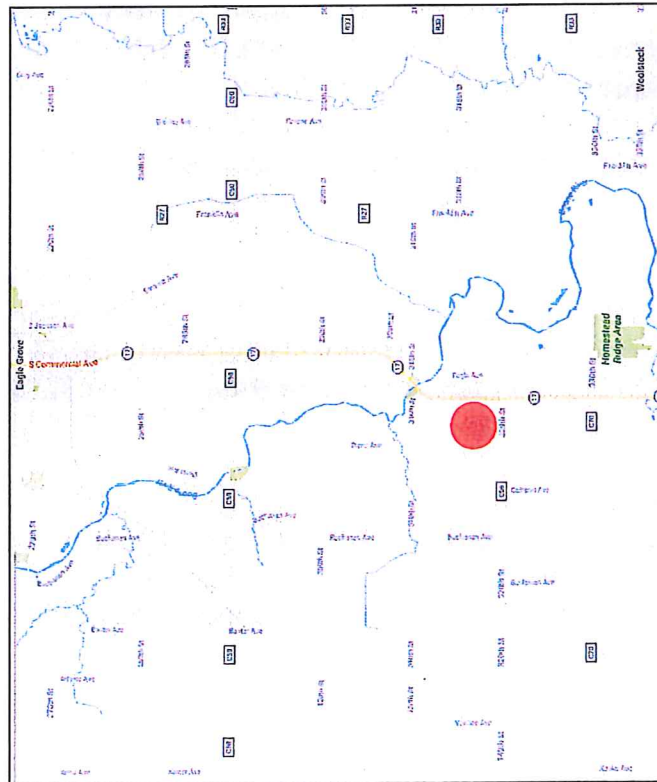
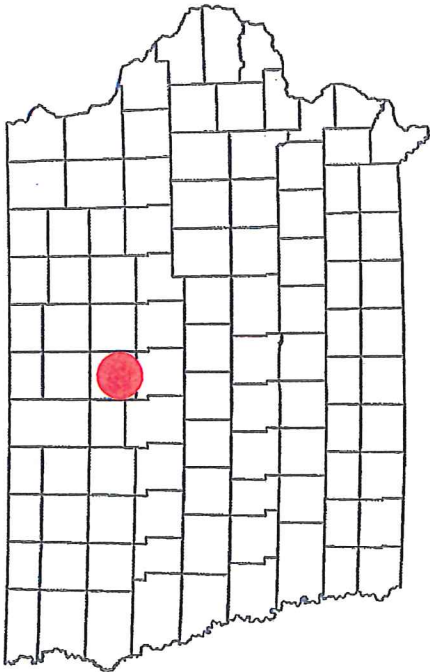
**RISE Cost Per Job Assisted (Created):** \$2,344,478/196 = \$11,961.62

**Total Capital Investment Per RISE Dollar:** \$263,986,120/\$2,344,478= \$112.60

**CONCLUSIONS**

**Narrative:** It is recommended the Commission, based on the capital investment and job creation commitments; award a RISE grant of \$2,344,478 from the RISE fund or up to 80 percent of the total RISE-eligible project cost, whichever is less. Funding will come from the county share of the RISE Fund.

# Wright County



MV-2017-51

Craig Markley, Office of Systems Planning; We have two RISE projects for your review this morning. First we have an application from Wright County. There is a delegation present if you have any questions following my presentation of background information.

The county submitted an Immediate Opportunity RISE funding request to construct turn lanes and pave 13,374 feet of County Road C-56, turn lanes on Iowa 17, and turn lanes at the intersection of Iowa 17 and County Road C-56 located south of Eagle Grove.

The proposed improvements will result in the creation of 196 full-time jobs within three years along with \$263,986,120 in associated capital investment.

Average wage of the created positions is \$22.26 per hour which is 139 percent of the average laborshed wage rate. RISE grant recommended is \$2,344,478. The local participation is 20% or \$586,120. Total cost is \$2,930,598

The RISE cost per job assisted is \$11,961.62 Total Capital Investment per RISE dollar is \$112.60.

It is recommended the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$2,344,478 or up to 80 percent of total RISE-eligible project cost, whichever is less, from the county share of the RISE fund.

Delegation present:

Bryce Davis - Wright County Economic Development Director – In-Person

Adam Clemons, PE - Wright County Engineer – In-Person

Karl Helgevold – Wright County Supervisor –In-Person

Mike Ryerson – Wright County Economic Development Board Member –In-Person

Commissioner Rose made a motion to approve this RISE grant for Wright County. Commissioner Boswell seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Systems Planning Order No. PPM-2017-52  
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date February 14, 2017  
 Title Revitalize Iowa's Sound Economy (RISE) Application – Van Meter

**DISCUSSION/BACKGROUND:**

The city of Van Meter submitted an Iowa's Certified Site Program RISE Local Development application in the September 2016 round requesting a grant to assist in construction of approximately 2,640 feet of new roadway within the certified site area located on the southeast side of town.

This project is necessary to provide improved access to the Van Meter Vision Park, an Iowa Economic Development Authority certified site of more than 288 acres. The certification for this site expires April 28, 2019.

