

Regulatory Analysis

Notice of Intended Action to be published: 761—Chapter 602
“Classes of Driver’s Licenses”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j,” 321.180, 321.180B, 321.189 and 321.194

State or federal law(s) implemented by the rulemaking: Iowa Code sections 321.1, 321.8, 321.177, 321.178, 321.180, 321.180A, 321.180B, 321.189, 321.194, 321.196 and 321.213B

Public Hearing

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

March 14, 2025
1 to 1:30 p.m.

[Microsoft Teams Link](#)
Or dial: 515.817.6093
Conference ID: 750 530 221

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:

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Purpose and Summary

The purpose of the proposed chapter is to provide guidance to members of the public on the classes of driver’s licenses and driver permits issued by the Department and the accompanying eligibility requirements and to comply with changes made to classes of driver’s licenses available to minors pursuant to 2024 Iowa Acts, Senate File 2109.

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 information on the classes of driver’s licenses issued by the Department and the associated eligibility criteria will benefit from these rules.

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.

• **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 of information that the public relies on for understanding the classes of driver's licenses issued by the Department and the associated eligibility criteria.

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 in 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 that of 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 transparency on the classes of driver's licenses issued by the Department and the associated eligibility criteria.

The cost of inaction is the inability for qualified applicants to understand quickly and efficiently classes of driver's licenses issued by the Department and the associated eligibility criteria.

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.

• **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 seeking to obtain the class of driver's license sought.

Text of Proposed Rulemaking

ITEM 1. Rescind 761—Chapter 602 and adopt the following **new** chapter in lieu thereof:

CHAPTER 602
CLASSES OF DRIVER'S LICENSES

761—602.1(307,321) Information and location. Applications, forms and information regarding driver's licenses are available at any driver's license service center or by mail from the Motor Vehicle Division, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204; by telephone at 515.244.8725; by facsimile at 515.239.1837; or on the department's website at www.iowadot.gov/driversvehicles.

This rule is intended to implement Iowa Code sections 307.12(1) "j" and 321.8.

761—602.2(307,321) Definitions.

"Iowa-approved course" means a course in driver education, motorcycle rider education or motorized bicycle rider education approved by the department.

"License" means driver's license as defined in Iowa Code section 321.1(20A) unless the context otherwise requires.

"Member of permittee's immediate family" means as follows:

1. As used in Iowa Code section 321.180(1), the permittee's parent or guardian or a brother, a sister or other relative of the permittee who resides at the permittee's residence.
2. As used in Iowa Code sections 321.180B(1) and 321.180B(2), a brother, a sister or other relative of the permittee who resides at the permittee's residence.

"Provider" means a provider of an Iowa-approved course.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 321.1, 321.180 and 321.180B.

761—602.3(321) Driver's licenses.

602.3(1) Classes. The department issues the following classes of driver's licenses. All licenses issued, including special licenses and permits, shall carry a class designation. A license will be issued for only one class, except that Class M may be issued in combination with another class.

- Class A—commercial driver's license (CDL)
- Class B—commercial driver's license (CDL)
- Class C—commercial driver's license (CDL)
- Class C—noncommercial driver's license
- Class D—noncommercial driver's license (chauffeur)
- Class M—noncommercial driver's license (motorcycle)

602.3(2) Special licenses and permits. The department issues the following special licenses and permits. More than one type of special license or permit may be issued to an applicant. On the driver's license, a restriction number designates the type of special license or permit issued as follows:

- 1—Motorcycle instruction permit—includes motorcycle instruction permits issued under Iowa Code sections 321.180(1) and 321.180B(1)
- 2—Noncommercial instruction permit (vehicle less than 16,001 gross vehicle weight rating)—includes instruction permits, other than motorcycle instruction permits, issued under Iowa Code sections 321.180(1), 321.180A and 321.180B(1)
- 3—Commercial learner's permit
- 4—Chauffeur's instruction permit
- 5—Motorized bicycle (moped) license
- 6—Minor's restricted work license
- 7—Special minor's restricted license
- 8—Special instruction permit

602.3(3) *Commercial driver's license (CDL)*. More information is contained in 761—Chapter 607 on the procedures, requirements and validity of a commercial driver's license (Classes A, B and C) and a commercial learner's permit, and their restrictions and endorsements.

