

Red Tape Review Rule Report (Due: September 1, 2025)

Department Name:	Department of Transportation	Date:	12/11/2024	Total Rule Count:	16
IAC #:	761	Chapter/ SubChapter/ Rule(s):	604	Iowa Code Section Authorizing Rule:	307.12(1)“j” 321.186
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of this chapter is to is to comply with Iowa Code sections 321.177 and 321.186. Iowa Code section 321.177 prohibits the Department from issuing a driver’s license to an applicant who fails to pass an examination or is unable to operate a motor vehicle safely due to a physical or mental disability. Iowa Code section 321.186 authorizes the Department to examine an applicant for a driver’s license to determine the applicant’s ability to operate a motor vehicle safely.

Is the benefit being achieved? Please provide evidence.

Yes. Iowa issued 747,849 driver’s licenses to qualified applicants in FY 2024.

What are the costs incurred by the public to comply with the rule?

Any costs to the public related to license examination is because of the underlying statute. A driver’s license applicant is subject to the statutory fees.

Iowa Code section 321.191 prescribes the applicable fees the Department must charge for driver’s licenses and endorsements.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the Department to implement the rules beyond those that would otherwise be required to administer the statute.

Do the costs justify the benefits achieved? Please explain.

Yes. The rules establish the criteria for examination for all driver’s licenses to determine a driver’s ability to operate a motor vehicle safely. This helps ensure only qualified persons are issued a driver’s license and the safety of Iowa’s roadways.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

There is no less restrictive alternative available for license examination other than establishing the basic standards and guidelines in rule, which helps ensure the process is clear for applicants and is consistently applied.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

604.1 Authority and scope. This rule removes unnecessarily restrictive terms.
604.7 Examination. This rule removes unnecessarily restrictive terms.
604.10 Vision Screening. This rule removes unnecessary content, unnecessarily restrictive terms, and content that is redundant of statute.
604.11 Vision Standards. This rule removes unnecessarily restrictive terms.
604.12 Vision Referrals. This rule removes unnecessarily restrictive terms.
604.13 Vision screening results. This rule removes unnecessarily restrictive terms.
604.20 Knowledge test. This rule removes language that is unnecessary and redundant of other rules.
604.21 Knowledge test requirements and waivers. This rule removes outdated language.
604.30 Driving test. This rule removes unnecessary content and unnecessarily restrictive terms.
604.31 Driving test requirements and waivers for noncommercial driver’s licenses. This rule removes unnecessarily restrictive terms.
604.35 Determination of gross vehicle weight rating. This rule was deleted because it is unnecessary in this chapter and covered in Chapter 607.
604.40 Failure to pass examination. This rule removes unnecessarily restrictive terms.
604.45 Reinstatement. This rule removes unnecessary content and unnecessarily restrictive terms.
604.50 Special reexaminations. This rule removes unnecessary content.

RULES PROPOSED FOR REPEAL (list rule number[s]):

604.35

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

604.1
604.2
604.3
604.4
604.5
604.6
604.7
604.8
604.9
604.10
604.11
604.12
604.13
604.14
604.15

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	211
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	52

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Yes, the Department recommends that explicit rulemaking authority be added to Iowa Code section 321.186 for the processes and requirements associated with driver’s license examinations. While the statute clearly vests the Department with the authority to administer driver’s license examinations, the Department relies on general agency rulemaking authority in Iowa Code section 307.12(1)“j” to promulgate the following rules that provide specific procedures implementing the statutory authority:

604.1 – Authority and scope. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the general authority and scope of driver’s license examinations.

604.2 – Definitions. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to adopt definitions necessary to administer driver’s license examinations, as section 321.186 does not contain a definitions section.

604.3 – Information and forms. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline general information and forms.

604.4 - Examination. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline what an examination entails.

604.10 – Vision screening. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to establish vision screening procedures.

604.11 – Vision standards. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the vision standards.

604.12 – Vision referrals. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline under what circumstances a vision referral is required.

604.13 – Vision screening results. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the expectations for an applicant that cannot meet the required vision standards.

604.20 – Knowledge test. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline what a knowledge test entails.

604.21 – Knowledge test requirements and waivers. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the knowledge test and waiver requirements.

604.30 – Driving test. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline what a driving test entails.

604.31 – Driving test requirements and waivers for noncommercial licenses. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the driving test and waiver requirements.

604.40 – Failure to pass examination. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the expectations for an applicant that fails to pass an examination.

604.45 – Reinstatement. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the reinstatement process for a person whose license was denied or suspended due to failure to pass a required examination.

604.50 – Special reexaminations. We recommend adding rulemaking authority to Iowa Code section 321.186 authorizing the Department to outline the procedures for and circumstances requiring a special reexamination.