

Iowa Department of Transportation's Regulatory Plan

Regulatory Objectives

The department's current regulatory objectives are to adopt rules that:

- Comply with enabling statutes and Executive Order 10 (EO 10).
- Protect the public health, safety, welfare, and environment.
- Are reasonable and are not arbitrary, capricious or beyond the authority of the agency.

Proposed Regulatory Actions

The department's regulatory plan includes future rulemakings that:

- Comply with legislation.
- Annually adopt the current Code of Federal Regulations within Chapters 529, 607, 800, 810 and 911.

SECTION 1, MOTOR VEHICLE RELATED**For-Hire Interstate Motor Carrier Authority – Annual Update**

Description: Amend rules regarding for-hire interstate motor carrier authority by adopting the most recent annual codifications of 49 CFR Parts 365-368 and 370-379. This affects 761 IAC 529.1.

Legal Basis: Iowa Code chapter 327B.

Need: The department annually adopts the specified parts of the most recent annual edition of 49 CFR.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 529 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Commercial Driver Licensing – Annual Update

Description: Amend rules regarding commercial driver licensing by adopting the most recent annual codifications of 49 CFR Part 380, Subpart F, 49 CFR Section 391.11, 49 CFR Section 392.5, the following portions of 49 CFR Part 383: (1) Section 383.51(b), Disqualification for major offenses, and Section 383.51(a)(5), Reinstatement after lifetime disqualification; (2) Subpart E—Testing and Licensing Procedures, which contains Sections 383.71-383.77; (3) Subpart G—Required Knowledge and Skills, which contains Sections 383.110-383.123; (4) Subpart H—Tests, which contains Sections 383.131-383.135, and 49 CFR Part 384, Subpart B. This affects 761 IAC 607.10.

Legal Basis: Iowa Code sections 321.187, 321.188, 321.207, 321.208 and 321.208A.

Need: The department annually adopts the specified parts of the most recent annual edition of 49 CFR.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 607 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Single Statewide System for Issuing Applications and Permits

Description: Establish rules to implement a single statewide system to receive applications for and issue permits authorized under Iowa Code chapter 321 that allow for the operation of vehicles of excessive size or weight on highways or streets under state or local jurisdiction. Requires the fees be established by rule. This affects 761 IAC 511.

Legal Basis: 2019 Iowa Acts, Senate File 629, section 2, amended Iowa Code section 321E.3.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 511 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Vehicle Registration Process

Description: Amend rules concerning the vehicle registration process in relation to discharge of security interest using the electronic registration and titling (ERT) system This affects 761 IAC 400.

Legal Basis: 2023 Iowa Acts, House File 592, section 2, adds a new subsection to Iowa Code section 321.50, which provides a new way to cancel a security interest by noting the cancellation directly on the certificate of title when vehicle registration is applied for using the ERT system.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill was effective July 1, 2023. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 400 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Vehicle Title and Registration Transactions

Description: Amend rules regarding the duties of any county treasurer in compliance with 2024 Iowa Acts, House File 674. Amend rules to eliminate the requirement for a certificate of title to contain the name and address of the previous owner in compliance with 2024 Iowa Acts, House File 2185. Adopt rules to eliminate the bond requirement for vehicles that are 12+ years old and worth \$1,000 or less in compliance with 2024 Iowa Acts, House File 2316. This affects 761 IAC 400.

Legal Basis: 2024 Iowa Acts, House File 674, sections 1-26, amends multiple sections in Iowa Code chapter 321 to direct when any county treasurer may perform a vehicle registration and title transaction, rather than only the county treasurer of the applicant's residence. 2024 Iowa Acts, House File 2185, section 1, amends Iowa Code section 321.24 striking the requirement for the name and address of the previous owner of a motor vehicle to be listed on the certificate of title. 2024 Iowa Acts, House File 2316, section 1 amends Iowa Code section 321.249(11) to add a model year and vehicle value threshold for when the bonded title application process applies.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: Division I of HF 674 is effective January 1, 2025, HF 2185 and HF 2316 are effective July 1, 2024. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 400 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Firefighter and Emergency Medical Services Personalized License Plates

Description: Amend rules to allow firefighter and emergency medical services license plates to be personalized. This affects 761 IAC 401.

