

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 630
“Nonoperator’s Identification”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.190 and 321.195
State or federal law(s) implemented by the rulemaking: Iowa Code sections 321.190 and 321.195

Public Hearing

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

July 7, 2026
1 to 1:30 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 601 718 840#

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 the proposed rulemaking 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.

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 the proposed amendments. The rulemaking reflects how the Department will deliver services through its new IT system.

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

Persons seeking to obtain a nonoperator’s identification card will benefit from knowing how services will be provided through the Department’s new IT system.

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 beyond those of the underlying statute.

• Qualitative description of impact:

There are no qualitative impacts beyond those of the underlying statute.

3. Costs to the State:

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

There are no implementation or enforcement costs beyond those of the underlying statute.

• **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues beyond those of the underlying statute.

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 amendments conform with underlying statute and the capabilities of the Department's new IT system.

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 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 the 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 small business impact from the proposed amendments.

Text of Proposed Rulemaking

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.