

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Department of Transportation	Date:	June 3, 2024	Total Rule Count:	9
IAC #:	761	Chapter/ SubChapter/ Rule(s):	411	Iowa Code Section Authorizing Rule:	321.16 321L.2, 321L.8
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of Chapter 411 is to comply with Iowa Code chapter 321L outlining the procedures for eligible persons to obtain a permit to park in a location designated for persons with disabilities. Iowa Code authorizes the Department to issue the following types of persons with disabilities parking permits: 1) Persons with disabilities registration plates, 2) Persons with disability parking stickers, 3) Persons with disabilities removable windshield placard. The rules provide clarity on the application and issuance procedures for eligible persons to obtain a persons with disabilities parking sticker or a persons with disabilities removable windshield placard. The requirements and procedures for applying for and obtaining a persons with disability registration plate are contained in Chapter 401, Special Registration Plates.

Is the benefit being achieved? Please provide evidence.

Yes. In 2023, the Department issued 1,783 persons with disabilities parking stickers and 98,398 persons with disabilities removable windshield placards. Iowans and their healthcare providers rely on the ability to obtain these persons with disability permits by following the Department’s procedures.

What are the costs incurred by the public to comply with the rule?

Any costs to the public related to persons with disabilities parking permits are not because of the rules, but because of the requirements in statute.

There is no fee in statute or rule to obtain a persons with disabilities parking permit.

What are the costs to the agency or any other agency to implement/enforce the rule?

The cost to the Department for processing applications for persons with disabilities parking permits is because of the statute. The rules just provide parameters for how the application, issuance, return, and revocation process is to occur.

Any costs to other agencies related to applying for a persons with disabilities parking permit are not because of the rules, but because of the requirements in statute. Iowa Prison Industries produces the persons with disabilities parking stickers and persons with disabilities parking placards.

Do the costs justify the benefits achieved? Please explain.

Yes. The rules create a consistent framework for the application, issuance, return, and revocation of a persons with disabilities permit. This helps ensure only eligible persons are issued these permits when a healthcare provider has provided a statement of disability.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

There is no less restrictive alternative available for issuing persons with disabilities parking permits, which are statutorily required for persons seeking to park in persons with disabilities parking spaces.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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411.1 Information and applications.

This rule is being deleted and its content regarding information and contact information for the division is being moved to the application section in rule 411.2.

411.2 Definitions.

This rule is being renumbered to 411.1 and removes and streamlines definitions that are either not used in the chapter or that are duplicative of statutory language.

411.3 Application for persons with disabilities parking permit.

This rule is being renumbered to 411.2. The application requirements for persons with disabilities parking permits is the same, but the rule has been rewritten to streamline the content and reduce duplicative and unnecessary language.

411.4 Removable Windshield Placards.

This rule is being renumbered to 411.3. The provisions regarding removable persons with disabilities windshield placards are the same, but the rule has been rewritten to streamline the content and reduce duplicative and unnecessary language.

411.5 Persons with disabilities special registration plate parking stickers.

This rule is being renumbered to 411.4. The provisions regarding persons with disabilities parking stickers are the same, but the rule has been rewritten to streamline the content and reduce duplicative and unnecessary language. The terminology of "persons with disabilities special registration plate parking stickers" was also inconsistent with Iowa Code language which simply uses "persons with disabilities parking stickers."

411.6 Persons with disabilities special registration plates.

This rule is being deleted due to it being unnecessary since rule 411.3 already refers the reader back to chapter 401 for more information on persons with disabilities special registration plates.

411.8 Revocation of a persons with disabilities parking permit.

This rule is being renumbered to 411.6. The rule combines content from rule 411.9, which is being deleted. This rule has been rewritten to streamline the content and reduce duplicative and unnecessary language.

RULES PROPOSED FOR REPEAL (list rule number[s]):

411.1
411.6
411.9

***RULES PROPOSED FOR RE-PROMULGATION* (list rule number[s] or include text if available):**

411.1, Definitions.
411.2, Application for persons with disabilities parking permit.
411.3 Removable windshield placards.
411.4 Persons with disabilities parking stickers.
411.5 Return of persons with disabilities parking permit.
411.6 Revocation of a persons with disabilities parking permit – service, appeal and stay.

****For rules being re-promulgated with changes, please attach a document with suggested changes, if available.***

METRICS

Total number of rules repealed:	3
Proposed word count reduction after repeal and/or re-promulgation	848
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	28

ARE THERE ANY RULES YOU WOULD RECOMMEND BE CODIFIED IN STATUTE?

No