RA 26-398

PUBLIC SAFETY DEPARTMENT[661]

Regulatory Analysis

Notice of Intended Action to be published: rule 661—22.1(321)
"Regulations Applicable to Carriers"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 321.208A, 321.449, 321.450, and 325A.10

State or federal law(s) implemented by the rulemaking: Iowa Code sections 321.1, 321.123, 321.208A, 321.449, and 321.450

Public Hearing

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

December 1, 2026 10 to 10:30 a.m.	125 Public Conference Room 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 Public Safety Department 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

This is an annual update in which the Department proposes to adopt the most recent updates to federal regulations. A summary of changes to the Code of Federal Regulations (CFR) is as follows.

49 CFR Part 383 (FR Vol. 91, No. 6, Pages 918-928, 1-9-26)

Transportation of Fuel for Agricultural Aircraft Operations

Action: Final rule.

Summary: The Federal Motor Carrier Safety Administration (FMCSA) amends the Federal Motor Carrier Safety Regulations to allow states to waive the hazardous materials endorsement requirement for holders of Class A commercial driver's licenses (CDLs) who transport no more than 1,000 gallons of aviation-grade jet fuel in support of seasonal agricultural aircraft operations.

Dates: Effective March 10, 2026.

49 CFR Parts 107, 171, 172, 173, 178, and 180 (FR Vol. 91, No. 9, Rules and Regulations, Pages 1433-1447, 1-14-26)

Hazardous Materials: Eliminating Unnecessary Regulatory Burdens on Fuel Transportation

Agency: Pipeline and Hazardous Materials Safety Administration (PHMSA), federal Department of Transportation (DOT).

Action: Final rule.

Summary: PHMSA is adopting several amendments to the Hazardous Materials Regulations (HMR) to reduce unnecessary regulatory burdens associated with the safe transportation of hazardous

materials, including energy products. These amendments will reduce costs for hazardous materials transporters and eliminate unnecessary regulatory burdens on fuel transportation while maintaining or increasing the level of safety provided in the HMR.

Dates:

Effective date: This rule is effective February 13, 2026.

Voluntary compliance date: January 14, 2026.

Incorporation by reference date: The incorporation by reference of certain publications listed in this rule was approved by the Director of the Federal Register on February 13, 2026.

49 CFR Parts 383 and 384 (FR Vol. 91, No. 30, Rules and Regulations, Pages 7044-7103, 2-13-26)

Restoring Integrity to the Issuance of Non-Domiciled CDLs

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the federal regulations for state driver's licensing agencies (SDLAs) issuing commercial driving credentials to non-domiciled individuals. This final rule reaffirms, with minor changes, the provisions of the interim final rule (IFR) published on September 29, 2025. Specifically, this final rule limits eligibility for non-domiciled Commercial Learner's Permits (CLPs) and CDLs for foreign-domiciled individuals to those who hold specific, verifiable employment-based nonimmigrant status. This rule reaffirms the IFR requirements, aligning the issuance of non-domiciled CDLs with FMCSA's statutory mandate to ensure the fitness of all drivers who operate a commercial motor vehicle (CMV). By limiting eligibility to statuses subject to enhanced consular vetting of driver history and interagency screening, FMCSA restores the integrity of the CDL system, closes a significant safety gap, and enhances the safety of the traveling public.

Dates: Effective March 16, 2026.

49 CFR Parts 365, 370, 379, 386, and 390 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7856-7860, 2-19-26)

Removal of Obsolete References to "Water Carriers"

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends its regulations to remove obsolete references to "water carriers" in the FMCSA regulations (Federal Motor Carrier Safety Regulations or FMCSR). FMCSA does not specifically regulate water carriers except to the extent that such carriers also engage in motor carrier operations. In such cases, the existing FMCSR provide appropriate coverage of the carrier's motor carrier operations.

Dates: Effective March 23, 2026.

49 CFR Part 391 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7864-7867, 2-19-26)

Qualifications of Drivers; Vision Standards Grandfathering Provision

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the FMCSR to remove the grandfathering provision under the physical qualifications standards for interstate drivers operating under the vision waiver study program administered from 1992 through 1994, and the vision exemption program operated from 1998 through 2022, since the grandfathering provision is now obsolete. FMCSA's current rules permit individuals who do not satisfy, with the worse eye, either the existing distant visual acuity standard with corrective lenses or the field of vision standard, or both, to be physically qualified to operate a CMV in interstate commerce under specified conditions.

Dates: Effective March 23, 2026.

