

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, May 12, 2009
Material Conference Room
Ames DOT Complex

<u>ITEM NUMBER</u>	<u>TITLE</u>	<u>SUBMITTED BY</u>	<u>PAGE</u>
D-2009-57 8:00 a.m.	*Election of Commission Officers	Wayne Sawtelle	1
D-2009-58 8:05 a.m.	*Approving Minutes of the April 14, 2009 Commission Meeting in West Des Moines Commission Comments Staff Comments	Connie Page	2
PPM-2009-59 8:10 a.m.	*Revitalize Iowa's Sound Economy (RISE) Application – Sioux Center (Delegation)	Craig Markley	3
PPM-2009-60 8:15 a.m.	*Revitalize Iowa's Sound Economy (RISE) Application – Waterloo (Delegation)	Craig Markley	6
PPM-2009-61 8:20 a.m.	Draft 2010-2014 Transportation Improvement Program	Jon Ranney	9
PPM-2009-62 8:25 a.m.	*American Recovery and Reinvestment Act of 2009 Highway Freight Rail Funding Recommendations	Tammy Nicholson	10
PPM-2009-63 8:30 a.m.	Allocation of Fiscal Year 2009 Statewide Transit Capital Funding	Michelle McEnany	11
8:35 a.m.	Adjourn		

*Action Item

On Monday, May 11, the Commission and staff will meet informally at 3:00 p.m. in the Materials conference room at the DOT complex in Ames. Transportation-related matters will be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Commission Order No. D-2009-57
 Submitted by Wayne Sawtelle Phone No. 515-239-1242 Meeting Date May 12, 2009
 Title Election of Commission Officers

DISCUSSION/BACKGROUND:

As a part of the first meeting on or after May 1 of each year, the Commission is require to take action on the following:

In accordance with Iowa Code section 307.3, the "Commission shall meet in May of each year for the purpose of electing one of its members as chairperson." In addition, it is the desire of the Commission that one of its members be designated as vice-chairperson to act in the absence of the chairperson.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended Wayne Sawtelle be elected chairperson and Don Wiley be elected vice-chairperson for the period beginning May 1, 2008, and ending April 30, 2009.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Durham

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	<u> </u>	<u> </u>
Cleaveland	<u>X</u>	<u> </u>	<u> </u>
Durham	<u>X</u>	<u> </u>	<u> </u>
Miles	<u>absent</u>	<u> </u>	<u> </u>
Reasner	<u>X</u>	<u> </u>	<u> </u>
Sawtelle	<u>X</u>	<u> </u>	<u> </u>
Wiley	<u>X</u>	<u> </u>	<u> </u>

 Division Director Legal State Director

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2009-58
Submitted by Connie Page Phone No. 515-239-1242 Meeting Date May 12, 2009
Title Approving Minutes of the April 14, 2009, Commission Meeting in West Des Moines

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the April 14, 2009, Commission meeting in West Des Moines.

COMMISSION ACTION:

Moved by Cleaveland Seconded by Wiley

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	_____	_____
Cleaveland	<u>X</u>	_____	_____
Durham	<u>X</u>	_____	_____
Miles	<u>absent</u>	_____	_____
Reasner	<u>X</u>	_____	_____
Sawtelle	<u>X</u>	_____	_____
Wiley	<u>X</u>	_____	_____

Division Director Legal State Director

Commission Comments

1. National Train Day

Chairman Sawtelle said last Saturday was national train day and he, along with Nancy Richardson, Director, rode a train from Valley Junction into downtown Des Moines to the farmers market. The Governor signed a proclamation and talked about the emphasis that this Commission and the legislature have placed on passenger rail and about the future of economic development as it is tied to those things. It was really quite interesting and there was a good crowd.

2. South Carolina DOT Connector

Chairman Sawtelle said the South Carolina DOT's quarterly newspaper, the Connector, talks about a shift in priorities from new construction to preservation. They talk about a "fix it first mentality" and some elected officials in South Carolina are asking how money can be put into new projects if they cannot maintain what they already have. Chairman Sawtelle said he found it interesting that other states are coming around to something the Commission and staff were considering before he was on the Commission.

