

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 529
“For-Hire Interstate Motor Carrier Authority”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j”
State or federal law(s) implemented by the rulemaking: Iowa Code section 307.27(8) and chapter 327B

Public Hearing

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

February 28, 2025
11 to 11:30 a.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 622 454 376

Public Comment

Any interested person may submit written 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:

Sara Siedsma
6310 SE Convenience Boulevard
Ankeny, Iowa 50021
Email: sara.siedsma@iowadot.us

Purpose and Summary

The purpose of the proposed chapter is to comply with Iowa Code section 307.27(8) and chapter 327B. Iowa Code section 307.27(8) requires the Department to administer the registration of interstate authority of motor carriers pursuant to federal regulations. Iowa Code chapter 327B requires motor carriers authorized by the U.S. Department of Transportation to perform an interstate transportation service for compensation to register with the Department.

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 or fees associated with this chapter beyond what is required by the underlying statutes.

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

Persons seeking to register interstate motor carrier authority with the Department will benefit from these rules by knowing the methods to submit registration.

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:**

There are no additional quantitative impacts that were not already anticipated as a result of the underlying statutes, which require the Department to administer registration of interstate authority of motor carriers and provide the methods for submitting registrations to the Department.

• **Qualitative description of impact:**

The result of reorganizing, streamlining, and reducing redundancy in the proposed chapter will create a positive impact by producing a more user-friendly version that contains information the public relies on for understanding registration of interstate authority of motor carriers.

3. Costs to the State:

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

There are no additional implementation or enforcement costs resulting from the proposed rules that were not already required as a result of the underlying statutes.

• **Anticipated effect on state revenues:**

There are no anticipated effects on state revenues beyond the underlying statutes.

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

The benefit of the proposed chapter is consistency and transparency on the administration of registration of interstate authority by the Department.

The cost of inaction is the inability for the Department to administer registration of interstate authority, which would prevent motor carriers from lawfully operating on Iowa roadways.

There is no benefit of inaction.

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

There are no less costly or less intrusive methods to achieve the purpose of the proposed rules.

6. Alternative methods considered by the agency:

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

The Department did not consider alternatives for the proposed rules. The Department is required by the Iowa Code to administer registration of interstate authority.

• **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 small business impact beyond what was already anticipated under the statute. The proposed rules apply equally to all persons registering interstate authority under the Iowa Code.

Text of Proposed Rulemaking

ITEM 1. Rescind 761—Chapter 529 and adopt the following **new** chapter in lieu thereof:

CHAPTER 529
FOR-HIRE INTERSTATE MOTOR CARRIER AUTHORITY

761—529.1(307,327B) Motor carrier regulations. The department adopts the Code of Federal Regulations, 49 CFR Parts 365 through 368 and 370 through 379, dated October 1, 2024, for regulating interstate for-hire carriers. Copies of this publication are available from the state law library or at www.fmcsa.dot.gov.

761—529.2(307,327B) Registering interstate authority in Iowa. Authorized methods to submit registration for interstate exempt and nonexempt authority to the department include by mail to the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; delivery in person to 6310 SE Convenience Boulevard, Ankeny, Iowa; or by facsimile to 515.237.3257.

761—529.3(307,327B) Waiver of rules. In accordance with 761—Chapter 11, the director of transportation or the director's designee (director) may, in response to a petition, waive provisions of this chapter. A waiver will not be granted unless the director finds that special or emergency circumstances exist.

“Special or emergency circumstances” means one or more of the following:

1. Circumstances where the movement is necessary to cooperate with cities, counties, other state agencies or other states in response to a national or other disaster.
2. Circumstances where the movement is necessary to cooperate with national defense officials.
3. Circumstances where the movement is necessary to cooperate with public or private utilities in order to maintain their public services.
4. Circumstances where the movement is essential to ensure safety and protection of any person or property due to events such as but not limited to pollution of natural resources, a potential fire or explosion.
5. Circumstances where weather or transportation problems create an undue hardship for citizens of the state of Iowa.
6. Circumstances where movement involves emergency-type vehicles.
7. Uncommon or extraordinary circumstances where the movement is essential to the existence of an Iowa business and the move may be accomplished without causing undue hazard to the safety of the traveling public or undue damage to private or public property.

These rules are intended to implement Iowa Code sections 307.12(1)“j” and 307.27 and chapter 327B.