Legal Basis: 2024 Iowa Acts, House File 2579 amends Iowa Code section 321.34.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill is effective July 1, 2024. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 401 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Special Minor’s License

Description: Amend rules to remove reference to “minor school license” and replace with “special minor’s restricted license” and make other needed changes. This affects 761 IAC 602, 605, 607 and 615.

Legal Basis: 2024 Iowa Acts, Senate File 2109, sections 2 through 9, amend Iowa Code sections 321.1, 321.178, 321.180B, 321.191, 321.194, 321.213B and 321.482A.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill is effective July 1, 2024. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 615 and in calendar year 2025 when the department reviews Chapters 602, 605 and 607 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Temporary Restricted License – Eluding Law Enforcement

Description: Amend rule related to issuance of a temporary restricted license for individuals serving a revocation for eluding law enforcement. This affects 761 IAC 615.45(1)“f.”

Legal Basis: 2023 Iowa Acts, House File 358, sections 1 and 2 amended Iowa Code section 321.215.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill was effective July 1, 2023. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 615 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Substance Use Disorder Program Records

Description: Amend rules to eliminate reference to Iowa Code section 125.37 as that section is being repealed. This affects 761 IAC 620.15.

Legal Basis: 2024 Iowa Acts, House File 2673, section 135, repeals Iowa Code section 125.37.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: Division II of the bill is effective July 1, 2025. This change will be incorporated in calendar year 2024 when the department reviews Chapter 620 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

Ignition Interlock Devices

Description: Amend rules concerning ignition interlock device compliance. This affects 761 IAC 620.

Legal Basis: 2024 Iowa Acts, Senate File 2261, sections 6, 7 and 9 amend Iowa Code section 321J.17 and add Iowa Code sections 321J.17A and 321J.20A. These bill sections require the department to adopt rules.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill is effective January 1, 2025. These changes will be incorporated in calendar year 2024 when the department reviews Chapter 620 as part of EO 10.

Contact Person: Sara Siedsma, Motor Vehicle Division, 515-237-3058.

SECTION 2, HIGHWAY RELATED

Automated Traffic Enforcement – Mobile Systems

Description: Adopt new chapter concerning automated traffic law enforcement mobile systems.

Legal Basis: 2024 Iowa Acts, House File 2681, section 3, adds new Iowa Code section 321P.3 that requires the department to adopt rules.

Need: The department is adopting the rules to remain consistent with the statutory directive.

Contemplated Schedule: Section 3 of this bill is effective July 1, 2024. Complete rulemaking so Notice of Intended Action is submitted for publication no later than December 20, 2024.

Contact Person: Chris Poole, Traffic and Safety Bureau, 515-239-1513.

Eliminate Reference to the Tourist Signing Committee

Description: Amend rules to eliminate reference to the Tourist Signing Committee and make coordinating changes. This affects 761 IAC 119.

Legal Basis: 2024 Iowa Acts, Senate File 2385, section 317, amends Iowa Code section 321.252.

Need: The department is amending the rules to remain consistent with the statutory amendment.

Contemplated Schedule: Senate File 2385, section 317, is effective July 1, 2024. These changes will be incorporated in calendar year 2024 when the department reviews Chapters 119 as part of EO 10.

Contact Person: Brooks Glasnapp, Traffic and Safety Bureau, 515-239-1255.

Secondary Road Fund Distribution Methodology

Description: Adopt new chapter concerning the Secondary Road Fund methodology. This affects 761 IAC 103.