This rule is intended to implement Iowa Code sections 321.178, 321.180, 321.180A, 321.180B, 321.189, and 321.194.

761—602.4(307,321) Certificates of completion and forms.

602.4(1) *Iowa-approved course*. Proof of successful completion of an Iowa-approved course shall be submitted to the department on Form 430036 or through an online reporting system used by participating providers.

602.4(2) *Out-of-state course*.

a. If a student completed a course in another state, a provider of an Iowa-approved course may issue the form or online completion, if applicable, for the student if the provider determines that the out-of-state course is comparable to the Iowa-approved course.

b. If the out-of-state course is comparable but lacks certain components of the Iowa-approved course, the provider may issue the form or online completion, if applicable, after the student completes the missing components.

602.4(3) *Affidavit for special minor's restricted license*. Form 430021 shall be used for submitting the required statements, affidavits and parental consent for a special minor's restricted license. More information is contained in rule 761—602.9(321).

602.4(4) *Certification and consent for employment and multiple residences*. Form 430022 shall be used to satisfy the requirements of Iowa Code section 321.194(2) and 321.194(9). In addition to the information required under Iowa Code section 321.194(2), the form must contain the employer's contact information and any other information required by the department.

602.4(5) *Waiver of accompanying driver for intermediate licensee*. Form 431170 is the waiver described in Iowa Code section 321.180B(2). This form allows an intermediate licensee to drive unaccompanied between the hours of 12:30 a.m. and 5 a.m. and must be in the licensee's possession when the licensee is driving during the hours to which the waiver applies.

a. If the waiver is for employment, the form must be signed by the licensee's employer.

b. If the licensee attends a public school and the waiver is for school-related extracurricular activities, the form must be signed by the chairperson of the school board, the superintendent of the school, or the principal of the school if authorized by the superintendent. If the licensee attends an accredited nonpublic school and the waiver is for school-related extracurricular activities, the form must be signed by an authority in charge of the accredited nonpublic school or a duly authorized representative of the authority.

c. If the licensee receives competent private instruction or independent private instruction, the form must be signed by the licensee's primary instructor.

d. The form must be signed by the licensee's parent or guardian. However, the parent's or guardian's signature is not required if the licensee is married and the original or a certified copy of the marriage certificate is in the licensee's possession when the licensee is driving during the hours to which the waiver applies.

602.4(6) *Passenger restriction for intermediate licensee*. The passenger restriction required by Iowa Code section 321.180B(2) will be added to an intermediate license unless waived by the licensee's parent or guardian at the time the license is issued. If the restriction is not waived at the time the license is issued, the intermediate license will be designated with a "9" restriction with the following notation: "Only 1 unrelated minor passenger allowed until [six months from the date the license is issued]." The licensee must obey the restriction for the first six months after the intermediate license is issued. If a parent or guardian wishes to waive the passenger restriction after the license has already been issued, the licensee and the parent or guardian must apply for a duplicate license and pay the replacement fee pursuant to 761—subrule 605.11(4).

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.8, 321.178, 321.180B, 321.184, 321.189, and 321.194.

761—602.5(307,321) Class C noncommercial driver’s license.

602.5(1) *Validity.* A noncommercial Class C driver’s license that is not a special license or permit is valid for operating:

- a. A motor vehicle, including an autocycle as defined in Iowa Code section 321.1, that does not require a commercial driver’s license or a Class D driver’s license for its operation.
- b. A motorized bicycle.
- c. A motorcycle only if the license has a motorcycle endorsement.