49 CFR Part 396 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7893-7896, 2-19-26)

Electronic Driver Vehicle Inspection Reports

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA clarifies the requirement to complete a Driver Vehicle Inspection Report (DVIR) based upon a public comment filed by the National Tank Truck Carriers (NTTC). The DVIR may already be completed electronically; however, the explicit language in this rule will make this clear. This will encourage motor carriers and drivers to utilize electronic, cost-saving methods when completing DVIRs.

Dates: Effective March 23, 2026.

49 CFR Part 383 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7860-7864, 2-19-26)

Commercial Driver's License Standards; Requirements and Penalties: Applicability to the Exception for Certain Military Personnel

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the FMCSR to allow dual-status military technicians to qualify for the exception for certain military personnel from CDL standards. Dual-status military technicians are civilian technicians employed by military units to provide day-to-day support such as training, maintenance, and other activities required to support the unit. They are required by statute to maintain membership in one of the Army or Air Force Reserve Components as a condition of their civilian employment.

Dates: Effective March 23, 2026.

49 CFR Parts 392 and 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7867-7871, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Liquid-Burning Flares

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the rules for emergency equipment on CMVs to remove references to liquid-burning flares from the warning device requirements in the FMCSR. This action eliminates outdated language referring to warning devices that FMCSA believes are no longer used.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7871-7874, 2-19-26)

Parts and Accessories Necessary for Safe Operation; License Plate Lamps

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the FMCSR to add an exception from the lamp and reflective device requirements for license plate lamps on the rear of truck tractors while towing a trailer. This amendment removes an unnecessary regulatory requirement without impacting safety.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7874-7877, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Certification and Labeling Requirements for Rear Impact Protection Guards

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the FMCSR to rescind the requirement that the rear impact guard be permanently marked or labeled with a certification from the impact guard manufacturer as required by the applicable Federal Motor Vehicle Safety Standard (FMVSS) promulgated by the National Highway Traffic Safety Administration (NHTSA). The certification label or marking provides motor carriers purchasing new trailers or new impact guards to replace damaged devices with a means to determine whether the equipment is certified as meeting the FMVSS. However, the labeling or marking requirement has proven problematic for motor carriers when the label or marking becomes illegible or wears off during the service life of the trailer or guard. This final rule eliminates an unintended regulatory burden on motor carriers without compromising safety, since it does not affect the applicable FMVSS. The final rule also rescinds a guidance document pertaining to illegible, incomplete, or missing rear impact guard certification labels.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7877-7880, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Spare Fuses

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the emergency equipment rules to remove the requirement for CMVs to be equipped with at least one spare fuse for each type and size of fuse needed for the operation of the CMV. This change will remove an unnecessary requirement from the FMCSR.

Dates: Effective April 20, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7880-7884, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Fuel Tank Overfill Restriction

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA removes the requirement in the FMCSR that a liquid fuel tank manufactured on or after January 1, 1973, be designed and constructed so that it cannot be filled, in a normal filling operation, with a quantity of fuel that exceeds 95 percent of the tank's liquid capacity. This final rule responds to a petition for rulemaking from the Commercial Vehicle Safety Alliance (CVSA). The revision removes an unnecessary and outdated requirement from the FMCSR.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7884-7887, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Tire Load Markings

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the requirements for CMV tires to clarify that the FMCSR do not require tire load restriction markings on the sidewalls of the tires. This change eliminates confusion and clarifies the scope of FMCSA's authority regarding requirements for CMV tires.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7887-7890, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Brakes on Portable Conveyors

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA adds an exception for portable conveyors used in aggregate industry operations and manufactured before 2010 from the requirement that each CMV be equipped with brakes acting on all wheels, provided certain conditions are satisfied. This final rule responds to a petition for rulemaking from the Michigan Aggregates Association. The exception will provide relief from a regulatory requirement for certain portable conveyors without impacting safety.

Dates: Effective March 23, 2026.

49 CFR Part 393 (FR Vol. 91, No. 33, Rules and Regulations, Pages 7890-7893, 2-19-26)

Parts and Accessories Necessary for Safe Operation; Auxiliary Fuel Tanks

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends its fuel tank requirements to add an exception to the prohibition on gravity and syphon feeds for auxiliary pumps with a nominal fuel tank capacity of not more than five gallons mounted on the trailer chassis frame or trailer bed, for purposes other than operation of the motor vehicle, that are operated only when the motor vehicle is not in motion. This revision responds to a petition for rulemaking from the Truck Trailer Manufacturers Association (TTMA). The revision provides relief from a regulatory requirement without impacting safety.