3. Meetings with Representative Oberstar and David Matsuda, Deputy Assistant Secretary for Transportation Policy

Commissioner Durham said Sioux City hosted its annual Washington steak dinner conference at the end of April where she met Representative James Oberstar, chairman of the Transportation and Infrastructure Committee. She had the opportunity to plead our case as far as the need for an increased level of infrastructure investment in this country, particularly for interstate and bridge projects, and the importance of having something ready for when the reauthorization act expires at the end of September.

Commissioner Durham said she also had the opportunity to meet David Matsuda, Deputy Assistant Secretary for Transportation Policy. Mr. Matsuda thought it was very forward thinking of Iowa to set aside some of its stimulus or recovery money for freight rail. He was so impressed that he would like us to forward him a copy of the program and suggested the Transportation Secretary may like to come to Iowa and meet with us. She thought those were good opportunities.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2009-59
 Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 12, 2009
 Title Revitalize Iowa's Sound Economy (RISE) Application – Sioux Center (Delegation)

DISCUSSION/BACKGROUND:

The city of Sioux Center submitted a RISE Local Development application in the February 2009 round requesting a grant to assist in the construction of approximately 453 feet of 4th Avenue NE and 883 feet of 21st Street NE to provide initial access to ten lots totaling 17 acres in the Bioscience Research Park.

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 of \$295,719 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Durham	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division
Director

Legal

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RISE LOCAL DEVELOPMENT FUNDING
February 2009
SUMMARY

Applicant: City of Sioux Center

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: Grade and pave approximately 453 feet of 4th Avenue NE and 883 feet of 21st Street NE in the Bioscience Research Park.

ASSOCIATED ECONOMIC DEVELOPMENT: The project will provide initial access to ten lots totaling 17 acres for biotechnology research.

PROJECT FINANCING:

Roadway Project Cost:	\$591,438	Local Match (Total):	\$295,719
RISE (Total):	\$295,719	Up-Front:	\$295,719
Grant:	\$295,719	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources	City
	Int.: 0 %	Local Match (Total):	\$295,719

PROJECT EVALUATION:

Development Potential (35):	25
Economic Impact and Cost Effect. (20):	6
Local Commit. and Initiative (35):	15
Transportation Need (4):	3
Local Economic Need (6):	2

Total Rating: 51

Jobs: 10

STAFF RECOMMENDATION:

Award a grant of \$295,719 or up to 50 percent of the total RISE eligible project cost, whichever is less. Funding will come from the city share of the RISE fund.

PPM-2009-59

Craig Markley, Office of Systems Planning, reviewed a RISE local development application from the city of Sioux Center to construct approximately 453 feet of 4th Avenue NE and 883 feet of 21st Street NE to provide access to ten lots totaling 17 acres in the Bioscience Research Park located on the north side of town east of U.S. 75. This project received a rating of 51 points. The total estimated project cost is \$591,438. The city is requesting a RISE grant of \$295,719 and will provide a 50 percent local match. He introduced Dennis Dokter, City Development Director.

Mr. Dokter said this project is development of the first addition of this park consisting of 17 acres (10 lots) and area infrastructure. This site is part of a 140 acre parcel zoned for bioscience research. Over the past two weeks they have let bids for the infrastructure portion of this project and water and sewer infrastructure should be taking place over the next couple months. He noted they have been working with a local business to relocate in this park, and their plans are to start construction this summer. Sioux Center has a strong presence of bio-tech industries which have created hundreds of high-quality jobs, and this project will enhance that presence with the ability to expand and recruit other industries and businesses to their community.

Mr. Dokter said they formed a regional marketing group, Northwest Iowa Bio-Tech, of about a six-county area and their purpose is to recruit bio-tech industries to northwest Iowa.

Mr. Dokter said Sioux Center continues to prosper. Construction will start in the next couple weeks on another RISE project that the Commission awarded them in January. He noted yesterday they visited with businesses that are considering locating adjacent to that. He expressed appreciation to the Commission and staff for their support.

Mr. Markley reviewed staff's recommendation.

Commissioner Cleaveland moved, Commissioner Blouin seconded the Commission, based on the capital investment commitment and potential for future job creation, award a RISE grant of \$295,719 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds. All voted aye.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Systems Planning Order No. PPM-2009-60
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date May 12, 2009
Title Revitalize Iowa's Sound Economy (RISE) Application – Waterloo (Delegation)

DISCUSSION/BACKGROUND:

The city of Waterloo submitted a RISE Immediate Opportunity application requesting a grant to assist in the construction of approximately 753 feet of Bruns Machine Drive south from W. Airline Highway in the MidPort America Industrial Park.

