

COMMISSION MINUTES

August 12, 2025

IOWA TRANSPORTATION COMMISSION

Meeting Agenda / Commission Orders

August 12, 2025
Corning Opera House
Corning, Iowa

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8:00 a.m.			
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8:15 a.m. Adjourn			

*Action Item

On Monday August 11, the Commission and staff will meet informally at 3:30 p.m. at the Corning Opera House in Corning, Iowa. Transportation-related matters will be discussed, but no action will be taken.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2026-6
Submitted by Jill Smith Phone No. 515-239-1067 Meeting Date August 12, 2025
Title Approve Minutes of the July 8, 2025 Commission Meeting

DISCUSSION/BACKGROUND:

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the minutes of the July 8, 2025 Commission meeting.

COMMISSION ACTION:

Moved by Anderson Seconded by Stutsman

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

Commissioner Gaesser called the meeting to order at 8:00 am on August 12, 2025, at the Corning Opera House in Corning, Iowa.

Commissioners present: Sally Stutsman, Ray Gaesser, Rich Arnold, Linda Juckette, Bill Anderson and Brian Quirk. Mary Mulgrew Gronen was via telephone.

D-2026-6

Jill Smith, Executive Assistant

Commissioner Gaesser asked if there was a motion to approve the minutes from the July 8, 2025, Commission meeting.

Commissioner Anderson moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

Commission Comments

Commissioner Gaesser commented that they had a great tour yesterday visiting some construction projects and local businesses. He also mentioned that while it may seem they are moving through these agenda items quickly, the Commission did have an opportunity to review and discuss everything at the workshop the day prior.

DOT Comments

Director Marler thanked the District 4 team for their work putting together a wonderful tour of the region. Director Marler also thanked the city of Corning and Adams County for their hospitality.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Commission Order No. C-2026-7
Submitted by Ray Gaesser Phone No. 515-239-1661 Meeting Date August 12, 2025
Title Commission Guidebook

DISCUSSION/BACKGROUND:

The purpose of the guidebook is to provide new and existing Commissioners with reference material regarding roles/responsibilities, conduct of meetings, conduct of Commissioners, relevant Iowa Code statutes, meeting schedules, contact information, and other relevant background information. The guidebook is reviewed, updated, and approved annually.

PROPOSAL/ACTION RECOMMENDATION:

Commissioner Gaesser recommends the Commission approve the Commission Guidebook.

COMMISSION ACTION:

Moved by Juckette Seconded by Quirk

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Director Legal State Director

C-2026-7

Ray Gaesser, Commissioner

Commissioner Gaesser recommends the Commission approve the Commission Guidebook.

Commissioner Juckette moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Systems Operations Division Order No. SO-2026-8
Submitted by Dave Lorenzen Phone No. 515-239-1205 Meeting Date August 12, 2025
Title Administrative Rules—761 IAC Chapter 135, Warning Lights on Vehicles or Equipment Not Owned and Operated by the Department When Used in Road Work Zones

DISCUSSION/BACKGROUND:

The rulemaking proposes to repromulgate Chapter 135 in compliance with Executive Order 10.

Proposed Chapter 135 establishes the eligibility of vehicles or equipment that are not owned or operated by the Department to use flashing white lights in road work zones on state or local highways.

The public comment period ended on June 17, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve repromulgating Chapter 135.

COMMISSION ACTION:

Moved by Quirk Seconded by Stutsman

	Aye x	Vote Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew	<u> </u>	<u> </u>	<u> </u>
Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division
Director

Legal

State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to warning lights on vehicles or equipment in road work zones and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 135, “Warning Lights on Vehicles or Equipment Not Owned and Operated by the Department When Used in Road Work Zones,” and to adopt a new Chapter 135, “Warning Lights on Vehicles or Equipment in Road Work Zones,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j” and 321.423(7)“a.”

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.423(7)“a.”

Purpose and Summary

This rulemaking proposes to repromulgate Chapter 135 in compliance with Executive Order 10. Proposed Chapter 135 establishes the eligibility of vehicles or equipment that are not owned or operated by the Department to use flashing white lights in road work zones on State or local highways.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on February 5, 2025. A public hearing was held on the following date(s):

- February 25, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on June 17, 2025. Comments should be directed to:

Sara Siedsma
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010

Phone: 515.237.3058
Email: sara.siedsma@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

June 17, 2025 10 to 10:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 871 814 623
June 17, 2025 1:30 to 2 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 151 597 808

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Sara Siedsma and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 135 and adopt the following **new** chapter in lieu thereof:

CHAPTER 135

WARNING LIGHTS ON VEHICLES OR EQUIPMENT IN ROAD WORK ZONES

761—135.1(321) White warning lights on vehicles or equipment in road work zones.

135.1(1) Purpose. The purpose of this rule is to establish the eligibility of vehicles or equipment that are not owned or operated by the department to use flashing white lights in accordance with Iowa Code section 321.423(7) "a."

135.1(2) Eligibility. A vehicle or other equipment that is not owned or operated by the department may use a flashing white light while the vehicle or other equipment is being used in road work zones on state or local highways.

135.1(3) Information. Information regarding this rule is available from the Construction and Materials Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; or by telephone at 515.239.1352.

This rule is intended to implement Iowa Code section 321.423(7) "a."

SO-2026-8

Stuart Anderson, Director, Transportation Development Division, on behalf of Dave Lorenzen, Director, Systems Operations Division

The rulemaking proposes to repromulgate Chapter 135 in compliance with Executive Order 10.

Proposed Chapter 135 establishes the eligibility of vehicles or equipment that are not owned or operated by the Department to use flashing white lights in road work zones on state or local highways.

The public comment period ended on June 17, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

It is recommended that the Commission approve repromulgating Chapter 135.

Commissioner Quirk moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2026-9
Submitted by Kathleen Meradith-Eyers Phone No. 515-231-1230 Meeting Date August 12, 2025
Title Administrative Rules—761 IAC Chapter 505, Interstate Motor Vehicle Fuel Licenses and Permits

DISCUSSION/BACKGROUND:

The rulemaking proposes to repromulgate Chapter 505 in compliance with Executive Order 10.

Proposed Chapter 505 complies with Iowa Code chapter 452A by outlining the application and eligibility requirements to obtain fuel licenses and permits for operation and movement of vehicles for interstate commerce. An International Fuel Tax Agreement (IFTA) fuel license or permit is required before commercial vehicles registered in Iowa may operate in other jurisdictions.

The public comment period ended on July 1, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve repromulgating Chapter 505.

COMMISSION ACTION:			Aye	Vote Nay	Pass
Moved by	<u>Anderson</u>	Seconded by <u>Arnold</u>	Anderson	<u>x</u>	<u> </u>
			Arnold	<u>x</u>	<u> </u>
			Gaesser	<u>x</u>	<u> </u>
			Juckette	<u>x</u>	<u> </u>
			Mulgrew	<u>x</u>	<u> </u>
			Gronen	<u>x</u>	<u> </u>
			Quirk	<u>x</u>	<u> </u>
			Stutsman	<u>x</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>			
Division Director	Legal	State Director			

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to interstate motor vehicle fuel licenses and permits and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 505, “Interstate Motor Vehicle Fuel Licenses and Permits,” Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j” and 452A.59.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 452A.

Purpose and Summary

This rulemaking proposes to repromulgate Chapter 505 in compliance with Executive Order 10. Proposed Chapter 505 complies with Iowa Code chapter 452A by outlining the application and eligibility requirements to obtain fuel licenses and permits for operation and movement of vehicles for interstate commerce. An International Fuel Tax Agreement (IFTA) fuel license or permit is required before commercial vehicles registered in Iowa may operate in other jurisdictions.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on March 19, 2025. A public hearing was held on the following date(s):

- April 11, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on July 1, 2025. Comments should be directed to:

Sara Siedsma
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010

Phone: 515.237.3058
Email: sara.siedsma@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

July 1, 2025 9 to 9:30 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 973 584 641#
July 1, 2025 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 390 122 549#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Sara Siedsma and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 505 and adopt the following **new** chapter in lieu thereof:

CHAPTER 505 INTERSTATE MOTOR VEHICLE FUEL LICENSES AND PERMITS

761—505.1(452A) Definitions. The definitions in Iowa Code sections 452A.2, 452A.40 and 452A.57, where not inconsistent with the definitions below, apply to this chapter. In addition:

“*Department*” means the department of transportation.

“*Director*” means the director of transportation or the director’s designee.

“*Fuel(s)*” means and includes “motor fuel” and “special fuel” as defined in Iowa Code section 452A.2.

“*Fuel license*” or “*license*” means an IFTA license issued pursuant to Iowa Code section 452A.53.

“*Hydrogen gallon*” means a diesel gallon equivalent. A diesel gallon equivalent of hydrogen weighs 2.49 pounds.

“*IFTA*” means the International Fuel Tax Agreement, which is a multijurisdictional agreement for the administration of motor fuel tax laws for vehicles operated in multiple member jurisdictions.

“*IFTA member jurisdiction*” means a jurisdiction that is a member of the IFTA. A list of jurisdictions and their membership statuses may be obtained by contacting the motor vehicle division.

“*Lease*” means a contract or agreement by which a vehicle owner (lessor) provides a vehicle to a person or company (lessee) for use during a specified period of time.

1. “*Long-term lease*” means a lease for a period of 30 days or more.

2. “*Short-term lease*” means a lease for a period of 29 days or less, including trip leases. Back-to-back leases of 29 days or less are considered short-term leases.

“*Licensee*” means any person who holds a valid fuel license.

“*Non-IFTA member jurisdiction*” means a jurisdiction that is not a member of the IFTA. A list of jurisdictions and their membership statuses may be obtained by contacting the motor vehicle division.

“*Permittee*” means any person who holds a valid temporary fuel permit.

“*Qualified motor vehicle*” means a motor vehicle or combination of vehicles used or designed to transport persons or property if any of the following apply:

1. The vehicle or combination of vehicles weighs more than 26,000 pounds.
2. The vehicle or combination of vehicles is registered for more than 26,000 pounds.
3. The power unit has three or more axles.

“Qualified motor vehicle” does not include recreational vehicles.

“*Quarter*” means calendar quarter, January 1 through March 31, April 1 through June 30, July 1 through September 30 and October 1 through December 31.

“*Temporary fuel permit*” or “*temporary permit*” means a single trip fuel permit issued pursuant to Iowa Code section 452A.53.

This rule is intended to implement Iowa Code sections 452A.2, 452A.40, 452A.57 and 452A.59.

761—505.2(452A) General information.

505.2(1) *Information and location.* Applications, forms and information on interstate motor vehicle fuel permits and licenses are available on the department’s website at www.iowadot.gov/mvd/motorcarriers/IFTA/File-IFTA; by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.237.3268; by facsimile at 515.237.3225; or by email at omcs@iowadot.us.

505.2(2) *Organizational data.* The motor vehicle division is authorized pursuant to Iowa Code chapter 452A to:

- a. Issue fuel licenses or temporary fuel permits.
- b. Compute and collect interstate motor fuel taxes.
- c. Refund overpayments of interstate fuel taxes.
- d. Administer agreements with other jurisdictions for the collection and refund of interstate motor fuel tax. Pursuant to Iowa Code section 452A.56, the department has adopted and incorporates into this chapter the IFTA effective January 2025. IFTA governing documents do not create rights for the taxpayer.

505.2(3) *Waiver of rules.* In accordance with 761—Chapter 11, the director may, in response to a petition, waive provisions of this chapter. A waiver will not be granted unless the director finds that special or emergency circumstances exist.

“Special or emergency circumstances” means one or more of the following:

- a. Circumstances where the movement is necessary to cooperate with cities, counties, other state agencies or other states in response to a national or other disaster.
- b. Circumstances where the movement is necessary to cooperate with national defense officials.
- c. Circumstances where the movement is necessary to cooperate with public or private utilities in order to maintain their public services.
- d. Circumstances where the movement is essential to ensure safety and protection of any person or property due to events, such as but not limited to pollution of natural resources, a potential fire or an explosion.
- e. Circumstances where weather or transportation problems create an undue hardship for citizens of the state of Iowa.
- f. Circumstances where the movement involves emergency-type vehicles.
- g. Uncommon or extraordinary circumstances where the movement is essential to the existence of an Iowa business and the move may be accomplished without causing undue hazard to the safety of the traveling public or undue damage to private or public property.

This rule is intended to implement Iowa Code sections 452A.51, 452A.56 and 452A.59.

761—505.3(452A) General stipulations.

505.3(1) *IFTA member requirements.* In order to enter this state and not be in violation of Iowa Code section 452A.52, the operator of the qualified motor vehicle based in an IFTA member jurisdiction must do one of the following:

- a. Possess a fuel license pursuant to Iowa Code section 452A.53.

b. Purchase a temporary fuel permit pursuant to Iowa Code section 452A.53 and subrule 505.3(9) when entering or before entering the state.

505.3(2) *Non-IFTA member requirements.* The operator of a qualified motor vehicle based in a non-IFTA member jurisdiction must do one of the following:

- a. Possess a fuel license pursuant to Iowa Code section 452A.53.
- b. Purchase a temporary fuel permit pursuant to Iowa Code section 452A.53 and subrule 505.3(9) when entering or before entering the state.
- c. Enter the state with 30 gallons of fuel or less.
- d. Enter the state with less than 350 kilowatt hours of electric fuel.
- e. Enter the state with only Iowa tax paid fuel.

505.3(3) *Determination of fuel supply.*

a. To determine if a vehicle has entered the state with more than 30 gallons of fuel, the total of all fuel in all tanks that could be used to fuel the power source of the vehicle shall be considered to reach a total gallonage, or diesel gallon equivalent. The fuel tank connected to a “reefer unit,” which can neither be directly nor indirectly connected to the power source of the vehicle, shall not be considered in arriving at the 30-gallon total.

b. To determine if a vehicle has entered the state with more than 350 kilowatt hours of electric fuel, the total of all electric fuel in the batteries or other energy storage devices of a commercial motor vehicle shall be considered to reach total kilowatt hours, regardless of whether the batteries or storage devices are connected to the motor of the vehicle.

505.3(4) *Fuel license.*

a. A fuel license may be obtained from the motor vehicle division, provided the following information is included with the application:

- (1) Name and address of company or corporation or owner who operates or controls the qualified motor vehicle(s).
- (2) Name(s) and address(es) of principal or corporate officers.
- (3) Signature and telephone number of contact person.
- (4) A power of attorney if someone other than an officer or employee of the company will be completing quarterly reports or requesting information from the department.
- (5) Any other information required by the department.

b. The fuel license remains valid until canceled or revoked. The reporting and computation procedure for a fuel license allows for the payment of taxes due and a refund of any overpayment. All persons holding a valid fuel license must file quarterly reports with the department.

505.3(5) *Number of temporary permits or licenses required.* No vehicle may operate under more than one license or temporary permit at a time.

505.3(6) *Possession of the license or temporary permit.* A license or temporary permit must be carried in the vehicle. More than one vehicle may be operated and reported under the same license by making a photocopy of the license and carrying it in each vehicle operating under said license. A license, copy of a license or temporary permit is void if altered. A duplicate license may be purchased from the motor vehicle division.

505.3(7) *Cancellation and reissuance.*

a. If a qualified motor vehicle operating under a license is consistently operated only within the state or only outside the state, the licensee or the department shall request that the license be canceled for nonuse.

b. A fuel license that has been canceled for cause pursuant to Iowa Code section 452A.68 may be reinstated if a bond is filed.

505.3(8) *Bond requirements.*

- a. The department will require a bond when:
 - (1) A previous fuel licensee is reapplying for a fuel license and has two or more outstanding fuel billings due for periods within the three years prior to date of application for a new license.
 - (2) A previous fuel licensee is reapplying for a new fuel license and has failed to file two or more reports for a calendar year within the three years prior to date of application for a new license.

(3) A previous fuel licensee is reapplying for a new license and has filed reports late for two or more reporting periods for a calendar year within the three years prior to date of application for a new fuel license.

(4) The department determines from an audit that a bond is required to protect the interests of member jurisdictions.

b. Bonds are to be made payable to the state of Iowa, in the minimum amount of \$500 or the equivalent to at least twice the estimated average tax liability for the reporting period in which the licensee will be required to file a tax return, whichever is greater.

c. A new license will not be issued until a copy of the bond is filed with the motor vehicle division. The motor vehicle division must be notified of bond cancellation 30 days before the cancellation is effective.

505.3(9) Temporary fuel permits.

a. A temporary fuel permit may be obtained by any person operating a qualified motor vehicle that is not otherwise covered by a license. The temporary permit may be obtained from the motor vehicle division. The temporary permit may also be obtained from a permit service or a processing agent. An application for a temporary permit may be made by phone, by facsimile or electronically to the motor vehicle division. Permittees who purchase temporary fuel permits in advance of use may not return unused permits for refund.

b. The temporary fuel permit is valid for 72 consecutive hours from the date and hour appearing on the temporary permit or upon departure from Iowa, whichever occurs first. A new temporary permit is required in order to reenter the state. While a permittee is operating under a temporary permit, unlimited travel is allowed within Iowa. No refund of tax paid on overpurchases of Iowa fuel is allowed.

c. An application for a temporary fuel permit is to include but is not limited to the following information:

- (1) The name and address of the person who owns or controls the vehicle.
- (2) The make, year, serial number, license number and unit number of the vehicle.
- (3) The address to which the temporary permit is to be sent, if applicable.

d. The temporary permit fee shall also accompany the application unless a method of collection upon delivery is requested.

e. A temporary permit is not eligible to be transferred and is valid only for the carrier and the vehicle that are described on the permit. Once a temporary permit has been issued to a qualified motor vehicle, the purchase price is nonrefundable.

f. The completed temporary permit must be carried in the qualified motor vehicle for which it is issued.

g. The 72-hour period for which the temporary permit is valid may be extended for “emergencies,” such as extreme weather conditions when travel is not advisable or other instances, at the discretion of the motor vehicle division.

h. A temporary fuel permit is invalid if the permittee has outstanding IFTA fuel tax bills.

i. Fees for a temporary permit may be paid by cash, company or personal check or credit card.

505.3(10) Qualified motor vehicles on lease.

a. *Long-term lease.* Under normal circumstances, the lessee is responsible for reporting all mileage and fuel activity unless otherwise specified by the lease. Supporting documentation, including the lease, must be made available to the department to confirm the reporting responsibility.

b. *Short-term lease.* The lessor is responsible for reporting all mileage and fuel activity unless otherwise specified by the lease. Supporting documentation, such as a maintenance agreement or lease, must be made available to the department to confirm the reporting responsibility.

c. *Purchase receipts.* Purchase receipts must be made out in the name of the lessor, in the name of the lessee or to cash and must identify the vehicle for which the purchase is made by showing one of the following: vehicle license number, full vehicle identification number (VIN) or vehicle unit number.

This rule is intended to implement Iowa Code sections 452A.52 through 452A.54, 452A.58, 452A.59 and 452A.68.

761—505.4(452A) Quarterly reports.

505.4(1) *Failure to file.* All valid fuel licensees shall file quarterly reports with the department, even if a licensee has not traveled in Iowa. Failure to file is cause for revocation of the license and assessment of a penalty.

