

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rulemaking related to tourist-oriented directional signing

The Transportation Department hereby amends Chapter 119, “Tourist-Oriented Directional Signing,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 321.252.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.252.

Purpose and Summary

This rulemaking removes gender identity from the list in the applicable rule for which compliance is required concerning business eligibility for participation in the Tourist-Oriented Directional Sign (TODS) program. This rulemaking implements 2025 Iowa Acts, Senate File 418 (Senate File 418), which removed gender identity from the list of protected classes in Iowa Code chapter 216.

After public comment, this rulemaking also removes the requirement that “CLOSED” panels be placed on the TODS signs during the off-season when the destination is not open to the public or when the hours of operation are below the minimum threshold for qualifying purposes.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 7, 2026, as **ARC 9881C**. Public hearings were held on the following date:

- January 28, 2026

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on March 10, 2026.

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.

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).

Effective Date

This rulemaking will become effective on May 20, 2026.

The following rulemaking action is adopted:

ITEM 1. Amend subrule 119.3(1) as follows:

119.3(1) The destination is open to the general public for a minimum of four days per week and 20 hours per week, year-round or during the normal season for the destination. These hours are exclusive of any hours of operation that are by appointment, reservation or membership. The hours are conspicuously posted on the premises except for destinations that are open 24 hours per day.

ITEM 2. Amend subrule 119.3(9) as follows:

119.3(9) The destination complies with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, ~~gender identity~~, national origin, religion or disability.

ITEM 3. Amend subrule 119.5(1) as follows:

119.5(1) *Installation and maintenance of tourist-oriented directional signs.* ~~Except as provided in subrule 119.5(4), the~~ The department will fabricate and perform the installation, maintenance, removal and replacement of tourist-oriented directional signs that are located within the right-of-way.

a. and *b.* No change.

ITEM 4. Rescind and reserve subrule **119.5(4)**.

ITEM 5. Amend **761—Chapter 119**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 321.252 ~~as amended by 2024 Iowa Acts, Senate File 2385, section 317.~~

[Filed 3/18/26, effective 5/20/26]

[Published 4/15/26]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/15/26.