

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 604
“License Examination”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j” and 321.186

State or federal law(s) implemented by the rulemaking: Iowa Code sections 307.12(1)“j,” 321.1, 321.2, 321.3, 321.13, 321.20A, 321.174, 321.177, 321.178, 321.178A, 321.180 through 321.181, 321.186, 321.186A, 321.189, 321.193, 321.196, 321.198 and 321.210

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

April 11, 2025
1 to 1:30 p.m.

[Microsoft Teams Link](#)
Or dial: 515.817.6093
Conference ID: 170 430 735

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Kasey Lee
6310 SE Convenience Boulevard
Ankeny, Iowa 50021
Email: kasey.lee@iowadot.us

Purpose and Summary

The purpose of this proposed chapter is to comply with Iowa Code sections 321.177 and 321.186. Iowa Code section 321.177 prohibits the Department from issuing a driver’s license to an applicant who fails to pass an examination or is unable to operate a motor vehicle safely due to a physical or mental disability. Iowa Code section 321.186 authorizes the Department to examine an applicant for a driver’s license to determine an applicant’s ability to operate a motor vehicle safely.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no costs or fees associated with this proposed chapter beyond what is required by the underlying statute.

• **Classes of persons that will benefit from the proposed rulemaking:**

Persons seeking to obtain a driver’s license will benefit from these rules by knowing the qualifications required.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• **Quantitative description of impact:**

There are no additional quantitative impacts that were not already anticipated as a result of the underlying statute.

• **Qualitative description of impact:**

The result of reorganizing, streamlining and reducing redundancy in the proposed chapter will create a positive impact by producing a more user-friendly version that drivers rely on for understanding how to qualify for a driver's license.

3. Costs to the State:

• **Implementation and enforcement costs borne by the agency or any other agency:**

There are no additional implementation or enforcement costs in the proposed rules that were not already required as a result of the underlying statute.

• **Anticipated effect on state revenues:**

There are no anticipated effects on state revenues beyond the underlying statute.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

The benefits of the proposed rules are consistency and transparency in the processes and requirements for driver's license examination.

The cost of inaction is the inability for qualified applicants to understand quickly and efficiently what is required to obtain a driver's license.

There is no benefit of inaction.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

There are no less costly or less intrusive methods to achieve the purpose of the proposed rules.

6. Alternative methods considered by the agency:

• **Description of any alternative methods that were seriously considered by the agency:**

The Department did not consider alternatives for the proposed rules. The Department's rules adhere to national best practices for performing driver's license examinations.

• **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

• Establish less stringent compliance or reporting requirements in the rulemaking for small business.

• Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

• Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

• Establish performance standards to replace design or operational standards in the rulemaking for small business.

• Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no small business impact.

Text of Proposed Rulemaking

ITEM 1. Rescind 761—Chapter 604 and adopt the following **new** chapter in lieu thereof:

CHAPTER 604
LICENSE EXAMINATION

761—604.1(307,321) Authority and scope.

604.1(1) The department is authorized to determine by examination an applicant's ability to operate motor vehicles safely upon the highways and to issue all driver's licenses.

604.1(2) This chapter applies to the examination for all driver's licenses. Information on the additional examination procedures and requirements for a commercial driver's license or commercial learner's permit is given in 761—Chapter 607.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.2, 321.3, 321.13, 321.177 and 321.186.

761—604.2(307,321) Definitions.

“*Binocular field of vision*” is the sum of the temporal measurements or the sum of the nasal measurements.

“*License*” means “driver's license” as defined in Iowa Code section 321.1(20A) unless the context otherwise requires.

“*Monocular field of vision*” is the sum of the temporal measurement and the nasal measurement for one eye.

“*Representative vehicle*” is a vehicle that is characteristic of and requires operating skills comparable to those vehicles that may legally be operated under the class of license or endorsement desired.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.174 and 321.186.

761—604.3(307) Information and forms.

604.3(1) Applications, forms and information about driver's license examinations are available at any driver's license service center. Assistance is also available by mail at Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at 515.244.8725; by facsimile at 515.239.1837; or on the department's website at www.iowadot.gov/mvd/driverslicense/driverslicense/descriptions.

604.3(2) The “Iowa Driver Manual” and the “Iowa Motorcycle Operator Manual” are also available from the department and on the department's website.

This rule is intended to implement Iowa Code section 307.12(1)“j.”

761—604.4(307,321) Examination.