Legal Basis: 2024 Iowa Acts, Senate File 2385, sections 303 through 307 amend Iowa Code sections 312.3, 312.3B, 312.5, 312.16 and 312A.3 and require the Transportation Commission to adopt rules.

Need: The Transportation Commission is adopting the rules as per the statutory directive.

Contemplated Schedule: Senate File 2385, sections 303 through 307 and 317 are effective July 1, 2024. Complete rulemaking so Notice of Intended Action is submitted for publication no later than December 20, 2024.

Contact Person: Garrett Pedersen, Systems Planning Bureau, 515-239-1027.

SECTION 3, MISCELLANEOUS**Fees Established by Department**

Description: The department will be reviewing all fees which we establish as required in House File 688.

Legal Basis: 2023 Iowa Acts, House File 688, section 4, amended Iowa Code section 17A.2(11)(g), and House File 688, section 9, adopted new Iowa Code section 17A.6C.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: Division I of this bill is effective January 1, 2024. These changes will be incorporated in calendar year 2024 or 2025 when the department reviews the affected chapters as part of EO 10.

Contact Person: Tracy George, Government and Community Relations, 515-239-1358.

Publications Adopted by Reference

Description: The department will be reviewing rules that include publications that are adopted by reference.

Legal Basis: 2023 Iowa Acts, House File 688, section 8, amended Iowa Code section 17A.6.

Need: The department is amending the rules to remain consistent with the statutory directive and current procedures.

Contemplated Schedule: Division I of this bill is effective January 1, 2024. These changes will be incorporated in calendar year 2024 or 2025 when the department reviews the affected chapters as part of EO 10.

Contact Person: Tracy George, Government and Community Relations, 515-239-1358.

State Government Realignment

Description: The department will be reviewing rules that were affected by state government realignment.

Legal Basis: 2023 Iowa Acts, Senate File 514.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill has various effective dates. These changes will be incorporated in calendar year 2024 or 2025 when the department reviews the affected chapters as part of EO 10.

Contact Person: Tracy George, Government and Community Relations, 515-239-1358.

Administrative Rulemaking Process

Description: The department will be reviewing rules that are affected by the statutory changes.

Legal Basis: 2024 Iowa Acts, Senate File 2370, Division I, amended Iowa Code chapter 17A.

Need: The department is amending the rules to remain consistent with the statutory directive.

Contemplated Schedule: This bill is effective July 1, 2024. These changes will be incorporated in calendar year 2024 or 2025 when the department reviews the affected chapters as part of EO 10.

Contact Person: Tracy George, Government and Community Relations, 515-239-1358.

SECTION 4, RAIL RELATED**Items of General Application for Railroads – Annual Update**

Description: Update references to federal regulations. This affects 761 IAC 800.20(1).

Legal Basis: Iowa Code section 327G.24.

Need: The department annually adopts the most recent edition of 49 CFR Part 1152.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 800 as part of EO 10.

Contact Person: Amanda Martin, Modal Transportation Bureau, 515-239-1653.

Railroad Safety Standards – Annual Update

Description: Update references to federal regulations. This affects 761 IAC 810.1.

Legal Basis: Iowa Code section 327C.2.

Need: The department annually adopts the most recent edition of 49 CFR Part 213.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 810 as part of EO 10.

Contact Person: Amanda Martin, Modal Transportation Bureau, 515-239-1653.

SECTION 5, PUBLIC TRANSIT RELATED

School Transportation Services Provided by Regional Transit Systems – Annual Update

Description: Update references to federal regulations for 49 CFR Parts 38, 571 and 655. This affects 761 IAC 911.5.

Legal Basis: Iowa Code section 321.377.

Need: The department annually adopts the specified parts of the most recent edition of 49 CFR.

Contemplated Schedule: These changes will be incorporated in calendar year 2025 when the department reviews Chapter 911 as part of EO 10.

Contact Person: Kristin Haar, Modal Transportation Bureau, 515-233-7875.