505.4(2) *Filing deadline.* All persons holding a valid fuel license, pursuant to the provisions of Iowa Code section 452A.53, shall file quarterly reports with the department and either remit any tax due no later than the last day of the month following the last day of the quarter covered by the report, or request a refund no later than the last day of the third month following the last day of the quarter covered by the report. If the claim for refund is filed after that date, no refund will be allowed.

505.4(3) *Reporting multiple vehicles on single license.* The licensee shall select which vehicles may be operated under the license. All miles traveled, interstate and intrastate, and all fuel purchased for those vehicles shall be reported on a consistent basis.

505.4(4) *Tax refund.* Refunds will be computed separately for each fuel type. If a refund for a fuel type does not exceed \$10, it will not be processed unless there is more than one type of fuel reported on one return and the combined refunds for all fuel types exceed \$10.

505.4(5) *Refunds of tax on fuel purchased in Iowa and consumed out of Iowa.* Even when fuel is purchased in Iowa, fuel tax is paid in Iowa and the excess fuel tax paid is subject to refund under the provisions of Iowa Code chapter 452A, relating to interstate motor vehicle operation, the refund is not subject to state sales tax.

505.4(6) *Timely filing of report.*

a. The interstate fuel tax report required under Iowa Code section 452A.54 will be deemed timely filed if received by the motor vehicle division or postpaid, properly addressed and postmarked by the United States Postal Service on or before midnight of the filing deadline. If the filing date falls on a Saturday, Sunday or legal holiday, the next secular or business day is the filing deadline.

b. All reports and remittances shall be filed online at the department's website; mailed to the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; delivered in person to 6310 SE Convenience Blvd., Ankeny, Iowa; sent by facsimile to 515.237.3225 or email to omcs@iowadot.us.

c. If a report or remittance is not received by the department and the taxpayer can prove by competent evidence that the return or remittance was timely filed, the report will be considered timely filed. For the purpose of this rule, "competent evidence" means evidence in addition to the testimony of the sender sufficient or adequate to prove that the document was mailed on a specific date.

505.4(7) *Extension of time to file.* The department may grant an extension for the filing of any required report or tax payment. In order for an extension to be granted, the application requesting such extension must be filed with the department prior to the due date of the report or remittance. In determining whether an application for extension is timely filed, the provisions of subrules 505.4(2) and 505.4(6) apply. The application for extension shall be accompanied by an explanation of the circumstances justifying an extension. Any extension granted will be documented on a form issued by the department indicating the length of the extension. This form shall be attached to the report when it is filed. If an extension is granted, the penalties under Iowa Code section 452A.65 applicable to a late-filed report or remittance do not accrue until the expiration of the extension period.

505.4(8) *Penalties.*

a. A penalty of \$50 or 10 percent of the total tax due, whichever is greater, is assessed against the taxpayer if the report is not filed by the due date in accordance with subrule 505.4(6).

b. If the quarterly report shows no taxes owed or a refund due, the penalty for filing a report after the due date is \$50.

505.4(9) *Interest.* Interest at the rate established pursuant to Iowa Code chapter 421 will be assessed against the taxpayer for each month the tax remains unpaid. The interest will accrue from the date the return was required to be filed. Interest does not apply to any penalty. Each fraction of a month will be considered a full month for the computation of interest.

505.4(10) *Application of remittance.* All payments will be first applied to the interest, then to the penalty and then the balance, if any, on the amount of tax then due.

a. If a taxpayer remits a payment on or before the due date, but the payment is insufficient to discharge the tax liability, the entire amount of such payment will be applied to the tax. Any penalty or interest subsequently assessed will be based on the unpaid portion of the tax.

b. If the department determines there is additional tax due from a taxpayer, interest and penalty will accrue on that amount from the date the tax should have been reported and paid.

505.4(11) *Reports, records and variations.* The department will prescribe and furnish all forms upon which reports, claims for refund, temporary permits and license applications are to be made under Iowa Code chapter 452A.

a. If the information required in these documents is presented to the department on forms or in a manner other than on the prescribed form, the report, application or claim will not be deemed “filed.”

b. The fact that the reporting party does not have the prescribed form is not an acceptable reason for failure to file. The motor vehicle division may be contacted to request copies of any necessary forms.

505.4(12) *Estimating gallonage or kilowatt hours used.*

a. In the event the taxpayer’s records for a specific vehicle, or vehicles, in the fleet are lacking or inadequate to support any report filed or to determine the tax liability, the department is authorized to estimate the gallonage or kilowatt hours used upon which tax is due. This estimation will be based upon such factors, including but not limited to the following:

- (1) Prior experience of the licensee.
- (2) Licensees with similar operations.
- (3) Other vehicles in the fleet with similar operations.
- (4) Industry averages.
- (5) Records available from fuel distributors or other third parties.
- (6) Other pertinent information the base jurisdiction may obtain or examine.

b. In the event the taxpayer’s records for the fleet as a whole are lacking or inadequate to support any report filed or to determine the tax liability, the department is authorized to do either of the following when estimating gallonage or kilowatt hours used upon which tax is due:

- (1) Reduce the vehicle miles per gallon or kilowatt hours by 20 percent.
- (2) Adjust the vehicle miles per gallon to 4.00 or the kilowatt hours to 1.7.

c. The findings of the department as to the amount of fuel taxes due from any person are presumed to be the correct amount and in any litigation that may follow, the certificate of the department shall be admitted in evidence and shall:

- (1) Be considered to be true and accurate unless shown otherwise by an objecting party.
- (2) Impose upon the other party the burden of showing any error in the department’s finding and the extent thereof or that the finding was contrary to law.

505.4(13) *Information confidential.* Iowa Code section 452A.63, which makes all information obtained from reports or records required to be filed or kept under Iowa Code chapter 452A confidential, applies generally to the director, auditors, agents, officers, or other employees of the department. However, any person having acquired information disclosed in a taxpayer’s filed report is bound by the same rules of confidentiality. The information may only be divulged to the appropriate public officials enumerated in Iowa Code section 452A.63.

505.4(14) *Taxes erroneously or illegally collected.* Any licensee is entitled to a refund of taxes, penalties or interest erroneously or illegally collected by the department or as a result of a computation error. The claim must be filed within a year of payment and accompanied by evidence to support the claim. If the request for refund includes the return of penalties or interest, the interest or penalties will be refunded in the same proportion as the tax.

505.4(15) *Supplemental billings.* The amount due is payable upon being billed by the motor vehicle division. Billings will be generated by the department for the collection of additional amounts due in the following circumstances:

- a. Penalties are assessed under the provisions of subrule 505.4(8).
- b. Interest is assessed under the provisions of subrule 505.4(9).
- c. An error in the computation on the front of the report results in additional tax due.
- d. There is a failure to remit payment for part or all of the tax due with the filed report.

- e. Payment is remitted and subsequently not honored.
- f. Taxes, penalties or interest are assessed as the result of an audit.

This rule is intended to implement Iowa Code sections 452A.54, 452A.55, 452A.59, 452A.60, 452A.61 and 452A.63 through 452A.65.

761—505.5(452A) Audits—required reports.

505.5(1) *Delegation to audit and examine.* Pursuant to Iowa Code sections 452A.53, 452A.55, and 452A.62, the department reserves the right to examine returns and records, perform audits and determine the correct amount of tax due.

505.5(2) *Statute of limitations.* Within three years after a return is filed, the department may audit the return to determine the accuracy of taxes paid. There is no time limitation on collection activities for any tax, penalty or interest due the department.

505.5(3) *Outstanding tax, penalty or interest for canceled and inactive licenses.* Any outstanding taxes, penalties or interest must be paid before reapplying for a fuel license.

505.5(4) *Audit period—records—costs.* The statute of limitations on the determination of any additional tax liability shall be three years after a return is filed; therefore, all records must be kept for four years after a return is filed.

a. For the purpose of verifying the correctness of a return filed or for estimating the tax liability of any taxpayer, the department has:

(1) The right and duty to examine or cause to be examined the books, papers, records, memoranda or documents of a taxpayer that relate in any manner to fuel taxes.

(2) The authority to require, at a hearing, the attendance of the taxpayer and other witnesses and the production of books, papers, records, memoranda or documents.

b. The cost of an audit shall be at the taxpayer's expense when the records are maintained outside the state of Iowa.

505.5(5) *Taxpayers required to keep records.*

a. The records required to be kept by this rule, including invoices or other proofs of purchase, shall:

(1) Be preserved for a period of four years after a return is filed unless otherwise stated.

(2) Be open for examination by the department.

b. The fact that the tax has been paid shall appear on the proof of purchase.

505.5(6) *Records to be kept and preserved.* Every person required to file a quarterly report under Iowa Code section 452A.54 shall keep and preserve the following records:

a. Fuel purchase invoices containing:

(1) The date of the fuel purchase.

(2) The name and address of the seller of the fuel (a vendor code, properly identified, is acceptable for this purpose).

(3) The quantity of fuel purchased.

(4) The type of fuel purchased, the price of the fuel per gallon or per liter or the total price of the fuel purchased.

(5) The identification of the qualified motor vehicle into which the fuel was placed.

(6) The name of the purchaser of the fuel. When the qualified motor vehicle being fueled is subject to a lease, the name of either the lessor or lessee is acceptable for this purpose, provided a legal connection can be made between the purchaser named and the licensee.

b. Documentation for bulk fuel storage containing:

(1) Receipts for all deliveries.

(2) Quarterly inventory reconciliations for each tank.

(3) The capacity of each tank.

(4) Bulk withdrawal records for every bulk tank at each location.

(5) The purchase price of the fuel delivered into the bulk storage, including tax paid to the member jurisdiction where the bulk storage is located.

(6) Proof the licensee has paid fuel tax to the member jurisdiction where the bulk storage is located.

(7) The location of the bulk storage from which the withdrawal was made.

- (8) The date of each withdrawal, including non-IFTA withdrawals.
- (9) The quantity of fuel withdrawn, including non-IFTA withdrawals.
- (10) The type of fuel withdrawn.
- (11) The identification of the vehicle or equipment into which the fuel was placed.
- c. Distance records (manual records) containing:
 - (1) The beginning and ending dates of the trip to which the records pertain.
 - (2) The origin and destination of the trip.
 - (3) The route of travel.
 - (4) The beginning and ending reading from the odometer, hubodometer, engine control module (ECM) or any similar device for the trip.
 - (5) The total distance of the trip.
 - (6) The distance traveled in each jurisdiction during the trip.
 - (7) The VIN or vehicle unit number.
- d. Electronic tracking device record created and maintained at a minimum every ten minutes when the vehicle's engine is on, containing the following data elements:
 - (1) The date and time of each system reading.
 - (2) The latitude and longitude to include a minimum of four decimal places (0.0001) of each system reading.
 - (3) The odometer reading from the ECM of each system reading. If no ECM odometer is available, a beginning and ending dashboard odometer or hubodometer for the trip will be acceptable.
 - (4) The VIN or vehicle unit number.
- e. Data required under paragraph 505.5(6)“d” must be accessible in an electronic spreadsheet format, such as XLS, XLSX, CSV or delimited text file. Formats from a vehicle tracking system that provides a static image, such as PDF, JPEG, PNG or Word, are not acceptable.

505.5(7) *New licensees.* When a person is issued a new license, the department may, within one year of issuance of the license, audit the records of the new licensee for a period going back two years from the date of issuance.

505.5(8) *Nonlicense and nonpermit holders.* All persons who bring into the state a qualified motor vehicle, upon which the Iowa tax on said fuel has not been paid, are operating within the purview of these rules as stated in Iowa Code section 452A.55. Such persons are therefore subject to audit and must keep the same records required of a fuel licensee.

505.5(9) *Interstate—intrastate operators—motor vehicle special fuel holding tanks.* If a person operates one or more qualified motor vehicles under a fuel license and also operates one or more qualified motor vehicles that are not operated under the fuel license, recordkeeping regarding the fuel consumed from the special holding tank may be performed in either of the following ways:

- a. Operators of interstate vehicles shall be given an invoice that meets the standards set forth in Iowa Code section 452A.17, for each tank fill, and the vehicle operator must then log the mileage.
- b. The licensee shall report total miles driven and total fuel used from the bulk tank, including both interstate and intrastate vehicles.

This rule is intended to implement Iowa Code sections 452A.53, 452A.55, 452A.59, 452A.60, 452A.62 and 452A.69.

761—505.6(452A) Hearings.

505.6(1) *Conduct of hearings.* Hearings are conducted in accordance with Iowa Code section 452A.69.

505.6(2) *Circumstances for holding hearings.*

a. When there is reasonable cause to believe that there is an evasion of fuel taxes, the department may cause a hearing to be held to determine the amount of fuel taxes due, if any. The person who is suspected of evading fuel taxes will be sent at least ten days' notice of the hearing. The provisions of Iowa Code section 452A.64 and paragraph 505.4(12)“b” apply.

b. If a licensee disputes the findings of an investigation or audit by the department, the licensee may request a hearing to present further evidence, information or records to support the claim. The hearing request shall be submitted in writing to the director of the motor vehicle division within 30 days

of the date of notice of audit results issued by the department. A copy of the hearing request must be sent to: Iowa Attorney General's Office, Transportation Section, Attn: Audit Appeals, 800 Lincoln Way, Ames, Iowa 50010.

This rule is intended to implement Iowa Code sections 452A.59, 452A.64 and 452A.69.

MV-2026-9

Kathleen Meradith-Eyers, Director, Motor Vehicle Division

The rulemaking proposes to repromulgate Chapter 505 in compliance with Executive Order 10.

Proposed Chapter 505 complies with Iowa Code chapter 452A by outlining the application and eligibility requirements to obtain fuel licenses and permits for operation and movement of vehicles for interstate commerce. An International Fuel Tax Agreement (IFTA) fuel license or permit is required before commercial vehicles registered in Iowa may operate in other jurisdictions.

The public comment period ended on July 1, 2025. The department did not receive any public comments.

It is recommended that the Commission approve the repromulgating Chapter 505.

Commissioner Anderson moved and Commissioner Arnold seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2026-10
Submitted by Kathleen Meradith-Eyers Phone No. 515-231-1230 Meeting Date August 12, 2025
Title Administrative Rules—761 IAC Chapter 602, Classes of Driver's Licenses

DISCUSSION/BACKGROUND:

The rulemaking proposes to repromulgate Chapter 602 in compliance with Executive Order 10.

Proposed Chapter 602 provides guidance to members of the public on the classes of driver's licenses and driver permits issued by the Department and the accompanying eligibility requirements and to comply with changes made to classes of driver's licenses available to minors pursuant to 2024 Iowa Acts, Senate File 2109.

The public comment period ended on June 18, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve repromulgating Chapter 602.

COMMISSION ACTION:				Aye	Vote Nay	Pass
Moved by	<u>Arnold</u>	Seconded by	<u>Juckette</u>	Anderson	<u>x</u>	<u> </u>
				Arnold	<u>x</u>	<u> </u>
				Gaesser	<u>x</u>	<u> </u>
				Juckette	<u>x</u>	<u> </u>
				Mulgrew	<u>x</u>	<u> </u>
				Gronen	<u>x</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	Quirk	<u>x</u>	<u> </u>	
			Stutsman	<u>x</u>	<u> </u>	
<u> </u>	<u> </u>	<u> </u>	Division Director	Legal	State Director	

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to classes of driver's licenses and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 602, "Classes Of Driver's Licenses," Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)"j," 321.180, 321.180B, 321.189 and 321.194.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.1, 321.8, 321.177, 321.178, 321.180 through 321.180B, 321.189, 321.194, 321.196 and 321.213B.

Purpose and Summary

This rulemaking proposes to repromulgate Chapter 602 in compliance with Executive Order 10. Proposed Chapter 602 provides guidance to members of the public on the classes of driver's licenses and driver permits issued by the Department and the accompanying eligibility requirements and to comply with changes made to classes of driver's licenses available to minors pursuant to 2024 Iowa Acts, Senate File 2109.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on February 19, 2025. A public hearing was held on the following date(s):

- March 14, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on June 18, 2025. Comments should be directed to:

Sara Siedsma
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way

Ames, Iowa 50010
Phone: 515.237.3058
Email: sara.siedsma@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

June 18, 2025 11:30 a.m. to 12 noon	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 396 147 18#
June 18, 2025 1:30 to 2 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 695 033 126#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Sara Siedsma and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 602 and adopt the following **new** chapter in lieu thereof:

CHAPTER 602 CLASSES OF DRIVER'S LICENSES

761—602.1(307,321) Information and location. Applications, forms and information regarding driver's licenses are available at any driver's license service center or by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; by telephone at 515.244.8725; by facsimile at 515.239.1837; or on the department's website at www.iowadot.gov/drivers-licenses-ids/get-or-renew-drivers-licenses-ids-permits.

This rule is intended to implement Iowa Code sections 307.12(1) "j" and 321.8.

761—602.2(307,321) Definitions.

"*Iowa-approved course*" means a course in driver education, motorcycle rider education or motorized bicycle rider education approved by the department.

"*License*" means driver's license as defined in Iowa Code section 321.1(20A) unless the context otherwise requires.

"*Member of permittee's immediate family*" means as follows:

1. As used in Iowa Code section 321.180(1), the permittee's parent or guardian or a brother, a sister or other relative of the permittee who resides at the permittee's residence.
2. As used in Iowa Code section 321.180B(1) and 321.180B(2), a brother, a sister or other relative of the permittee who resides at the permittee's residence.

"*Provider*" means a provider of an Iowa-approved course.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.1, 321.180 and 321.180B.

761—602.3(321) Driver's licenses.

602.3(1) *Classes.* The department issues the following classes of driver's licenses. All licenses issued, including special licenses and permits, shall carry a class designation. A license will be issued for only one class, except that Class M may be issued in combination with another class.

Class A—commercial driver's license (CDL)

Class B—commercial driver's license (CDL)

Class C—commercial driver's license (CDL)

Class C—noncommercial driver's license

Class D—noncommercial driver's license (chauffeur)

Class M—noncommercial driver's license (motorcycle)

602.3(2) *Special licenses and permits.* The department issues the following special licenses and permits. More than one type of special license or permit may be issued to an applicant. On the driver's license, a restriction number designates the type of special license or permit issued as follows:

1—Motorcycle instruction permit—includes motorcycle instruction permits issued under Iowa Code sections 321.180(1) and 321.180B(1)

2—Noncommercial instruction permit (vehicle less than 16,001 gross vehicle weight rating)—includes instruction permits, other than motorcycle instruction permits, issued under Iowa Code sections 321.180(1), 321.180A and 321.180B(1)

3—Commercial learner's permit

4—Chauffeur's instruction permit

5—Motorized bicycle (moped) license

6—Minor's restricted work license

7—Special minor's restricted license

8—Special instruction permit

602.3(3) *Commercial driver's license (CDL).* More information is contained in 761—Chapter 607 on the procedures, requirements and validity of a commercial driver's license (Classes A, B and C) and a commercial learner's permit, and their restrictions and endorsements.

This rule is intended to implement Iowa Code sections 321.178, 321.180 through 321.180B, 321.189, and 321.194.

761—602.4(307,321) Certificates of completion and forms.

602.4(1) *Iowa-approved course.* Proof of successful completion of an Iowa-approved course shall be submitted to the department on Form 430036 or through an online reporting system used by participating providers.

602.4(2) *Out-of-state course.*

a. If a student completed a course in another state, a provider of an Iowa-approved course may issue the form or online completion, if applicable, for the student if the provider determines that the out-of-state course is comparable to the Iowa-approved course.

b. If the out-of-state course is comparable but lacks certain components of the Iowa-approved course, the provider may issue the form or online completion, if applicable, after the student completes the missing components.