604.4(1) An examination is to include:

- a. A vision screening if the person has not filed a vision report.
- b. A knowledge test of Iowa traffic laws and highway signs.
- c. A driving test of the person's ability to operate a motor vehicle.

604.4(2) The examination required for a driver's license depends upon the class of license requested, applicable endorsements and the qualifications of the applicant.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186 and 321.186A.

761—604.5(307,321) Vision screening.

604.5(1) *Method.* Prior to issuance, the department will use a vision screening instrument to screen the applicant's vision. An applicant who uses corrective lenses may be screened with or without the corrective lenses.

604.5(2) *Report.* A vision report measuring visual acuity level and field of vision is to be submitted on Form 430032 signed by a licensed vision specialist within 30 days prior to submission to the department for consideration. In lieu of Form 430032, a letter signed by a licensed vision specialist may be accepted if it contains all the information specified on Form 430032.

604.5(3) *Exception for persons renewing electronically.* An applicant renewing a driver's license electronically pursuant to 761—subrule 605.25(7) is not required to complete a vision screening or submit a vision report. This subrule does not preclude the department from requiring a vision

screening or vision report of a person who has renewed a driver's license electronically when the department has reason to believe that the person is not capable of operating a motor vehicle safely.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186, 321.186A and 321.196.

761—604.6(307,321) Vision standards. The visual acuity and field of vision standards for licensing and the applicable restrictions are as follows.

604.6(1) Visual acuity standards.

a. When the applicant is screened without corrective lenses. If the visual acuity is 20/40 or better with both eyes or with the better eye, no restriction will be imposed. If the visual acuity is less than 20/40 but at least 20/70 with both eyes or with the better eye, the applicant is to be restricted from driving when headlights are required.

b. When the applicant is screened with corrective lenses. If the visual acuity is 20/40 or better with both eyes or with the better eye, the applicant is to be restricted to wear corrective lenses when driving. If the visual acuity is less than 20/40 but at least 20/70 with both eyes or with the better eye, the applicant is to be restricted from driving when headlights are required and to wear corrective lenses when driving.

c. Other standards.

(1) If the visual acuity in the left eye is less than 20/100, the applicant is to be restricted to driving a vehicle with both left and right outside rearview mirrors. However, if the applicant has a visual acuity of 20/40 in the right eye and less than 20/100 in the left eye without corrective lenses and has corrective lenses that improve the vision in the left eye to better than 20/100, the applicant is to have the option of being restricted to driving with corrective lenses or driving a vehicle with both left and right outside rearview mirrors.

(2) A driving test is required prior to issuance the first time visual acuity measures below 20/40.

604.6(2) Field of vision standards.

a. If the binocular field of vision is at least 140 degrees, no restriction will be imposed.

b. If the binocular field of vision is less than 140 degrees but at least 110 degrees, or one eye has a monocular field of vision of at least 100 degrees, the applicant is to be restricted to driving a vehicle with both left and right outside rearview mirrors.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.186, 321.193 and 321.196.

761—604.7(307,321) Vision referrals.

604.7(1) Referral.

a. If, during any vision screening, an applicant cannot attain 20/40 with at least one eye but can attain 20/70 with at least one eye, the department will not issue a license to the applicant and will advise the applicant to consult a licensed vision specialist.

b. A vision report, pursuant to subrule 604.5(2), is required before the department will reconsider licensing.

604.7(2) License. If the applicant's license is valid, the department may issue a temporary driving permit with restrictions appropriate to the applicant's visual acuity level and field of vision. If the applicant's license is valid for less than 30 days, the temporary driving permit will not be valid for more than 60 days from the end of the current license validity.

604.7(3) Report. If the vision report recommends a restriction, the department will issue a restricted license even though it would not be required by departmental standards.

604.7(4) Applicant refusal. If an applicant refuses to consult a licensed vision specialist, the department will issue or deny the license based on the results achieved on the vision screening.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.181, 321.186, 321.186A, 321.193 and 321.196.

761—604.8(307,321) Vision screening results.

604.8(1) *Two-year license.* An applicant who cannot attain a visual acuity of 20/40 with both eyes or with the better eye will be issued a two-year license.

604.8(2) *License denied.*

a. An applicant who cannot attain a visual acuity of 20/70 with both eyes or with the better eye will not be licensed subject to discretionary issuance under subrule 604.8(4).

b. If the applicant's binocular field of vision is less than 110 degrees or the monocular field of vision is less than 100 degrees, the applicant will not be licensed subject to discretionary issuance under subrule 604.8(4).