Because this project will provide access to five lots totaling almost 15 acres of RISE eligible development and in order to maximize RISE support for the project, staff evaluated the application as a RISE Local Development project.

The evaluation and rating for the project will be discussed.

PROPOSAL/ACTION RECOMMENDATION:

Based on the capital investment commitment and potential for future job creation, it is recommended the Commission reclassify the project as a RISE Local Development project in the February 2009 round of applications and award a RISE grant of \$107,168 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleveland	_____	_____	_____
Durham	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division
Director

Legal

State Director

RISE LOCAL DEVELOPMENT FUNDING
February 2009
SUMMARY

Applicant: City of Waterloo

Multiyear?: No
Multijurisdiction?: No

ROAD PROJECT LOCATION AND DESCRIPTION: Grade and pave approximately 753 feet of Bruns Machine Drive south from W. Airline Highway in the MidPort America Industrial Park.

ASSOCIATED ECONOMIC DEVELOPMENT: The project will provide access to five lots totaling almost 15 acres for industrial and manufacturing uses.

PROJECT FINANCING:

Roadway Project Cost:	\$214,335	Local Match (Total):	\$107,167
RISE (Total):	\$107,168	Up-Front:	\$107,167
Grant:	\$107,168	NPV of Loan Repayment:	0
Loan:	0	Effective Match Percent:	50
Loan Terms:	Yrs. 0	Up-front Participation Sources	City
	Int.: 0 %	Local Match (Total):	\$107,167

PROJECT EVALUATION:

Development Potential (35):	25
Economic Impact and Cost Effect. (20):	11
Local Commit. and Initiative (35):	15
Transportation Need (4):	3
Local Economic Need (6):	4

