

Red Tape Review Rule Report (Due: September 1, 2026)

Department Name:	Public Safety	Date:	5/27/2026	Total Rule Count:	16
IAC #:	661	Chapter/ SubChapter/ Rule(s):	13	Iowa Code Section Authorizing Rule:	80.25
Contact Name:	Josie Wagler	Email:	wagler@dps.state.ia.us	Phone:	515-725-6185

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of this rule is to establish training, standards, and application processes for special railway agents in Iowa.

Is the benefit being achieved? Please provide evidence.

Yes, the training, standards, and application processes for a special railway agent are detailed and clearly outlined.

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

The requesting railroad company is responsible for submitting a surety bond in the amount of \$5,000 for the person to be appointed. The bond will remain in effect until 30 days after the company providing the bond gives notice to the Department that the bond will be terminated.

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

There is no cost to the department or any other agency to implement/enforce this rule.

Do the costs justify the benefits achieved? Please explain.

Yes, the surety bond ensures accountability and provides the service is carried out.

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.

The Department has determined this to be the least restrictive method to accomplish the intended benefit of the rule.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

13.3 – combined with 13.2
13.6 – combined with 13.4
13.7 – outdated
13.9 – combined with 13.4
13.11 – combined with 13.7
13.12 – combined with 13.7
13.15(3) – outdated and unnecessary
13.16 – combined with 13.9

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

13.3 – combined with 13.2
13.6 – combined with 13.4
13.7 – outdated
13.9 – combined with 13.4
13.11 – combined with 13.7
13.12 – combined with 13.7
13.15(3) – outdated and unnecessary
13.16 – combined with 13.9

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

CHAPTER 13
SPECIAL RAILWAY AGENTS

661—13.1(17A,80) Appointment of railway special agents. The division of professional development and support services processes applications for appointment as railway special agents from persons who are regularly employed by a railroad so those persons may protect railroad property.

661—13.2(17A,80) Standards and training requirements. All applicants shall meet minimum standards to qualify as law enforcement officers as established in the Iowa law enforcement academy rules and will meet all training requirements of the Iowa law enforcement academy.

661—13.3(17A,80) Letter of request. The chief special agent of the railroad company shall submit a letter of request for the appointment of a railroad employee as railway special agent, including the applicant's full name. This letter and all other correspondence is to be sent to this division

661—13.4 (17A,80) Application packet. Each railway special agent applicant shall complete an application provided by the department. The application submission packet will include the required 3" × 3" photograph, as required, and two additional photographs measuring 1½" by 1½" suitable for the identification card. The application packet will also include information regarding the background investigation completed by the railroad employer, including:

13.4(1) Written comments from former employers in reference to honesty, integrity, character, personality and working performance of the applicant.

13.4(2) Written comments by personnel with any state, municipal or county law enforcement agency about the applicant and the applicant's prior employment and residences.

13.4(3) A check with all creditors for payment record and obligations.

13.4(4) A check with the clerk of court in the applicant's county of residence for any court action, civil or criminal.

13.4(5) A check with the county recorder's office where applicant resides to determine any property listed in the applicant's name and liens which may be on file.

13.4(6) A check with the credit bureau where the applicant resides or has been employed for the applicant's credit rating.

13.4(7) Certified copies of any educational records that are available (high school and college transcripts) and DD201 military form, if any.

661—13.5(17A,80) Review of application. Upon receipt of all material necessary for the appointment of a railway special agent, the division will process the application. All material will be reviewed and maintained in administrative services division headquarters' files. The division will conduct further investigation of the applicant which may include a check of drivers' license and motor vehicle files, criminal history data records and verification of the fact that income tax returns have been filed with the Iowa department of revenue.

661—13.6(17A,80) Surety bond. Before appointment, surety bond issued by an Iowa-licensed bonding or surety company in the amount of \$5,000, will be submitted by the requesting railroad company. The surety bond shall name the railway special agent and the bond shall state that the bonded person is a duly appointed railway special agent. Surety bonds shall be issued for each person and remain in effect until 30 days after the company providing the bond gives notice to the department that the bond will be terminated.

661—13.7(17A,80) Weapons permit. If the applicant needs a weapons permit, the application shall show that the requirements outlined in Chapter 91, "Weapons and Iowa Professional Permits to Carry," have been fulfilled. Each railroad employer of a railway special agent will file with this division Form WP1 or WP2 to renew the weapons permit. Continuous weapon training is required to ensure that each railway special agent demonstrates necessary proficiency in the use of weapons.

661—13.8(17A,80) Identification card. After the application is approved, the railroad company will be issued an identification card for the applicant. This card should have affixed one fingerprint and the signature of the applicant. It shall then be returned to the administrative services division for authentication signatures.

661—13.9(17A,80) Notification. The railroad company shall notify the administrative services division, within five working days, when any of the following take place:

13.9(1) The railway special agent appointed by the department is terminated from employment, and provide the railway special agent's identification card and weapon permit.

13.9(2) The railway special agent has been hospitalized for a long-term illness or is undergoing psychiatric evaluation or treatment.

These rules are intended to implement Iowa Code section 80.25.

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

METRICS

Total number of rules repealed:	7
Proposed word count reduction after repeal and/or re-promulgation	197
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	11

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

No.