

RULE IMPACT STATEMENT

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation (“ODOT”) hereby submits the following Rule Impact Statement for the amendment of PERMANENT rules contained in **OAC Title 730:10-25-1. Oklahoma Port Infrastructure Revolving Fund.**

Brief Description of the Purpose of the Proposed Rules:

In May 2024, SB 1429 was enacted, redesignating the McClellan McClellan-Kerr Arkansas River Navigation System Infrastructure Revolving Fund as the Oklahoma Ports Infrastructure Revolving Fund. The bill granted the Oklahoma Department of Transportation certain authority to budget and expend monies from the fund and further required that ODOT promulgate rules necessary to effectuate the new fund provisions.

Description of the classes of persons who most likely will bear the costs of the proposed rule and any information on cost impacts received by the Agency from any private or public entities:

The funds from the Revolving Fund will pay a portion of the “qualified” waterway or industrial park projects. Those wishing to repair, improve, or construct a project will bear the remaining cost of the project not covered by the grant or loan.

Description of the classes of persons who will benefit from the proposed rule:

Any person who constructs, uses, or needs access to commercial waterways and industrial parks will benefit from the proposed rule because the waterways and parks will have enhanced safety and efficient operation as well as ODOT funding participation.

Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:

The proposed rule will positively impact persons and political subdivisions wishing to construct or improve waterways and industrial parks and persons who will access those waterways and industrial parks.

A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:

A determination was made that any political subdivision improving or constructing a waterway or industrial park would see a positive economic impact from the proposed rule. Submitting applications for those projects to ODOT will require the cooperation of those political subdivisions.

A determination of whether implementation of the proposed rule may have an adverse economic effect on small businesses as provided by the Oklahoma Small Business Regulatory Flexibility Act:

A determination was made that implementation of the proposed rule would not have an adverse economic effect on small businesses as provided by the Oklahoma Small Business Regulatory Flexibility Act.

A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

A determination was made that the proposed rule will positively affect public health, safety, and the environment because waterways and industrial parks will have improved safety and an increased number of projects will be constructed.

A determination of any detrimental effect on public health, safety, and the environment if the proposed rules are not implemented:

A determination was made that if not implemented, the proposed rule would have a detrimental effect on public health, safety, and the environment because less improvement on waterways and industrial parks would occur.

Date the rule impact statement was prepared and the date modified:

Prepared: November 1, 2024

Modified: N/A

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