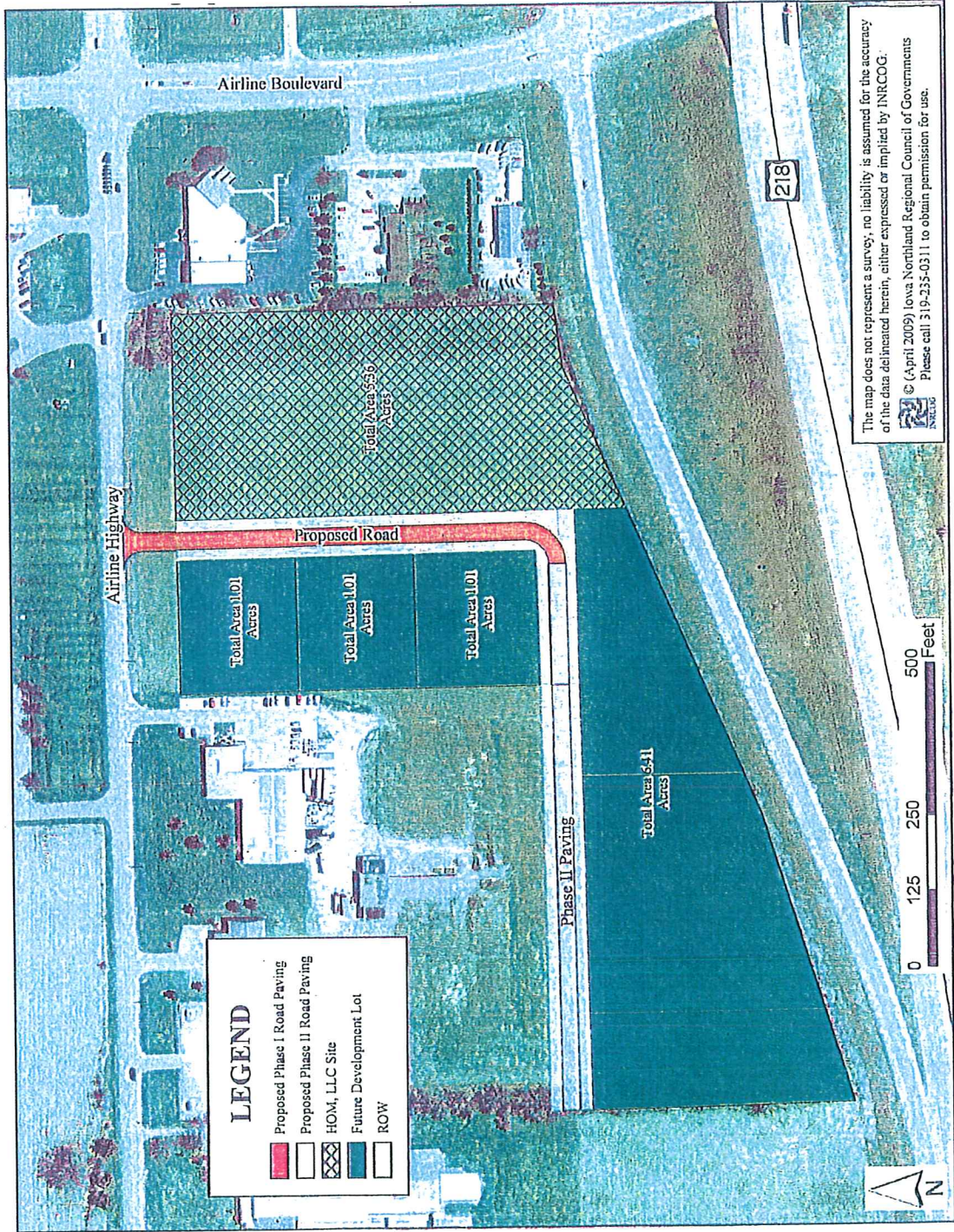
Total Rating: 58

Jobs: 25

STAFF RECOMMENDATION:

Award a grant of \$107,168 or up to 50 percent of the total RISE eligible project cost, whichever is less. Funding will come from the city share of the RISE fund.

Waterloo



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PPM-2009-60

Craig Markley, Office of Systems Planning, reviewed a RISE application from the city of Waterloo. The city submitted an immediate opportunity RISE funding request to construct approximately 753 feet of Bruns Machine Drive for a business proposing to locate in the MidPort America Industrial Park located on the north side of town near the airport. However, based on capital investment, job creation and lots to be opened by the proposed RISE roadway, it is better suited as a RISE local development project. Under our RISE local development criteria, this project scored 58 points. The total estimated project cost is \$214,335. The city is requesting a RISE grant of \$107,168 and will provide a 50 percent local match. He introduced Noel Anderson, Waterloo Community Planning and Development Director.

Mr. Anderson introduced Tim Andera, city planner. He said the city of Waterloo has about seven tax increment finance (TIF) districts throughout the city in business park areas, industrial park areas, etc. Last year the Commission awarded them RISE funding for one of their business park areas and they are happy to report a new building is under construction.

Mr. Anderson said this site is located in the northwest part of Waterloo near the airport. The Commission previously helped them with MidPort Boulevard for the Con-Agri expansion which created over 100 new jobs to the city of Waterloo. The city also owns about 400 acres of land around the airport for future industrial development. That is what is before the Commission today. They have been working with some businesses in the community to create more small lots in this area. This is an ideal area for industrial development. The airline highway corridor is all industrially developed, and these are parcels of land that are along U.S. 218.

Mr. Anderson said the city of Waterloo has expanded its TIF districts to include public and private land so they work with public/private partnerships. They are working with the property owner and have an agreement to put this road in place. All the utilities will be extended as part of this project, and this project will give them approximately five lots for immediate development. They are also talking with the property owner to the west. In the long term, this would be a looped street coming off Airline Highway with 10 to 15 lots. Mr. Anderson said the sites in this area are part of the airport TIF district. The planning department is in charge of economic development for the city of Waterloo and they work in partnership with the Greater Cedar Valley Alliance which covers the entire Waterloo/Cedar Falls area so there is a lot of marketing effort going into this area. Mr. Markley reviewed the recommendation of staff.

Commissioner Durham moved, Commissioner Wiley seconded the Commission, based on the capital investment commitment and potential for future job creation, reclassify the project as a RISE local development project in the February 2009 round of applications and award a RISE grant of \$107,168 or up to 50 percent of the total RISE eligible project cost, whichever is less, from the city share of the RISE funds. All voted aye.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Program Management Order No. PPM-2009-61
Submitted by E. Jon Ranney Phone No. 515-239-1500 Meeting Date May 12, 2009
Title Draft 2010-2014 Transportation Improvement Program

DISCUSSION/BACKGROUND:

The draft 2010-2014 Transportation Improvement Program will be reviewed.