Dates: Effective March 23, 2026.

49 CFR Parts 107, 171, and 173 (FR Vol. 91, No. 105, Rules and Regulations, Pages 32889-32906, 6-2-26)

Hazardous Materials: Streamlining Requirements for the Approval of Certain Energetic Materials

Agency: PHMSA, DOT.

Action: Final rule.

Summary: PHMSA is amending the HMR by streamlining the classification and approval process for transporting certain low-hazard fireworks, revising the criteria for small arms cartridges to include tracer ammunition as eligible for self-classification, designating the PHMSA portal as the sole method to submit applications for all explosives approvals, and authorizing voluntary termination of an explosive approval by the approval holder.

Dates: Effective July 2, 2026.

49 CFR Parts 383 and 384 (FR Vol. 91, No. 118, Rules and Regulations, Pages 37047-37050, 6-22-26)

Removal of Self-Reporting Requirement

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the regulations requiring CDL holders to self-report motor vehicle violations to their state of domicile. With the implementation of the exclusive electronic exchange (EEE) of violations between SDLAs in 2024, self-reporting is no longer necessary. This action supports the FMCSA's deregulatory efforts.

Dates: Effective July 22, 2026.

49 CFR Part 396 (FR Vol. 91, No. 118, Rules and Regulations, Pages 37053-37056, 6-22-26)

Completed Inspection Report Disposition

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the regulations to revise the requirement that motor carriers and intermodal equipment providers sign and return a completed roadside inspection form to the issuing state agency. FMCSA is aware that not all issuing state agencies require the return of these reports and that requiring motor carriers and intermodal equipment providers to submit these reports to a state that does not require, or even request, the return of the form creates an unnecessary burden. Through this change, completed forms will only be returned to those states that request them. This action is in response to a petition for rulemaking from the CVSA.

Dates: Effective July 22, 2026.

49 CFR Part 395 (FR Vol. 91, No. 118, Rules and Regulations, Pages 37050-37053, 6-22-26)

Rescinding the Requirement for Electronic Logging Device Operator's Manual Located in Commercial Motor Vehicles

Agency: FMCSA, DOT.

Action: Final rule.

Summary: FMCSA amends the FMCSR to rescind the requirement for a copy of the electronic logging device (ELD) operator's manual to be kept in a CMV. Drivers are required to understand the operation of the ELD on the vehicle to ensure the accuracy of their electronic records of duty status and to present this information during inspections by enforcement officials. There is no readily apparent benefit to continuing to require that the user's manual be in the CMV given the use of ELDs since December 2019. This final rule eliminates a regulatory burden on motor carriers without compromising safety.

Dates: Effective July 22, 2026.

49 CFR Part 107 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49298-49301, 8-4-26)

Hazardous Materials: Reducing Recordkeeping Requirements for Domestic Carriers

Summary: This final rule amends the hazardous materials program procedures to allow motor and vessel carriers to carry PHMSA registration documents in electronic form.

Dates: Effective September 3, 2026.

49 CFR Parts 171 and 173 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49310-49315, 8-4-26)

Hazardous Materials: Adoption of Department of Transportation Special Permit 21287

Summary: This final rule removes undue regulatory burdens by adopting the provisions of DOT special permit (SP) 21287 to streamline the transportation of refrigerating machines, including common household appliances like refrigerators, window-mounted air-conditioning units, and dehumidifiers, that contain small quantities of certain low-flammability refrigerant gases.

Dates: Effective August 19, 2026.

49 CFR Part 172 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49325-49329, 8-4-26)

Hazardous Materials: Reducing Undue Paperwork Burdens to Domestic Carriers

Summary: This final rule removes undue regulatory burdens by providing domestic carriers and facility operators with the option to maintain electronic copies of emergency response information rather than requiring a hard copy printed on paper.

Dates: Effective September 3, 2026.

49 CFR Part 172 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49329-49332, 8-4-26)

Hazardous Materials: Reduce Training Burdens for America's Farmers

Summary: This final rule makes an inflationary adjustment to the monetary threshold for farmers to be eligible for an exception from security plan and in-depth security training requirements. Specifically, farmers with less than $825,000 in 2025 dollars annually in gross receipts will be excepted from security plan requirements in 49 CFR Part 172.

Dates: Effective September 3, 2026.

