

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

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

The Department of Transportation hereby proposes to amend Chapter 607, “Commercial Driver Licensing,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 321.188.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.187, 321.188 and 321.207 through 321.208A.

Purpose and Summary

The purpose of the proposed amendments is to update the chapter to reflect the most recent version of the Code of Federal Regulations and to align Iowa’s rules with federal regulations governing the transportation of certain quantities of diesel fuel by holders of a restricted commercial driver’s license (CDL) and transportation of certain quantities of jet fuel in support of seasonal agricultural aircraft operations by holders of a Class A CDL. Iowa Code section 321.188 requires the Department to adopt rules for administering CDLs in accordance with the procedures outlined in 49 CFR Part 383. Additionally, 49 CFR §383.3(f)(3)(v) permits restricted CDL holders to transport up to 1,000 gallons of diesel fuel without needing a hazardous materials endorsement and 49 CFR §383.3(i) permits Class A CDL holders to transport up to 1,000 gallons of jet fuel in support of seasonal agricultural aircraft operations without needing a hazardous materials endorsement. Although Iowa Code section 321.176B(2) already allows a restricted commercial driver’s license holder to operate a commercial vehicle to the fullest extent authorized by 49 CFR §383.3(f), the administrative rule implementing this code section does not mention the diesel fuel hauling allowance, thus making enforcement of this provision unclear. The new exemption for jet fuel transportation was just recently adopted by the Federal Motor Carrier Safety Administration (FMCSA) on March 10, 2026.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on April 15, 2026. A public hearing was held on the following date(s):

- May 5, 2026

The Department received no comments. The Department made two changes from the Regulatory Analysis. Pursuant to the enactment of 2026 Iowa Acts, Senate File 2190, the term “physician assistant” was changed to the term “physician associate.” The legislation only changed the term of reference and made no substantive changes to the rights and responsibilities of a physician associate. The Department also proposes to adopt a change to the Federal Motor Carrier Safety regulations effective March 10, 2026, which allows states to waive the hazardous material endorsement for Class A CDL holders who transport no more than 1,000 gallons of jet fuel in support of seasonal agricultural aircraft operations.

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 15, 2026. Comments should be directed to:

Ryan Pell
Department of Transportation
DOT Rules Administrator, Office of the Director
800 Lincoln Way
Ames, Iowa 50010
Phone: 515.239.1358
Email: ryan.pell@iowadot.us

Public Hearing

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

July 15, 2026 11:30 a.m. to 12 noon	Microsoft Teams Or dial: 515.817.6093 Conference ID: 280 061 62#
July 15, 2026 2:30 to 3 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 489 837 127#

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 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. Amend rule **761—607.3(321)**, definitions of “Commercial driver’s license downgrade,” “Medical examiner,” “National drug and alcohol clearinghouse” and “Self-certification,” as follows:
“*Commercial driver’s license downgrade*” or “*CDL downgrade*” means the same as defined in 49 CFR Section 383.5 (October 1, ~~2024~~ 2025).
“*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~~ associates, advanced registered nurse practitioners, and doctors of chiropractic.
“*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~~ 2025).

“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~~ 2025, and is required to obtain a medical examiner’s certificate by 49 CFR Section 391.45 effective October 1, ~~2024~~ 2025.

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~~ 2025, from all or parts of the qualification requirements of 49 CFR Part 391 effective October 1, ~~2024~~ 2025, and is therefore not required to obtain a medical examiner’s certificate by 49 CFR Section 391.45 effective October 1, ~~2024~~ 2025.

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.

ITEM 2. Amend subrule 607.5(1) as follows:

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. and b. No change.

c. 49 CFR Part 380, Subpart F (October 1, ~~2024~~ 2025).

d. The following portions of 49 CFR Part 383 (October 1, ~~2024~~ 2025):

(1) to (5) No change.

e. 49 CFR Part 384, Subpart B (October 1, ~~2024~~ 2025).

ITEM 3. Amend paragraph **607.7(2)“c”** as follows:

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~~ 2025. 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).

ITEM 4. Amend subrule 607.7(3) as follows:

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~~ 2025, except that, for a person operating solely intrastate, the driver age qualifications are set out in Iowa Code section 321.449(3).

ITEM 5. Rescind subrule 607.8(1) and adopt the following **new** subrule in lieu thereof:

607.8(1)

a. 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, 2025. 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.

b. Pursuant to 49 CFR Section 173.5 effective October 1, 2025, 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.

c. Pursuant and subject to all the requirements of 49 CFR Section 383.3(i) effective March 10, 2026, a person acting within the scope of the person's employment with an agrichemical business, custom harvester, farm retail outlet or supplier, livestock feeder or agricultural aviation operation is not subject to the hazardous material endorsement while operating a service vehicle that meets the following criteria:

- (1) Is transporting diesel or jet fuel in a quantity of 1,000 gallons or less.
- (2) Is clearly placarded in accordance with 49 CFR part 172, subpart F.

ITEM 6. Amend subrule 607.12(5) as follows:

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~~ 2025. 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. to g. No change.

ITEM 7. Amend subrule **607.14(1)**, definition of "Motor carrier," as follows:

"Motor carrier" means the same as defined in 49 CFR Section 390.5 effective October 1, ~~2024~~ 2025.

ITEM 8. Amend paragraph **607.14(2)"b"** as follows:

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~~ 2025, applicable to knowledge and skills testing.

ITEM 9. Amend paragraph **607.17(1)"b"** as follows:

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~~ 2025, 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.

ITEM 10. Amend paragraph **607.22(2)"b"** as follows:

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) Diesel fuel in quantities of 1,000 gallons or less.

~~(3)~~ (4) A hazardous material endorsement is not needed to transport the products listed in the preceding subparagraphs.

ITEM 11. Amend subrule 607.25(1) as follows:

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~~ 2025.