602.5(2) *Requirements.*

- a. Except as otherwise provided in Iowa Code section 321.178(3), an applicant under 18 years of age must meet the requirements of Iowa Code section 321.180B and submit proof of successful completion of an Iowa-approved course in driver education.
- b. For purposes of determining eligibility for an intermediate license issued to a person 16 or 17 years of age under Iowa Code section 321.180B(2):

(1) The 12-month period during which the applicant is required to possess an instruction permit before applying for an intermediate license is calculated cumulatively and includes any period of time during which the applicant has held a valid instruction permit issued under Iowa Code section 321.180B(1), a special minor’s restricted license issued under Iowa Code section 321.194 or comparable instruction permit or license issued by another state, but excludes any period of time during which the permit or license is suspended, revoked or canceled or the applicant otherwise did not have a valid driving privilege.

(2) The six-month period during which the applicant is required to remain accident- and violation-free is calculated continuously and must encompass without interruption the six-month period of time immediately preceding the application. The applicant must hold a valid instruction permit issued under Iowa Code section 321.180B(1), a special minor’s restricted license issued under Iowa Code section 321.194 or a comparable instruction permit or license issued by another state and maintain a valid driving privilege without interruption throughout the continuous six-month period.

(3) The three-month waiting period required under Iowa Code section 321.194(7)“b,” if applicable, will be calculated to begin on the licensee’s sixteenth birthday and must be satisfied in addition to the requirements of subparagraphs 602.5(2)“b”(1) and 602.5(2)“b”(2). Any additional three-month waiting period will begin on the date the previous waiting period (if any) expires.

c. For purposes of determining eligibility for a full license issued to a person 17 years of age under Iowa Code section 321.180B(4), the 12-month period during which the applicant is required to possess an intermediate license and to remain accident- and violation-free before applying for a full license is calculated together and continuously and must encompass without interruption the 12-month period of time immediately preceding the application. The applicant must hold a valid intermediate license issued under Iowa Code section 321.180B(2) or a comparable license issued by another state and maintain a valid driving privilege without interruption throughout the continuous 12-month period.

This rule is intended to implement Iowa Code sections 307.12(1)“j,” 321.1, 321.177, 321.178, 321.180B, 321.189, 321.194 and 321.196.

761—602.6(307,321) Class D noncommercial driver’s license (chauffeur).

602.6(1) *Validity.* A noncommercial Class D driver’s license is valid for operating:

- a. A motor vehicle as a chauffeur as specified by the endorsement on the license unless the type of vehicle or type of operation requires a commercial driver’s license.
- b. A motor vehicle that may be legally operated under a noncommercial Class C driver’s license, including a motorized bicycle.
- c. A motorcycle only if the license has a motorcycle endorsement.

602.6(2) Requirement. The license shall have one endorsement authorizing a specific type of motor vehicle or type of operation as listed in 761—subrule 605.7(3).

This rule is intended to implement Iowa Code sections 307.12(1) “j,” 321.1 and 321.189.

761—602.7(307,321) Class M noncommercial driver’s license (motorcycle).

602.7(1) Validity. A noncommercial Class M driver’s license that is not a special license or permit is valid for operating:

a. A motorcycle. However, the license may have a restriction that limits operation to a three-wheel motorcycle.

b. A motorized bicycle.

602.7(2) Requirements.

a. An applicant shall be at least 16 years of age.

b. Except as otherwise provided in Iowa Code section 321.178(3), an applicant under 18 years of age must meet the requirements of Iowa Code section 321.180B and submit proof of successful completion of both an Iowa-approved course in driver education and an Iowa-approved course in motorcycle rider education.

This rule is intended to implement Iowa Code sections 307.12(1) “j,” 321.177, 321.178, 321.180B, 321.189 and 321.196.

761—602.8(299,321) Minor’s restricted work license.