602.4(3) *Affidavit for special minor's restricted license.* Form 430021 shall be used for submitting the required statements, affidavits and parental consent for a special minor's restricted license. More information is contained in rule 761—602.9(321).

602.4(4) *Certification and consent for employment and multiple residences.* Form 430022 shall be used to satisfy the requirements of Iowa Code section 321.194(2) and 321.194(9). In addition to the information required under Iowa Code section 321.194(2), the form must contain the employer's contact information and any other information required by the department.

602.4(5) *Waiver of accompanying driver for intermediate licensee.* Form 431170 is the waiver described in Iowa Code section 321.180B(2). This form allows an intermediate licensee to drive unaccompanied between the hours of 12:30 a.m. and 5 a.m. and must be in the licensee's possession when the licensee is driving during the hours to which the waiver applies.

a. If the waiver is for employment, the form must be signed by the licensee's employer.

b. If the licensee attends a public school and the waiver is for school-related extracurricular activities, the form must be signed by the chairperson of the school board, the superintendent of the school, or the principal of the school if authorized by the superintendent. If the licensee attends an accredited nonpublic school and the waiver is for school-related extracurricular activities, the form must be signed by an authority in charge of the accredited nonpublic school or a duly authorized representative of the authority.

c. If the licensee receives competent private instruction or independent private instruction, the form must be signed by the licensee's primary instructor.

d. The form must be signed by the licensee's parent or guardian. However, the parent's or guardian's signature is not required if the licensee is married and the original or a certified copy of the marriage certificate is in the licensee's possession when the licensee is driving during the hours to which the waiver applies.

602.4(6) Passenger restriction for intermediate licensee. The passenger restriction required by Iowa Code section 321.180B(2) will be added to an intermediate license unless waived by the licensee's parent or guardian at the time the license is issued. If the restriction is not waived at the time the license is issued, the intermediate license will be designated with a "9" restriction with the following notation: "Only 1 unrelated minor passenger allowed until [six months from the date the license is issued]." The licensee must obey the restriction for the first six months after the intermediate license is issued. If a parent or guardian wishes to waive the passenger restriction after the license has already been issued, the licensee and the parent or guardian must apply for a duplicate license and pay the replacement fee pursuant to 761—subrule 605.11(4).

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.8, 321.178, 321.180B, 321.184, 321.189, and 321.194.

761—602.5(307,321) Class C noncommercial driver's license.

602.5(1) Validity. A noncommercial Class C driver's license that is not a special license or permit is valid for operating:

a. A motor vehicle, including an autocycle as defined in Iowa Code section 321.1, that does not require a commercial driver's license or a Class D driver's license for its operation.

b. A motorized bicycle.

c. A motorcycle only if the license has a motorcycle endorsement.

602.5(2) Requirements.

a. Except as otherwise provided in Iowa Code section 321.178(3), an applicant under 18 years of age must meet the requirements of Iowa Code section 321.180B and submit proof of successful completion of an Iowa-approved course in driver education.

b. For purposes of determining eligibility for an intermediate license issued to a person 16 or 17 years of age under Iowa Code section 321.180B(2):

(1) The 12-month period during which the applicant is required to possess an instruction permit before applying for an intermediate license is calculated cumulatively and includes any period of time during which the applicant has held a valid instruction permit issued under Iowa Code section 321.180B(1), a special minor's restricted license issued under Iowa Code section 321.194 or comparable instruction permit or license issued by another state, but excludes any period of time during which the permit or license is suspended, revoked or canceled or the applicant otherwise did not have a valid driving privilege.

(2) The six-month period during which the applicant is required to remain accident- and violation-free is calculated continuously and must encompass without interruption the six-month period of time immediately preceding the application. The applicant must hold a valid instruction permit issued under Iowa Code section 321.180B(1), a special minor's restricted license issued under Iowa Code section 321.194 or a comparable instruction permit or license issued by another state and maintain a valid driving privilege without interruption throughout the continuous six-month period.

(3) The three-month waiting period required under Iowa Code section 321.194(7) "b," if applicable, will be calculated to begin on the licensee's sixteenth birthday and must be satisfied in addition to the

requirements of subparagraphs 602.5(2) “b”(1) and “b”(2). Any additional three-month waiting period will begin on the date the previous waiting period (if any) expires.

c. For purposes of determining eligibility for a full license issued to a person 17 years of age under Iowa Code section 321.180B(4), the 12-month period during which the applicant is required to possess an intermediate license and to remain accident- and violation-free before applying for a full license is calculated together and continuously and must encompass without interruption the 12-month period of time immediately preceding the application. The applicant must hold a valid intermediate license issued under Iowa Code section 321.180B(2) or a comparable license issued by another state and maintain a valid driving privilege without interruption throughout the continuous 12-month period.

This rule is intended to implement Iowa Code sections 307.12(1) “j,” 321.1, 321.177, 321.178, 321.180B, 321.189, 321.194 and 321.196.

761—602.6(307,321) Class D noncommercial driver’s license (chauffeur).

602.6(1) *Validity.* A noncommercial Class D driver’s license is valid for operating:

a. A motor vehicle as a chauffeur as specified by the endorsement on the license unless the type of vehicle or type of operation requires a commercial driver’s license.

b. A motor vehicle that may be legally operated under a noncommercial Class C driver’s license, including a motorized bicycle.

c. A motorcycle only if the license has a motorcycle endorsement.

602.6(2) *Requirement.* The license shall have one endorsement authorizing a specific type of motor vehicle or type of operation as listed in 761—subrule 605.7(3).

This rule is intended to implement Iowa Code sections 307.12(1) “j,” 321.1 and 321.189.

761—602.7(307,321) Class M noncommercial driver’s license (motorcycle).

602.7(1) *Validity.* A noncommercial Class M driver’s license that is not a special license or permit is valid for operating:

a. A motorcycle. However, the license may have a restriction that limits operation to a three-wheel motorcycle.

b. A motorized bicycle.

602.7(2) *Requirements.*

a. An applicant shall be at least 16 years of age.

b. Except as otherwise provided in Iowa Code section 321.178(3), an applicant under 18 years of age must meet the requirements of Iowa Code section 321.180B and submit proof of successful completion of both an Iowa-approved course in driver education and an Iowa-approved course in motorcycle rider education.

This rule is intended to implement Iowa Code sections 307.12(1) “j,” 321.177, 321.178, 321.180B, 321.189 and 321.196.

761—602.8(299,321) Minor’s restricted work license.

602.8(1) *Validity.*

a. A minor’s restricted work license is a restricted, noncommercial Class C or Class M driver’s license.

b. The type of motor vehicle that may be operated is controlled by the class of driver’s license issued. A Class C minor’s restricted work license is valid for operating a motorcycle only if the license has a motorcycle endorsement. A minor’s restricted work license is valid for operating a motorized bicycle only for the purposes specified in Iowa Code section 321.178(2).

c. The license is valid for two years or until the licensee attains age 18, whichever is sooner.

602.8(2) *Requirements.* An applicant who qualifies under Iowa Code section 321.178(2) must submit the following to the department:

a. A statement from the employer confirming the applicant’s employment.

b. Proof of nonattendance at school. Proof of nonattendance is receipt of notification from the appropriate school authority that the applicant does not attend school as described in 761—subrule 615.23(2).

- c. Proof of successful completion of an Iowa-approved course in driver education.
- d. For a Class M minor's restricted work license or a motorcycle endorsement, proof of successful completion of an Iowa-approved course in motorcycle rider education.

This rule is intended to implement Iowa Code sections 299.1B, 321.178, 321.180B, 321.189, 321.196 and 321.213B.

761—602.9(321) Special minor's restricted license.

602.9(1) *Validity.*

- a. A special minor's restricted license is a restricted, noncommercial Class C or Class M driver's license.
- b. The type of motor vehicle that may be operated is controlled by the class of driver's license issued. A Class C special minor's restricted license is valid for operating a motorcycle only if the license has a motorcycle endorsement. A special minor's restricted license is valid for operating a motorized bicycle.
- c. The license is valid for four years or until the licensee attains age 18, whichever is sooner.

602.9(2) *Requirements.* An applicant who qualifies under Iowa Code section 321.194(1) and 321.194(3) must submit the following to the department:

- a. Form 430021, containing the required certification under Iowa Code section 321.194(6).
- b. Proof of successful completion of an Iowa-approved driver's education course.
- c. For a Class M special minor's restricted license or a motorcycle endorsement, proof of successful completion of an Iowa-approved course in motorcycle rider education.

602.9(3) *Exemption.*

a. An applicant is not required to have completed an approved driver education course if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant; however, the applicant must meet all other requirements for a special minor's restricted license. "Hardship" means the applicant's parent, guardian or custodian does not qualify as a teaching parent as defined in Iowa Code section 321.178A(2) "c" and the applicant meets one of the following criteria:

(1) If the applicant is 14 years old, that a driver education course will not begin at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence within one year following the applicant's fourteenth birthday.

(2) If the applicant is 15 years old, that a driver education course will not begin at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence within six months following the applicant's fifteenth birthday.

(3) If the applicant is between 16 and 18 years old, that a driver education course is not offered at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence at the time the request for hardship status is submitted to the department.

(4) That the applicant is a person with a disability. In this rule, "person with a disability" means that, because of a disability or impairment, the applicant is unable to walk in excess of 200 feet unassisted or cannot walk without causing serious detriment or injury to the applicant's health.

b. "Demonstrates to the satisfaction of the department" means the applicant has provided the department written proof that a hardship exists signed by the applicant's parent, guardian or custodian and the applicable school authority authorized to sign the certification form for a special minor's restricted license pursuant to Iowa Code section 321.194(6).

c. The department reserves the right to verify any assertion made in the application for hardship exemption under this subrule.

602.9(4) *Multiple residences.*

a. A special minor's restricted license approved for travel to and from up to three residences pursuant to Iowa Code section 321.194(9) "d" is not valid for travel directly between each residence unless the licensee is accompanied in accordance with Iowa Code section 321.180B(1) or unless the travel is for the purposes set forth in and subject to the limitations of Iowa Code section 321.194(4) or 321.194(5).

b. The primary residential address listed on Form 430021 will appear on the face of the license.

This rule is intended to implement Iowa Code sections 321.177, 321.180B, 321.189, 321.194 and 321.196.

MV-2026-10

Kathleen Meradith-Eyers, Director, Motor Vehicle Division

The rulemaking proposes to repromulgate Chapter 602 in compliance with Executive Order 10.

This chapter provides guidance to members of the public on the classes of driver's licenses and driver permits issued by the Department and the accompanying eligibility requirements and to comply with changes made to classes of driver's licenses available to minors pursuant to 2024 Iowa Acts, Senate File 2109.

The public comment period ended on June 18, 2025. The department did not receive any public comments.

It is recommended that the Commission approve repromulgating Chapter 602.

Commissioner Arnold moved and Commissioner Juckette seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2026-11
Submitted by Kathleen Meradith-Eyers Phone No. 515-231-1230 Meeting Date August 12, 2025
Title Administrative Rules—761 IAC Chapter 604, License Examination

DISCUSSION/BACKGROUND:

The rulemaking proposes to repromulgate Chapter 604 in compliance with Executive Order 10.

Proposed Chapter 604 complies with Iowa Code sections 321.177 and 321.186. Iowa Code section 321.177 prohibits the Department from issuing a driver's license to an applicant who fails to pass an examination or is unable to operate a motor vehicle safely due to a physical or mental disability. Iowa Code section 321.186 authorizes the Department to examine an applicant for a driver's license to determine an applicant's ability to operate a motor vehicle safely.

The public comment period ended on July 1, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve repromulgating Chapter 604.

COMMISSION ACTION:

Moved by Stutsman Seconded by Anderson

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	<u> </u>	<u> </u>
Arnold	<u>x</u>	<u> </u>	<u> </u>
Gaesser	<u>x</u>	<u> </u>	<u> </u>
Juckette	<u>x</u>	<u> </u>	<u> </u>
Mulgrew	<u> </u>	<u> </u>	<u> </u>
Gronen	<u>x</u>	<u> </u>	<u> </u>
Quirk	<u>x</u>	<u> </u>	<u> </u>
Stutsman	<u>x</u>	<u> </u>	<u> </u>

Division Legal State Director
Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to license examination and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 604, “License Examination,” Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j” and 321.186.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 307.12(1)“j,” 321.1, 321.2, 321.3, 321.13, 321.20A, 321.174, 321.177 through 321.178A, 321.180 through 321.181, 321.186, 321.186A, 321.189, 321.193, 321.196, 321.198 and 321.210.

Purpose and Summary

This rulemaking proposes to repromulgate Chapter 604 in compliance with Executive Order 10. Proposed Chapter 604 complies with Iowa Code sections 321.177 and 321.186. Iowa Code section 321.177 prohibits the Department from issuing a driver’s license to an applicant who fails to pass an examination or who is unable to operate a motor vehicle safely due to a physical or mental disability. Iowa Code section 321.186 authorizes the Department to examine an applicant for a driver’s license to determine an applicant’s ability to operate a motor vehicle safely.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on March 19, 2025. A public hearing was held on the following date(s):

- April 11, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on July 1, 2025. Comments should be directed to:

Sara Siedsma
Department of Transportation

DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.237.3058
Email: sara.siedsma@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

July 1, 2025 9:30 to 10 a.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 479 043 651#
July 1, 2025 2:30 to 3 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 882 355 408#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Sara Siedsma and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 604 and adopt the following **new** chapter in lieu thereof:

CHAPTER 604 LICENSE EXAMINATION

761—604.1(307,321) Authority and scope.

604.1(1) The department is authorized to determine by examination an applicant's ability to operate motor vehicles safely upon the highways and to issue all driver's licenses.

604.1(2) This chapter applies to the examination for all driver's licenses. Information on the additional examination procedures and requirements for a commercial driver's license or commercial learner's permit is given in 761—Chapter 607.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.2, 321.3, 321.13, 321.177 and 321.186.

761—604.2(307,321) Definitions.

“*Binocular field of vision*” is the sum of the temporal measurements or the sum of the nasal measurements.

“*License*” means “driver's license” as defined in Iowa Code section 321.1(20A) unless the context otherwise requires.

“*Monocular field of vision*” is the sum of the temporal measurement and the nasal measurement for one eye.

“*Representative vehicle*” is a vehicle that is characteristic of and requires operating skills comparable to those vehicles that may legally be operated under the class of license or endorsement desired.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.174 and 321.186.

761—604.3(307) Information and forms.

604.3(1) Applications, forms and information about driver’s license examinations are available at any driver’s license service center. Assistance is also available by mail at Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.244.8725; by facsimile at 515.239.1837; or on the department’s website at www.iowadot.gov/mvd/driverslicense/driverslicense/descriptions.

604.3(2) The “Iowa Driver Manual” and the “Iowa Motorcycle Operator Manual” are also available from the department and on the department’s website.

This rule is intended to implement Iowa Code section 307.12(1)“j.”

761—604.4(307,321) Examination.

604.4(1) An examination is to include:

- a. A vision screening if the person has not filed a vision report.
- b. A knowledge test of Iowa traffic laws and highway signs.
- c. A driving test of the person’s ability to operate a motor vehicle.

604.4(2) The examination required for a driver’s license depends upon the class of license requested, applicable endorsements and the qualifications of the applicant.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186 and 321.186A.

761—604.5(307,321) Vision screening.

604.5(1) *Method.* Prior to issuance, the department will use a vision screening instrument to screen the applicant’s vision. An applicant who uses corrective lenses may be screened with or without the corrective lenses.

604.5(2) *Report.* A vision report measuring visual acuity level and field of vision is to be submitted on Form 430032 signed by a licensed vision specialist within 30 days prior to submission to the department for consideration. In lieu of Form 430032, a letter signed by a licensed vision specialist may be accepted if it contains all the information specified on Form 430032.

604.5(3) *Exception for persons renewing electronically.* An applicant renewing a driver’s license electronically pursuant to 761—subrule 605.25(7) is not required to complete a vision screening or submit a vision report. This subrule does not preclude the department from requiring a vision screening or vision report of a person who has renewed a driver’s license electronically when the department has reason to believe that the person is not capable of operating a motor vehicle safely.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186, 321.186A and 321.196.

761—604.6(307,321) Vision standards. The visual acuity and field of vision standards for licensing and the applicable restrictions are as follows.

604.6(1) *Visual acuity standards.*

a. *When the applicant is screened without corrective lenses.* If the visual acuity is 20/40 or better with both eyes or with the better eye, no restriction will be imposed. If the visual acuity is less than 20/40 but at least 20/70 with both eyes or with the better eye, the applicant is to be restricted from driving when headlights are required.

b. *When the applicant is screened with corrective lenses.* If the visual acuity is 20/40 or better with both eyes or with the better eye, the applicant is to be restricted to wear corrective lenses when driving. If the visual acuity is less than 20/40 but at least 20/70 with both eyes or with the better eye, the applicant is to be restricted from driving when headlights are required and to wear corrective lenses when driving.

c. *Other standards.*

(1) If the visual acuity in the left eye is less than 20/100, the applicant is to be restricted to driving a vehicle with both left and right outside rearview mirrors. However, if the applicant has a visual acuity of 20/40 in the right eye and less than 20/100 in the left eye without corrective lenses and has corrective

lenses that improve the vision in the left eye to better than 20/100, the applicant is to have the option of being restricted to driving with corrective lenses or driving a vehicle with both left and right outside rearview mirrors.

(2) A driving test is required prior to issuance the first time visual acuity measures below 20/40.

604.6(2) *Field of vision standards.*

a. If the binocular field of vision is at least 140 degrees, no restriction will be imposed.

b. If the binocular field of vision is less than 140 degrees but at least 110 degrees, or one eye has a monocular field of vision of at least 100 degrees, the applicant is to be restricted to driving a vehicle with both left and right outside rearview mirrors.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186, 321.193 and 321.196.

761—604.7(307,321) Vision referrals.

604.7(1) *Referral.*

a. If, during any vision screening, an applicant cannot attain 20/40 with at least one eye but can attain 20/70 with at least one eye, the department will not issue a license to the applicant and will advise the applicant to consult a licensed vision specialist.

b. A vision report, pursuant to subrule 604.5(2), is required before the department will reconsider licensing.

604.7(2) *License.* If the applicant’s license is valid, the department may issue a temporary driving permit with restrictions appropriate to the applicant’s visual acuity level and field of vision. If the applicant’s license is valid for less than 30 days, the temporary driving permit will not be valid for more than 60 days from the end of the current license validity.

604.7(3) *Report.* If the vision report recommends a restriction, the department will issue a restricted license even though it would not be required by departmental standards.

604.7(4) *Applicant refusal.* If an applicant refuses to consult a licensed vision specialist, the department will issue or deny the license based on the results achieved on the vision screening.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.181, 321.186, 321.186A, 321.193 and 321.196.

761—604.8(307,321) Vision screening results.

604.8(1) *Two-year license.* An applicant who cannot attain a visual acuity of 20/40 with both eyes or with the better eye will be issued a two-year license.

604.8(2) *License denied.*

a. An applicant who cannot attain a visual acuity of 20/70 with both eyes or with the better eye will not be licensed subject to discretionary issuance under subrule 604.8(4).

b. If the applicant’s binocular field of vision is less than 110 degrees or the monocular field of vision is less than 100 degrees, the applicant will not be licensed subject to discretionary issuance under subrule 604.8(4).