604.8(3) *Reapplication.* An applicant who cannot meet the vision standards in subrule 604.8(2) may reapply when the vision improves and the applicant meets the vision standards. If a suspension or denial notice was served, reapplication is to be made to the motor vehicle division at the address in subrule 604.3(1) or at a driver's license service center.

604.8(4) *Discretionary issuance.*

a. An applicant whose license is restricted under rule 761—604.6(321) or who cannot meet the vision standards in subrule 604.8(2) may submit a written request for review by the department.

b. Based upon consideration of the applicant's vision report, driving test and driving record, the written recommendation of the applicant's licensed vision specialist and traffic conditions in the vicinity of the applicant's residence, the department may recommend issuing a license with restrictions suitable to the applicant's capabilities subject to the following:

(1) An applicant who cannot attain a visual acuity of 20/100 with both eyes or with the better eye may be considered for licensing only after recommendation by the medical advisory board.

(2) An applicant who cannot attain a visual acuity of 20/199 with both eyes or with the better eye will not be licensed.

(3) An applicant who cannot attain a binocular or monocular field of vision of 75 degrees may be considered for licensing only after recommendation by the medical advisory board.

(4) An applicant who cannot attain a binocular or monocular field of vision of 21 degrees will not be licensed.

c. The department's recommendation denying discretionary issuance or regarding the extent and nature of restrictions is subject to reversal or modification upon review or appeal only if it is clearly characterized by an abuse of discretion.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.186, 321.186A, 321.193 and 321.196.

761—604.9(307,321) Knowledge test.

604.9(1) *Written test.* A knowledge test is used to determine an applicant's ability to read and understand Iowa traffic laws and the highway signs that regulate, warn and direct traffic. The department reserves the right to revise a test at any time and will declare the minimum passing score for each test.

604.9(2) *Oral test.* An applicant who is unable to read or understand a written test may request an oral test. The oral test may be administered by an examiner or by an automated testing device.

604.9(3) *Test score.* The test score result is valid for 180 days.

604.9(4) *Retesting.* An applicant who fails a knowledge test may repeat the test at the discretion of the examiner.

This rule is intended to implement Iowa Code sections 307.12(1) "j" and 321.186.

761—604.10(307,321) Knowledge test requirements and waivers.

604.10(1) *Knowledge test requirements.* The knowledge test requirements are as follows:

a. An operator's knowledge test is required for all classes of noncommercial driver's licenses and all types of special driver's licenses and permits.

b. A motorcycle knowledge test is required for all:

- (1) Motorcycle instruction permits.
- (2) Class M driver's licenses.
- (3) Motorcycle endorsements.

604.10(2) Knowledge test waivers. The department may waive a knowledge test listed in subrule 604.10(1) if the applicant meets one of the following qualifications:

- a. The applicant has passed the same type of test for another Iowa driver's license or an equivalent out-of-state license that is still valid or has expired within the past year.
- b. The applicant has a valid, equivalent driver's license issued by a foreign jurisdiction with which Iowa has a nonbinding reciprocity agreement.
- c. The applicant has a military extension and is renewing the applicant's Iowa driver's license within six months following separation from active duty.
- d. The applicant is renewing an Iowa driver's license or endorsement within a period of one year after the expiration date of the license or endorsement.
- e. The applicant is reinstating from a denial, cancellation, suspension, revocation, disqualification or bar of an Iowa driver's license or endorsement within a period of one year after the expiration date of the denial, cancellation, suspension, revocation, disqualification or bar.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.1(8), 321.180 through 321.180B, 321.186, 321.189, 321.196 and 321.198.

761—604.11(307,321) Driving test. A driving test is used to determine an applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle under actual traffic conditions. The test may also be called a road test, field test or driving demonstration. A motorcycle skills test is an off-street demonstration of an applicant's ability to control the motorcycle in a set of standard maneuvers, and a motorcycle driving test is an on-street demonstration.

604.11(1) Vehicle type and safety.

- a. For the driving test, the applicant is to provide a representative vehicle and proof of financial responsibility for the representative vehicle.
- b. The examiner or other authorized personnel will visually inspect the vehicle. If a vehicle is illegal or unsafe or is not a representative vehicle, the examiner will refuse to administer the test until an acceptable vehicle is provided.

