

IOWA DEPARTMENT OF TRANSPORTATION

AGENDA ITEMS/COMMISSION ORDERS

Tuesday, September 11, 2012  
Materials Conference Room  
Ames DOT Complex

<u>ITEM NUMBER</u>	<u>TITLE</u>	<u>SUBMITTED BY</u>	<u>PAGE</u>
D-2013-11 1:30 p.m.	*Approve Minutes of the August 14, 2012, Commission Meeting in Clinton  Commission Comments  Staff Comments	Connie Page	1
MV-2013-12 1:35 p.m.	*Administrative Rule – 761 IAC 601.1(321) – REAL ID Final Rules	Paul Trombino III	2
PPM-2013-13 1:40 p.m.	*Revitalize Iowa's Sound Economy (RISE) Application – Boone County (Delegation)	Craig Markley	12
PPM-2013-14 1:45 p.m.	*Revitalize Iowa's Sound Economy (RISE) Application – Coralville (Delegation)	Craig Markley	15
PPM-0213-15 1:50 p.m.	*Railroad Revolving Loan and Grant Program Recommendation	Tammy Nicholson	18
1:55 p.m.	Adjourn		

\*Action Item

On Tuesday, September 11, the Commission and staff will meet informally at 10 a.m. in the Materials conference room at the DOT complex in Ames. Transportation-related matters will be discussed but no action will be taken.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2013-11  
Submitted by Connie Page Phone No. 515-239-1242 Meeting Date September 11, 2012  
Title Approve Minutes of the August 14, 2012, Commission Meeting in Clinton

**DISCUSSION/BACKGROUND:**

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the minutes of the August 14, 2012, Commission meeting in Clinton.

**COMMISSION ACTION:**

Moved by Cleaveland Seconded by Yanney

	Aye	Vote Nay	Pass
Blouin	<u>X</u>	_____	_____
Cleaveland	<u>X</u>	_____	_____
Miles	<u>X</u>	_____	_____
Reasner	<u>X</u>	_____	_____
Rose	<u>X</u>	_____	_____
Wiley	<u>X</u>	_____	_____
Yanney	<u>X</u>	_____	_____

\_\_\_\_\_  
Division  
Director

\_\_\_\_\_  
Legal

\_\_\_\_\_  
State Director

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director Order No. MV-2013-12  
Submitted by Paul Trombino III, P.E. Phone No. 515-239-1111 Meeting Date September 11, 2012  
Title Administrative Rule -761 IAC 601.1(321) - REAL ID Final Rules

**DISCUSSION/BACKGROUND:**

The proposed rule amendments modify the requirements for obtaining a new driver's license (DL) or nonoperator's identification (ID) card, a renewal of a DL or ID card, or a duplicate DL or ID card to comply with the REAL ID Act of 2006, 49 U.S.C. § 30301 note, as further defined in 6 CFR Part 37 (the REAL ID Act).

The REAL ID Act established minimum standards for the issuance of driver's licenses and nonoperator's identification cards.

A list of the proposed amendments is attached.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the attached proposed rule amendments.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

\_\_\_\_\_  
Division Director                      Legal                      State Director

## Administrative Rule –761 IAC 601.1(321) – REAL ID Final Rules

The list of primary documents required to establish identity and date of birth are slightly modified to conform to the approved federal documents and unnecessary secondary documents have been removed.

The amendments also clarify what documents are needed to verify Social Security number; establish in rule existing practice regarding proof of and verification of Iowa residency, current residential address and expand existing practice by requiring two documents showing residency rather than one; establish in rule existing practice regarding proof and verification of lawful status in the United States; and modify slightly the documents necessary to prove lawful status to conform to the approved federal documents; and clarify procedures for establishing a person's change of name, date of birth, or sex designation.

A driver's license or nonoperator's identification card that is issued as a REAL ID driver's license or REAL ID nonoperator's identification card shall include a security marking as required by 6 CFR 37.17. Beginning January 15, 2013, a driver's license or nonoperator's identification card that is not issued as a REAL ID license or card may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security. A driver's license or nonoperator's identification card that is issued to a person who is a foreign national with temporary lawful status will be marked "limited term" and will be limited in term to one year where the person's lawful status has no expiration date. Where the person's lawful status has an expiration date, current practice, which limits the term to the length of lawful status, not to exceed two years, will continue.

The proposed amendments will bring Iowa into compliance with federal rule-making requirements and ensure that Iowans will have access to driver's licenses and nonoperator's identification cards that are acceptable to the federal government (REAL IDs) when Iowans are engaging in official purposes as defined in 6 CFR 37.3; specifically, accessing federal facilities for which identification is required to enter, boarding federally regulated commercial aircraft, and entering nuclear power plants.

