

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to motor vehicle records—driver’s privacy protection and electronic communications and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 301, “Driver’s Privacy Protection—Motor Vehicle Records,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 321.11, 321.16A and 321A.3.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 321.11.

Purpose and Summary

The purpose of the proposed amendments is to align with 2026 Iowa Acts, Senate File 2088, sections 30 and 31, which classify phone numbers and email addresses as personal information under Iowa Code section 321.11, and to support electronic communication with Motor Vehicle Division customers through the Department’s new information technology (IT) system. Receiving electronic communications through the new system is voluntary and may be in the form of text or email notifications, or documents accessible through the system. The rulemaking identifies that the terms of accessing and receiving electronic communications from the Department will be made available to review prior to signing up. The proposed amendments also clarify the definition of express written consent and incorporate a \$0.50 per record fee for issuing noncertified copies of motor vehicle records as authorized under Iowa Code section 321.11(4). This fee matches the fee charged in Iowa Code section 321.491 for noncertified copies of certain records provided by the clerk of the district court, which are transferred to the Department as appropriated receipts.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 27, 2026. A public hearing was held on the following date(s):

- June 23, 2026

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 2504.

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 September 23, 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:

September 23, 2026 1:30 to 2 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 741 195 33#
September 23, 2026 4 to 4:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 556 950 299#

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 **761—Chapter 301**, title, as follows:
**DRIVER'S PRIVACY PROTECTION—MOTOR VEHICLE RECORDS—DRIVER'S PRIVACY
PROTECTION AND ELECTRONIC COMMUNICATIONS**

ITEM 2. Amend rule 761—301.1(321) as follows:

761—301.1(321) Applicability and adoption. This chapter applies to personal information and highly restricted personal information in motor vehicle records of the department and electronic communications from the department's records system. The department adopts the Driver's Privacy Protection Act of 1994 (18 U.S.C. §2721 and 2725 effective as of October 23, 2000, and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994) for motor vehicle records. The department does not provide the waiver procedure described in the Driver's Privacy Protection Act (codified as 18 U.S.C. §2721(d) effective as of October 23, 2000).

This rule is intended to implement Iowa Code section 321.11 and section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 3. Amend rule **761—301.2(321)**, definition of "Express written consent," as follows:

“Express written consent” as used in Iowa Code section 321.11 means the same as “express consent” as used and defined in 18 U.S.C. §2721 and §2725(5) effective as of October 23, 2000, and must either be notarized or accompanied by proof of identity of the requester individual or vehicle owner to whom the information applies.

ITEM 4. Amend rule 761—301.3(321) as follows:

761—301.3(321) Information and addresses. Information and forms for records pertaining to motor vehicle records may be obtained ~~at any driver’s license service center or~~ electronically from the department’s records system; by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9278, Des Moines, Iowa 50306-9278; in person at any driver’s license service center or 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.237.3110; by email at privacy.agreements@iowadot.us; or on the department’s website at www.iowadot.gov/mvd/vehicleregistration/records for vehicle records and www.iowadot.gov/mvd/driverslicense/records for driving records.

This rule is intended to implement Iowa Code section 321.11 and section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31.

ITEM 5. Amend rule 761—301.4(321) as follows:

761—301.4(321) Requirements and procedures —requesting access to motor vehicle records.

301.4(1) A requester seeking personal information or highly restricted personal information is required to:

a. Complete Form 431069, “Privacy Act Agreement for Request of Motor Vehicle Records,” and submit the form to the department’s records system, any driver’s license service center or the motor vehicle division at the address in rule 761—301.3(321). Requests for information about another individual require completion of Parts A, B (if applicable), C, and D of Form 431069. Requests for an individual’s own information require completion of Part A.

b. No change.

301.4(2) A law enforcement agency that requests personal information or highly restricted personal information is to either follow the process in subrule 301.4(1) or complete and submit Form ~~431200~~ 432069, “Certified Motor Vehicle Record Request Form for Use by County Attorney’s Offices and Law Enforcement Agencies,” to the department’s records system, any driver’s license service center or the motor vehicle division at the address in rule 761—301.3(321). Alternately, a law enforcement agency may enter into a memorandum of understanding with the department for the purposes of requesting personal information or highly restricted personal information.

301.4(3) Personal information and highly restricted personal information, except for an individual’s email address, telephone number and photograph or image, may be disclosed with the express written consent of the individual or vehicle owner to whom such information applies. When the requester has obtained the written consent of the individual or vehicle owner to whom the information applies, the requester must attach that written consent on a completed Form 431069, “Privacy Act Agreement for Request of Motor Vehicle Records,” and submit the form to any driver’s license service center or the motor vehicle division at the address in rule 761—301.3(321).

301.4(4) to 301.4(7) No change.

This rule is intended to implement Iowa Code sections 321.10, 321.11 as amended by 2026 Iowa Acts, Senate File 2088, section 30, 321.11 and 321.13; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 6. Amend rule 761—301.6(321,321A) as follows:

761—301.6(321,321A) Certified abstract of operating records.

301.6(1) A certified abstract of the operating record includes the information that is on the face of an individual’s driver’s license, plus information on the individual’s sanctions, reportable vehicle accidents, and convictions. The certified abstract of operating record does not include the

individual's email address, telephone number, photograph, social security number, or medical or disability information.

a. and *b.* No change.

301.6(2) and 301.6(3) No change.

This rule is intended to implement Iowa Code sections 321.11 as amended by 2026 Iowa Acts, Senate File 2088, section 30, 321.13 and 321A.3; 18 U.S.C. §2721 and 2725 effective as of October 23, 2000; and 18 U.S.C. §2722 through 2724 effective as of September 13, 1994.

ITEM 7. Adopt the following new subrule 301.7(5):

301.7(5) A \$0.50 per record fee for noncertified copies of motor vehicle records.

ITEM 8. Adopt the following new rule 761—301.8(321,321A):

761—301.8(321,321A) Electronic communications.

301.8(1) Pursuant to Iowa Code section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31, a person may consent to access and receive electronic communications and documents from the department through the department's records system.

301.8(2) Prior to giving consent, the department will make information available through the department's records system, website or other appropriate method as determined by the department regarding the terms of accessing and receiving electronic communications from the department, including the procedures for withdrawing consent.

301.8(3) Personal information and highly restricted personal information will be used and disclosed only as permitted under Iowa Code sections 321.11 and 321.16A and this chapter.

This rule is intended to implement Iowa Code section 321.16A as enacted by 2026 Iowa Acts, Senate File 2088, section 31.