604.11(2) Criteria and route. Form 430024 explains the test criteria and will be given to the applicant before any operator's driving test. The applicant will be directed over one of the routes that have been preselected by the examiner to test driving skills and maneuvers.

604.11(3) Test score. The examiner will use the standard departmental score sheet to record the test score and the licensing decision. At the end of the test, the examiner will explain the test score to the applicant. The test score result is valid for 180 days.

604.11(4) Retesting. An applicant who fails a driving test may repeat the test at the discretion of the examiner.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.174 and 321.186.

761—604.12(307,321) Driving test requirements and waivers for noncommercial driver's licenses.

604.12(1) Driving test requirements. The driving test requirements for noncommercial driver's licenses are as follows:

- a. *Instruction permits.* An applicant is not required to obtain an instruction permit for a driving test.
- b. *Class C driver's licenses.* For a Class C driver's license other than an instruction permit or a motorized bicycle license, an operator's driving test is to be in a representative vehicle, except that an autocycle as defined in Iowa Code section 321.1(6A) cannot be used for the driving test.
- c. *Class D driver's licenses.* For a Class D driver's license, a driving test in a representative vehicle for the endorsement requested, as set out in 761—subrule 605.7(3), is required.

d. Class M driver's licenses and motorcycle endorsements. The driving test for a Class M driver's license or motorcycle endorsement consists of two parts: an off-street motorcycle skill test and an on-street motorcycle driving test.

(1) The off-street motorcycle skill test is required. The on-street motorcycle driving test is also required if the applicant does not have another driver's license that permits unaccompanied driving. Neither motorcycle test is required for the purposes of operating an autocycle.

(2) A motorcycle is to be used for the motorcycle skills test and motorcycle driving test. If a three-wheeled motorcycle is used, the driver's license will be restricted: "Not valid for 2-wheel vehicle." An autocycle is not considered a motorcycle or a three-wheeled motorcycle for testing purposes.

e. Motorized bicycle licenses. For a motorized bicycle license, an off-street or on-street driving test may be required. A motorized bicycle is to be used for the test.

604.12(2) Driving test waivers. The department may waive a required driving test listed in subrule 604.12(1) if the applicant meets one of the following qualifications:

a. The applicant has successfully completed the appropriate Iowa-approved course or courses. The appropriate Iowa-approved courses are the following: driver education, other than driver education by a teaching parent under rule 761—634.11(321), for an applicant's first Class C driver's license that permits unaccompanied driving other than motorized bicycle; motorcycle rider education for a Class M driver's license or motorcycle endorsement; and motorized bicycle education for a motorized bicycle license. However, if an applicant is under the age of 18, a driving test is required if requested by the applicant's parent, guardian or course instructor.

b. The applicant is renewing a Class C, Class D or Class M Iowa driver's license or endorsement within a period of one year after the expiration date of the license or endorsement.

c. The applicant is reinstating from a denial, cancellation, suspension, revocation, disqualification or bar of an Iowa driver's license or endorsement within a period of one year after the expiration date of the denial, cancellation, suspension, revocation, disqualification or bar.

d. The applicant has passed the same type of driving test for another Iowa driver's license or endorsement that is still valid or has expired within the past year.

e. The applicant has a military extension and is renewing the applicant's Iowa driver's license within six months following separation from active duty.

f. The applicant is applying for a Class C Iowa driver's license that permits unaccompanied driving and has an equivalent out-of-state license that is valid or has expired within the past year.

g. The applicant is applying for a Class D Iowa driver's license and has an equivalent out-of-state license that is valid or has expired within the past year.

h. The applicant is applying for a Class M driver's license or a motorcycle endorsement and has an equivalent out-of-state Class M driver's license or motorcycle endorsement that is valid or has expired within the past year.

i. The applicant has a valid, equivalent driver's license issued by a foreign jurisdiction with which Iowa has a nonbinding reciprocity agreement.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.1, 321.174, 321.178, 321.178A, 321.180 through 321.180B, 321.186, 321.189, 321.193, 321.196 and 321.198.

761—604.13(307,321) Failure to pass examination.

604.13(1) An applicant who fails to pass a required examination or reexamination will not be licensed.

a. If the applicant does not have a valid Iowa license, the department will deny the applicant a license.

b. If the applicant has a valid Iowa license, the department will suspend the license for incapability. However, if the applicant's license is valid for less than 30 days, the department will deny further licensing. The department will serve a notice of suspension or denial.

c. More information regarding denials and suspensions for incapability can be found in rule 761—615.4(321).

d. An applicant may contest a denial or suspension in accordance with rule 761—615.38(321).