The new rules must be effective on or before January 15, 2013, to meet current federal requirements for state compliance. Accordingly, a November 7, 2012, effective date is proposed.

The proposed rules provide that a successful new applicant will be issued a card marked for compliance when eligible. The proposed rules do not require existing card holders to obtain a compliant card but allow them to continue with a standard card or elect to obtain a card marked for compliance. Existing card holders must provide the same documents as a new applicant to obtain a compliant card.

Federal authorities will not request individuals to present compliant cards until December 1, 2014, or December 1, 2017, depending upon their date of birth.

- Persons born after December 1, 1964, will be asked to present compliant cards beginning December 1, 2014.
- Persons born on or before December 1, 1964, will not be asked to present compliant cards until December 1, 2017.

Persons that do not have compliant cards may be subjected to additional screenings. This applies only to the defined federal official purposes – accessing federal facilities that require identification to enter, boarding commercial aircraft, and entering nuclear power plants.

The proposed amendments also allow a military member or dependent family member of a military member who is stationed out of state to use the military member's residential address for the state of station as the residential address for an Iowa driver's license or nonoperator's identification card when the military member and dependent family member are residents of Iowa but do not maintain an Iowa residence during the period they are stationed out of state. This provision is not required for federal compliance but was determined to be appropriate to support Iowa military members and their families who are not eligible for licensing in their state of station but need forms of identification that show their local address.

MV-2013-12

Mark Lowe, Motor Vehicle Division, said this rule package affects the issuance of driver licenses and non-operator identification cards. Its primary objective is to streamline our issuance process to be consistent with the Federal REAL ID requirements and regulations. Those regulations essentially provide minimum standards for issuance of driver licenses and IDs related to the identity documents we accept. Currently we are under a two-document system for establishing date of birth and identity that requires a primary document which closely aligns to what the federal requirements are and a secondary document which is something we've required. We've brought our primary document list up to date to the current documents used at the federal level, and we have gotten rid of the excess secondary documents that don't have the same ready means of being authenticated and verified.

Mr. Lowe said we still require proof of lawful presence and will establish that through the documents provided. The social security number will now be documented through a W-2 form, 1099 form, or social security card and verified through social security verification. In regard to address and residency, we have always required one document showing residency in Iowa; federal rules require two but the nature of the documents has not changed.

Mr. Lowe said the thing to focus on at this point is the state compliance date of January 15, 2013, which is why this rule package is being presented. That state compliance date has no impact on individuals; no one needs to change their driver license before or soon after January 15, 2013. However, there are future individual compliance dates depending on a person's date of birth. Persons born after December 1, 1964, have a compliance date of December 1, 2014; and persons born on or before December 1, 1964, have a compliance date of December 1, 2017. He cautioned that no one has to rush in before those dates. When considering whether or not a REAL ID is needed will depend on what a person is going to use their driver license or ID for, and he referred to the federal official purposes as defined in the Federal Regulations which comes down to boarding commercial aircraft, entering federal facilities that require an ID to enter, or entering nuclear power plants. If folks don't do those things or they have another form of federal identification such as a passport they may not need to apply for a REAL ID. If they decide to apply for one, they will follow the same process as a new applicant.

Mr. Lowe said new applicants aren't going to have to make any decisions because they will follow the established process. Current driver license and ID holders will have to make a choice depending on what they tend to use their driver license for and when their individual compliance date is. He reiterated that existing licenses are going to remain valid for all purposes, state and federal, until those compliance dates. After those compliance dates, the only things affected are those federal purposes. They remain valid for all other state identification purposes.

Mr. Lowe said the other thing we put in the rules relates to the new markings on licenses and IDs. If you enroll and provide documentation, a star will be placed in the corner of the license/ID. A current DL holder that wants to get in compliance will have to provide the same documents as a new applicant. You are not subject to testing or different fees. There is also a marking for temporary foreign nationals. We are required to put a limited term on the top of their license but, otherwise, their license would remain the same in appearance.

Commissioner Reasner moved, Commissioner Wiley seconded the Commission approve the attached proposed rule amendments. All voted aye.

ITEM 1. Amend rule 761—601.1(321) as follows:

**761—601.1(321) Application for license.**

**601.1(1)** No change.

**601.1(2) Name.** The applicant's full legal name shall be given on the application. Full legal name means an individual's first name, middle name(s), and last name, without use of initials or nicknames. Civilian and military titles, initials and nicknames shall not be given and shall not be used on the applicant's license or in the applicant's record. This prohibition on the use of initials does not apply where a portion of an individual's legal name, whether first, middle or last, consists of a single character, whether followed by a period or not.

