Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 23
"Reflective Devices on Slow-Moving Vehicles"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.383(2)
State or federal law(s) implemented by the rulemaking: Iowa Code section 321.383(2)

Public Hearing

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

September 9, 2025 1 to 1:30 p.m.	First Floor Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

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

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Des Moines, Iowa 50319
Phone: 515.725.6185
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Purpose and Summary

Pursuant to Executive Order 10, this rulemaking proposes to repromulgate Chapter 23. The purpose of this proposed chapter is to outline the standards for an alternative reflective device for a person operating a vehicle drawn by a horse or mule who objects for religious reasons to using a reflective device that complies with the standards of the American Society of Agricultural Engineers.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

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

Anyone who is operating a vehicle drawn by a horse or mule who objects to using a reflective device that complies with the standards of the American Society of Agricultural Engineers for religious reasons will bear the cost of obtaining an alternative reflective device that is in compliance with the proposed rule.

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

Anyone operating a vehicle drawn by a horse or mule with an alternative reflective device compliant with the proposed rule will benefit from increased visibility on the roadway, as will the motoring public, increasing safety for both.

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:**

Anyone who objects to using a reflective device that complies with the standards of the American Society of Agricultural Engineers will be responsible for purchasing an alternative device that conforms with the proposed rule. The cost of such a device is estimated to be minimal.

- **Qualitative description of impact:**

Anyone seeking to understand the standards of an alternative reflective device will benefit from the proposed rule. Reflective devices also increase safety for the vehicle operator, as well as the motoring public traveling on Iowa's roadways.

3. **Costs to the State:**

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

There is no cost to the Department or any other agency to implement and enforce this rule.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

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

Inaction would leave no alternative available to anyone who objects for religious reasons to using a reflective device that is compliant with American Society of Agricultural Engineers standards when operating a vehicle drawn by a horse or mule. The cost to purchase an alternative device is minimal, and the public benefits from having an alternative option if needed.

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

The Department has determined this method to be the least costly and least intrusive method for achieving the purpose of the proposed rule.

6. **Alternative methods considered by the agency:**

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

No alternative methods were seriously considered by the Department.

- **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?

The proposed rule will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 23 and adopt the following **new** chapter in lieu thereof:

CHAPTER 23
REFLECTIVE DEVICES ON SLOW-MOVING VEHICLES

661—23.1(321) Alternative reflective device. If a person operating a vehicle drawn by a horse or mule objects for religious reasons to using a reflective device that complies with the standards of the American Society of Agricultural Engineers, the vehicle may be identified by an alternative reflective device that is in compliance with the following:

23.1(1) The alternative reflective device will consist of one-inch-wide strips applied to the rear of the vehicle. The combined length of the strips will be at least 72 inches, and the strips, when applied, will approximate the outline of the vehicle.

23.1(2) The reflective material may be black, gray, silver or white in color but must reflect white when illuminated by other vehicles' headlamps.

23.1(3) The reflective material will be visible from a distance of not less than 500 feet from the rear of the vehicle when illuminated by other vehicles' headlamps.

23.1(4) The reflective material will be kept free of dirt and debris.

This rule is intended to implement Iowa Code section 321.383(2).