604.13(2) Limitations on the hearing and appeal process.

a. After a suspension or denial for failure to pass a required knowledge or driving test, a person who contests the suspension or denial has exhausted the person’s administrative remedies after three unsuccessful attempts to pass the required test.

b. After the three unsuccessful attempts, no further testing will be allowed until six months have elapsed from the date of the last test failure and then only if the applicant demonstrates a significant change or improvement in those physical or mental factors that resulted in the original decision. A request for further testing must be submitted in writing to the motor vehicle division at the address in subrule 604.3(1).

c. Notwithstanding paragraphs 604.13(2) “*a*” and “*b*,” no testing will occur if the department determines that it is unsafe to allow testing.

This rule is intended to implement Iowa Code sections 307.12(1) “*j*,” 321.177, 321.180A and 321.210.

761—604.14(307,321) Reinstatement. A person whose license has been suspended or denied for failure to pass a required examination or reexamination is to meet the vision standards for licensing and pass the required examination(s) before an Iowa license will be issued.

This rule is intended to implement Iowa Code sections 307.12(1) “*j*,” 321.177 and 321.186.

761—604.15(307,321) Special reexaminations.

604.15(1) As provided in Iowa Code section 321.186, the department may require a special reexamination of any licensee. The reexamination may consist of one or more of the following:

- a.* Medical report.
- b.* Vision report.
- c.* Vision screening.
- d.* Cognitive screening.
- e.* Knowledge test.
- f.* Driving test.

604.15(2) The department may require a special reexamination when a licensee has been involved in a fatal motor vehicle accident and the investigating officer’s report of the accident indicates the licensee contributed to the accident.

604.15(3) The department may require a special reexamination when a licensee has been involved in two accidents within a three-year period and the investigating officer’s report of each accident lists one of the following “Driver/Vehicle Related Contributing Circumstances” for the licensee:

- a.* Ran traffic signal.
- b.* Ran stop sign.
- c.* Passing, interfered with other vehicle.
- d.* Left of center, not passing.
- e.* Failure to yield right-of-way at uncontrolled intersection.
- f.* Failure to yield right-of-way from stop sign.
- g.* Failure to yield right-of-way from yield sign.
- h.* Failure to yield right-of-way making left turn.
- i.* Failure to yield right-of-way to pedestrian.
- j.* Failure to have control.

604.15(4) The department may require a special reexamination when a licensee has been involved in an accident and the investigating officer’s report lists a driver condition for the licensee of “fatigue or asleep.”

604.15(5) The department may require a special reexamination when a licensee who is 65 years of age or older has been involved in an accident and information in the investigating officer's or the person's own report of the accident indicates the need for reexamination. A circumstance that may indicate a need for reexamination includes but is not limited to any one of the following:

- a.* The licensee made a left turn that resulted in the accident.
- b.* The licensee failed to yield the right-of-way at a stop sign.
- c.* The licensee failed to yield the right-of-way at a yield sign.
- d.* The licensee failed to yield the right-of-way at an uncontrolled intersection.
- e.* The licensee failed to yield the right-of-way at a traffic control signal.
- f.* The licensee's vision may be a contributing factor to an accident.
- g.* The licensee has a physical disability-related license restriction other than "corrective lenses" and the accident involved one of the circumstances listed in paragraphs 604.15(5) "a" through "f."
- h.* The investigating officer's report lists a driver condition for the licensee of "loss of consciousness."
- i.* The investigating officer's report lists a driver condition for the licensee of "illness which resulted in the accident."

604.15(6) The department may require a special reexamination when the department receives an accident report or a recommendation by a peace officer, a court or a properly documented citizen's request. A factor that may indicate a need for reexamination includes but is not limited to any one of the following:

- a.* Loss of consciousness.
- b.* Confusion, disorientation or dementia.
- c.* Inability to maintain a vehicle in the proper lane.
- d.* Repeatedly ignoring traffic control devices.
- e.* Inability to interact safely with other vehicles.
- f.* Inability to maintain consistent speed when no reaction to other vehicles or pedestrians is required.
- g.* Illness that resulted in an accident.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.177, 321.186 and 321.210.