

CHAPTER 630
NONOPERATOR'S IDENTIFICATION
[Prior to 6/3/87, see Transportation Department[820]—(07,C)Ch 12]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

761—630.1(321) General information.

630.1(1) The department shall issue a nonoperator's identification card only to an Iowa resident who does not have a driver's license. However, a card may be issued to a person holding a temporary permit under Iowa Code section 321.181.

630.1(2) Information concerning the nonoperator's identification card is available at any driver's license service center or at the address in 761—600.2(17A).

[ARC 4437C, IAB 5/8/19, effective 6/12/19]

761—630.2(321) Application and issuance.

630.2(1) An applicant for a nonoperator's identification card shall complete and sign an application form at a driver's license service center. The signature shall be without qualification and shall contain only the applicant's usual signature without any other titles, characters or symbols.

630.2(2) The applicant shall present proof of identity, date of birth, social security number, Iowa residency, current residential address and lawful status as required by rule 761—601.5(321). If applicable, submission of a parent's, guardian's or custodian's consent is also required in accordance with rule 761—601.6(321). The applicant or a current cardholder may provide the department with emergency contact information in accordance with rule 761—601.3(321).

630.2(3) The nonoperator's identification card shall be coded for identification only, as explained on the reverse side of the card. The card shall expire eight years from the date of issue. A card issued to a person who is a foreign national with temporary lawful status shall be issued only for the length of time the person is authorized to be present in the United States as verified by the department, not to exceed two years. However, if the person's lawful status as verified by the department has no expiration date, the card shall be issued for a period of no longer than one year.

630.2(4) Upon the request of the cardholder, the department shall indicate on the nonoperator's identification card any of the following:

- a. The presence of a medical condition.
- b. That the cardholder is a donor under the uniform anatomical gift law.
- c. That the cardholder has in effect a medical advance directive.
- d. That the cardholder is hard of hearing or deaf.
- e. That the cardholder is a veteran.

(1) To be eligible for a veteran designation, the cardholder must be an honorably discharged veteran of the armed forces of the United States, the national guard or reserve forces. A cardholder who requests a veteran designation shall submit Form 432035, properly completed by the cardholder and a designee of the Iowa department of veterans affairs, or the cardholder shall present certification of release or discharge from active duty, DD form 214, to the department indicating that the cardholder was honorably discharged from active duty. A cardholder who was a member of the national guard or reserve forces and who applies directly to the department must present a DD form 214 which indicates that the cardholder was honorably discharged after serving for at least a minimum aggregate (total) of 90 days of active duty service for purposes other than training. A cardholder who was a member of the national guard or reserve forces and who has a discharge document other than a DD form 214 must have the cardholder's eligibility for a veteran designation determined by a designee of the Iowa department of veterans affairs and shall apply to the department for a veteran designation by submitting Form 432035, properly completed by the cardholder and a designee of the Iowa department of veterans affairs.

(2) The department may consult with and defer to the Iowa department of veterans affairs regarding what constitutes a properly completed DD form 214 and veteran status in general.

(3) If the department denies issuance of a nonoperator's identification card with a veteran designation upon presentation of the DD form 214 to the department, the cardholder may obtain a card with a veteran designation if the cardholder submits Form 432035, properly completed by the cardholder and a designee of the Iowa department of veterans affairs.

(4) If the department issues a veteran designation in error or as the result of fraud on the part of the cardholder, the nonoperator's identification card with a veteran designation shall be canceled, and a duplicate card without the designation may be issued to the cardholder. There shall be no charge to issue a duplicate card if the card was issued in error, unless the error was the result of fraud on the part of the cardholder.

f. That the cardholder has autism spectrum disorder.

630.2(5) The issuance fee is \$8. However, no issuance fee shall be charged for a person whose license has been suspended for incapability pursuant to rule 761—615.14(321), who has been denied further licensing in lieu of a suspension for incapability pursuant to rule 761—615.4(321), or who voluntarily surrenders the person's license in lieu of suspension for incapability pursuant to rule 761—615.14(321).

630.2(6) An applicant who is a foreign national with temporary lawful status must provide documentation of lawful status as required by 761—subrule 601.5(4) at each renewal.

630.2(7) A person who seeks a nonoperator's identification card that is compliant with the REAL ID Act of 2005, 49 U.S.C. §30301 note, as further defined in 6 CFR Part 37 ("REAL ID nonoperator's identification card"), must meet and comply with all lawful requirements for an Iowa nonoperator's identification card, and must also meet and comply with all application and documentation requirements set forth at 6 CFR Part 37, including but not limited to documentation of identity, date of birth, social security number, address of principal residence, and evidence of lawful status in the United States. Documents and information provided to fulfill REAL ID requirements must be verified as required in 6 CFR 37.13. An applicant for a REAL ID nonoperator's identification card is subject to a mandatory facial image capture that meets the requirements of 6 CFR 37.11(a). A REAL ID nonoperator's identification card may not be issued, reissued, or renewed except as permitted in 6 CFR Part 37 and may not be issued, reissued, or renewed by any procedure, in any circumstance, to any person, or for any term prohibited under 6 CFR Part 37. The information on the front of any REAL ID nonoperator's identification card must include all information and markings required by 6 CFR 37.17. Nothing in this subrule requires a person to obtain a REAL ID nonoperator's identification card.

