

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Proposing rulemaking related to nonoperator's identification and providing an opportunity for public comment

The Department of Transportation hereby proposes to amend Chapter 630, "Nonoperator's Identification," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 321.190 and 321.195.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 321.190 and 321.195 and 2026 Iowa Acts, Senate File 2088.

Purpose and Summary

The purpose of the proposed amendments is to align the rules with 2026 Iowa Acts, Senate File 2088, sections 15 and 16, which authorize the Department to provide electronic nonoperator's identification card renewal and replacement services through the Department's new information technology (IT) system. The amendments also make corresponding technical and citation changes throughout the chapter.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 10, 2026. A public hearing was held on the following date(s):

- July 7, 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 7—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 22, 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 22, 2026 8:30 to 9 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 298 454 742#
September 22, 2026 3 to 3:30 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 648 743 567#

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 subrule **630.1(2)**, definition of "Temporarily present in this state," as follows:
"Temporarily present in this state" means a person who has temporary lawful status as defined in 6 CFR Section 37.3 effective January 1, ~~2024~~ 2025.

ITEM 2. Amend rule 761—630.2(321), catchwords, as follows:

761—630.2(321) Application, and issuance and renewal.

ITEM 3. Amend subrule 630.2(1) as follows:

630.2(1) An applicant for a nonoperator's identification card ~~is to complete and sign an application form at a driver's license service center. The signature shall be without qualification and contain only the applicant's usual signature without any other titles, characters or symbols or a current cardholder may provide the department with emergency contact information in accordance with rule 761—601.3(321) and is otherwise subject to the application, proof, authentication and consent requirements in 761—Chapter 601.~~

ITEM 4. Rescind subrule **630.2(2)**.

ITEM 5. Amend subrule 630.2(5) as follows:

630.2(5) No issuance fee is to be charged for a person whose license has been suspended for incapability pursuant to rule ~~761—615.14(321)~~ 761—615.7(321), who has been denied further licensing in lieu of a suspension for incapability pursuant to rule ~~761—615.4(321)~~ 761—615.7(321), or who voluntarily surrenders the person's license in lieu of suspension for incapability pursuant to rule ~~761—615.14(321)~~ 761—615.7(321).

ITEM 6. Amend subrule 630.2(6) as follows:

630.2(6) An applicant who is a foreign national who is temporarily present in this state must provide documentation of lawful status as required by ~~761—subrule 601.5(4)~~ 761—subrule 601.4(4) at each renewal.

ITEM 7. Amend subrule 630.2(7) as follows:

630.2(7) A person who seeks a nonoperator's identification card that is compliant with the REAL ID Act of 2005, 49 U.S.C. Section 30301 note, as implemented in 6 CFR Part 37 ("REAL ID nonoperator's identification card") effective January 1, ~~2024~~ 2025, must meet and comply with all lawful requirements for an Iowa nonoperator's identification card and must also meet and comply with all application and documentation requirements set forth at 6 CFR Part 37, including but not limited to documentation of identity, date of birth, social security number, address of principal residence and evidence of lawful status in the United States. Documents and information provided will be verified pursuant to 6 CFR Section 37.13. An applicant for a REAL ID nonoperator's identification card is subject to a mandatory facial image capture that meets the requirements of 6 CFR Section 37.11(a). A REAL ID nonoperator's identification card may not be issued, reissued or renewed except as permitted in 6 CFR Part 37 and may not be issued, reissued or renewed by any procedure, in any circumstance, to any person or for any term prohibited under 6 CFR Part 37. The information on the front of any REAL ID nonoperator's identification card must include all information and markings required by 6 CFR Section 37.17. Nothing in this subrule requires a person to obtain a REAL ID nonoperator's identification card.

ITEM 8. Amend subrule 630.2(9) as follows:

630.2(9) A nonoperator's identification card that is not issued as a REAL ID nonoperator's identification card as described in subrule ~~630.2(7)~~ 630.2(6) is to include the following statement on the face of the card: "not for REAL ID Act purposes" as required by 6 CFR Section 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

ITEM 9. Amend subrule 630.2(11) as follows:

630.2(11) An applicant for a nonoperator's identification card is to surrender all other driver's licenses and nonoperator's identification cards, other than a temporary permit held under Iowa Code section 321.181. This includes any driver's licenses or nonoperator's identification cards issued by a state other than Iowa or a foreign jurisdiction unless otherwise provided in a letter of understanding or other written memorialization of reciprocity or understanding. An applicant who renews a nonoperator's identification card electronically pursuant to subrule ~~630.2(10)~~ 630.2(9) is to destroy the previous nonoperator's identification card upon receipt of a renewed nonoperator's identification card.

ITEM 10. Renumber subrules **630.2(3)** to **630.2(11)** as **630.2(2)** to **630.2(10)**.

ITEM 11. Amend subrule 630.3(1) as follows:

630.3(1) *Lost, stolen or destroyed card.* To replace a nonoperator's identification card that is lost, stolen or destroyed, the cardholder shall provide the cardholder's full legal name, date of birth and social security number, all of which must be verified by the department, and pay the statutory replacement fee. A cardholder subject to ~~761—paragraph 601.5(2) "b"~~ 761—paragraph 601.4(2) "b" is to provide the applicant's U.S. Customs and Immigration Services number, which will be verified by the department. The department may investigate or require additional information as may be reasonably necessary to determine that the cardholder's identity matches the identity of record and will not issue the replacement card if the cardholder's identity is questionable, cannot be determined or otherwise does not match the identity of record. If the cardholder's current residential address, name or date of birth has changed since the previous card was issued, the cardholder is to comply with ~~761—subrule 605.11(2)~~ 761—subrule 605.10(2).

ITEM 12. Amend subrule 630.3(2) as follows:

630.3(2) *Voluntary replacement.* To voluntarily replace a nonoperator's identification card, the cardholder is to surrender to the department the card to be replaced. The applicable reasons a card may be voluntarily replaced and any additional conditions on supporting documentation required are the same as those listed in ~~761—paragraphs 605.11(2) "a" through "j."~~ 761—subrule 605.10(2).

ITEM 13. Rescind subrule 630.3(3) and adopt the following new subrule in lieu thereof:

630.3(3) *Electronic replacement.* An applicant who meets the applicable eligibility criteria set forth in ~~761—subrule 605.10(3)~~ may apply for electronic replacement of a nonoperator's identification card.

The applicable reasons a card may be replaced by electronic application and any additional conditions or supporting documentation required are the same as those listed in 761—subrule 605.10(3).

ITEM 14. Amend **761—Chapter 630**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.13, 321.181, 321.189, 321.190 as amended by 2026 Iowa Acts, Senate File 2088, section 15, 321.195 as amended by 2026 Iowa Acts, Senate File 2088, section 16, and 321.216 through 321.216C; the REAL ID Act of 2005 (49 U.S.C. Section 30301 note) as amended by the REAL ID Modernization Act, H.R. 133, Division U, Title X; and 6 CFR Part 37.