PROPOSAL/ACTION RECOMMENDATION:

For information only.

COMMISSION ACTION:

Moved by _____ Seconded by _____

Division Director Legal State Director

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleveland	_____	_____	_____
Durham	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

PPM-2009-61

Jon Ranney, Office of Systems Planning, presented the draft 2010-2014 Transportation Improvement Program. The draft program will be posted on the Department's website after today's meeting, and it is anticipated the Commission will be requested to approve the 2010-2014 program at the June commission meeting.

This item is for information only.

Chairman Sawtelle said the Commission had the opportunity to thoroughly review this document Monday afternoon. This is probably the busiest time of the year for DOT staff with the legislature, lettings, the recovery dollars that we had to be able to respond to both in planning and finance, etc. On behalf of the Commission, Chairman Sawtelle expressed appreciation for the huge amount of work staff has done over these past few months and still taking the time to answer the Commissioners' many questions.

**DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER**

Division/Bureau/Office Planning, Programming and Modal Division
Office of Rail Transportation Order No. PPM-2009-62
 Submitted by Tamara Nicholson Phone No. 515-239-1052 Meeting Date May 12, 2009
American Recovery and Reinvestment Act (Recovery Act) of 2009 Highway Freight Rail Funding
 Title Recommendations

DISCUSSION/BACKGROUND:

One of the unique provisions related to highway funding from the American Recovery and Reinvestment Act (Recovery Act) of 2009 is that the funding may also be used for public transit, transportation enhancements, passenger rail, freight rail, and ports. During the Commission's March 9, 2009, meeting, the Commission directed staff to solicit potential freight rail projects that could utilize up to \$5 million of Recovery Act highway funding.

In order to identify freight rail projects that meet the Recovery Act requirements, the department contacted railroads, planning agencies, cities, counties, and other interested parties to solicit applications. Thirty-three applications were received requesting more than \$48 million of the Recovery Act funding. These applications were evaluated based on their project readiness, economic impacts and freight traffic benefits.

The following funding recommendations will be presented.

Council Bluffs intermodal facility improvement (Iowa Interstate Railroad)	\$2,000,000
Infrastructure improvements (D&W Railroad)	\$ 764,200
Lincolnway Railport (Clinton Regional Development Corporation)	\$2,000,000
Mississippi River bridge improvement (City of Keokuk)	\$ 235,800

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the federal highway Recovery Act funding for freight rail projects as listed.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Durham	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division
Director

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State Director

PPM-2009-62

Tamara Nicholson, Office of Rail Transportation, said a unique provision related to Recovery Act highway funding is that it can be used for public transit, transportation enhancements, passenger rail, freight rail, and ports. At the March 9, 2009, commission meeting, the Commission directed staff to solicit potential freight rail projects that could utilize up to \$5 million of Recovery Act funding. Ms. Nicholson said the Department contacted railroads, planning agencies, cities, counties, and other interested parties to submit applications for rail projects.

Ms. Nicholson said 33 applications were received from 24 applicants requesting over \$48 million in funds. These applications were evaluated based on their project readiness, economic impacts, and freight traffic benefits. On Monday staff shared with the Commission its recommendation to fund four projects for \$5 million, and she requested Commission approval of the American Recovery and Reinvestment Act Funding recommendations as listed on the commission order.

Commission Wiley moved, Commissioner Cleaveland seconded the Commission approve the federal highway Recovery Act funding for rail projects as listed. All voted aye.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division
Office of Public Transit Order No. PPM-2009-63
Submitted by Michelle McEnany Phone No. 515-239-1659 Meeting Date May 12, 2009
Title Allocation of Fiscal Year 2009 Statewide Transit Capital Funding

DISCUSSION/BACKGROUND:

Per authorization under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and subsequent appropriations under the federal Omnibus Appropriations Act, 2009, Iowa received \$7,091,000 for transit capital investments under the Buses and Bus Facilities Program. An additional \$190,000 in transit capital funding was made available for allocation through closeout of projects programmed in previous years, which had come in under budget.