630.2(8) A nonoperator's identification card issued to a foreign national with temporary lawful status shall include the following statement on the face of the card: "limited term."

630.2(9) A nonoperator's identification card that is not issued as a REAL ID nonoperator's identification card as defined in subrule 630.2(7) may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

630.2(10) The department may determine means or methods for electronic renewal of a nonoperator's identification card.

a. An applicant who meets the following criteria may apply for electronic renewal:

- (1) The applicant must be at least 18 years old.
- (2) The applicant updated the applicant's photo at the applicant's last issuance or renewal.
- (3) The applicant's nonoperator's identification card has not been expired for more than one year.
- (4) The department's records show the applicant is a U.S. citizen.
- (5) The applicant's nonoperator's identification card is not marked "valid without photo."
- (6) The applicant is not seeking to change any of the following as it appears on the applicant's nonoperator's identification card:

1. Name.
2. Date of birth.
3. Sex.

b. An applicant who has not previously been issued a REAL ID nonoperator's identification card may not request a REAL ID nonoperator's identification card by electronic renewal.

630.2(11) An applicant for a nonoperator's identification card shall surrender all other driver's licenses and nonoperator's identification cards, other than a temporary permit held under Iowa Code

section 321.181. This includes any driver's licenses or nonoperator's identification cards issued by a state other than Iowa or a foreign jurisdiction, unless otherwise provided in a letter of understanding or other written memorialization of reciprocity or understanding. An applicant who renews a nonoperator's identification card electronically pursuant to subrule 630.2(10) shall destroy the previous nonoperator's identification card upon receipt of a renewed nonoperator's identification card.

[ARC 8339B, IAB 12/2/09, effective 12/21/09; ARC 8514B, IAB 2/10/10, effective 3/17/10; ARC 9991B, IAB 2/8/12, effective 3/14/12; ARC 0347C, IAB 10/3/12, effective 11/7/12; ARC 0895C, IAB 8/7/13, effective 7/9/13; ARC 1073C, IAB 10/2/13, effective 11/6/13; ARC 1714C, IAB 11/12/14, effective 12/17/14; ARC 2888C, IAB 1/4/17, effective 2/8/17; ARC 3451C, IAB 11/8/17, effective 12/13/17; ARC 4437C, IAB 5/8/19, effective 6/12/19; ARC 5302C, IAB 12/2/20, effective 1/6/21; ARC 6306C, IAB 5/4/22, effective 6/8/22]

761—630.3(321) Duplicate card.

630.3(1) *Lost, stolen or destroyed card.* To replace a nonoperator's identification card that is lost, stolen or destroyed, the cardholder shall provide the cardholder's full legal name, date of birth, and social security number, all of which must be verified by the department, and pay the replacement fee. A cardholder subject to 761—paragraph 601.5(2)“b” shall provide the applicant's U.S. Customs and Immigration Services number, which must be verified by the department. The department may investigate or require additional information as may be reasonably necessary to determine that the cardholder's identity matches the identity of record and shall not issue the replacement card if the cardholder's identity is questionable, cannot be determined, or otherwise does not match the identity of record. If the cardholder's current residential address, name, date of birth, or sex designation has changed since the previous card was issued, the cardholder shall comply with 761—subrule 605.11(2).

630.3(2) *Voluntary replacement.* To voluntarily replace a nonoperator's identification card, the cardholder shall surrender to the department the card to be replaced. The reasons a card may be voluntarily replaced and any additional supporting documentation required are the same as those listed in 761—paragraphs 605.11(2)“a” to “j.”

630.3(3) *Replacement upon attaining the age of 21.* A cardholder, upon attaining the age of 21, who is otherwise eligible for a nonoperator's identification card, is eligible to electronically apply for a replacement card under this rule for the unexpired months of the card, regardless of whether the most recent issuance occurred electronically.

a. Except for the requirements in 761—subparagraphs 605.25(7)“a”(1) and 605.25(7)“a”(2), the cardholder must meet the eligibility requirements listed in 761—paragraph 605.25(7)“a” to replace the card electronically and must also meet the following criteria:

(1) The cardholder must be at least 21 years old.

(2) The cardholder must currently hold a nonoperator's identification card marked “Under 21” as provided in Iowa Code section 321.190.

b. Reserved.

630.3(4) *Fee.* The fee to replace a nonoperator's identification card is the same amount as the fee required to replace a driver's license. See 761—subrule 605.11(4).

[ARC 0347C, IAB 10/3/12, effective 11/7/12; ARC 1714C, IAB 11/12/14, effective 12/17/14; ARC 3451C, IAB 11/8/17, effective 12/13/17; ARC 4851C, IAB 1/1/20, effective 2/5/20]

761—630.4(321) Cancellation. The department shall cancel a nonoperator's identification card upon receipt of evidence that the person was not entitled or is no longer entitled to a card, failed to give correct information, committed fraud in applying or used the card unlawfully.

These rules are intended to implement Iowa Code sections 321.13, 321.189, 321.190, 321.195, 321.216, 321.216A, 321.216B and 321.216C, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

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