

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 607
“Commercial Driver Licensing”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.188
State or federal law(s) implemented by the rulemaking: Iowa Code sections 321.187, 321.188 and 321.207 through 321.208A

Public Hearing

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

May 5, 2026
2:30 to 3 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 937 633 589#

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:

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Purpose and Summary

The purpose of these proposed amendments is to update Chapter 607 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). 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 Section 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. Although Iowa Code section 321.176B(2) already allows a restricted CDL holder to operate a commercial vehicle to the fullest extent authorized by 49 CFR Section 383.3(f), the administrative rule implementing Iowa Code section 321.176B(2) does not mention the diesel fuel hauling allowance, thus making enforcement of this provision unclear.

Analysis of Impact

- 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 update to the most recent version of the Code of Federal Regulations governing commercial driver licensing or the change to reference the diesel fuel hauling allowance for restricted CDL holders.

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

Persons who are subject to commercial driver licensing regulations or who haul 1,000 gallons or less of diesel fuel on a restricted CDL will benefit by having the chapter updated to reference the most recent version of the Code of Federal Regulations and the current diesel fuel hauling allowance in the Code of Federal Regulations.

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 quantitative impacts associated with updating a reference to the most recent version of the applicable Code of Federal Regulations and the federal diesel fuel hauling allowance for restricted CDL holders.

- **Qualitative description of impact:**

There are no qualitative impacts.

3. Costs to the State:

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

There are no implementation or enforcement costs.

- **Anticipated effect on State revenues:**

Anticipated effects on State revenues cannot be determined because the Department cannot estimate how many restricted CDL holders may have chosen not to haul 1,000 gallons or less of diesel fuel while enforcement of the provision was unclear. The Department issued 816 restricted CDL licenses in SFY 2025.

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

There is no benefit of inaction. The proposed amendments to this chapter are required to ensure the chapter is referencing the most recent version of the applicable Code of Federal Regulations and the federal diesel fuel hauling allowance for restricted CDL holders.

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 these proposed amendments.

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 these proposed amendments.

- **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 anticipated small business impact other than a potential positive impact of providing clarity to enforcement of the federal diesel fuel hauling allowance for restricted CDL holders.

Text of Proposed Rulemaking

ITEM 1. Amend rule **761—607.3(321)**, definitions of “Commercial driver’s license downgrade,” “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).

“*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. Amend subrule 607.8(1) as follows:

607.8(1) Hazardous material. 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, ~~2024~~ 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. Pursuant to 49 CFR Section 173.5 effective October 1, ~~2024~~ 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.

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.