604.8(3) *Reapplication.* An applicant who cannot meet the vision standards in subrule 604.8(2) may reapply when the vision improves and the applicant meets the vision standards. If a suspension or denial notice was served, reapplication is to be made to the motor vehicle division at the address in subrule 604.3(1) or at a driver’s license service center.

604.8(4) *Discretionary issuance.*

a. An applicant whose license is restricted under rule 761—604.6(321) or who cannot meet the vision standards in subrule 604.8(2) may submit a written request for review by the department.

b. Based upon consideration of the applicant’s vision report, driving test and driving record, the written recommendation of the applicant’s licensed vision specialist and traffic conditions in the vicinity of the applicant’s residence, the department may recommend issuing a license with restrictions suitable to the applicant’s capabilities subject to the following:

(1) An applicant who cannot attain a visual acuity of 20/100 with both eyes or with the better eye may be considered for licensing only after recommendation by the medical advisory board.

(2) An applicant who cannot attain a visual acuity of 20/199 with both eyes or with the better eye will not be licensed.

(3) An applicant who cannot attain a binocular or monocular field of vision of 75 degrees may be considered for licensing only after recommendation by the medical advisory board.

(4) An applicant who cannot attain a binocular or monocular field of vision of 21 degrees will not be licensed.

c. The department's recommendation denying discretionary issuance or regarding the extent and nature of restrictions is subject to reversal or modification upon review or appeal only if it is clearly characterized by an abuse of discretion.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186, 321.186A, 321.193 and 321.196.

761—604.9(307,321) Knowledge test.

604.9(1) *Written test.* A knowledge test is used to determine an applicant's ability to read and understand Iowa traffic laws and the highway signs that regulate, warn and direct traffic. The department reserves the right to revise a test at any time and will declare the minimum passing score for each test.

604.9(2) *Oral test.* An applicant who is unable to read or understand a written test may request an oral test. The oral test may be administered by an examiner or by an automated testing device.

604.9(3) *Test score.* The test score result is valid for 180 days.

604.9(4) *Retesting.* An applicant who fails a knowledge test may repeat the test at the discretion of the examiner.

This rule is intended to implement Iowa Code sections 307.12(1)“j” and 321.186.

761—604.10(307,321) Knowledge test requirements and waivers.

604.10(1) *Knowledge test requirements.* The knowledge test requirements are as follows:

a. An operator's knowledge test is required for all classes of noncommercial driver's licenses and all types of special driver's licenses and permits.

b. A motorcycle knowledge test is required for all:

(1) Motorcycle instruction permits.

(2) Class M driver's licenses.

(3) Motorcycle endorsements.

604.10(2) *Knowledge test waivers.* The department may waive a knowledge test listed in subrule 604.10(1) if the applicant meets one of the following qualifications:

a. The applicant has passed the same type of test for another Iowa driver's license or an equivalent out-of-state license that is still valid or has expired within the past year.

b. The applicant has a valid, equivalent driver's license issued by a foreign jurisdiction with which Iowa has a nonbinding reciprocity agreement.

c. The applicant has a military extension and is renewing the applicant's Iowa driver's license within six months following separation from active duty.

d. The applicant is renewing an Iowa driver's license or endorsement within a period of one year after the expiration date of the license or endorsement.

e. The applicant is reinstating from a denial, cancellation, suspension, revocation, disqualification or bar of an Iowa driver's license or endorsement within a period of one year after the expiration date of the denial, cancellation, suspension, revocation, disqualification or bar.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.1(8), 321.180 through 321.180B, 321.186, 321.189, 321.196 and 321.198.

761—604.11(307,321) Driving test. A driving test is used to determine an applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle under actual traffic conditions. The test may also be called a road test, field test or driving demonstration. A motorcycle skills test is an off-street demonstration of an applicant's ability to control the motorcycle in a set of standard maneuvers, and a motorcycle driving test is an on-street demonstration.

604.11(1) *Vehicle type and safety.*

a. For the driving test, the applicant is to provide a representative vehicle and proof of financial responsibility for the representative vehicle.

b. The examiner or other authorized personnel will visually inspect the vehicle. If a vehicle is illegal or unsafe or is not a representative vehicle, the examiner will refuse to administer the test until an acceptable vehicle is provided.

604.11(2) Criteria and route. Form 430024 explains the test criteria and will be given to the applicant before any operator's driving test. The applicant will be directed over one of the routes that have been preselected by the examiner to test driving skills and maneuvers.

604.11(3) Test score. The examiner will use the standard departmental score sheet to record the test score and the licensing decision. At the end of the test, the examiner will explain the test score to the applicant. The test score result is valid for 180 days.

604.11(4) Retesting. An applicant who fails a driving test may repeat the test at the discretion of the examiner.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.174 and 321.186.

761—604.12(307,321) Driving test requirements and waivers for noncommercial driver's licenses.

604.12(1) Driving test requirements. The driving test requirements for noncommercial driver's licenses are as follows.

a. *Instruction permits.* An applicant is not required to obtain an instruction permit for a driving test.

b. *Class C driver's licenses.* For a Class C driver's license other than an instruction permit or a motorized bicycle license, an operator's driving test is to be in a representative vehicle, except that an autocycle as defined in Iowa Code section 321.1(6A) cannot be used for the driving test.

c. *Class D driver's licenses.* For a Class D driver's license, a driving test in a representative vehicle for the endorsement requested, as set out in 761—subrule 605.7(3), is required.

d. *Class M driver's licenses and motorcycle endorsements.* The driving test for a Class M driver's license or motorcycle endorsement consists of two parts: an off-street motorcycle skill test and an on-street motorcycle driving test.

(1) The off-street motorcycle skill test is required. The on-street motorcycle driving test is also required if the applicant does not have another driver's license that permits unaccompanied driving. Neither motorcycle test is required for the purposes of operating an autocycle.

(2) A motorcycle is to be used for the motorcycle skills test and motorcycle driving test. If a three-wheeled motorcycle is used, the driver's license will be restricted: “Not valid for 2-wheel vehicle.” An autocycle is not considered a motorcycle or a three-wheeled motorcycle for testing purposes.

e. *Motorized bicycle licenses.* For a motorized bicycle license, an off-street or on-street driving test may be required. A motorized bicycle is to be used for the test.

604.12(2) Driving test waivers. The department may waive a required driving test listed in subrule 604.12(1) if the applicant meets one of the following qualifications:

a. The applicant has successfully completed the appropriate Iowa-approved course or courses. The appropriate Iowa-approved courses are the following: driver education, other than driver education by a teaching parent under rule 761—634.11(321), for an applicant's first Class C driver's license that permits unaccompanied driving other than motorized bicycle; motorcycle rider education for a Class M driver's license or motorcycle endorsement; and motorized bicycle education for a motorized bicycle license. However, if an applicant is under the age of 18, a driving test is required if requested by the applicant's parent, guardian or course instructor.

b. The applicant is renewing a Class C, Class D or Class M Iowa driver's license or endorsement within a period of one year after the expiration date of the license or endorsement.

c. The applicant is reinstating from a denial, cancellation, suspension, revocation, disqualification or bar of an Iowa driver's license or endorsement within a period of one year after the expiration date of the denial, cancellation, suspension, revocation, disqualification or bar.

d. The applicant has passed the same type of driving test for another Iowa driver's license or endorsement that is still valid or has expired within the past year.

e. The applicant has a military extension and is renewing the applicant's Iowa driver's license within six months following separation from active duty.

f. The applicant is applying for a Class C Iowa driver's license that permits unaccompanied driving and has an equivalent out-of-state license that is valid or has expired within the past year.

g. The applicant is applying for a Class D Iowa driver's license and has an equivalent out-of-state license that is valid or has expired within the past year.

h. The applicant is applying for a Class M driver's license or a motorcycle endorsement and has an equivalent out-of-state Class M driver's license or motorcycle endorsement that is valid or has expired within the past year.

i. The applicant has a valid, equivalent driver's license issued by a foreign jurisdiction with which Iowa has a nonbinding reciprocity agreement.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.1, 321.174, 321.178, 321.178A, 321.180 through 321.180B, 321.186, 321.189, 321.193, 321.196 and 321.198.

761—604.13(307,321) Failure to pass examination.

604.13(1) An applicant who fails to pass a required examination or reexamination will not be licensed.

a. If the applicant does not have a valid Iowa license, the department will deny the applicant a license.

b. If the applicant has a valid Iowa license, the department will suspend the license for incapability. However, if the applicant's license is valid for less than 30 days, the department will deny further licensing. The department will serve a notice of suspension or denial.

c. More information regarding denials and suspensions for incapability can be found in rule 761—615.4(321).

d. An applicant may contest a denial or suspension in accordance with rule 761—615.38(321).

604.13(2) Limitations on the hearing and appeal process.

a. After a suspension or denial for failure to pass a required knowledge or driving test, a person who contests the suspension or denial has exhausted the person's administrative remedies after three unsuccessful attempts to pass the required test.

b. After the three unsuccessful attempts, no further testing will be allowed until six months have elapsed from the date of the last test failure and then only if the applicant demonstrates a significant change or improvement in those physical or mental factors that resulted in the original decision. A request for further testing must be submitted in writing to the motor vehicle division at the address in subrule 604.3(1).

c. Notwithstanding paragraphs 604.13(2)“a” and “b,” no testing will occur if the department determines that it is unsafe to allow testing.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.177, 321.180A and 321.210.

761—604.14(307,321) Reinstatement. A person whose license has been suspended or denied for failure to pass a required examination or reexamination is to meet the vision standards for licensing and pass the required examination(s) before an Iowa license will be issued.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.177 and 321.186.

761—604.15(307,321) Special reexaminations.

604.15(1) As provided in Iowa Code section 321.186, the department may require a special reexamination of any licensee. The reexamination may consist of one or more of the following:

a. Medical report.

b. Vision report.

c. Vision screening.

d. Cognitive screening.

e. Knowledge test.

f. Driving test.

604.15(2) The department may require a special reexamination when a licensee has been involved in a fatal motor vehicle accident and the investigating officer's report of the accident indicates the licensee contributed to the accident.

604.15(3) The department may require a special reexamination when a licensee has been involved in two accidents within a three-year period and the investigating officer's report of each accident lists one of the following "Driver/Vehicle Related Contributing Circumstances" for the licensee:

- a. Ran traffic signal.
- b. Ran stop sign.
- c. Passing, interfered with other vehicle.
- d. Left of center, not passing.
- e. Failure to yield right-of-way at uncontrolled intersection.
- f. Failure to yield right-of-way from stop sign.
- g. Failure to yield right-of-way from yield sign.
- h. Failure to yield right-of-way making left turn.
- i. Failure to yield right-of-way to pedestrian.
- j. Failure to have control.

604.15(4) The department may require a special reexamination when a licensee has been involved in an accident and the investigating officer's report lists a driver condition for the licensee of "fatigue or asleep."

604.15(5) The department may require a special reexamination when a licensee who is 65 years of age or older has been involved in an accident and information in the investigating officer's or the person's own report of the accident indicates the need for reexamination. A circumstance that may indicate a need for reexamination includes but is not limited to any one of the following:

- a. The licensee made a left turn that resulted in the accident.
- b. The licensee failed to yield the right-of-way at a stop sign.
- c. The licensee failed to yield the right-of-way at a yield sign.
- d. The licensee failed to yield the right-of-way at an uncontrolled intersection.
- e. The licensee failed to yield the right-of-way at a traffic control signal.
- f. The licensee's vision may be a contributing factor to an accident.
- g. The licensee has a physical disability-related license restriction other than "corrective lenses" and the accident involved one of the circumstances listed in paragraphs 604.15(5) "a" through "f."
- h. The investigating officer's report lists a driver condition for the licensee of "loss of consciousness."
- i. The investigating officer's report lists a driver condition for the licensee of "illness which resulted in the accident."

604.15(6) The department may require a special reexamination when the department receives an accident report or a recommendation by a peace officer, a court or a properly documented citizen's request. A factor that may indicate a need for reexamination includes but is not limited to any one of the following:

- a. Loss of consciousness.
- b. Confusion, disorientation or dementia.
- c. Inability to maintain a vehicle in the proper lane.
- d. Repeatedly ignoring traffic control devices.
- e. Inability to interact safely with other vehicles.
- f. Inability to maintain consistent speed when no reaction to other vehicles or pedestrians is required.
- g. Illness that resulted in an accident.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.177, 321.186 and 321.210.

MV-2026-11

Kathleen Meradith-Eyers, Director, Motor Vehicle Division

The rulemaking proposes to repromulgate Chapter 604 in compliance with Executive Order 10.

Proposed Chapter 604 complies with Iowa Code sections 321.177 and 321.186. These chapters prohibit the Department from issuing a driver's license to an applicant who fails to pass an examination or is unable to operate a motor vehicle safely due to a physical or mental disability. Iowa Code section 321.186 authorizes the Department to examine an applicant for a driver's license to determine an applicant's ability to operate a motor vehicle safely.

The public comment period ended on July 1, 2025. The department did not receive any public comments.

It is recommended that the Commission approve repromulgating Chapter 604.

Commissioner Stutsman moved and Commissioner Anderson seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2026-12
Submitted by Kathleen Meradith-Eyers Phone No. 515-231-1230 Meeting Date August 12, 2025
Title Administrative Rules—761 IAC Chapter 607, Commercial Driver Licensing

DISCUSSION/BACKGROUND:

The rulemaking proposes to repromulgate Chapter 607 in compliance with Executive Order 10.

Proposed Chapter 607 complies with Iowa Code sections 321.187 and 321.188, which require the Department to adopt rules to administer commercial driver's licenses in compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations and designate third-party testers to perform commercial driver's license knowledge and skills tests. The rules outline the application, eligibility, and testing requirements to obtain a commercial driver's license (CDL) and the governance structure for third-party test examiners. A CDL is required to operate specified commercial motor vehicles on Iowa roadways and in interstate commerce.

The public comment period ended on June 18, 2025. The department did not receive any public comments.

A complete summary explaining the proposed rulemaking is included in the attached Notice of Intended Action.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended that the Commission approve repromulgating Chapter 607.

		Aye	Vote Nay	Pass	
COMMISSION ACTION:	Anderson	<u>x</u>	<u> </u>	<u> </u>	
	Arnold	<u>x</u>	<u> </u>	<u> </u>	
	Gaesser	<u>x</u>	<u> </u>	<u> </u>	
	Juckette	<u>x</u>	<u> </u>	<u> </u>	
	Mulgrew	<u> </u>	<u> </u>	<u> </u>	
	Gronen	<u>x</u>	<u> </u>	<u> </u>	
	Quirk	<u>x</u>	<u> </u>	<u> </u>	
	Stutsman	<u>x</u>	<u> </u>	<u> </u>	
Moved by	<u>Quirk</u>	Seconded by	<u>Juckette</u>		
<u> </u>	Division Director	<u> </u>	Legal	<u> </u>	State Director

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to commercial driver licensing and providing an opportunity for public comment

The Transportation Department hereby proposes to rescind Chapter 607, “Commercial Driver Licensing,” Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 307.12(1)“j,” 321.187 through 321.188 and 321M.6A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 17A and sections 22.11, 321.1, 321.12, 321.174, 321.176A to 321.177, 321.180, 321.182, 321.186 through 321.189, 321.191, 321.193, 321.196, 321.199, 321.201, 321.207 through 321.208A, 321.449 and 321M.6A.

Purpose and Summary

This rulemaking proposes to repromulgate Chapter 607 in compliance with Executive Order 10. Proposed Chapter 607 complies with Iowa Code sections 321.187 and 321.188, which require the Department to adopt rules to administer commercial driver’s licenses in compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations and designate third-party testers to perform commercial driver’s license knowledge and skills tests. The rules outline the application, eligibility and testing requirements to obtain a commercial driver’s license (CDL) and the governance structure for third-party test examiners. A CDL is required to operate specified commercial motor vehicles on Iowa roadways and in interstate commerce.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on February 19, 2025. A public hearing was held on the following date(s):

- March 14, 2025

The Department received no comments.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on June 18, 2025. Comments should be directed to:

Sara Siedsma
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.237.3058
Email: sara.siedsma@iowadot.us

Public Hearing

Public hearings at which persons may present their views orally will be held as follows:

June 18, 2025 12 noon to 12:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 539 974 123#
June 18, 2025 2 to 2:30 p.m.	Microsoft Teams link Or dial: 515.817.6093 Conference ID: 636 829 48#

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing impairments, should contact Sara Siedsma and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 761—Chapter 607 and adopt the following **new** chapter in lieu thereof:

CHAPTER 607 COMMERCIAL DRIVER LICENSING

761—607.1(321) Scope. This chapter applies to licensing persons for the operation of commercial motor vehicles. Unless otherwise stated, the provisions of this chapter are in addition to other motor vehicle licensing rules in Iowa Code chapter 321.

This rule is intended to implement Iowa Code section 321.188.

761—607.2(321) Information.

607.2(1) Information and location. Applications, forms and information about the commercial driver's license (CDL) are available at any driver's license service center. Assistance is also available by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; in person at 6310 SE Convenience Boulevard, Ankeny, Iowa; by telephone at 515.244.8725; by facsimile at 515.239.1837; or on the department's website at www.iowadot.gov/mvd/cdl/CDL-homepage.

607.2(2) Manual. Copies of the study manual for the commercial driver's license tests are available upon request at any driver's license service center and on the department's website.

This rule is intended to implement Iowa Code section 321.188.

761—607.3(321) Definitions. The definitions in Iowa Code section 321.1 apply to this chapter of rules. In addition, the following definitions are adopted:

“Air brake system” means a system that uses air as a medium for transmitting pressure or force from the driver’s control to the service brake. “Air brake system” shall include any braking system operating fully or partially on the air brake principle.

“Air over hydraulic brakes” means any braking system operating partially on the air brake and partially on the hydraulic brake principle.

“Automatic transmission” means any transmission other than a manual transmission.

“CDLIS” means “commercial driver’s license information system” as defined in Iowa Code section 321.1.

“Commercial driver’s license downgrade” or *“CDL downgrade”* means the same as defined in 49 CFR Section 383.5 (October 1, 2024).

“Commercial motor vehicle” or *“CMV”* as defined in Iowa Code section 321.1 does not include a motor vehicle designed as off-road equipment rather than as a motor truck, such as a forklift, motor grader, scraper, tractor, trencher or similar industrial-type equipment. “Commercial motor vehicle” also does not include self-propelled implements of husbandry described in Iowa Code section 321.1(32).

“Controlled substance” as used in Iowa Code section 321.208 means a substance defined in Iowa Code section 124.101.

“Hazardous materials” means any material that has been designated as hazardous under 49 U.S.C. Section 5103 and is required to be placarded under 49 CFR Part 172, Subpart F, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

“Manual transmission” means a transmission utilizing a driver-operated clutch that is activated by a pedal or lever and a gear-shift mechanism operated either by hand or by foot. All other transmissions, whether semi-automatic or automatic, will be considered automatic.

“Medical examiner” means a person who is licensed, certified or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes but is not limited to doctors of medicine, doctors of osteopathy, physician assistants, advanced registered nurse practitioners, and doctors of chiropractic.

