

## Red Tape Review Rule Report (Due: September 1, 2025)

<b>Department Name:</b>	Department of Transportation	<b>Date:</b>	4/1/2025	<b>Total Rule Count:</b>	17
<b>IAC #:</b>	761	<b>Chapter/ SubChapter/ Rule(s):</b>	605	<b>Iowa Code Section Authorizing Rule:</b>	307.12(1)"j" 321.189, 321.191, 321.196
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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 this chapter is to comply with provisions of Iowa Code and the federal REAL ID Act, which require the Department to issue driver’s licenses containing specific content to qualified applicants and to administer REAL ID driver’s licenses in compliance with federal regulations. Due to the enactment of 2025 Iowa Acts, Senate File 418, which added a new definition of “sex” in Iowa Code section 4.1A referring to sex as male or female as observed or clinically verified at birth, the chapter will no longer allow the driver’s license to contain a sex designation indicator that is different than what is listed on the person’s identity document.

**Is the benefit being achieved? Please provide evidence.**

Yes. Iowa issued 747,849 driver’s licenses to qualified applicants in FY2024.

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

Any costs to the public related to applying for a driver’s license is because of the underlying statute. A driver’s license applicant is subject to the statutory fees.

Iowa Code section 321.191 prescribes the applicable fees the Department must charge for driver’s licenses and endorsements.

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

There are no costs to the Department to implement the rules beyond those that would otherwise be required to administer the statute.

**Do the costs justify the benefits achieved? Please explain.**

Yes. The rules establish the eligibility criteria and application process for issuance of driver’s licenses. This helps ensure only eligible persons are issued a driver’s license and that REAL ID driver’s licenses conform to federal requirements.

**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 driver's licenses other than establishing the basic eligibility criteria, application process and guidelines in rule, which helps ensure the process is clear for applicants and is consistently applied.

**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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**605.3 Persons exempt.** This subrule is deleted as it is duplicative of statute.

**605.4 Persons not to be licensed.** This rule removes unnecessarily restrictive terms and unnecessary content.

**605.5 Contents of license.** This rule removes unnecessarily restrictive terms and content that is redundant.

**605.6 License class.** This rule removes an unnecessarily restrictive term.

**605.7 Endorsements.** This rule removes an unnecessarily restrictive term.

**605.8 Restrictions.** This rule removes unnecessarily restrictive terms and content that is obsolete and outdated.

**605.9 License term for temporary foreign national.** This rule removes an unnecessarily restrictive term and content that is unnecessary.

**605.10 Fees for driver's licenses.** This rule removes unnecessarily restrictive terms and unnecessary content.

**605.11 Duplicate license.** This rule removes unnecessarily restrictive terms and content that is obsolete, redundant and duplicative of statute.

**605.12 Address change.** This rule is updated to remove unnecessarily restrictive terms and content that is unnecessary.

**605.15 License extension.** This rule removes unnecessarily restrictive terms and content that is unnecessary.

**605.16 Military extension.** This rule removes unnecessarily restrictive terms and content that is unnecessary.

**605.20 Fee adjustment for upgrading license.** This rule removes an unnecessarily restrictive term.

**605.25 License renewal.** This rule is updated to remove unnecessarily restrictive terms and content that is obsolete and unnecessary.

**605.26 Graduated driver's license upgrades.** This rule is updated to remove unnecessarily restrictive terms and content that is outdated.

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

605.3

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

605.1  
 605.2  
 605.3  
 605.4  
 605.5  
 605.6  
 605.7  
 605.8  
 605.9  
 605.10  
 605.11  
 605.12  
 605.13  
 605.14  
 605.15  
 605.16

**\*For rules being re-promulgated with changes, you may attach a document with suggested changes.**

**METRICS**

<b>Total number of rules repealed:</b>	<b>1</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>224</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>80</b>

**ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?**

Yes, the Department recommends that explicit rulemaking authority be added to Iowa Code for the processes and requirements associated with driver’s license issuance. While the statute clearly vests the Department with the authority to issue driver’s licenses, the Department relies on general agency rulemaking authority in Iowa Code section 307.12(1)“j” to promulgate the following rules that provide specific procedures implementing the statutory authority:

**605.1 – Scope.** We recommend adding rulemaking authority to Iowa Code section 321.189 authorizing the Department to outline the scope of driver’s license issuance.

**605.2 – Definitions.** We recommend adding rulemaking authority to Iowa Code section 321.189 authorizing the Department to adopt definitions necessary to administer driver’s licenses, as section 321.189 does not contain a definitions section.

**605.4 – Persons not to be licensed.** We recommend adding rulemaking authority to Iowa Code section 321.177 authorizing the Department to outline the circumstances in which a person cannot be licensed.

**605.10 – Fees for driver’s licenses.** We recommend adding rulemaking authority to Iowa Code section 321.191 authorizing the Department to outline fee waivers for active duty service members and veterans.

**605.11 – Duplicate license.** We recommend adding rulemaking authority to Iowa Code section 321.189 authorizing the Department to outline the requirements for a duplicate license.

**605.12 – Address changes.** We recommend adding rulemaking authority to Iowa Code section 321.182 authorizing the Department to outline procedures for changing an address.

**605.15 – License extension.** We recommend adding rulemaking authority to Iowa Code section 321.196 authorizing the Department to outline procedures for license extension.

**605.16 – Military extension.** We recommend adding rulemaking authority to Iowa Code section 321.198 authorizing the Department to outline procedures for military extensions.

**605.25 – License renewal.** We recommend adding additional rulemaking authority to Iowa Code section 321.196 authorizing the Department to outline requirements for license renewal. Currently, this Iowa Code section only provides rulemaking authority for electronic license renewals.

**605.26 – Graduated driver's license upgrades.** We recommend adding rulemaking authority to Iowa Code section 321.180B authorizing the Department to outline requirements for graduated driver's license upgrades.