

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

Department Name:	Department of Transportation	Date:	10/3/2024	Total Rule Count:	6
IAC #:	761	Chapter/ SubChapter/ Rule(s):	431	Iowa Code Section Authorizing Rule:	307.12(1)“j,” 321.H.4A
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of this chapter is to is to comply with Iowa Code chapter 321H by outlining the application and eligibility requirements to become a licensed vehicle recycler in the state.

Is the benefit being achieved? Please provide evidence.

Yes. There are currently 739 active vehicle recycler licenses in Iowa.

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

Any costs to the public related to applying for a vehicle recycler license are because of the underlying statute, which requires the Department to issue vehicle recycler licenses to qualified applicants.

The statute requires a \$70 application fee for a two-year license.

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

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

Do the costs justify the benefits achieved? Please explain.

Yes. The rules establish the eligibility requirements and application process for entities seeking a vehicle recycler license. This helps ensure only eligible entities are issued a recycler license.

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

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

There is no less restrictive alternative available for issuing vehicle recycler licenses other than establishing the basic eligibility criteria and application process in rule, which helps ensure the process is clear for applicants and is consistently applied.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

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431.1. General. This rule moves contact information for the Department to the application rule.
431.2. Criteria for a vehicle recycler. This rule was revised to remove redundant and unnecessary content.
431.3. Application. This rule removes redundant and unnecessary content.
431.4. Firm name. This rule is deleted, and its content moved to rule 431.2.
431.5. Denial, suspension or revocation. This rule removes redundant and unnecessary content.
431.6. Right of inspection. This rule is deleted, and its content moved to rule 431.2. The prior language regarding inspections during regular business hours was deleted because it is redundant of Iowa Code section 321.95.

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

431.4
431.6

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

431.1
431.2
431.3
431.4

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

METRICS

Total number of rules repealed:	2
Proposed word count reduction after repeal and/or re-promulgation	59
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	14

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

The Department recommends explicit rulemaking authority be added to Iowa Code section 321H.4 for the vehicle recycler license application and approval process. Although the Iowa Code requires an entity seeking to obtain a vehicle recycler license to apply to the Department, the Iowa Code does not outline the application process, or all of the eligibility requirements, which is instead done via administrative rule. The Department currently relies on general rule making authority in Iowa Code section 307.12(1)“j” in full, or at least partially, for the following rules:

431.1. General.
431.2. Criteria for a vehicle recycler.
431.3. Application.

431.4. Firm name.

431.5. Denial, suspension or revocation.

431.6. Right of inspection.