“Medical examiner’s certificate” means a certificate completed and signed by a medical examiner under the provisions of 49 CFR Section 391.43 and includes medical examiner’s certificate information provided electronically by the Federal Motor Carrier Safety Administration pursuant to 49 CFR Section 383.71 and 49 CFR Section 383.73.

“Medical variance” means a driver has received one of the following from the Federal Motor Carrier Safety Administration that allows the driver to be issued a medical certificate:

1. An exemption letter permitting operation of a commercial motor vehicle pursuant to 49 CFR Part 381, Subpart C; 49 CFR Section 391.62; or 49 CFR Section 391.64.
2. A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 CFR Section 391.49.

“National drug and alcohol clearinghouse” means the database maintained by the Federal Motor Carrier Safety Administration as defined in 49 CFR Section 382.107 (October 1, 2024).

“Passenger vehicle” means either of the following:

1. A motor vehicle designed to transport 16 or more persons including the operator.
2. A motor vehicle of a size and design to transport 16 or more persons including the operator that has been redesigned or modified to transport fewer than 16 persons with disabilities. The size of a redesigned or modified vehicle shall be any such vehicle with a gross vehicle weight rating of 10,001 or more pounds.

“School bus” means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events unless otherwise provided in Iowa Code section 321.1(69). “School bus” does not include a bus used as a common carrier.

“Self-certification” means a written certification of which category of type of driving an applicant for a commercial driver’s license engages in or intends to engage in, from the following categories:

1. Non-excepted interstate. The person certifies that the person operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 CFR Part 391 effective October 1, 2024, and is required to obtain a medical examiner's certificate by 49 CFR Section 391.45 effective October 1, 2024.

2. Excepted interstate. The person certifies that the person operates or expects to operate in interstate commerce but engages exclusively in transportation or operations excepted under 49 CFR Section 390.3(f), 391.2, 391.68 or 398.3 effective October 1, 2024, from all or parts of the qualification requirements of 49 CFR Part 391 effective October 1, 2024, and is therefore not required to obtain a medical examiner's certificate by 49 CFR Section 391.45 effective October 1, 2024.

3. Non-excepted intrastate. The person certifies that the person operates only in intrastate commerce and is subject to state driver qualification requirements.

4. Excepted intrastate. The person certifies that the person operates only in intrastate commerce, but engages exclusively in transportation or operations excepted from all or parts of the state driver qualification requirements as set forth in Iowa Code section 321.449.

"State," as used in this chapter and in "another state" in Iowa Code section 321.174(2), "former state of residence" in Iowa Code section 321.188(5), or "any state" in Iowa Code section 321.208(1), means one of the United States or the District of Columbia unless the context means the state of Iowa.

This rule is intended to implement Iowa Code sections 321.1, 321.174, 321.188, 321.191, 321.193, 321.207 and 321.208.

761—607.4(22,321) Records. The department will maintain the operating record of a person issued a commercial driver's license or a commercial learner's permit or a person who has been disqualified from operating a commercial motor vehicle as provided in the department's "Record Management Manual" adopted in 761—Chapter 4.

This rule is intended to implement Iowa Code sections 22.11, 321.12, 321.188 and 321.199.

761—607.5(321) Adoption of federal regulations.

607.5(1) Code of Federal Regulations. The department's administration of commercial driver's licenses shall be in compliance with the state procedures set forth in 49 CFR Section 383.73, and this chapter shall be construed to that effect. The department adopts the following portions of the Code of Federal Regulations, which are referenced throughout this chapter of rules:

- a. 49 CFR Section 391.11 as adopted in 661—Chapter 22.
- b. 49 CFR Section 392.5 as adopted in 661—Chapter 22.
- c. 49 CFR Part 380, Subpart F (October 1, 2024).
- d. The following portions of 49 CFR Part 383 (October 1, 2024):
 - (1) Section 383.51, Disqualification of drivers.
 - (2) Subpart E—Testing and Licensing Procedures.
 - (3) Subpart F—Vehicle Groups and Endorsements.
 - (4) Subpart G—Required Knowledge and Skills.
 - (5) Subpart H—Tests.
- e. 49 CFR Part 384, Subpart B (October 1, 2024).

607.5(2) Copies of regulations. Copies of the federal regulations may be reviewed at the state law library or through the Internet at www.fmcsa.dot.gov.

This rule is intended to implement Iowa Code sections 321.187, 321.188, 321.207, 321.208 and 321.208A.

761—607.6(321) Application. An applicant for a commercial driver's license shall comply with the requirements of Iowa Code sections 321.180(2) "e," 321.182 and 321.188 and 761—Chapter 601, and provide the proofs of citizenship or lawful permanent residence and state of domicile required by 49 CFR Section 383.71. If the applicant is domiciled in a foreign jurisdiction and applying for a nondomiciled commercial driver's license, the applicant must provide a document required by 49 CFR Section 383.71(f).

This rule is intended to implement Iowa Code sections 321.180, 321.182 and 321.188.

761—607.7(321) Commercial driver’s license (CDL).

607.7(1) *Classes.* The department may issue a commercial driver’s license only as a Class A, B or C driver’s license. The license class identifies the types of vehicles that may be operated. A commercial driver’s license may have endorsements that authorize additional vehicle operations or restrictions that limit vehicle operations.

607.7(2) *Validity.*

a. A Class A commercial driver’s license allows a person to operate a combination of commercial motor vehicles as specified in Iowa Code sections 321.1(11) and 321.189(1)“a”(1). With the required endorsements and subject to the applicable restrictions, a Class A commercial driver’s license is valid to operate any vehicle. Before the department administers the skills test for a Class A commercial driver’s license to an applicant for the first time, the applicant must comply with the entry-level driver training requirements as provided in Iowa Code section 321.188.

b. A Class B commercial driver’s license allows a person to operate a commercial motor vehicle as specified in Iowa Code sections 321.1(11) and 321.189(1)“a”(2). With the required endorsements and subject to the applicable restrictions, a Class B commercial driver’s license is valid to operate any vehicle except a truck-tractor semitrailer combination or a vehicle requiring a Class A commercial driver’s license. Before the department administers the skills test for a Class B commercial driver’s license to an applicant for the first time, the applicant must comply with the entry-level driver training requirements as provided in Iowa Code section 321.188.

c. A Class C commercial driver’s license allows a person to operate a commercial motor vehicle as specified in Iowa Code sections 321.1(11) and 321.189(1)“a”(3) if the vehicle is designed to transport 16 or more passengers, including the driver, or is used in the transportation of hazardous materials as defined in 49 CFR Section 383.5 effective October 1, 2024. With the required endorsements and subject to the applicable restrictions, a Class C commercial driver’s license is valid to operate any vehicle except a vehicle requiring a Class A or Class B commercial driver’s license. Before the department administers the skills test for a Class C commercial driver’s license to an applicant for the first time, the applicant must comply with the entry-level driver training requirements as provided in Iowa Code section 321.188 for the applicable endorsement sought (P/Passenger or S/School Bus endorsements). Before the department administers the knowledge test for a Class C commercial driver’s license to an applicant for the first time, the applicant must comply with the entry-level driver training requirements provided in Iowa Code section 321.188 for the applicable endorsement sought (H/Hazardous materials endorsement).

d. A commercial driver’s license is valid for operating a motorcycle as a commercial motor vehicle only if the license has a motorcycle endorsement and a hazardous material endorsement. A commercial driver’s license is valid for operating a motorcycle as a noncommercial motor vehicle only if the license has a motorcycle endorsement.

e. A commercial driver’s license valid for eight years will be issued to a qualified applicant who is at least 18 years of age but not yet 78 years of age. However, the expiration date of the license issued shall not exceed the licensee’s 80th birthday.

f. A commercial driver’s license valid for two years will be issued to a qualified applicant 78 years of age or older. A two-year license may also be issued, at the discretion of the department, to an applicant whose license is restricted due to vision or other physical disabilities.

g. A commercial driver’s license is valid for 60 days after the expiration date.

h. A person with a commercial driver’s license valid for the vehicle operated is not required to obtain a Class D driver’s license to operate the vehicle as a chauffeur.

607.7(3) *Age.* The minimum age to obtain a commercial driver’s license is set out in 49 CFR Part 391, Subpart B, effective October 1, 2024, except that, for a person operating solely intrastate, the driver age qualifications are set out in Iowa Code section 321.449(3).

607.7(4) *License extension.*

a. As provided in 49 CFR Section 383.153, a person may apply for a 60-day extension of a commercial driver’s license if the person:

- (1) Has a valid license,

- (2) Is eligible for further licensing, and
- (3) Is temporarily absent from Iowa or is temporarily incapacitated at the time for renewal.
- b. License extensions can be requested following the procedure in 761—subrule 605.15(2).
- c. A 60-day extension will be added to the expiration date on the license. When the person appears to renew the license, the expiration date of the renewed license will be computed from the expiration date of the original license, notwithstanding the extension.
- d. Only one 60-day extension is allowed.

This rule is intended to implement Iowa Code sections 321.1(8), 321.177, 321.182, 321.188, 321.189, 321.196, and 321.449.

761—607.8(321) Endorsements. All endorsements except the hazardous material endorsement continue to be valid without retesting or additional fees when renewing or upgrading a license. The endorsements that authorize additional commercial motor vehicle operations with a commercial driver's license are:

607.8(1) Hazardous material. A hazardous material endorsement (H) is required to transport hazardous materials. The hazardous material endorsement is only valid when the applicant or holder of the endorsement complies with the Transportation Security Administration's security threat assessment standards specified in 49 CFR Sections 383.71(b)(8) and 383.141 effective October 1, 2024. Before the department administers the knowledge test for a hazardous material endorsement to an applicant for the first time, the applicant shall comply with the entry-level driver training requirements as provided in Iowa Code section 321.188. To obtain or retain the hazardous material endorsement, the applicant or holder must pass a knowledge test as required under 49 CFR Section 383.121 and pay the endorsement fee. Retesting and fee payment are also required when an applicant transfers a commercial driver's license from another state unless, as provided in 49 CFR Section 383.73, the transfer applicant provides evidence of passing the knowledge test as required under 49 CFR Section 383.121 within the preceding 24 months. Pursuant to 49 CFR Section 173.5 effective October 1, 2024, a farmer or a person working for a farmer is not subject to the hazardous material endorsement while operating either a pickup or a special truck within 150 air miles of the farmer's farm to transport supplies to or from the farm.

607.8(2) Passenger vehicle. A passenger vehicle endorsement (P) is required to operate a passenger vehicle as defined in rule 761—607.3(321). Before the department administers the skills test for a passenger vehicle endorsement to an applicant for the first time, the applicant shall comply with the entry-level driver training requirements as provided in Iowa Code section 321.188.

607.8(3) Tank vehicle. A tank vehicle endorsement (N) is required to operate a tank vehicle as defined in Iowa Code section 321.1. A vehicle transporting a tank, regardless of the tank's capacity, that does not otherwise meet the definition of a commercial motor vehicle in Iowa Code section 321.1 is not a tank vehicle.

607.8(4) Double/triple trailer. A double/triple trailer endorsement (T) is required to operate a commercial motor vehicle with two or more towed trailers when the combination of vehicles meets the criteria for a Class A commercial motor vehicle. Operation of a triple trailer combination vehicle is not permitted in Iowa.

607.8(5) Hazardous material and tank. A combined endorsement (X) authorizes both hazardous material and tank vehicle operations.

607.8(6) School bus. A school bus endorsement (S) is required to operate a school bus as defined in rule 761—607.3(321). An applicant for a school bus endorsement must also qualify for a passenger vehicle endorsement. Before the department administers the skills test for a school bus endorsement to an applicant for the first time, the applicant shall comply with the entry-level driver training requirements as provided in Iowa Code section 321.188.

607.8(7) Exceptions for towing operations.

a. A driver who tows a vehicle in an emergency "first move" from the site of a vehicle malfunction or accident on a highway to the nearest appropriate repair facility is not required to have the endorsement(s) applicable to the towed vehicle. In any subsequent move, a driver who tows a vehicle from one repair or disposal facility to another is required to have the endorsement(s) applicable to the towed vehicle with one exception: A tow truck driver is not required to have a passenger endorsement to tow a passenger vehicle.

b. The double/triple trailer endorsement is not required to operate a commercial motor vehicle with two or more towed vehicles that are not trailers.

This rule is intended to implement Iowa Code sections 321.1, 321.176A, 321.188 and 321.189.

761—607.9(321) Restrictions. The restrictions that may limit commercial motor vehicle operation with a commercial driver's license are listed in 761—subrule 605.8(3) and are explained below:

607.9(1) *Air brake.* The air brake restriction (L, no air brake equipped CMV) applies to a licensee who either fails the air brake component of the knowledge test or performs the skills test in a vehicle not equipped with air brakes and prohibits the operation of a commercial motor vehicle equipped with an air brake system until the licensee passes the required air brake tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

607.9(2) *Full air brake.* The full air brake restriction (Z, no full air brake equipped CMV) applies to a licensee who performs the skills test in a vehicle equipped with air over hydraulic brakes and prohibits the operation of a commercial motor vehicle equipped with any braking system operating fully on the air brake principle until the licensee passes the required air brake tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

607.9(3) *Manual transmission.* The manual transmission restriction (E, no manual transmission equipped CMV) applies to a licensee who performs the skills test in a vehicle equipped with automatic transmission and prohibits the operation of a commercial motor vehicle equipped with a manual transmission until the licensee passes the required tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

607.9(4) *Tractor-trailer.* The tractor-trailer restriction (O, no tractor trailer CMV) applies to a licensee who performs the skills test in a combination vehicle for a Class A commercial driver's license with the power unit and towed unit connected with a pintle hook or aftermarket fifth wheel connection and prohibits operation of a tractor-trailer combination connected by a fifth wheel that requires a Class A commercial driver's license until the licensee passes the required tests and pays the fee for upgrading the license. Retesting and fee payment are not required when the license is renewed.

607.9(5) *Class A passenger vehicle.* The Class A passenger vehicle restriction (M, no Class A passenger vehicle) applies to a licensee who applies for a passenger endorsement and performs the skills test in a passenger vehicle that requires a Class B commercial driver's license and prohibits operation of a passenger vehicle that requires a Class A commercial driver's license.

607.9(6) *Class A and B passenger vehicle.* The Class A and B passenger vehicle restriction (N, no Class A and B passenger vehicle) applies to a licensee who applies for a passenger endorsement and performs the skills test in a passenger vehicle that requires a Class C commercial driver's license and prohibits operation of a passenger vehicle that requires a Class A or Class B commercial driver's license.

607.9(7) *Intrastate only.* The intrastate only restriction (K, intrastate only) applies to a licensee who self-certifies to non-excepted intrastate or excepted intrastate driving and prohibits the operation of a commercial motor vehicle in interstate commerce.

607.9(8) *Medical variance.* The medical variance restriction (V, medical variance) applies to a licensee when the department is notified pursuant to 49 CFR Section 383.73(o)(3) that the driver has been issued a medical variance and indicates there is information about a medical variance on the CDLIS driver record.

This rule is intended to implement Iowa Code sections 321.189 and 321.191.

761—607.10(321) Commercial learner's permit.

607.10(1) *Validity.*

a. A commercial learner's permit allows the permit holder to operate a commercial motor vehicle when accompanied as required by Iowa Code section 321.180(2) "d."

b. A commercial learner's permit is valid for one year without retaking the general and endorsement knowledge tests required by Iowa Code section 321.188.

c. A commercial learner's permit is invalid after the expiration date of the underlying commercial or noncommercial driver's license issued to the permit holder or the expiration date of the permit, whichever occurs first.

d. The issuance of a commercial learner's permit is a precondition to the initial issuance of a commercial driver's license. The issuance of a commercial learner's permit is also a precondition to the upgrade of a commercial driver's license if the upgrade requires a skills test. If the permit holder is subject to the requirement to complete entry-level driver training as provided in Iowa Code section 321.188, the commercial learner's permit will be necessary to complete the on-road segment of the entry-level driver training as well as the required skills tests for a commercial driver's license. The holder of a commercial learner's permit is not eligible to take a required driving skills test for the first 14 days after the permit holder is issued the permit. The 14-day period includes the day the commercial learner's permit was issued.

EXAMPLE: The commercial learner's permit is issued on September 1. The earliest date the permit holder would be eligible to take the skills test is September 15.

e. A commercial learner's permit is not valid for the operation of a vehicle transporting hazardous materials.

607.10(2) Requirements.

a. An applicant for a commercial learner's permit must hold a valid Class A, B, or C commercial driver's license, a Class D, endorsement 3 noncommercial driver's license or a Class C noncommercial driver's license issued in this state that is not an instruction permit, a special instruction permit, a motorized bicycle license or a temporary restricted license; must be at least 18 years of age; and must meet the requirements to obtain a valid commercial driver's license, including the requirements set forth in Iowa Code section 321.188. However, the applicant does not have to complete the driving skills tests required for a commercial driver's license to obtain a commercial learner's permit.

b. The applicant must successfully pass a general knowledge test that meets the federal standards contained in 49 CFR Part 383, Subparts F, G and H, for the commercial motor vehicle the applicant operates or expects to operate, including any endorsement for which the applicant applies.

607.10(3) Endorsements. A commercial learner's permit may include the following endorsements. All other endorsements are prohibited on a commercial learner's permit.

a. An applicant for a passenger endorsement (P) must take and pass the passenger endorsement knowledge test. A commercial learner's permit holder with a passenger endorsement is prohibited from operating a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2) "d."

b. An applicant for a school bus endorsement (S) must take and pass the school bus endorsement knowledge test. A commercial learner's permit holder with a school bus endorsement is prohibited from operating a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2) "d."

c. An applicant for a tank vehicle endorsement (N) must take and pass the tank vehicle endorsement knowledge test. A commercial learner's permit holder with a tank vehicle endorsement may only operate an empty tank vehicle and is prohibited from operating any tank vehicle that previously contained hazardous materials and that has not been purged of any residue.

607.10(4) Restrictions. A commercial learner's permit may include the air brake (L), medical variance (V), Class A passenger vehicle (M), Class A and B passenger vehicle (N) and intrastate only (K) restrictions described in rule 761—607.9(321). In addition, a commercial learner's permit may include the following restrictions that are specific to the commercial learner's permit:

a. *Passenger.* The passenger restriction (P, no passengers in CMV bus) applies to a permit holder who has a commercial learner's permit with a passenger or school bus endorsement and prohibits the operation of a commercial motor vehicle carrying passengers, other than federal/state auditors and inspectors, test examiners, other trainees, and the commercial driver's license holder accompanying the permit holder required by Iowa Code section 321.180(2) "d."

b. *Cargo.* The cargo restriction (X, no cargo in CMV tank vehicle) applies to a permit holder who has a commercial learner's permit with a tank vehicle endorsement and prohibits the operation of any

tank vehicle containing cargo or any tank vehicle that previously contained hazardous materials and that has not been purged of any residue.

This rule is intended to implement Iowa Code sections 321.180, 321.186 and 321.188.

761—607.11(321) Examination and vision screening. In addition to the knowledge and skills tests required under this chapter, an applicant for a commercial driver's license or commercial learner's permit is subject to the examination requirements, and must comply with the vision screening and vision standards, in 761—Chapter 604.

This rule is intended to implement Iowa Code sections 321.186 and 321.186A.

761—607.12(321) Knowledge tests.

607.12(1) General knowledge test. The general knowledge test for a commercial driver's license is a written test of topics such as vehicle inspection, operation, safety and control in accordance with 49 CFR Section 383.111.

