

CHAPTER 2
UNIFORM RULES ON AGENCY PROCEDURE

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/14/31

The department hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

605—2.1(17A,29C) Petitions for rulemaking. The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to petitions for rulemaking, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

2.1(1) In lieu of the words “(agency name)”, insert “Iowa department of homeland security and emergency management”.

2.1(2) In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.1(3) In lieu of the words “(designate official by full title and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

605—2.2(17A,29C) Declaratory orders. The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to declaratory orders, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

2.2(1) In lieu of the words “(agency name)” or “(designate agency)”, insert “Iowa Department of Homeland Security and Emergency Management”.

2.2(2) In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.2(3) In lieu of the words “(designate official by full title and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.2(4) In lieu of the words “Within ___ days (15 or less)” found in rule X.2, insert “Within 15 days”.

2.2(5) In lieu of the words “within ___ days of the filing of a petition” in rule X.3(1), insert “within 20 days of the filing of a petition”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

605—2.3(17A,29C) Agency procedure for rulemaking. The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to agency procedure for rulemaking, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

2.3(1) In lieu of the words “(commission, board, council, director)”, insert “director”.

2.3(2) In lieu of the words “(specify time period)”, insert “one year”.

2.3(3) In lieu of the words “(identify office and address)”, insert “Director, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.3(4) In lieu of the words “(designate office and telephone number)”, insert “the director at 515.725.3231”.

2.3(5) In lieu of the words “(designate office)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.3(6) In lieu of the words “(specify the office and address)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.3(7) In lieu of the words “(agency head)”, insert “director”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

605—2.4(17A,29C) Fair information practices. The Iowa department of homeland security and emergency management with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to fair information practices, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly’s website. For purposes of this rule, the following designations are made:

2.4(1) In lieu of the words “(official or body issuing these rules)”, insert “Iowa Department of Homeland Security and Emergency Management”.

2.4(2) In lieu of the words “(insert agency head)”, insert “director”.

2.4(3) In lieu of the words “(insert agency name and address)”, insert “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.4(4) In lieu of the words “(insert customary office hours and, if agency does not have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)”, insert the words “at any time from 9 a.m. to 12 noon and from 1 to 4 p.m., Monday through Friday, excluding legal holidays, unless the person exercising such right and the lawful custodian agree on a different time”.

2.4(5) In lieu of the words “(specify time period)”, insert the words “30 minutes”.

2.4(6) In lieu of the words “(designate office)”, insert the words “Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324”.

2.4(7) Delete the words “(and, where applicable, the time period during which the record may be disclosed)”.

2.4(8) Delete the words “(Additional requirements may be necessary for special classes of records).”

2.4(9) Delete the words “(Each agency should revise its forms to provide this information).”

2.4(10) Federal records.

a. For federal records maintained by the department, a subject will provide a Privacy Act release in accordance with the requirements of Title 5 United States Code, Section 552, in writing, and signed by the subject of the record.

b. For federal records and forms, the United States government’s determination of routine use and the consequences of failure to provide required or optional information as requested shall be provided to the supplier of the information.

c. Pursuant to Iowa Code section 22.9, the department finds that maintenance, use, or disclosure of federal records described in this rule, except as allowed by federal law and regulation, would result in the denial of United States government funds, services and essential information that would otherwise definitely be available and that have been available to the department in the past. The department has the authority to enter into agreements and contracts to obtain funds pursuant to Iowa Code chapter 29C. The department makes such agreements and contracts with the Federal Emergency Management Agency (FEMA) under the authority of Public Law 93-288 (The Robert T. Stafford Disaster Relief and Emergency Assistance Act) and an Emergency Management Performance Grant Agreement that specify categories of records and information that must be kept confidential. In addition, 44 CFR 5.71 specifies categories of records that are exempt from disclosure under 5 U.S.C. 552. These records include those containing personally identifiable information concerning applicants to individual assistance and mitigation assistance programs that are administered by the state under a presidentially declared disaster. Nuclear Regulatory Commission Title 10 CFR 73.21 relates to the physical protection of nuclear power plants and materials. This regulation requires that certain information contained in plans and documents on file with the department be kept confidential and include information concerning the physical protection at fixed

sites; physical protection in transit; inspections, audits and evaluations; and correspondence insofar as it contains safeguards information.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

605—2.5(17A,29C) Contested cases. The Iowa department of homeland security and emergency management hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to contested cases, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website. For purposes of this rule, the following designations are made:

2.5(1) In lieu of the words “(agency name)” or “agency”, insert “the Iowa department of homeland security and emergency management”.

2.5(2) In lieu of the words “(designate official)”, insert “director”.

2.5(3) In lieu of the words “(specify rule number)”, insert “rule”.

2.5(4) In lieu of the words “(agency to designate person to whom violations should be reported)”, insert “director”.

2.5(5) In lieu of the words “(board, commission, director, as appropriate)”, insert “the director”.

[ARC 9816C, IAB 12/10/25, effective 1/14/26]

These rules are intended to implement Iowa Code chapters 17A and 29C.

[Filed 7/18/90, Notice 6/13/90—published 8/8/90, effective 9/12/90]

[Filed 4/22/93, Notice 3/17/93—published 5/12/93, effective 6/16/93]

[Filed 7/18/00, Notice 5/17/00—published 8/9/00, effective 9/13/00]

[Filed Without Notice ARC 8933B, IAB 7/14/10, effective 8/18/10]

[Filed ARC 2293C (Notice ARC 2188C, IAB 10/14/15), IAB 12/9/15, effective 1/13/16]

[Filed ARC 9816C (Notice ARC 9610C, IAB 10/15/25), IAB 12/10/25, effective 1/14/26]