

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: subrule 2506.3(3)
“Contested Cases”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.89
State or federal law(s) implemented by the rulemaking: Iowa Code section 321.89

Public Hearing

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

October 20, 2026
10 to 10:30 a.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 530 737 495#

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:

Ryan Pell
800 Lincoln Way
Ames, Iowa 50010
Email: ryan.pell@iowadot.us

Purpose and Summary

The purpose of the proposed amendment is to modify the language from the emergency rulemaking under 761—Chapter 2506 published in response to 2026 Iowa Acts, Senate File 2463, for additional clarity.

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 amendment beyond those of the underlying statute.

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

Persons subject to contested case procedures will benefit from the typographical corrections.

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 proposed amendment aligns the rules with the new notification time frame set forth in the underlying statute.

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 rule amendment, which is to conform with underlying statute.

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 rulemaking.

- **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 impact on small business beyond those of the underlying statute.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 2506.3(3) as follows:

2506.3(3) In lieu of the requirements set forth in this chapter, these requirements shall be construed to ~~supersede or constrain~~ as preserving and leaving intact the required time frames in which a person must file an appeal request found in rules 761—400.44(17A,321), 761—401.9(17A,307,321), 761—411.6(17A,321,321L), 761—505.6(452A), 761—524.14(325A) and 761—540.8(321N); 761—subrules 425.17(5), 431.4(3) and 451.4(3); and 761—paragraph 601.4(8) “h.”