607.12(2) Additional tests. In addition to the general knowledge test for a commercial driver's license, an additional knowledge test is required for each of the following:

- a. Class A license for combination vehicle operation under 49 CFR Section 383.111.
- b. Hazardous material endorsement under 49 CFR Section 383.121. The knowledge test for a hazardous material endorsement shall not be administered orally or in a language other than English.
- c. Passenger vehicle endorsement under 49 CFR Section 383.117.
- d. Tank vehicle endorsement under 49 CFR Section 383.119.
- e. Double/triple trailer endorsement under 49 CFR Section 383.115.
- f. School bus endorsement under 49 CFR Section 383.123. The applicant must also qualify for a passenger vehicle endorsement.
- g. Removal of the air brake restriction under 49 CFR Section 383.111.

607.12(3) Test methods. All knowledge tests will be administered in compliance with 49 CFR Section 383.133(b). All tests other than the hazardous material endorsement test may be administered in written form or verbally in an automated format and can be administered in a foreign language, provided no interpreter is used in administering the test.

607.12(4) Waiver. A waiver of any knowledge test is permitted only as provided in Iowa Code section 321.188(5) and this chapter.

607.12(5) Military waiver. The department may waive the requirement that an applicant pass a required knowledge test for an applicant who is a current or former military service member as defined in 49 CFR Section 383.5 effective October 1, 2024. An applicant for a waiver of the knowledge test under this subrule shall certify and provide evidence, as required by the department, that the following apply:

- a. The applicant is regularly employed or was regularly employed within the past year in a military position specifically designated in 49 CFR Section 383.77.
- b. The applicant is or was operating a vehicle representative of the commercial motor vehicle the applicant operates or expects to operate immediately preceding honorable separation from military service as evidenced by the applicant's certificate of release or discharge from active duty, commonly referred to as a DD Form 214.
- c. The applicant has not had more than one driver's license, other than a military license.
- d. The applicant has not had any driver's license suspended, revoked, or canceled.
- e. The applicant has not been convicted of an offense committed while operating any type of motor vehicle that is listed as a disqualifying offense in 49 CFR Section 383.51(b).
- f. The applicant has not had more than one conviction for an offense committed while operating any type of motor vehicle that is listed as a serious traffic violation in 49 CFR Section 383.51(c).
- g. The applicant has not had a conviction for violation of a military, state, or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident, and has no record of an accident in which the applicant was at fault.

607.12(6) Requirement. An applicant must pass the applicable knowledge test(s) before taking the skills test. Passing scores for a knowledge test shall meet the standards contained in 49 CFR Section 383.135(a).

This rule is intended to implement Iowa Code sections 321.186 and 321.188.

761—607.13(321,321M) Skills test.

607.13(1) Content. The skills test for a commercial driver's license is a three-part test as required in 49 CFR Part 383, Subparts E, G and H.

607.13(2) Test methods. All skills tests will be administered in compliance with 49 CFR Section 383.133(c). Interpreters are prohibited during the administration of skills tests. However, American Sign Language interpreters are allowed to interpret during the instruction portion preceding administration of the skills test. Applicants must be able to understand and respond to verbal commands and instructions in English by a skills test examiner. Neither the applicant nor the examiner may communicate in a language other than English during the skills test.

607.13(3) Order. The skills test must be administered and successfully completed in the following order: pre-trip inspection, basic vehicle control skills, on-road skills. If an applicant fails one segment of the skills test, the applicant cannot continue to the next segment of the test, and scores for the passed segments of the test are only valid during initial issuance of the commercial learner's permit.

607.13(4) Vehicle. The applicant shall provide a representative vehicle for the skills test. "Representative vehicle" means a commercial motor vehicle that meets the statutory description for the class of license applied for.

a. To obtain a passenger vehicle endorsement applicable to a specific vehicle class, the applicant must take the skills test in a passenger vehicle satisfying the requirements of that class as required in 49 CFR Section 383.117.

b. To obtain a school bus endorsement, the applicant must qualify for a passenger vehicle endorsement and take the skills test in a school bus in the same vehicle class as the applicant will drive as required in 49 CFR Section 383.123.

c. To obtain a tank endorsement, the applicant must take the skills test in a representative vehicle for the class of license applied for, but the representative vehicle is not required to be a tank vehicle.

d. To remove an air brake or full air brake restriction, the applicant must take the skills test in a vehicle equipped with an air brake system and as required in 49 CFR Section 383.113.

e. To remove a manual transmission restriction, the applicant must take the on-road segment of the skills test in a vehicle equipped with a manual transmission.

607.13(5) Skills test scoring. Passing scores for a skills test shall meet the standards contained in 49 CFR Section 383.135(b).

607.13(6) Military waiver. The department may waive the requirement that an applicant pass a required skills test for an applicant who is on active duty in the military service or who has separated from such service in the past year, provided the applicant meets the requirements of Iowa Code section 321.188(6).

607.13(7) Locations. The skills test for a commercial driver's license will be given only at approved locations where adequate testing facilities are available as specified by the department pursuant to 49 CFR Section 383.131(b)(1). An applicant may contact any driver's license service center for the location of the nearest skills testing center.

607.13(8) Fees. Fees authorized pursuant to Iowa Code sections 321.187A and 321M.6A may be collected by the department or a county treasurer location offering commercial driver's license skills tests.

a. Except as provided in paragraph 607.13(8)"c," the fee for an applicant to schedule the pre-trip vehicle inspection segment of the skills test with the department is \$25. No fees are due to the department for scheduling the basic vehicle control skills or on-road skills segment of the test.

b. Except as provided in paragraph 607.13(8)"c," the fee to schedule the pre-trip vehicle inspection segment of the skills test with a county treasurer is \$25. The fee for a county treasurer to administer the basic vehicle control skills segment is \$25, and the fee to administer the on-road skills

segment of the test is \$25. However, if the applicant fails one segment of the driving skills test, no fee shall be due for a subsequent segment of the test.

c. If the applicant is an employee or volunteer of a government agency as defined in Iowa Code section 553.3, the following apply:

(1) The department will not charge the pre-trip inspection scheduling fee under paragraph 607.13(8)“a.”

(2) A county treasurer may charge only the pre-trip inspection fee under paragraph 607.13(8)“b.”

(3) An applicant must provide the department or county treasurer with reasonable proof that the applicant is an employee or volunteer of a qualifying government agency and that a commercial driver’s license is necessary for the applicant’s employment or volunteer duties. Reasonable proof is to be provided on Form 430311. Alternatively, if the applicant is seeking a skills test from a county treasurer, reasonable proof may include payment of the pre-trip inspection fee by a government agency on behalf of the applicant.

d. If an applicant fails to appear for the pre-trip inspection segment of the skills test, the appointment will be canceled and no other applicable fees are due.

e. Except as provided in paragraph 607.13(8)“g,” new fees will apply if an applicant schedules a new skills test appointment.

f. The department or a county treasurer may collect any fees due and owed for the skills test at the same time any fees are collected as part of the commercial driver’s license issuance transaction.

g. Any fees collected under this subrule are nonrefundable. However, nothing in this paragraph shall be construed as preventing the department or a county treasurer from transferring a fee charged for a pre-trip inspection to a new pre-trip inspection if rescheduling the appointment is determined necessary or appropriate as determined by the department or county treasurer upon a showing of good cause.

h. A skills test fee charged under this subrule that remains unpaid may be collected at the person’s next driver’s license renewal or replacement.

This rule is intended to implement Iowa Code sections 321.186, 321.187A, 321.188 and 321M.6A.

761—607.14(321) Third-party testing.

607.14(1) Purpose and definitions. The knowledge tests required by rule 761—607.12(321) and the skills test required by rule 761—607.13(321) may be administered by third-party testers and third-party test examiners approved and certified by the department. For the purpose of administering third-party testing and this rule, the following definitions are adopted:

“*College or university*” means an Iowa postsecondary school established under Iowa Code chapter 261B.

“*Community college*” means an Iowa community college established under Iowa Code chapter 260C.

“*Government agency*” means the same as defined in Iowa Code section 553.3.

“*Iowa business*” means a corporation, association, partnership, company, firm, or other aggregation of individuals that has a principal place of business in this state and that is authorized to conduct business in this state.

“*Knowledge test*” means the knowledge tests required by rule 761—607.12(321).

“*Motor carrier*” means the same as defined in 49 CFR Section 390.5 effective October 1, 2024.

“*Nonprofit*” means a corporation or association that satisfies the requirements under Iowa Code chapter 498 or 504.

“*Permanent commercial driver training facility*” means a facility dedicated to a program of commercial driving instruction that is offered to employees or potential employees of the motor carrier as incident to the motor carrier’s commercial operations, that requires at least 40 hours of instruction, and that includes fixed and permanent structures and facilities for the off-road portions of commercial driving instruction, including classroom, pretrip inspection, and basic vehicle control skills. A permanent commercial driver training facility must include a fixed and paved or otherwise hard-surfaced area for basic vehicle control skills testing that is permanently marked and capable of inspection and measurement by the department.

“Principal place of business” means a building actually occupied where the public and the department may contact the owner or operator during regular business hours. The principal place of business must be located in this state.

“Public transit system” means the same as defined in Iowa Code section 324A.1.

“Regional transit system” means the same as defined in Iowa Code section 324A.1.

“Regular business hours” means to be consistently open to the public on a weekly basis at hours reported to the motor vehicle division.

“Skills test” means the skills test required by rule 761—607.13(321).

“Subsidiary” means a company that is partly or wholly owned by a motor carrier that holds a controlling interest in the subsidiary company.

“Third-party tester” means the same as defined in Iowa Code section 321.187.

“Third-party test examiner” means the same as defined in Iowa Code section 321.187.

607.14(2) Certification of third-party testers.

a. The department may certify any of the following entities as a third-party tester to administer knowledge and skills tests:

- (1) A college or university.
- (2) A community college.
- (3) A government agency.
- (4) An Iowa business.
- (5) A nonprofit.
- (6) A public transit system or regional transit system.

b. An entity seeking certification as a third-party tester shall contact the motor vehicle division and schedule a review of the proposed testing program, including the proposed testing courses and facilities, and provide information sufficient to identify all proposed third-party test examiners, and any other information necessary to demonstrate compliance with 49 CFR Parts 383 and 384 as amended to October 1, 2024, applicable to knowledge and skills testing.

c. No entity will be certified to conduct third-party testing unless and until the entity enters an agreement with the department that meets the requirements of 49 CFR Section 383.75 and demonstrates, to the satisfaction of the department, sufficient ability and facilities to conduct knowledge and skills tests in a manner that consistently meets the requirements of 49 CFR Part 383, Subpart E, and 49 CFR Part 384, Subpart B, applicable to knowledge and skills testing.

d. The department will issue a certified third-party tester a certificate of authority that identifies the classes and types of vehicles for which knowledge and skills tests may be administered. The certificate is valid for the duration of the agreement executed pursuant to paragraph 607.14(2) “c,” unless revoked by the department for engaging in fraudulent activities related to conducting knowledge and skills tests or failing to comply with the requirements, qualifications, and standards of this chapter, the agreement, or 49 CFR Part 383, Subpart E, and 49 CFR Part 384, Subpart B, applicable to knowledge and skills testing.

e. The department will revoke a certificate of authority originally issued after July 1, 2023, to a third-party tester if the third-party tester fails to administer a minimum of 50 percent of all knowledge and skills tests given in a calendar year to Iowa applicants. However, the department will not revoke a certificate of authority of a third-party tester who administers a minimum of 10 percent of all knowledge and skills tests given in a calendar year to Iowa applicants if the remainder of the tests are given to current or prospective employees of the third-party tester. For the purpose of this paragraph, an “Iowa applicant” is defined as an individual who holds a valid commercial learner’s permit, commercial driver’s license, noncommercial driver’s license, or nonoperator identification card issued by the department or who otherwise qualifies as a resident of this state under Iowa Code section 321.1A(1).

607.14(3) Certification of third-party test examiners.

a. A certified third-party tester shall not employ or otherwise use as a third-party test examiner a person who has not been approved and certified by the department to administer knowledge or skills tests. Each certified third-party tester shall submit for approval the names of all proposed third-party test examiners to the department. The department will not approve as a third-party test examiner a person

who does not meet the requirements, qualifications, and standards of 49 CFR Part 383, Subpart E, and 49 CFR Part 384, Subpart B, applicable to knowledge and skills testing, including but not limited to all required training and examination, who has been barred from conducting commercial driver's license testing in another state, or who has not passed a nationwide criminal background check. The criteria for passing the nationwide criminal background check means no felony convictions within the last ten years and no convictions involving fraudulent activities.

b. The department will issue a certificate of authority for each person certified as a third-party test examiner that identifies the certified third-party tester for which the person will administer knowledge or skills tests and the classes and types of vehicles for which the person may administer knowledge or skills tests. The certificate is valid for a period of four years from the date of issuance of the certificate.

c. The department will revoke the certificate of authority for a third-party test examiner to administer skills tests if the person holding the certificate does not administer skills tests to at least ten different applicants, each of whom has successfully passed all three segments of the skills test, per calendar year; does not successfully complete the refresher training required by 49 CFR Section 384.228 every four years; is involved in fraudulent activities related to conducting knowledge or skills tests as determined by the department; or otherwise fails to comply with and meet the requirements, qualifications and standards of this chapter or 49 CFR Part 383, Subpart E, and 49 CFR Part 384, Subpart B, applicable to knowledge and skills testing. Notwithstanding anything in this paragraph to the contrary, as provided in 49 CFR Section 383.75, if the person does not administer skills tests to at least ten different applicants per calendar year, the certificate will not be revoked for that reason if the person provides proof of completion of the examiner refresher training in 49 CFR Section 384.228 to the department and successfully completes one skills test under the observation of a department examiner or attends and passes with a score of 80 percent or better a certified commercial examiner training test and successfully completes one skills test under the observation of a department examiner.

d. The department will revoke the certificate of authority for a third-party test examiner to administer knowledge tests if the person holding the certificate does not successfully complete the refresher training required by 49 CFR Section 384.228 every four years, is involved in fraudulent activities related to conducting knowledge or skills tests or otherwise fails to comply with and meet the requirements, qualifications and standards of this chapter or 49 CFR Part 383, Subpart E, and 49 CFR Part 384, Subpart B, applicable to knowledge testing.

e. A third-party test examiner certified by the department to administer skills tests who is also a skills instructor shall not administer a skills test to an applicant who received skills training from that third-party test examiner.

f. A third-party test examiner may only administer CDL tests for the examiner's primary employer, unless authorized by the department to administer CDL tests for another county or third-party tester.

607.14(4) Bond. As a condition of certification in accordance with 49 CFR Section 383.75, a third-party tester that is not a government agency as defined in Iowa Code section 553.3 must maintain a bond in the amount of \$50,000 to pay for the retesting of drivers in the event that the third-party tester or one or more of its third-party test examiners are involved in fraudulent activities related to conducting tests of CDL applicants.

607.14(5) Training and refresher training for third-party test examiners. All training and refresher training required under this rule shall be provided by the department, in form and content that meet the recommendations of the American Association of Motor Vehicle Administrators' International Third-Party Examiner/Tester Certification Program.

This rule is intended to implement Iowa Code section 321.187.

761—607.15(321) Test results.

607.15(1) Period of validity. Passing knowledge and skills test results remain valid for a period of one year.

607.15(2) Retesting. Subject to rule 761—607.13(321), an applicant will be required to repeat only the knowledge test(s) or part(s) of the skills test that the applicant failed, unless the department requires the applicant to retake the test as part of an audit. An applicant who fails a test is not permitted to repeat

that test the same day. An applicant may be required to repeat a test if the department determines the test was improperly administered.

607.15(3) *Skills test results from other states.* As required by 49 CFR Section 383.79, the department will accept the valid results of a skills test administered to an applicant who is domiciled in the state of Iowa and that was administered by another state, in accordance with 49 CFR Part 383, Subparts F, G and H, in fulfillment of the applicant's testing requirements under 49 CFR Section 383.71 and the state's test administration requirements under 49 CFR Section 383.73 provided the results are transmitted directly from the testing state to the department as required by 49 CFR Section 383.79.

607.15(4) *Knowledge and skills test results from certified third-party testers.* A third-party tester shall transmit the results of tests administered by the third-party tester through secure electronic means determined by the department. The department may retest any person who has passed a knowledge or skills test administered by a certified third-party tester if the department believes the knowledge or skills test was administered fraudulently or improperly, and as needed to meet the third-party test examiner oversight requirements of 49 CFR Parts 383 and 384 applicable to knowledge and skills testing.

607.15(5) *Downgrade or cancellation when retesting is required.*

a. When retesting is required under subrule 607.15(2) or 607.15(4), the department will notify the person to retake the applicable knowledge or skills test, which may include an immediate retest if part of an audit.

b. If the person fails to contact the department within 30 days after receipt of the notice, fails to appear for a scheduled retest, or fails the knowledge or skills test, the department will, in accordance with the authority in 49 CFR Section 383.5 and Iowa Code section 321.201, take one of the following actions:

(1) Downgrade the person's commercial driver's license or commercial learner's permit if the person held valid noncommercial driving privileges prior to obtaining the license or permit.

(2) Cancel the person's commercial driver's license or commercial learner's permit pursuant to 761—subrule 615.7(3) if the applicant did not hold valid noncommercial driving privileges prior to obtaining the license or permit.

c. All applicable retesting and licensure requirements apply to a person seeking to regain the person's commercial driver's license or commercial learner's permit after a downgrade or cancellation.

This rule is intended to implement Iowa Code sections 321.180, 321.186, 321.187, 321.188 and 321.201.

761—607.16(321) Knowledge and skills testing of nondomiciled military personnel.

607.16(1) *Role of state of duty station.* The department may accept an application for a commercial driver's license or commercial learner's permit, including an application for waiver of the knowledge test as provided in subrule 607.12(5), if the applicant is an active duty military service member stationed, but not domiciled, in Iowa, and the department has an agreement to accept such applications with the applicant's state of domicile as provided in 49 CFR Section 383.79.

a. The applicant shall certify and provide evidence that the following apply:

(1) The applicant is regularly employed or was regularly employed within the past year in a military position requiring operation of a commercial motor vehicle.

(2) The applicant has a valid driver's license from the applicant's state of domicile.

(3) The applicant has a valid active duty military identification card.

(4) The applicant has a current copy of either the applicant's military leave and earnings statement or the applicant's orders.

b. If the applicant meets the requirements of paragraph 607.16(1)“a” and the department has an agreement with the applicant's state of domicile as provided in this subrule, the department may do either of the following:

(1) Administer the knowledge and skills tests to the applicant as appropriate in accordance with 49 CFR Part 383, Subparts F, G, and H, if the state of domicile requires those tests; or

(2) Waive the knowledge and skills tests in accordance with 49 CFR Section 383.77 and this chapter if the state of domicile also permits waiver of the knowledge and skills test.

c. The department may destroy the applicant's driver's license on behalf of the state of domicile unless the state of domicile requires the driver's license to be surrendered to the state of domicile's driver's licensing agency.

607.16(2) *Electronic transmission of application and test results.* The department will transmit to the state of domicile the applicant's application, any supporting documents and the results of any skills or knowledge tests administered as provided under this rule.

