

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

**Proposing rulemaking related to statewide sobriety and drug monitoring program
and providing an opportunity for public comment**

The Public Safety Department hereby proposes to rescind Chapter 159, “Statewide Sobriety and Drug Monitoring Program,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 901D.4 (repealed) and Executive Order 10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 901D (repealed) and Executive Order 10.

Purpose and Summary

In 2017, the Iowa Legislature passed 2017 Iowa Acts, Senate File 444, which directed the Department to establish a statewide sobriety and drug monitoring program to be used by participating jurisdictions and available 24 hours per day, seven days per week (also known as the 24/7 Program). Testing would occur at a county sheriff’s office within a participating county or at an established alternative testing location. Participants would be required to test for the presence of alcohol or drugs twice a day for up to 90 days if they had committed an eligible offense in the participating county. Participants would take part in the program if ordered to do so by a court as a condition of probation, as a condition of receiving a temporary restricted license (TRL) if the individual committed an eligible offense in a participating county, or as a condition of reinstating the individual’s license if the individual committed a repeat offense.

The intended purpose of this chapter was to provide for the nature and manner of testing, including the procedures and apparatus used for testing; to establish a fee structure to pay for the costs of the program; to provide for the acceptance of public and private grants and donations to support the program; to establish a stakeholder group to review and recommend changes to the program; and to establish an application process for jurisdictions that want to participate in the program.

Iowa Code chapter 901D has since been repealed due to insufficient data to support the program’s continuation. Since Iowa Code chapter 901D and the program no longer exist, the Department proposes to rescind Chapter 159 in its entirety.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

The Department received no public 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 rule 661—10.222(17A).

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 May 20, 2026. Comments should be directed to:

Josie Wagler
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6185
Email: wagler@dps.state.ia.us

Public Hearing

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

May 19, 2026 9:30 to 10 a.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa
May 20, 2026 2:30 to 3 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

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 or mobility impairments, should contact the Department 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 and reserve **661—Chapter 159**.