Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 119
"Tourist-Oriented Directional Signing"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.252
State or federal law(s) implemented by the rulemaking: Iowa Code section 321.252

Public Hearing

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

November 4, 2025 9:30 to 10 a.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 675 246 237#

Public Comment

Any interested person may submit written or oral 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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Ames, Iowa 50010
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Purpose and Summary

This proposed rulemaking removes gender identity from the list in the applicable rule for which compliance is required concerning business eligibility for participation in the Tourist-Oriented Directional Sign (TODS) program. This rulemaking implements 2025 Iowa Acts, Senate File 418 (Senate File 418), which removes gender identity from the list of protected classes in Iowa Code chapter 216.

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 associated with this proposed rulemaking beyond what is required by statute. Removal of gender identity from the list in the applicable rule for which compliance is required concerning business eligibility for participation in the TODS program is because of the changes made to Iowa Code chapter 216 by Senate File 418.

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

None have been identified.

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:**

No quantitative impact is expected. Business participation in the signing program is voluntary and occurs because of market factors unrelated to the legislative change.

- **Qualitative description of impact:**

No qualitative impact is expected. Any adaptation on the part of business owners or customers is going to occur because of the statute changes and not because of this proposed rulemaking. The context for this proposed rulemaking is to merely list the types of protected classes for which compliance is necessary for entry into the signing program. Gender identity is removed from that list due to Senate File 418 removing it from Iowa Code chapter 216.

3. **Costs to the State:**

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

There is no cost to the State beyond that of the underlying statute.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues. Businesses do pay participation fees but are not likely to drop participation because of the removal of gender identity from the list of protected classes.

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

Not applicable. Inaction is not an option since the rules cannot include a protected class that is no longer considered a protected class in the Iowa Code.

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

Not applicable. There is no cost to remove gender identity from the list in the applicable rule in the chapter.

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

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

No alternative methods were considered.

- **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 what is required by Senate File 418.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 119.3(9) as follows:

119.3(9) The destination complies with all applicable laws concerning public accommodations without regard to age, race, creed, color, sex, sexual orientation, ~~gender identity,~~ national origin, religion or disability.

ITEM 2. Amend **761—Chapter 119**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 321.252 ~~as amended by 2024 Iowa Acts, Senate File 2385, section 317~~.