Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 87
"Wireless Communications Service Provider Database"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 2015 Iowa Acts, House File 447, section 2

State or federal law(s) implemented by the rulemaking: Iowa Code section 34A.16

Public Hearing

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

November 4, 2025 10:30 to 11 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written 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:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 87 and adopt a new chapter in lieu thereof. The proposed chapter effectuates Iowa Code section 34A.16 by establishing the Wireless Communications Service Provider Database in the Department and providing database requirements.

Analysis of Impact

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

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

Wireless communications service providers authorized to do business in the State of Iowa, or submitting to the jurisdiction of the State of Iowa, will bear the costs.

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

Law enforcement agencies and public safety answering points (PSAPs) will benefit.

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 is no cost for wireless communications service providers to supply their contact information to the Department for inclusion into the database.

- **Qualitative description of impact:**

See above.

3. **Costs to the State:**

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

None.

- **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:**

Failure to maintain up-to-date contact information for a wireless communications service provider could negatively impact the outcome of an emergency situation in which location information needs to be obtained quickly to preserve personal and public safety.

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

The Department has determined that this is the least costly and least intrusive method for achieving the purpose of the proposed rulemaking. The requirements of 2015 Iowa Acts, House File 447, and these rules are consistent with federal law and do not add any new requirements or burdens to the wireless communications service providers.

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

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

None were identified.

- **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 substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 87 and adopt the following **new** chapter in lieu thereof:

CHAPTER 87
WIRELESS COMMUNICATIONS SERVICE PROVIDER DATABASE

661—87.1(34A) Wireless communications service provider database established. The wireless communications service provider database is established in the department of public safety pursuant to and to effectuate Iowa Code section 34A.16.

661—87.2(34A) Administration of database. The database is administered by the division of intelligence within the department. The information in the database shall only be available to law

enforcement agencies and public safety answering points (PSAPs) and only as authorized in Iowa Code section 34A.16 and these rules.

661—87.3(34A) Confidentiality. All information and records in the wireless communications service provider database maintained by the department and all inquiries and results of inquiries to the service providers are confidential records pursuant to Iowa Code section 22.7(5) and chapter 692 and any other applicable federal or state laws or rules.

661—87.4(34A) Database requirements.

87.4(1) The information provided by a wireless communications service provider includes:

a. Company name of the provider;

b. Physical address;

c. Mailing address;

d. Name of the point of contact for the provider;

e. Phone number and alternate phone number for the point of contact, which will be answered 24 hours a day, seven days a week, by a person or persons who can promptly provide the location information of the cell phone or other wireless communications device upon the request of the department or other law enforcement agency or PSAP;

f. Fax number; and

g. Email address.

87.4(2) Each wireless communications service provider shall immediately provide the department with any updates or changes to the information required in subrule 87.4(1). On or before June 15 of each year, each wireless communications service provider shall confirm to the department the provider's information for the database.

87.4(3) The information required in subrule 87.4(1) may be submitted to the department by at least one of the following:

a. Email: intinfo@dps.state.ia.us.

b. Fax: 515.725.6320, Attn: Division of Intelligence, Subject: Wireless Communications Provider contact information.

c. U.S. mail: Iowa Department of Public Safety, Division of Intelligence, Oran Pape Building, 215 East 7th Street, Des Moines, Iowa 50319-0049.

661—87.5(34A) Procedures to request provider information. Upon a determination by a law enforcement agency or PSAP that emergency location information for a subscriber's cell phone or other wireless communications device is required, the law enforcement agency or PSAP may contact the interoperability communications bureau to request the contact information for the wireless communications systems provider.

These rules are intended to implement Iowa Code section 34A.16.