



Fiscal Services Division

ADMINISTRATIVE RULES — FISCAL IMPACT SUMMARIES

May 6, 2024

Iowa Code section [17A.4\(4\)](#) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at www.legis.iowa.gov/publications/fiscal/adminRulesFiscalImpact.

With each rule summary, the rulemaking type is indicated in parentheses following the ARC number. The acronyms have the following meanings: Notice of Intended Action (**NOIA**), Amended Notice of Intended Action (**ANOIA**), Notice of Termination (**NOT**), Adopted and Filed Emergency (**AFE**), Filed Emergency After Notice (**FEAN**), and Adopted and Filed (**AF**).

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Department of Commerce/Insurance Division

ARC 7869C (AF)

Rule Summary Establishes rules and procedures for implementation and administration of captive insurance companies. Sets forth the financial, reporting, recordkeeping, and other requirements that the Commissioner of Insurance deems necessary for the regulation of captive insurance companies.

State or Federal Law Implemented: Iowa Code section [521J.26](#); 2023 Iowa Acts, [Senate File 549](#) (Captive Insurance Act); and 2023 Iowa Acts, [Senate File 557](#) (FY 2024 Administration and Regulation Appropriations Act).

Fiscal Impact **Agency Response:** The Captive Insurance Program will incur costs associated with captive insurance companies over the next five years in terms of personnel and implementation costs. The introduction of captive insurance companies to the State and the tax on premiums of captive insurance will increase General Fund revenue; however, the amount cannot be determined. The Iowa Insurance Division anticipates that there will be a request for staffing and resources necessary to fully implement the program.

LSA Response: The LSA concurs. This rulemaking has no fiscal impact to the State beyond that of the legislation it is intended to implement. The **Fiscal Note** for SF 549 estimated that the annual cost associated with the hiring of full-time equivalent (FTE) positions and promoting the captive insurance industry would be between \$403,000 and \$681,000. There has been appropriated \$450,000 from the General Fund and 2.0 FTE positions for FY 2024 and FY 2025 to the Department of Insurance and Financial Services for the purposes of implementing the Captive Insurance Program.

LSA Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov

Department of Transportation

ARC 7747C (AF)

Rule Summary Implements the following changes pursuant to five separate Iowa Acts:

- Creates a new option for the Department to issue a single-trip permit for overweight loads in special or emerging situations pursuant to 2023 Iowa Acts, [Senate File 153](#) (Overweight Vehicle Permits, Special Circumstances Act).

- Establishes rules for certain entities to be eligible as a third-party commercial driver's license (CDL) and commercial learner's permit (CLP) tester pursuant to 2023 Iowa Acts, [House File 257](#) (Commercial Driver's License, Third-Party Testing Act).
- Incorporates Federal Drug and Alcohol Clearinghouse requirements for CDL applicants and applicant holds pursuant to 2023 Iowa Acts, [House File 258](#) (Commercial Driver's License, National Drug and Alcohol Clearinghouse Act).
- Adopts federal language for restricted CDL eligibility pursuant to 2023 Iowa Acts, [House File 335](#) (Commercial Driver's License Exemptions, Farm-Related Services Industries Act).
- Adds a date certain to applicable citations to [Title 49](#) of the Code of Federal Regulations pursuant to 2023 Iowa Acts, [House File 688](#) (Administrative Rules, Clean Up Act).

State or Federal Law Implemented: 2023 Iowa Acts, Senate File 153, House File 257, House File 258, House File 335, and House File 688; and 49 CFR 383 and 384.

Fiscal Impact **Agency Response:** No fiscal impact beyond any impact calculated by the Legislative Services Agency for the underlying legislation.

LSA Response: The LSA concurs. The **Fiscal Note** for HF 258 estimated that the Department of Transportation (DOT) would retain \$22.2 million in federal highway funds in FY 2024 and \$44.4 million in FY 2025 and each year thereafter as a result of aligning with mandatory Federal Motor Carrier Safety Administration regulations.

LSA Staff Contact: Garry Martin (515.281.4611) garry.martin@legis.iowa.gov

Department of Commerce/Banking Division

ARC 7916C (AF)

Rule Summary Sets by rule administrative fees that the Iowa Division of Banking (IDOB) of the Department of Insurance and Financial Services (DIFS) has adopted for banks when filing certain corporate applications.

State or Federal Law Implemented: Iowa Code sections [524.213](#), [524.303](#), [524.305](#), [524.312](#), [524.544](#), [524.802A](#), [524.1201](#), [524.1303](#), [524.1309](#), [524.1401](#), [524.1402](#), [524.1403](#), [524.1404](#), [524.1405](#), [524.1410](#), [524.1413](#), [524.1415](#), [524.1505](#), [524.1508](#), and [524.1509](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. According to the IDOB, the proposed fees are identical to the fees that the IDOB currently charges for the specified applications but that have not previously been adopted by rule.

LSA Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
