Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 159
"Statewide Sobriety and Drug Monitoring Program"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 901D.4
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 901D

Public Hearing

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

November 4, 2025 11 to 11:30 a.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Public Safety no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

The intended purpose of this chapter was to establish procedures and fee structures for the Statewide Sobriety and Drug Monitoring Program created by the Legislature in 2017. Since then, Iowa Code chapter 901D has been repealed due to insufficient data to support the program's continuation. Since Iowa Code chapter 901D and the program no longer exist, the Department proposes to rescind Chapter 159 in its entirety.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
- **Classes of persons that will bear the costs of the proposed rulemaking:**

Not applicable. The Department proposes rescinding Chapter 159 in its entirety.
- **Classes of persons that will benefit from the proposed rulemaking:**

Not applicable. The Department proposes rescinding Chapter 159 in its entirety.

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:**

Not applicable. The Department proposes rescinding Chapter 159 in its entirety.
- **Qualitative description of impact:**

The rescission of Chapter 159 removes outdated and obsolete language for a program that no longer exists, preventing confusion for anyone attempting to read and interpret these rules.

3. **Costs to the State:**
- **Implementation and enforcement costs borne by the agency or any other agency:**

None.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

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

Leaving rules in place for a program that no longer exists will create confusion for anyone accessing or attempting to interpret these rules. Rescinding this chapter is a necessary step in maintaining clarity within the Department's administrative rules.

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

No methods exist that are less costly than the rescission of this chapter and the elimination of outdated and obsolete rules.

6. **Alternative methods considered by the agency:**

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

Not applicable.

- **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 substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **661—Chapter 159**.