Allocation of funding to specific transit capital projects follows procedures established in the Public Transit Equipment and Facilities Management System (PTMS), which were developed cooperatively between the Iowa Department of Transportation (DOT) and Iowa Public Transit Association (IPTA) in response to the requirements of the Intermodal Surface Transportation Efficiency Act of 1991. The PTMS is endorsed by the IPTA, was adopted by the Iowa DOT and was approved by the Iowa Transportation Commission.

A total of 37 vehicles, belonging to 12 transit agencies, were selected for replacement using the technical ranking process under the PTMS.

In addition, funding is being allocated to cover the cost of surveillance cameras on heavy-duty buses that will be purchased using transit funding from the American Recovery and Reinvestment Act (Recovery Act) of 2009. This was intended to be part of the Recovery Act projects, but would have been eliminated due to higher-than-expected vehicle costs. This benefits 10 transit systems.

A full listing of projects selected is attached.

PROPOSAL/ACTION RECOMMENDATION:

For information only.

COMMISSION ACTION:

Moved by _____ Seconded by _____

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Durham	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Sawtelle	_____	_____	_____
Wiley	_____	_____	_____

Division Director Legal State Director

PPM-2009-63

Michelle McEnany, Office of Public Transit, said on Monday she provided a briefing on the fiscal year 2009 federal transit earmark funding for bus procurement. With that funding, we are able to procure 37 buses for 12 transit systems. That funding coupled with Recovery funding we were able to fund 268 buses. This is the largest bus procurement in Iowa's history. She wanted to give the Commission that good news and advise of the significant level of funding that is coming to Iowa to buy new buses.

This item is for information only.

Meeting adjourned at 8:20 a.m.

Projects funded from FY2009 State-wide Transit Capital Earmark
Based on PTMS Process

	Authorization Earmark	\$3,291,000
	Appropriation Earmark	\$3,800,000
	Released from prior year projects	<u>\$190,000</u>
		<u>\$7,281,000</u>
Surveillance systems for ARRA HD Buses: *		
Ames	7 - Six camera on-board surveillance systems	\$44,800
Cambus	5 - Six camera on-board surveillance systems	\$32,000
Clinton	5 - Six camera on-board surveillance systems	\$32,000
Coralville	3 - Six camera on-board surveillance systems	\$19,200
Iowa City	3 - Six camera on-board surveillance systems	\$19,200
Sioux City	1 - Four camera on-board surveillance system	\$3,200
Waterloo	5 - Six camera on-board surveillance systems	<u>\$32,000</u>
		<u>\$182,400</u>
Replacement Rollingstock:		
Ames	5 - 40' Heavy-duty Buses	\$1,593,600
Ames	2 - 158"wb Light-duty Buses	\$132,800
Cedar Rapids	1 - 28' Medium-duty Bus	\$107,070
Cedar Rapids	1 - 176"wb Light-duty Bus	\$57,270
Coralville	2 - 40' Heavy-duty Buses (1 partial)	\$637,061
Des Moines	8 - 40' Heavy-duty Buses	\$2,549,760
Dubuque	1 - 35' Heavy-duty Bus	\$302,120
Dubuque	1 - 176"wb Light-duty Bus (partial)	\$36,010
Iowa City	3 - 40' Heavy-duty Buses	\$956,160
Region 1 (Decorah)	3 - 176"wb Light-duty Buses	\$186,750
Region 2 (Mason City)	1 - 158"wb Light-duty Bus	\$58,930
Region 5 (Ft. Dodge)	2 - 138"wb Light-duty Buses	\$124,500
Region 9 (Davenport)	4 - 158"wb Light-duty Buses	\$215,800
Region 13 (Atlantic)	1 - Accessible Minivan	\$36,935
Region 13 (Atlantic)	1 - 176"wb Light-duty Bus	\$60,590
Region 15 (Ottumwa)	1 - 176"wb Light-duty Bus (partial)	<u>\$43,244</u>
		<u>\$7,098,600</u>
		<u><u>\$7,281,000</u></u>

* By moving surveillance equipment to this funding source, base vehicle ceilings can be adjusted to help accommodate price increase caused by 2010 Clean Air standards for heavy-duty engines. Beneficiaries of the ceiling adjustments also include Cedar Rapids, Dubuque and Marshalltown, who did not have surveillance equipment programmed on their vehicles.