The evaluation and rating for the project will be discussed.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant from the city share of the RISE Fund. The estimated total RISE-eligible project cost is \$1,121,000 and the estimated RISE grant is \$672,000 or up to 60 percent of the total RISE-eligible project cost, whichever is less. Since this is a certified site project, the actual award amount is subject to change as the project plans are finalized. Any changes to the scope or approved funding will be submitted by the department to the Commission for consideration as a modification to this RISE award.

**COMMISSION ACTION:**

Moved by Kathleen Fehrman Seconded by Charese Yanney

|         | Aye    | Vote<br>Nay | Pass  |
|---------|--------|-------------|-------|
| Boswell | x      | _____       | _____ |
| Fehrman | x      | _____       | _____ |
| Huber   | Absent | _____       | _____ |
| Miles   | x      | _____       | _____ |
| Putney  | x      | _____       | _____ |
| Rose    | x      | _____       | _____ |
| Yanney  | x      | _____       | _____ |

\_\_\_\_\_  
Division Director                      Legal                      State Director

RISE LOCAL DEVELOPMENT FUNDING  
September 2016  
SUMMARY

Applicant: Van Meter

Multiyear?: No  
Multijurisdiction?: No

**ROAD PROJECT LOCATION AND DESCRIPTION:** To construct approximately 2,640 feet of new roadway within the certified site area located on the southeast side of town.

**ASSOCIATED ECONOMIC DEVELOPMENT:** This project is necessary to provide improved access to the Van Meter Vision Park, an Iowa Economic Development Authority certified site of more than 288 acres.

**PROJECT FINANCING:**

|                       |             |                                 |           |
|-----------------------|-------------|---------------------------------|-----------|
| Roadway Project Cost: | \$1,121,000 | Local Match (Total):            | \$448,400 |
| RISE (Total):         | \$672,600   | Up-Front:                       | \$448,400 |
| Grant:                | \$672,600   | NPV of Loan Repayment:          | 0         |
| Loan:                 | 0           | Effective Match Percent:        | 40        |
| Loan Terms:           |             |                                 |           |
| Yrs.                  | 0           | Up-front Participation Sources: |           |
| Int.:                 | 0 %         | Private:                        |           |
|                       |             | Public:                         | \$448,400 |
|                       |             | Local Match (Total):            | \$448,400 |

**PROJECT EVALUATION:**

|  |    |
|--|----|
| Development Potential (35):            | 35 |
| Economic Impact and Cost Effect. (20): | 2  |
| Local Commit. and Initiative (35):     | 16 |
| Transportation Need (4):               | 3  |
| Local Economic Need (6):               | 2  |

Total Rating: 58

Jobs: 0

**STAFF RECOMMENDATION:**

Award a grant of \$672,600 or up to 60 percent of the RISE-eligible project cost, whichever is less. Funding will come from the city share of the RISE Fund.





MV-2017-52

Craig Markley, Office of Systems Planning; The city of Van Meter submitted an Iowa's Certified Site Program Local Development RISE funding request to assist in construction of approximately 2,640 feet of new roadway within the certified site area located on the southeast side of town.

This project is necessary to provide improved access to the Van Meter Vision Park, an Iowa Economic Development Authority certified site of more than 288 acres. The certification for this site expires April 28, 2019.

Under our RISE Local Development criteria, this project received a rating of 58 points. The total estimated cost of the project is \$1,121,000. The city of Van Meter is requesting a RISE grant of \$672,000 and will be providing 40 percent in local match. Since this is a certified site project, the actual award amount is subject to change as the project plans are finalized. Any changes to the scope or approved funding will be submitted by the department to the Commission for consideration as a modification to the award.

It is recommended the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant of \$672,000 or up to 60 percent of the total RISE-eligible project cost, whichever is less. Funding will come from the city share of the RISE Fund.

Delegation:

Linda Wunsch – Executive Director Greater Dallas County Development Alliance – In-Person

Commissioner Fehrman made a motion to approve this RISE grant for the city of Van Meter. Commissioner Yanney seconded the motion. Commissioner Huber, absent; remaining Commissioners voted aye.

Date: February 14, 2017

**Commission Meeting Media/General Public Registration**

| NAME/OCCUPATION     | REPRESENTING    |
|---------------------|-----------------|
| MIKE OLSON/ENGINEER | KIRKHAM MICHAEL |
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SMARTER | SIMPLER | CUSTOMER DRIVEN

www.iowadot.gov

Date: February 14, 2017

Commission Meeting Delegation Registration

Revitalize Iowa's Sound Economy – Wright County

| NAME/OCCUPATION                | REPRESENTING     |
|--------------------------------|------------------|
| Bryce Davis / WCED Director    | Wright County    |
| Kane Helwood Supervisor        | Wright County    |
| Adam Clumous / County Engineer | Wright Co.       |
| Mike Pyersow / ED Board        | Wright Co        |
| Adam Schweers - Carroll        | Hwy 30 Coalition |
|                                |                  |
|                                |                  |
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|                                |                  |
|                                |                  |
|                                |                  |
|                                |                  |

Date: February 14, 2017

**Commission Meeting Delegation Registration**

**Revitalize Iowa's Sound Economy – Van Meter**

| NAME/OCCUPATION                            | REPRESENTING     |
|--|------------------|
| <i>Linda Wunsch / Economic Development</i> | <i>Van Meter</i> |
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