607.16(3) *Role of state of domicile.* If the department has an agreement with the applicant's state of duty station, upon completion of the applicant's application pursuant to 49 CFR Section 383.71 and any testing administered by the applicant's state of duty station pursuant to 49 CFR Sections 383.71 and 383.73, the department may do all of the following:

a. Accept the completed application, any supporting documents, and the results of the knowledge and skills tests administered by the applicant's state of duty station.

b. Issue the applicant a CLP or CDL.

This rule is intended to implement Iowa Code sections 321.180, 321.186, 321.187, and 321.188.

761—607.17(321) Commercial driver's license renewal. The department will administer commercial driver's license renewals as required by 49 CFR Section 383.73.

607.17(1) *Licensee requirements.* Unless eligible for electronic renewal pursuant to subrule 761—605.25(8), to renew a commercial driver's license, the licensee shall apply at a driver's license service center and complete the following requirements:

a. Provide a written self-certification of type of driving as required by rule 761—607.23(321) and, if required, provide a current medical examiner's certificate unless the person's medical examiner's certificate is provided to the department electronically by the Federal Motor Carrier Safety Administration.

b. If the licensee currently holds and wants to retain a hazardous material endorsement, pass the test required in 49 CFR Section 383.121 and comply with the Transportation Security Administration security threat assessment standards specified in 49 CFR Section 383.71(b)(8) and 49 CFR Section 383.141 effective October 1, 2024, for such endorsement. A lawful permanent resident of the United States must also provide the licensee's U.S. Citizenship and Immigration Services alien registration number.

c. Provide proof of citizenship or lawful permanent residency and state of domicile as required by rule 761—607.6(321) and 49 CFR Section 383.73(d)(7) unless proof of citizenship or lawful permanent residency was previously provided and the department has a notation on the licensee's record confirming that the required proof of legal citizenship or legal presence check was made and the date on which it was made.

d. If the licensee is domiciled in a foreign jurisdiction and renewing a non-domiciled commercial driver's license, provide a document required by 49 CFR Section 383.71(f) at each renewal.

607.17(2) *Early renewal.* A valid commercial driver's license may be renewed 90 days before the expiration date. If this is impractical, the department for good cause may renew a license earlier, not to exceed 364 days prior to the expiration date. The department may allow renewal earlier than 364 days prior to the expiration date for active military personnel being deployed due to actual or potential military conflict.

This rule is intended to implement Iowa Code sections 321.186, 321.188 and 321.196.

761—607.18(321) Transfers from another state. Upon initial application for an Iowa license, an Iowa resident who has a valid commercial driver's license from a former state of residence is not required to retest except as specified in Iowa Code section 321.188(5) but is required to pay the applicable endorsement and restriction removal fees.

This rule is intended to implement Iowa Code sections 321.188 and 321.191.

761—607.19(17A,321) Disqualification.

607.19(1) *Date.* A disqualifying act, action or offense under Iowa Code section 321.208, that occurred before July 1, 1990, shall not be grounds for disqualification from operating a commercial motor vehicle.

607.19(2) *Notice.* A 30-day advance notice of disqualification shall be served by the department in accordance with rule 761—615.37(321). Pursuant to Iowa Code section 321.208(12), a peace officer on behalf of the department may serve the notice of disqualification immediately.

607.19(3) *Hearing and appeal process.* A person who has received a notice of disqualification may contest the disqualification in accordance with rule 761—615.38(17A,321).

607.19(4) *Reduction of lifetime disqualification.*

a. As permitted by 49 CFR Section 383.51, a person subject to lifetime disqualification of the person's commercial driving privileges may apply to the department for reinstatement. The approval is subject to the discretion of the department and subject to the following requirements:

(1) The request may not be made prior to ten years from the effective date of the lifetime disqualification.

(2) The person must submit the request in a manner prescribed by the department.

(3) If the driving record contains alcohol-related or drug-related offenses that resulted in the lifetime disqualification, the person must have completed an alcohol or drug evaluation and have completed any recommended treatment that meets or exceeds the minimum standards approved by the Iowa department of health and human services. Evidence of a completed evaluation and treatment must be on file with the department or submitted with the application for reinstatement.

(4) Within the ten years preceding the request, the person must not have any of the following moving violation convictions:

1. A drug or alcohol offense.

2. Leaving the scene of an accident.

3. A felony involving the use of any motor vehicle.

4. Any moving violation while operating a commercial motor vehicle.

(5) The department may request, and the person shall provide, any additional information or documentation necessary to determine the person's eligibility for reinstatement or general fitness for licensure.

b. If the department finds the person is eligible for reinstatement under this subrule, the person shall do all of the following prior to reinstatement:

(1) Pay all outstanding reinstatement fees.

(2) Meet all outstanding reinstatement requirements.

(3) Pass the required knowledge, vision, and skills tests as specified in Iowa Code section 321.188.

(4) Complete any other courses or requirements as required by the director.

c. As provided in 49 CFR Section 383.51(a)(6), a person who has been disqualified for life for offenses committed under 49 CFR Section 383.51(b)(9) and (10), and a person who has previously had the person's commercial driving privileges reinstated pursuant to this subrule but is convicted of a new disqualifying offense, is not eligible to apply for reinstatement.

d. If the department determines the person is not eligible for reinstatement as provided in this subrule, the department will send notice by first-class mail to the person's mailing address as shown on departmental records that the lifetime disqualification remains in effect.

607.19(5) *Fraud related to testing and issuance.*

a. As required by 49 CFR Section 383.73(k) and Iowa Code section 321.201(2)“b,” the department will disqualify the commercial driver's license or commercial learner's permit of a person convicted or suspected of fraud related to the testing for or issuance of a commercial driver's license or commercial learner's permit.

b. Upon receipt of a person's conviction of fraud related to the issuance of the commercial driver's license or commercial learner's permit, the department will disqualify the person's commercial driver's license or commercial learner's permit for one year.

c. Upon receipt of credible evidence that a person is suspected of committing fraud relating to the issuance of a commercial driver's license or a commercial learner's permit, the department will notify the person of the requirement to retake the applicable knowledge or skills test. Within 30 days of receiving notice from the department, the person is required to contact the department to retake the knowledge or skills test. If the person fails to contact the department within 30 days after the notice, or the person fails the knowledge or skills test, or does not take the test, the department will disqualify the person's commercial driver's license or commercial learner's permit.

d. Once a person's commercial driver's license or commercial learner's permit has been disqualified, a new application for license will be required following the usual procedures as provided in Iowa Code section 321.188 and this chapter.

This rule is intended to implement Iowa Code chapter 17A and section 321.208.

761—607.20(321) Sanctions. When a person's motor vehicle license is denied, canceled, suspended, revoked or barred, the person is also disqualified from operating a commercial motor vehicle.

This rule is intended to implement Iowa Code section 321.208.

761—607.21(321) Reinstatement. To reinstate a commercial driver's license after completion of a period of disqualification, a person must appear at a driver's license service center, meet the vision standards for licensing, pass the applicable knowledge test(s) and the skills test, and pay the required reinstatement fee and the fees for a new license.

This rule is intended to implement Iowa Code sections 321.191 and 321.208.

761—607.22(321) Restricted commercial driver's license.

607.22(1) Scope. This rule pertains to the issuance of restricted commercial driver's licenses to employees of the following designated farm-related service industries: agrichemical businesses, custom harvesters, farm retail outlets and suppliers and livestock feeders as permitted by 49 CFR Section 383.3(f). A restricted commercial driver's license shall meet all requirements of a regular commercial driver's license, as set out in Iowa Code chapter 321 and this chapter, except as specified in this rule.

607.22(2) Validity.

a. A restricted commercial driver's license allows the licensee to drive a commercial motor vehicle for agricultural input purposes. The license is valid to:

- (1) Operate Class B and Class C commercial motor vehicles, including tank vehicles and vehicles equipped with air brakes, except passenger vehicles.
- (2) Transport the hazardous materials listed in paragraph 607.22(2) "b."
- (3) Operate only during the current, validated seasonal period.
- (4) Operate between the employer's place of business and the farm currently being served, not to exceed 150 miles.

b. A restricted commercial driver's license is not valid for transporting hazardous materials requiring placarding, except as follows:

- (1) Liquid fertilizers such as anhydrous ammonia may be transported in vehicles or implements of husbandry with total capacities of 3,000 gallons or less.
- (2) Solid fertilizers such as ammonium nitrate may be transported, provided they are not mixed with any organic substance.
- (3) A hazardous material endorsement is not needed to transport the products listed in the preceding subparagraphs.

c. When not driving for agricultural input purposes, the license is valid for operating a noncommercial motor vehicle that may be legally operated under the noncommercial license held by the licensee.

607.22(3) Requirements.

a. The applicant must have two years of previous driving experience. This means that the applicant held a license that permits unaccompanied driving for at least two years, including an intermediate license issued pursuant to Iowa Code section 321.180B. This does not include a motorized bicycle license, a special minor's restricted license or a minor's restricted work license.

b. The applicant must have a good driving record for the most recent two-year period as defined in subrule 607.22(4).

c. An applicant who currently holds an unrestricted commercial driver's license is not eligible for issuance of a restricted commercial driver's license.

607.22(4) Good driving record. A "good driving record" means a driving record showing:

a. No multiple licenses.

b. No driver's license suspensions, revocations, disqualifications, denials, bars, or cancellations of any kind.

c. No convictions in any type of motor vehicle for:

(1) Driving under the influence of alcohol or drugs.

(2) Leaving the scene of an accident.

(3) Committing any felony involving a motor vehicle.

(4) Speeding 15 miles per hour or more over the posted speed limit.

(5) Reckless driving, drag racing, or eluding or attempting to elude a law enforcement officer.

(6) Improper or erratic lane changes.

(7) Following too closely.

(8) A moving violation that contributed to a motor vehicle accident.

(9) A violation deemed serious under rule 761—615.17(321).

d. No record of contributive accidents as defined in rule 761—615.1(321).

607.22(5) Issuance.

a. The knowledge and skills tests described in rules 761—607.12(321) and 761—607.13(321) are waived.

b. A restricted commercial driver's license will be coded with restriction "W" on the face of the driver's license, with the restriction explained in text on the back of the driver's license. In addition, the license will be issued with a restriction stating the license's period of validity.

c. The expiration date for a restricted commercial driver's license that is converted from another Iowa license will carry the same expiration date as the previous license.

d. A restricted commercial driver's license may be renewed for the period of time specified in Iowa Code section 321.196. The licensee's good driving record will be confirmed at the time of renewal.

e. A licensee may have up to three individual periods of validity for a restricted commercial driver's license, provided the cumulative period of validity for all individual periods does not exceed 210 days in any calendar year. An individual period of validity may be 70, 105, or 210 consecutive days, at the election of the licensee. A licensee may add 35 days to an individual period of validity by applying for an extension, subject to the 210-day cumulative maximum period of validity. A request for extension must be made no later than the date of expiration of the individual period of validity for which an extension is requested; a request for extension made after that date will be treated as a request for a new individual period of validity. An extension will be calculated from the date of expiration of the individual period of validity for which an extension is requested. Any period of validity authorized previously by another state's license will be considered a part of the 210-day cumulative maximum period of validity.

f. A restricted commercial driver's license must be validated for commercial motor vehicle operation for each individual period of validity. This means the department will confirm the person's good driving record at each application for an individual period of validity. Upon confirmation, the department will issue a replacement license with a restriction validating the license for that individual period of validity, provided the person is otherwise eligible for the license.

g. The requirements of this subrule must be met for each individual period of validity within a calendar year.

This rule is intended to implement Iowa Code section 321.176B.

761—607.23(321) Self-certification of type of driving and submission of medical examiner's certificate.

607.23(1) *Applicants for a commercial learner's permit, a restricted commercial driver's license, or a duplicate, new, transferred, renewed or upgraded CDL.*

a. A person shall provide to the department a self-certification of type of driving if the person is applying for:

- (1) A commercial learner's permit.
 - (2) An initial commercial driver's license.
 - (3) A transfer of a commercial driver's license from a prior state of domicile to the state of Iowa.
 - (4) Renewal of a commercial driver's license.
 - (5) A license upgrade for a commercial driver's license or an endorsement authorizing the operation of a commercial motor vehicle not covered by the current commercial driver's license.
 - (6) A restricted commercial driver's license.
 - (7) A duplicate of any of the credentials listed in subparagraphs (1) through (6) above.
- b. The self-certification shall be on a form or in a format, which may be electronic, as determined by the department.

607.23(2) *Submission of medical examiner's certificate by persons certifying to non-excepted interstate driving.* Every person who self-certifies to non-excepted interstate driving must give the department a copy of the person's current medical examiner's certificate, unless the person's medical examiner's certificate is provided to the department electronically by the Federal Motor Carrier Safety Administration. The department will not issue, transfer, renew, or upgrade a license until the department receives a medical examiner's certificate that complies with the requirements of this subrule, or unless the person changes the person's self-certification of type of driving to a type other than non-excepted interstate driving. When the department receives a current medical examiner's certificate, the department will post information required by 49 CFR Section 383.73 and a medical certification status of "certified" on the person's CDLIS driver's record. A person who self-certifies to a type of driving other than non-excepted interstate will not have a medical certification status on the CDLIS driver's record.

607.23(3) *Maintaining certified status.* To maintain a medical certification status of "certified," a person who self-certifies to non-excepted interstate driving must give the department a copy of each subsequently issued medical examiner's certificate valid for the person unless the person's medical examiner's certificate is provided to the department electronically by the Federal Motor Carrier Safety Administration.

607.23(4) *CDL downgrade.* If the medical examiner's certificate or medical variance for a person self-certifying to non-excepted interstate driving expires or if the Federal Motor Carrier Safety Administration notifies the department that the person's medical variance was removed or rescinded, the department will post a medical certification status of "not certified" to the person's CDLIS driver's record and will initiate a downgrade of the person's commercial driver's license or commercial learner's permit. The medical examiner's certificate of a person who fails to maintain a medical certification status of "certified" as required by subrule 607.23(3) is deemed expired on the date of expiration of the last medical examiner's certificate filed for the person as shown by the person's CDLIS driver's record. The downgrade will be initiated and completed as follows:

a. The department will provide the person written notice that the person's medical certification status is "not certified" and that the commercial motor vehicle privileges will be removed from the person's commercial driver's license or commercial learner's permit 60 days after the date the medical examiner's certificate or medical variance expired or the medical variance was removed or rescinded unless the department receives a current medical certificate or medical variance or the person self-certifies to a type of driving other than non-excepted interstate.

b. If the department receives a current medical examiner's certificate or medical variance before the end of the 60-day period, the department will post a medical certification status of "certified" on the person's CDLIS driver's record and will terminate the downgrade of the person's commercial driver's license or commercial learner's permit.

c. If the person self-certifies to a type of driving other than non-excepted interstate before the end of the 60-day period, the department will not remove the commercial motor vehicle privileges from the person's commercial driver's license or commercial learner's permit, and the person will have no medical certification status on the person's CDLIS driver's record.

d. If the requirements in either paragraph 607.23(4) “b” or “c” are not met before the end of the 60-day period, the department will remove the commercial motor vehicle privileges from the person’s commercial driver’s license or commercial learner’s permit and will leave the person’s medical certification status as “not certified” on the person’s CDLIS driver’s record.

607.23(5) Establishment or reestablishment of “certified” status. A person who has no medical certification status or whose medical certification status has been posted as “not certified” on the person’s CDLIS driver’s record may have the person’s status established or reestablished as “certified” if the department receives a current medical examiner’s certificate or medical variance. A person who has failed to self-certify to a type of driving or has self-certified to a type of driving other than non-excepted interstate must also make a self-certification of type of driving to non-excepted interstate driving. The department will then post a medical certification status of “certified” on the person’s CDLIS driver’s record.

607.23(6) Reestablishment of the CDL privilege. A person whose commercial motor vehicle privileges have been removed from the person’s commercial driver’s license or commercial learner’s permit under the provisions of paragraph 607.23(4) “d” may have the person’s commercial motor vehicle privileges reestablished if either of the following occurs:

a. The department receives the person’s current medical examiner’s certificate or medical variance. A person who has failed to self-certify to a type of driving must also make an initial self-certification of type of driving to non-excepted interstate driving. The department will then post a medical certification status of “certified” on the person’s CDLIS driver’s record and reestablish the commercial motor vehicle privileges, provided that the person otherwise remains eligible for a commercial driver’s license or commercial learner’s permit.

b. The person self-certifies to a type of driving other than non-excepted interstate. The department will then reestablish the commercial motor vehicle privileges, provided that the person otherwise remains eligible for a commercial driver’s license or commercial learner’s permit; the person will have no medical certification status on the driver’s CDLIS driver’s record.

607.23(7) Change of type of driving. A person may change the person’s self-certification of type of driving at any time. As required by subrule 607.23(2), the department must receive a copy of the person’s current medical examiner’s certificate prepared by a medical examiner for a person certifying to non-excepted interstate driving.

607.23(8) Recordkeeping. The department will comply with the medical recordkeeping requirements set forth in 49 CFR Section 383.73.

607.23(9) Medical examiner’s certificate conflict. As required by 49 CFR Sections 383.71 and 383.73, in the event of a conflict between the medical certification information provided electronically by the Federal Motor Carrier Safety Administration and a paper copy of the medical examiner’s certificate, the medical certification information provided electronically by the Federal Motor Carrier Safety Administration shall supersede.

This rule is intended to implement Iowa Code sections 321.182, 321.188 and 321.207.

761—607.24(321) National drug and alcohol clearinghouse.

607.24(1) Applicability. This rule applies to:

- a. An applicant for or holder of a commercial learner’s permit,
- b. An applicant for or holder of a commercial driver’s license,
- c. An applicant seeking to transfer a commercial driver’s license from a prior state of domicile to the state of Iowa,
- d. An applicant seeking renewal of a commercial driver’s license,
- e. An applicant seeking to upgrade a commercial driver’s license or add an endorsement authorizing the operation of a commercial motor vehicle not covered by the current commercial driver’s license, or
- f. An applicant for or holder of a restricted commercial driver’s license.

607.24(2) Issuance procedures. Prior to issuing the license or permit, the department will request information from the national drug and alcohol clearinghouse to determine if the person is prohibited from operating a commercial motor vehicle pursuant to 49 CFR Section 382.501(a). The department will

not issue, renew, transfer, or upgrade the license or permit if the person is prohibited from operating a commercial motor vehicle pursuant to 49 CFR Section 382.501(a). However, this subrule is not in effect prior to the date established by the Federal Motor Carrier Safety Administration in 49 CFR Section 383.73 for state driver's license agency compliance with national drug and alcohol clearinghouse requirements.