602.8(1) Validity.

a. A minor’s restricted work license is a restricted, noncommercial Class C or Class M driver’s license.

b. The type of motor vehicle that may be operated is controlled by the class of driver’s license issued. A Class C minor’s restricted work license is valid for operating a motorcycle only if the license has a motorcycle endorsement. A minor’s restricted work license is valid for operating a motorized bicycle only for the purposes specified in Iowa Code section 321.178(2).

c. The license is valid for two years or until the licensee attains age 18, whichever is sooner.

602.8(2) Requirements. An applicant who qualifies under Iowa Code section 321.178(2) must submit the following to the department:

a. A statement from the employer confirming the applicant’s employment.

b. Proof of nonattendance at school. Proof of nonattendance is receipt of notification from the appropriate school authority that the applicant does not attend school as described in 761—subrule 615.23(2).

c. Proof of successful completion of an Iowa-approved course in driver education.

d. For a Class M minor’s restricted work license or a motorcycle endorsement, proof of successful completion of an Iowa-approved course in motorcycle rider education.

This rule is intended to implement Iowa Code sections 299.1B, 321.178, 321.180B, 321.189, 321.196 and 321.213B.

761—602.9(321) Special minor’s restricted license.

602.9(1) Validity.

a. A special minor’s restricted license is a restricted, noncommercial Class C or Class M driver’s license.

b. The type of motor vehicle that may be operated is controlled by the class of driver’s license issued. A Class C special minor’s restricted license is valid for operating a motorcycle only if the license has a motorcycle endorsement. A special minor’s restricted license is valid for operating a motorized bicycle.

c. The license is valid for four years or until the licensee attains age 18, whichever is sooner.

602.9(2) Requirements. An applicant who qualifies under Iowa Code section 321.194(1) and 321.194(3) must submit the following to the department:

- a. Form 430021, containing the required certification under Iowa Code section 321.194(6).
- b. Proof of successful completion of an Iowa-approved driver's education course.
- c. For a Class M special minor's restricted license or a motorcycle endorsement, proof of successful completion of an Iowa-approved course in motorcycle rider education.

602.9(3) Exemption.

a. An applicant is not required to have completed an approved driver education course if the applicant demonstrates to the satisfaction of the department that completion of the course would impose a hardship upon the applicant; however, the applicant must meet all other requirements for a special minor's restricted license. "Hardship" means the applicant's parent, guardian or custodian does not qualify as a teaching parent as defined in Iowa Code section 321.178A(2) "c" and the applicant meets one of the following criteria:

(1) If the applicant is 14 years old, that a driver education course will not begin at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence within one year following the applicant's fourteenth birthday.

(2) If the applicant is 15 years old, that a driver education course will not begin at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence within six months following the applicant's fifteenth birthday.

(3) If the applicant is between 16 and 18 years old, that a driver education course is not offered at the applicant's school(s) of enrollment or at a public school in the applicant's district of residence at the time the request for hardship status is submitted to the department.

(4) That the applicant is a person with a disability. In this rule, "person with a disability" means that, because of a disability or impairment, the applicant is unable to walk in excess of 200 feet unassisted or cannot walk without causing serious detriment or injury to the applicant's health.

b. "Demonstrates to the satisfaction of the department" means the applicant has provided the department written proof that a hardship exists signed by the applicant's parent, guardian or custodian and the applicable school authority authorized to sign the certification form for a special minor's restricted license pursuant to Iowa Code section 321.194(6).

c. The department reserves the right to verify any assertion made in the application for hardship exemption under this subrule.

602.9(4) Multiple residences.

a. A special minor's restricted license approved for travel to and from up to three residences pursuant to Iowa Code section 321.194(9) "d" is not valid for travel directly between each residence unless the licensee is accompanied in accordance with Iowa Code section 321.180B(1) or unless the travel is for the purposes set forth in and subject to the limitations of Iowa Code section 321.194(4) or 321.194(5).

b. The primary residential address listed on Form 430021 will appear on the face of the license.

This rule is intended to implement Iowa Code sections 321.177, 321.180B, 321.189, 321.194 and 321.196.