ARC 0779D

PUBLIC SAFETY DEPARTMENT[661]

Adopted and Filed

Rulemaking related to special railway agents

The Department of Public Safety hereby rescinds Chapter 13, "Special Railway Agents," Iowa Administrative Code, and adopts a new Chapter 13 with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 80.25 and Executive Order 10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 80.25.

Purpose and Summary

Pursuant to Executive Order 10, the Department hereby rescinds Chapter 13 and adopts a new chapter in lieu thereof. The chapter establishes training, standards, and application processes for special railway agents in Iowa.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on September 30, 2026, as **ARC 0607D**. A public hearing was held on the following date(s):

- October 20, 2026
- October 21, 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 November 4, 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 7—Chapter 2504.

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 December 30, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 661—Chapter 13 and adopt the following **new** chapter in lieu thereof:

CHAPTER 13
SPECIAL RAILWAY AGENTS

661—13.1(17A,80) Appointment of railway special agents. The division of professional development and support services processes applications for appointment as railway special agents from persons who are regularly employed by a railroad so those persons may protect railroad property.

661—13.2(17A,80) Standards and training requirements. All applicants shall meet minimum standards to qualify as law enforcement officers as established in the Iowa law enforcement academy rules and will meet all training requirements of the Iowa law enforcement academy.

661—13.3(17A,80) Letter of request. The chief special agent of the railroad company shall submit a letter of request for the appointment of a railroad employee as railway special agent, including the applicant's full name. This letter and all other correspondence is to be sent to this division.

661—13.4(17A,80) Application packet. Each railway special agent applicant shall complete an application provided by the department. The application submission packet will include the 3″ × 3″ photograph, as required, and two additional photographs measuring 1½″ × 1½″ suitable for the identification card. The application packet will also include information regarding the background investigation completed by the railroad employer, including:

13.4(1) Written comments from former employers in reference to honesty, integrity, character, personality and working performance of the applicant.

13.4(2) Written comments by personnel with any state, municipal or county law enforcement agency about the applicant and the applicant's prior employment and residences.

13.4(3) A check with all creditors for payment record and obligations.

13.4(4) A check with the clerk of court in the applicant's county of residence for any court action, civil or criminal.

13.4(5) A check with the county recorder's office where the applicant resides to determine any property listed in the applicant's name and liens that may be on file.

13.4(6) A check with the credit bureau where the applicant resides or has been employed for the applicant's credit rating.

13.4(7) Certified copies of any educational records that are available (high school and college transcripts) and DD201 military form, if any.

661—13.5(17A,80) Review of application. Upon receipt of all material necessary for the appointment of a railway special agent, the division will process the application. All material will be reviewed and maintained in the administrative services division headquarters' files. The division will conduct further investigation of the applicant, which may include a check of driver's license and motor vehicle files, criminal history data records and verification of the fact that income tax returns have been filed with the Iowa department of revenue.

661—13.6(17A,80) Surety bond. Before appointment, a surety bond issued by an Iowa-licensed bonding or surety company in the amount of $5,000 will be submitted by the requesting railroad company. The surety bond shall name the railway special agent and the bond shall state that the bonded person is a duly appointed railway special agent. Surety bonds shall be issued for each person and

remain in effect until 30 days after the company providing the bond gives notice to the department that the bond will be terminated.

661—13.7(17A,80) Weapons permit. If the applicant needs a weapons permit, the application shall show that the requirements outlined in 661—Chapter 91 have been fulfilled. Each railroad employer of a railway special agent will file with this division Form WP1 or WP2 to renew the weapons permit. Continuous weapons training is required to ensure that each railway special agent demonstrates necessary proficiency in the use of weapons.

661—13.8(17A,80) Identification card. After the application is approved, the railroad company will be issued an identification card for the applicant. This card should have affixed one fingerprint and the signature of the applicant. It shall then be returned to the administrative services division for authentication signatures.

661—13.9(17A,80) Notification. The railroad company shall notify the administrative services division, within five working days, when any of the following take place:

13.9(1) The railway special agent appointed by the department is terminated from employment, and provide the railway special agent's identification card and weapon permit.

13.9(2) The railway special agent has been hospitalized for a long-term illness or is undergoing psychiatric evaluation or treatment.

These rules are intended to implement Iowa Code section 80.25.

[Filed 11/4/26, effective 12/30/26]
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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/25/26.