49 CFR Parts 172 and 173 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49332-49335, 8-4-26)

Hazardous Materials: Reducing Costs to Domestic Shippers and Carriers of Limited Quantities

Summary: This final rule removes undue regulatory burdens by allowing regulated entities to use a reduced-sized marking for limited quantity shipments of hazardous materials by highway, rail, or vessel.

Dates: Effective September 3, 2026.

49 CFR Part 173 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49340-49345, 8-4-26)

Hazardous Materials: Reducing Burdens by Allowing Continued Use of Department of Transportation Special Permit Packagings

Summary: This final rule removes undue regulatory burdens by allowing for the continued use of packagings authorized under a manufacturing SP for the useful life of the package. Manufacturing SPs typically authorize the manufacture, mark, sale, and use of the packaging authorized by the SP.

Dates: Effective September 3, 2026.

49 CFR Part 173 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49345-49349, 8-4-26)

Hazardous Materials: Reducing Burdens on Domestic Companies Using Battery-Powered Equipment in Trades

Summary: This final rule modernizes the Materials of Trade (MOT) exception in the HMR by increasing the maximum allowable quantities of lithium batteries that can be transported as MOTs. This increase removes an undue regulatory burden that constrains the ability of construction, landscaping, mowing, tree service, food service, and entertainment companies to perform their trade.

Dates: Effective September 3, 2026.

49 CFR Part 171 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49301-49305, 8-4-26)

Hazardous Materials: Reducing Burdens on Domestic Aerosol Shippers

Summary: PHMSA is amending the HMR by updating the definition of an aerosol to eliminate unnecessary regulatory burdens and maintain consistency with current international transportation standards.

Dates: Effective September 3, 2026.

49 CFR Parts 172 and 173 (FR Vol. 91, No. 148, Rules and Regulations, Pages 49335-49340, 8-4-26)

Hazardous Materials: Adoption of Department of Transportation Special Permit 21478

Summary: This final rule removes undue regulatory burdens by adopting the provisions of DOT SP 21478 to allow empty intermediate bulk containers (IBCs) that only contain the residue of a

hazardous material to be transported without shipping papers, placards, and United Nations (UN) identification (ID) numbers.

Dates: Effective September 3, 2026.

49 CFR Parts 107, 171, 173, 178, 179, and 180 (FR Vol. 91, No. 186, Rules and Regulations, Pages 61144-61159, 9-28-26)

Hazardous Materials: Incorporation of American Society of Mechanical Engineers (ASME) Code Section XII and the National Board Inspection Code

Summary: PHMSA is amending the HMR to incorporate by reference and authorize the use of the 2015 edition of the ASME Boiler and Pressure Vessel Code, Section XII, Rules for Construction and Continued Service of Transport Tanks, for the construction and continued service of certain specification cargo tank motor vehicles (CTMVs), cryogenic portable tanks, and multi-unit tank car tanks. PHMSA is also amending the HMR to incorporate by reference and authorize the use of the 2015 edition of the National Board of Boiler and Pressure Vessel Inspectors National Board Inspection Code, Parts 2 and 3 (including Supplement 6), as it applies to the continued service of transport packagings constructed to ASME Section XII standards, as well as for existing CTMVs constructed in accordance with ASME requirements and the HMR. PHMSA finds these updates will result in cost savings and increased regulatory flexibility without compromising safety.

Analysis of Impact

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

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

CMV owners and operators transporting loads in Iowa will bear the costs of the proposed rulemaking.

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

CMV operators and the motoring public traveling on Iowa's roadways will benefit from the proposed rulemaking.

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:**

The federal regulations subject to be adopted by this proposed rulemaking were subject to fiscal impact review by either the FMCSA or the PHMSA when the regulations were enacted and were determined not to be cost-prohibitive.

- **Qualitative description of impact:**

See previous answer.

3. **Costs to the State:**

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

There is no cost to the agency or any other agency to implement or enforce this rulemaking.

- **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 adhere to federal regulations could have a negative impact on obtaining future grant funding for which the Iowa State Patrol is eligible.

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

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

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?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 22.1(1) as follows:

22.1(1) *Regulations.*

a. Motor carrier safety regulations. The department of public safety adopts the Federal Motor Carrier Safety Regulations, 49 CFR Parts 385, 386 and 390-399 (October 1, ~~2025~~ 2026).

b. Hazardous materials regulations. The department of public safety adopts the Federal Hazardous Materials Regulations, 49 CFR Parts 107, 171-173, 177, 178, and 180 (October 1, ~~2025~~ 2026).

c. No change.