

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

Department Name:	Public Safety	Date:	8/6/2026	Total Rule Count:	5
IAC #:	661	Chapter/ SubChapter/ Rule(s):	8	Iowa Code Section Authorizing Rule:	692.10
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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 rule is to govern terminal access to the Iowa Online Warrants and Articles (IOWA) criminal justice information system.

Is the benefit being achieved? Please provide evidence.

Yes, the criteria for terminal access for criminal justice agencies is clearly defined.

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

There are no costs to the public to comply with this rule.

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

There are no costs to the Department or any other agency to implement or enforce the rule.

Do the costs justify the benefits achieved? Please explain.

Yes, this chapter ensures files and information is securely maintained through dedicated security and background procedures for anyone accessing the IOWA system.

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.

No, 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Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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]

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Yes.

8.102 contains unnecessary language

Rules 8.103(1)– 8.103(5) can be condensed through reference to the IOWA System Operating Manual in rule 8.103 (now 8.102).

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

8.102
8.103(1)
8.103(2)
8.103(4)
8.103(5)

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

CHAPTER 8
CRIMINAL JUSTICE INFORMATION
[Prior to 4/20/88, see Public Safety Department[680] Ch 8]

661—8.1 to 8.100 Reserved.

DIVISION I
IOWA ON-LINE WARRANTS AND ARTICLES SYSTEM
[Prior to 8/16/95, see 661—8.1 to 8.101]

661—8.101(80,692) Iowa on-line warrants and articles (IOWA) criminal justice information system. The Iowa on-line warrants and articles (IOWA) criminal justice information system is administered by the division of administrative services. The IOWA system, provides criminal justice agency access to traffic record and criminal justice databases through a dedicated telecommunications network.

661—8.102(80) Human immunodeficiency virus-related information. An agency may enter human immunodeficiency virus-related (HIV) information into a wanted or missing person file of the IOWA system and the National Crime Information Center operated by the Federal Bureau of Investigation in a manner consistent with IOWA System Operating Manual. HIV information shall be kept confidential and may be communicated only in accordance with this rule.

661—8.103(80,692) IOWA system security. IOWA system terminal access shall be available to criminal justice agencies as defined by Iowa Code section 692.1(7). Prior to being permitted terminal access to the IOWA system, a criminal justice agency shall meet the following criteria:

8.103(1) All terminals shall be located within the facilities or vehicles of authorized agencies where appropriate physical security can be maintained.

8.103(2) The immediate terminal areas shall be restricted to prevent access by unauthorized individuals.

8.103(3) All persons accessing NCIC and the criminal history files shall have been authorized to operate the terminal by the criminal justice agency administrator, been approved by the department of public safety, received the required training and achieved proficiency certification by the department of public safety.

Agencies shall complete a background investigation on all applicants for positions with access to NCIC and criminal history files and notify the department of public safety upon completion. The background investigation shall be done to ensure the following:

a. That the applicant is 18 years of age or older at the time of appointment to the position.

b. That the applicant is not addicted to drugs or alcohol.

c. That the applicant has not been convicted of a serious crime.

d. Agencies shall submit two fingerprint cards on all applicants to the Iowa division of criminal investigation. One card will be used to check for any Iowa criminal history and the second card will be forwarded to the FBI for a national search of criminal history records.

8.103(4) Where IOWA system terminals are not operated on a 24-hour-per-day basis, the terminals shall be physically secured when unattended.

8.103(5) The criminal justice agency administrator shall be directly responsible for ensuring that information received from the IOWA system is restricted for the official use of agency personnel, other criminal justice agencies, or other agencies authorized, in writing, by the department of public safety.

8.103(6) Any agency desiring direct access to IOWA system files shall make application to the department. Before authorization is granted, the administrator of the applying agency shall enter into a written agreement with the department of public safety agreeing to abide by all rules, policies and procedures promulgated by the department for system operation, security and discipline. The agreement shall reserve to the department the right to terminate furnishing criminal history or other file information to the applicant agency if abuses are discovered concerning either the security or dissemination requirements of this data.

8.103(7) Any agency which has had its authorization to IOWA system files terminated by the department may appeal the termination to the commissioner of public safety, in accordance with 7—Chapter 2506.

661—8.104(80,692) Subpoenas and court orders. Any agency or individual in possession of criminal history data received from the department that is served with a subpoena, court order, request for production or other legal process demanding the

production of criminal history data, shall notify the department in writing so that the department has an opportunity to make a timely resistance.

661—8.105 to 8.200 Reserved.

These rules are intended to implement Iowa Code sections 80.5 and 692.14.

DIVISION II
CRIMINAL INTELLIGENCE INFORMATION

Rescinded IAB 11/8/06, effective 1/1/07; see 661—Chapter 81

DIVISION III
IOWA SEX OFFENDER REGISTRY

Rescinded IAB 2/16/05, effective 4/1/05; see 661—Ch 83

****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	638
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	8

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

No.