607.24(3) *CDL downgrade.* Upon receiving notification that pursuant to 49 CFR Section 382.501(a) the person is prohibited from operating a commercial motor vehicle, the department will downgrade the license or permit and record the downgrade on the CDLIS driver record within 60 days of the department's receipt of such notification. However, this subrule is not in effect prior to the date established by the Federal Motor Carrier Safety Administration in 49 CFR Section 383.73 for state driver's license agency compliance with national drug and alcohol clearinghouse requirements. The downgrade will be initiated and completed as follows:

a. The department will give the person written notice that the person is prohibited from operating a commercial motor vehicle due to notification the department received from the national drug and alcohol clearinghouse that the person has engaged in conduct prohibited by 49 CFR Section 382.501(a) and that upon receipt of the notification, the department initiated a downgrade of the person's CLP or CDL.

b. If the department receives notification that the person is no longer prohibited from operating a commercial motor vehicle before the downgrade is completed, the department will terminate the downgrade process without removing the CLP or CDL privilege from the driver's license, transmit the information to the person's CDLIS driver record, and send written notice to the person.

c. If, after the downgrade is completed, the department receives notification from the national drug and alcohol clearinghouse that a driver is no longer prohibited from operating a commercial motor vehicle, the department will record the end of the downgrade on the person's CDLIS driver record, reinstate the CLP or CDL privilege to the driver's license, and send written notice to the person.

d. If, after the downgrade is completed, the department receives notification from the national drug and alcohol clearinghouse that the person was erroneously identified as prohibited from operating a commercial motor vehicle, the department will reinstate the CLP or CDL privilege to the driver's license as expeditiously as possible and remove from the CDLIS driver record and driving record any reference related to the person's erroneous prohibited status.

607.24(4) *Limitation on hearing and appeal.* An informal settlement, hearing, or appeal to contest the downgrade is limited to a determination of whether the facts required by Iowa Code sections 321.188 and 321.207 and this rule are true. The merits of the information conveyed by the national drug and alcohol clearinghouse to the department shall not be considered.

This rule is intended to implement Iowa Code sections 321.188 and 321.207.

761—607.25(321) Determination of gross vehicle weight rating.

607.25(1) *Actual weight prohibited.* In determining whether the vehicle is a representative vehicle for the skills test and the group of commercial driver's license for which the applicant is applying, the vehicle's gross weight rating or gross combination weight rating must be used, not the vehicle's actual gross weight or gross combination weight. For purposes of this rule, "gross weight rating" and "gross combination weight rating" mean the same as defined in 49 CFR Section 383.5 effective October 1, 2024.

607.25(2) *Vehicle without legible manufacturer's certification label.* To complete a skills test using a vehicle that has no legible manufacturer's certification label, whether a power unit or towed vehicle, the applicant must provide documentation of the vehicle's gross vehicle weight rating, such as a manufacturer's certificate of origin, a title, or the vehicle identification number information for the vehicle. In the absence of such documentation, the vehicle may not be used, either alone or in combination.

This rule is intended to implement Iowa Code section 321.1.

MV-2026-12

Kathleen Meradith-Eyers, Director, Motor Vehicle Division

The rulemaking proposes to repromulgate Chapter 607 in compliance with Executive Order 10.

Proposed Chapter 607 complies with Iowa Code sections 321.187 and 321.188, which require the Department to adopt rules to administer commercial driver's licenses in compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations and designate third-party testers to perform commercial driver's license knowledge and skills tests. The rules outline the application, eligibility, and testing requirements to obtain a commercial driver's license (CDL) and the governance structure for third-party test examiners.

The public comment period ended on June 18, 2025. The department did not receive any public comments.

It is recommended that the Commission approve repromulgating Chapter 607.

Commissioner Quirk moved and Commissioner Juckette seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Transportation Development Division
Division/Bureau/Office Local Systems Bureau Order No. TD-2026-13
Submitted by Debra Arp Phone No. 515-239-1681 Meeting Date August 12, 2025
Title Statewide Transportation Alternatives Set-aside Program Funding Recommendations

DISCUSSION/BACKGROUND:

Review of the special round of applications for funding from the Statewide Transportation Alternatives Set-aside Program has been completed. The following recommendations will be presented.

Iowa River's Edge Trail Bridges & Great American Rail Trail Connector (Marshalltown)	\$2,000,000
Waukee Regional Trail Connection and Safety Improvements Project (Waukee)	\$2,000,000
Emmons Street Pedestrian Bridge over I-380 (Hiawatha)	\$792,000
Duck Creek Trail Underpass at Division Street (Davenport)	\$205,200
Iowa River's Edge Trail Paving from Gifford to Union (Hardin County Conservation Board)	\$1,185,600
Total	\$6,182,800

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the Statewide Transportation Alternatives Set-aside Program funding recommendations, as listed.

COMMISSION ACTION:			Aye	Vote Nay	Pass
		Anderson	<u>x</u>	<u> </u>	<u> </u>
		Arnold	<u>x</u>	<u> </u>	<u> </u>
		Gaesser	<u>x</u>	<u> </u>	<u> </u>
Moved by	<u>Stutsman</u>	Juckette	<u>x</u>	<u> </u>	<u> </u>
		Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
		Quirk	<u>x</u>	<u> </u>	<u> </u>
		Stutsman	<u>x</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>			
Division Director	Legal	State Director			

TD-2026-13

Debra Arp, Local Systems Bureau

The Transportation Alternatives Set-aside program is the current iteration of a federal program that has existed in some form since 1991 in support of projects that will have a statewide or multi-regional impact, expand the state's multi-modal transportation system, and enhance tourism. Applications are received from mostly government agencies and awards are made through an annual application-based program. Earlier this spring, a special call for applications was announced seeking interest in funding remaining from the fall 2024 funding cycle.

In this special round, we received 16 applications requesting over \$18.6 million in funding. Last month, we shared with you our recommendation to fund 5 projects with \$6,182,800. We recommend you approve the Statewide Transportation Alternatives Set-Aside program recommendations as listed on the Commission Order.

Commissioner Stutsman moved and Commissioner Quirk seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Transportation Development Division
Division/Bureau/Office Modal Transportation Bureau Order No. TD-2026-14
Submitted by Shane Wright Phone No. 515-239-1048 Meeting Date August 12, 2025
Title Fiscal Year 2026 State Aviation Program

DISCUSSION/BACKGROUND:

The Modal Transportation Bureau requests approval for the fiscal year (FY) 2026 State Aviation Program, including project recommendations for the Commercial Service Vertical Infrastructure, General Aviation Vertical Infrastructure, and the Airport Improvement Program. Also included is the authorization to allow unused Commercial Service Vertical Infrastructure funds to be carried forward to current approved projects. The recommended program with project costs is attached.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the FY 2026 State Aviation Program as attached and approve the use of previously awarded and unused Commercial Service Vertical Infrastructure funds on projects awarded in this round.

COMMISSION ACTION:

Moved by Juckette Seconded by Anderson

Division Director Legal State Director

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Quirk	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

FY 2026 State Aviation Program

Airport Improvement Program	6,730,423
Aviation Safety AWOS maintenance and data link, runway marking, immediate safety enhancements, obstruction mitigation, wildlife mitigation, windsocks, education and outreach	370,000
Aviation Planning and Development Programs Air service development, statewide planning and research	473,000
Airport Development Projects	5,887,423
General Aviation Vertical Infrastructure	1,035,720
Commercial Service Vertical Infrastructure	1,900,000
Total Aviation Program	\$9,666,143

Airport Development projects

Airport	Project	Total Project Cost	State Amount
Algona Municipal Airport	Replace Airport Entrance Sign	25,000	12,500
Ames Municipal Airport	Fuel Farm Improvements - Jet A	725,000	400,000
Ankeny Regional Airport	Site Work to Construct Maintenance Facility	150,000	100,000
Atlantic Municipal Airport	East Taxilane Extension	130,000	91,000
Boone Municipal Airport	Replace Runway 15/33 Edge Lighting and REIL	550,000	400,000
Council Bluffs Municipal Airport	Construct Hangar Apron	165,000	82,500
Creston Municipal Airport	New GA Terminal Site Improvements	186,000	158,100
Davenport Municipal Airport	Reconstruct Taxiway C and Terminal Apron Entrance	500,000	400,000
Des Moines International Airport	North GA Apron Entrance Taxilane	874,751	396,638

Dubuque Regional Airport	Reconstruct GA Apron	670,000	400,000
Estherville Municipal Airport	Parallel Taxiway - Turf	570,000	399,000
Grinnell Regional Airport	Reconstruct Parking Apron	375,000	300,000
Le Mars Municipal Airport	Construct Taxiway and Reconstruct Apron	550,000	320,420
Milford Municipal Airport	Remove and Trim Trees	55,660	44,528
Mount Pleasant Municipal Airport	Construct Taxilane	485,000	225,000
Muscatine Municipal Airport	Construct Taxilane	550,000	400,000
Pella Municipal Airport	Apron Expansion	609,500	365,700
Sheldon Regional Airport	Zoning Ordinance Development	20,000	17,000
Sibley Municipal Airport	Runway Pavement Repairs	60,000	48,000
Sioux County Regional Airport	South Apron Expansion - Phase II	376,412	282,309
Sioux Gateway Airport	South Apron Reconstruction - Phase II	600,000	400,000
Spencer Municipal Airport	Construct Hangar Approaches	207,410	165,928
Spirit Lake Municipal Airport	Obstruction Mitigation	61,000	48,800
The Eastern Iowa Airport	Snow Removal Equipment Building Site Improvements and Paving	3,081,193	400,000
Waukon Municipal Airport	Develop ALP	37,500	30,000
Total		\$11,614,426	\$5,887,423

General Aviation Vertical Infrastructure projects

Airport	Project	Total Project Cost	State Amount
Ankeny Regional Airport	Construct Maintenance Storage Facility	1,661,000	300,000
Council Bluffs Municipal Airport	Construct Box Hangar	1,000,000	300,000
Creston Municipal Airport	New GA Terminal Building	226,200	135,720
Mount Pleasant Municipal Airport	Construct Hangars	526,400	300,000
Total		\$3,413,600	\$1,035,720

Commercial Service Vertical Infrastructure projects

Airport	Project	Total Project Cost	Allocated State Share
Des Moines International Airport	Maintenance Facility Expansion	1,314,000	718,040
Dubuque Regional Airport	Snow Removal Building, Exitlane, Hangar Improvements, Fuel Farm Improvements	300,000	124,238
The Eastern Iowa Airport	Snow Removal Equipment Building	31,513,261	445,250
Fort Dodge Regional Airport	Terminal and Hangar Renovations	125,000	120,812
Mason City Municipal Airport	Construct Utility Building	360,650	120,674
Sioux Gateway Airport	Terminal Improvements - Roof, Boilers, Doors	127,776	127,776
Southeast Iowa Regional Airport	Hangar Improvements, Expand Hold Area, Covered Walkway	125,000	120,107
Waterloo Regional Airport	Terminal Renovations	127,620	123,103
Total		\$33,993,307	\$1,900,000

TD-2026-14

Shane Wright, Modal Transportation Bureau

Last month the recommendation was presented to approve funds for the fiscal year (FY) 2026 State Aviation Program, the Commercial Service Vertical Infrastructure Program, the General Aviation Vertical Infrastructure, and the Airport Improvement Program totaling \$9.6 million for 37 projects at airports across the state. No questions or comments were received regarding the recommendation; therefore, it is recommended that the Commission approve the FY26 State Aviation Program as attached, and approve the use of previously awarded and unused Commercial Service Vertical Infrastructure funds for projects awarded in this round.

Commissioner Juckette moved and Commissioner Anderson seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Transportation Development Division
Division/Bureau/Office Modal Transportation Bureau Order No. TD-2026-15
Submitted by Brent Paulsen Phone No. 515-239-1132 Meeting Date August 12, 2025
Title Public Transit Infrastructure Grant Program Funding Recommendations

DISCUSSION/BACKGROUND:

The Modal Transportation Bureau requests approval for the Fiscal Year FY 2026 Public Transit Infrastructure Grant Program. The funding recommendations are listed below:

Maintenance Facility Expansion and Modernization (University of Iowa, Cambus)	\$ 566,096
In-Ground Hoist Replacement (Ames Transit Agency, CyRide)	\$ 566,096
Revolving Door Replacement (Des Moines Area Regional Transit Authority)	\$ 120,000
Passenger Elevator Replacement (Sioux City Transit)	\$ 163,048
Total	\$1,415,240

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the Fiscal Year 2026 Public Transit Infrastructure Grant Program funding recommendations as listed.

COMMISSION ACTION:

Moved by Arnold Seconded by Stutsman

Division Director Legal State Director

	Aye	Vote Nay	Pass
Anderson	<u>x</u>	_____	_____
Arnold	<u>x</u>	_____	_____
Gaesser	<u>x</u>	_____	_____
Juckette	<u>x</u>	_____	_____
Mulgrew Gronen	<u>x</u>	_____	_____
Quirk	<u>x</u>	_____	_____
Stutsman	<u>x</u>	_____	_____

TD-2026-15

Brent Paulsen, Modal Transportation Bureau

The Modal Transportation Bureau requests approval for the Fiscal Year FY 2026 Public Transit Infrastructure Grant Program. The projects were presented last month during the workshop and there were no questions.

It is recommended that the Commission approve the Fiscal Year 2026 Public Transit Infrastructure Grant Program funding recommendations as listed on the Commission Order.

Commissioner Arnold moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

DEPARTMENT OF TRANSPORTATION
COMMISSION ORDER

Division/Bureau/Office Field Operations Division Order No. FO-2026-16
Submitted by Tony Gustafson Phone No. 515-239-1430 Meeting Date August 12, 2025
Title Transfer of Jurisdiction of a portion of U.S. 61 in Louisa County

DISCUSSION/BACKGROUND:

District 5 has negotiated the transfer of a portion of U.S. 61, from the Des Moines County Line (Mile Marker 59.71) to 0.45 miles north of its junction with Iowa 78 (Mile Marker 61.16), to Louisa County. A roadway segment totaling approximately 1.45 miles will be transferred to the County (see attached map). Right of Way will be included in the transfer.

The roadway segment will be transferred in its present condition. The State will issue a lump sum payment to the County in the amount of \$812,000.

The State will transfer the Right of Way for the roadway segment to the County by quit-claim deed.

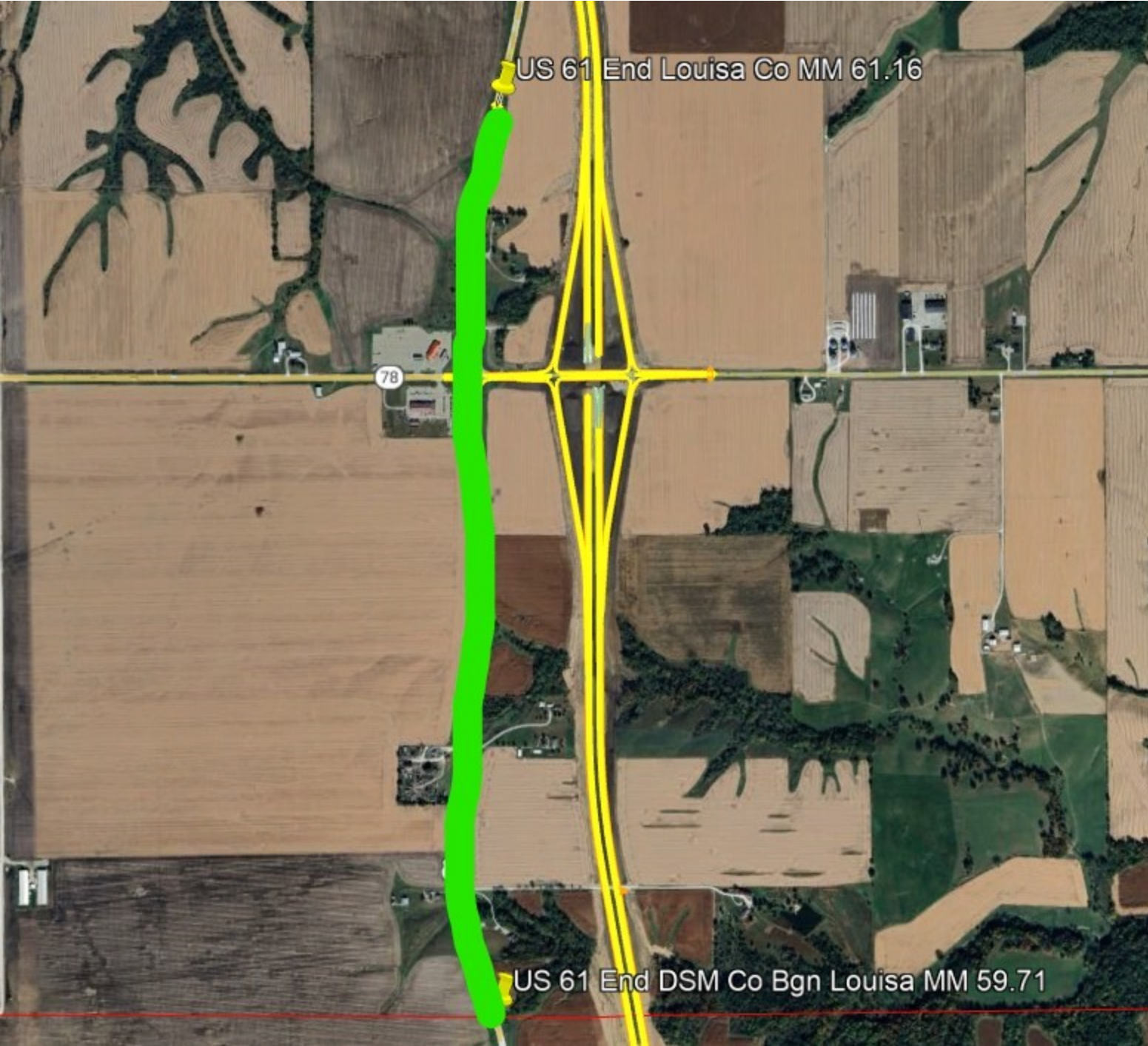
The County shall assume jurisdiction of the roadway segment following the execution of the Transfer of Jurisdiction Agreement, issuance of the lump sum payment, and upon written notification to the County of the time and date of the State's intention to transfer.

When the transfer becomes effective, the County will be responsible for future signing and maintenance of the roadway segment.

PROPOSAL/ACTION RECOMMENDATION:

It is recommended the Commission approve the transfer of jurisdiction of a portion U.S. 61 with Louisa County.

			Aye	Vote Nay	Pass
COMMISSION ACTION:		Anderson	<u>x</u>	<u> </u>	<u> </u>
		Arnold	<u>x</u>	<u> </u>	<u> </u>
		Gaesser	<u>x</u>	<u> </u>	<u> </u>
	Moved by <u>Juckette</u>	Seconded by <u>Stutsman</u>	<u>x</u>	<u> </u>	<u> </u>
		Mulgrew Gronen	<u>x</u>	<u> </u>	<u> </u>
		Quirk	<u>x</u>	<u> </u>	<u> </u>
	Stutsman	<u>x</u>	<u> </u>	<u> </u>	
<u> </u>	<u> </u>	<u> </u>			
Division Director	Legal	State Director			



FO-2026-16

Tony Gustafson, Director, Field Operations Division

District 5 has negotiated the transfer of a portion of U.S. 61, from the Des Moines County Line to 0.45 miles north of its junction with Iowa 78, to Louisa County. A roadway segment totaling approximately 1.45 miles will be transferred to the County. Right of Way will be included in the transfer.

The roadway segment will be transferred in its present condition. The State will issue a lump sum payment to the County in the amount of \$812,000.

The County shall assume jurisdiction of the roadway segment following the execution of the Transfer of Jurisdiction Agreement, issuance of the lump sum payment, and upon written notification to the County of the time and date of the State's intention to transfer.

It is recommended that the Commission approve the transfer of jurisdiction of a portion of U.S. 61 with Louisa County.

Commissioner Juckette moved and Commissioner Stutsman seconded a motion to approve.

There were no further questions or comments.

The vote to approve was unanimous.

The meeting was adjourned at 8:16 a.m.