

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 601
“Application for License”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j,” 321.182 and 321.195
State or federal law(s) implemented by the rulemaking: Iowa Code sections 321.182, 321.184 and 321.195

Public Hearing

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

August 13, 2026
2 to 2:30 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 948 720 783#

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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Ankeny, Iowa 50021
Email: sara.siedsma@iowadot.us

Purpose and Summary

The purpose of the proposed amendments is to align the rules with 2026 Iowa Acts, Senate Files 2088 and 2187, which, respectively, amend the Iowa Code to authorize the Department to provide electronic driver’s license replacement services through its new information technology (IT) system and to accept certain documents submitted electronically and require verification of United States citizenship and lawful status in the United States as a condition of driver’s license and nonoperator’s identification card issuance and renewal. The proposed amendments also make technical 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 this proposed rulemaking beyond those of the underlying statutes.

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

Persons seeking to obtain a driver’s license or nonoperator’s identification card will benefit from the administrative rules being in compliance with the underlying statutes.

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 statutes.

- **Qualitative description of impact:**

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

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 statutes.

- **Anticipated effect on State revenues:**

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

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 are required to conform with the underlying statutes.

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, which is compliance with the underlying statutes.

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?

These proposed amendments have no impact on small business beyond that of the underlying statutes.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 601.2(7) as follows:

601.2(7) *Surrender of license and nonoperator's identification card.* An applicant for a driver's license shall surrender all other driver's licenses and nonoperator's identification cards. This includes those 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 or replaces a driver's license or nonoperator's identification card electronically pursuant to ~~761—subrule 605.25(7)~~ 761—Chapter 605 or 630 shall destroy the previous driver's

license or nonoperator's identification card upon receipt of the renewed or replaced driver's license or nonoperator's identification card.

ITEM 2. Amend rule **761—601.2(321,321C)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code sections 321.13, 321.177, 321.182, 321.186, 321.195 as amended by 2026 Iowa Acts, Senate File 2088, section 16, 321.196 and 321C.1 and 6 CFR Part 37.

ITEM 3. Amend paragraph **601.4(4)“a”** as follows:

a. If an applicant presents one of the identity documents listed under subrule ~~601.5(1)~~ **601.4(1)**, the department's verification of that identity document is satisfactory evidence of lawful status.

ITEM 4. Amend paragraph **601.4(5)“c”** as follows:

c. Social security records match. The applicant must establish that the applicant's Social Security Administration's account number is issued in the applicant's current legal name as verified by the department with the Social Security Online Verification (SSOLV) system in accordance with 6 CFR Section 37.13(b)(2) effective January 1, ~~2024~~ **2025**.

ITEM 5. Amend subrule 601.4(8) as follows:

601.4(8) Exception process. As provided in 6 CFR Section 37.11(h) (REAL ID exceptions process) effective January 1, ~~2024~~ **2025**, and notwithstanding any other provisions of this chapter or 761—Chapter 2504 to the contrary, an applicant who, for reasons beyond the applicant's control, is unable to present a necessary document under this rule may apply to the department for an exception as provided in this subrule.

a. To apply for an exception under this rule, an applicant is to submit a written request to the department at the address or email address listed in subrule 601.1(3) or in person at any driver's license service center containing all of the following:

(1) to (3) No change.

(4) Any alternate document or other proof that exists to verify the facts contained in the missing document, which may include an approved I-94 form documenting the applicant's most recent admittance into the United States as verified by the U.S. Department of Homeland Security in accordance with 6 CFR Section 37.13 effective January 1, ~~2024~~ **2025**.

(5) No change.

b. to d. No change.

e. An alternate document accepted under this exception process to satisfy the provisions of subrule 601.4(4) is only allowed if the document demonstrates United States citizenship as required by 6 CFR Section 37.11(h) effective January 1, ~~2024~~ **2025**.

f. to h. No change.

ITEM 6. Renumber rules **761—601.5(321)** and **761—601.6(321)** as **761—601.6(321)** and **761—601.7(321)**.

ITEM 7. Adopt the following **new** rule 761—601.5(307,321):

761—601.5(307,321) Legal status authentication.

601.5(1) Except as provided in subrules 601.5(2) and 601.5(3), an applicant for an Iowa driver's license or nonoperator's identification card, including an applicant who currently holds an Iowa driver's license or nonoperator's identification card, for whom proof of the applicant's United States citizenship or lawful status in the United States under subrules 601.4(1) and 601.4(4) is not already contained in the applicant's file, shall, subject to the verification requirements of Iowa Code section 321.183A as enacted by 2026 Iowa Acts, Senate File 2187, submit proof of the applicant's United States citizenship, or, if not a United States citizen, proof of the applicant's lawful status in the United States by presenting a document in paragraphs 601.4(1)“a” through “h.”

601.5(2) The department may utilize an applicant's name, date of birth and social security number, which shall be verified using the system identified in Iowa Code section 321.183A(2) as

enacted by 2026 Iowa Acts, Senate File 2187, to establish proof of the person's United States citizenship.

601.5(3) An applicant presenting a document in paragraph 601.4(1)“k” must also provide the applicant's date of birth and social security number, which shall be verified using the system identified in Iowa Code section 321.183A(2) as enacted by 2026 Iowa Acts, Senate File 2187, to establish proof of the person's United States citizenship.

601.5(4) Subrule 601.4(5) applies to an applicant who presents a document in subrule 601.5(1) when the name listed on the document does not match the applicant's current legal name.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.13, 321.182, 321.183A as enacted by 2026 Iowa Acts, Senate File 2187, 321.189 and 321.190.

ITEM 8. Amend renumbered subrule 601.6(1) as follows:

601.6(1) Form 430018, Parent's, Guardian's or Custodian's Consent to Issue Driver's License or Permit, or its equivalent must be submitted to the department at the time of issuance or to the email address listed in subrule 601.1(3) or electronically submitted through the department's records system.

ITEM 9. Amend renumbered rule 761—601.7(321) as follows:

761—601.7(321) REAL ID driver's license. A person who seeks a driver's license 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 driver's license”) effective January 1, ~~2024~~ 2025, must meet and comply with all lawful requirements for an Iowa driver's license 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 driver's license is subject to a mandatory facial image capture that meets the requirements of 6 CFR Section 37.11(a). A REAL ID driver's license 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 driver's license must include all information and markings required by 6 CFR Section 37.17. Nothing in this rule requires a person to obtain a REAL ID driver's license.

This rule is intended to implement Iowa Code chapter 321; 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.