**601.1(3) and 601.1(4)** No change.

**601.1(5) Physical description.** ~~Physical description shall include the applicant's~~ The applicant shall provide the applicant's physical description, which shall consist of the applicant's sex, height to the nearest inch, weight to the nearest pound, and eye color.

**601.1(6) Address.** The applicant shall provide the applicant's current residential address and the applicant's current mailing address, if different from the applicant's current residential address. The applicant shall not provide as a mailing address an address for which a forwarding order is in place.

**601.1(7) Signature.**

a. No change.

b. The applicant's signature certifies, under penalty of perjury and pursuant to the laws of the state of Iowa, that the statements ~~on the~~ made and information provided in the applicant's application are true and the fee collected was correct.

c. The applicant's signature further certifies that the fee collected and the change returned, if any, is correct and acknowledges that the applicant is aware of the requirement to notify the department of a change in mailing address within 30 days of the change.

d. ~~A driver's license clerk or examiner will initial the application as witness~~ The applicant's signature will be captured electronically.

This rule is intended to implement Iowa Code sections 321.182, 321.196 and 321C.1, Article V, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 2. Amend rule 761—601.5(321) as follows:

**761—601.5(321) Proofs submitted with application.** A person who applies for a new driver's license or nonoperator's identification card or a duplicate license or card to replace one that is lost, stolen or destroyed shall submit proof of age, identity, date of birth, and social security number, Iowa residency and current residential address, and lawful status in the United States.

**601.5(1) Social security number verification.** ~~One or more of the following documents may be accepted as verification of an applicant's social security number. The documents must be issued in the United States:~~

~~a. Social security card issued by the Social Security Administration. A metal version of the card is not acceptable.~~

~~b. Letter from the Social Security Administration.~~

~~c. Document issued by the Internal Revenue Service or a state tax agency. Form W-2 tax form completed by the employer is acceptable.~~

~~d. Financial statement containing the social security number.~~

~~e. Payroll stub containing the social security number.~~

~~f. Military identification card containing the social security number.~~

**601.5(2) ~~601.5(1) Proof of age and identity~~ Verification of identity and date of birth.** ~~An~~ To establish identity and date of birth, an applicant shall must submit at least one primary document and one secondary document from the following lists as proof of age and identity. The documents must be issued in the United States unless otherwise specified. of the following documents. The department may require additional documentation if the department believes that the documentation submitted is questionable or if the department has reason to believe that the person is not who the person claims to be.

~~a. Acceptable primary documents include:~~

~~(1) An Iowa photo driver's license.~~

- ~~(2) An Iowa photo identification card.~~
- ~~(3) Birth certificate issued in the United States. It must be a certified copy, have the stamp or raised seal of the issuing authority, and be issued by the state bureau of vital statistics, the state board of health, or a comparable agency. A hospital issued certificate is not acceptable.~~
- ~~(4) United States Citizenship and Immigration Service document from the following list:
  - ~~1. Certificate of Naturalization (N-550, N-570 or N-578).~~
  - ~~2. Certificate of Citizenship (N-560, N-561 or N-645).~~
  - ~~3. Permanent Resident Card (I-551).~~
  - ~~4. Record of Arrival and Departure (I-94) with attached photo that is stamped "Temporary Proof of Lawful Permanent Resident."~~
  - ~~5. "Processed for I-551" stamp in a valid foreign passport.~~
  - ~~6. Travel Document indicating Permit to Re-enter (I-327) or Refugee Travel Document (I-571).~~
  - ~~7. Record of Arrival and Departure (I-94) in a Certificate of Identity.~~
  - ~~8. Employment Authorization Card (I-688A, I-688B, or I-766).~~
  - ~~9. Record of Arrival and Departure (I-94) stamped "Refugee," "Parole," "Parolee," or "Asylee."~~
  - ~~10. Record of Arrival and Departure (I-94) coded Section 207 (Refugee), Section 208 (Asylum), Section 209 (Refugees), Section 212d(5) (Parolee), HP (Humanitarian Parolee), or PIP (Public Interest Parolee).~~~~
- ~~(5) Military identification card. This does not include a military dependent identification card.~~
- ~~(6) Valid United States passport.~~
- ~~(7) Inmate Descriptor Inquiry, Client Information Inquiry or Offender Snapshot document issued by the Iowa department of corrections. The document must contain the full name and date of birth and be notarized.
  - ~~b. Acceptable secondary documents include:
    - ~~(1) Any primary document.~~
    - ~~(2) Bureau of Indian Affairs or Indian Treaty Card. A tribal identification card is not acceptable.~~
    - ~~(3) Photo driver's license or state issued photo identification card that has not been expired for more than one year.~~
    - ~~(4) Court order that does not contain the applicant's date of birth but does contain the full name.~~
    - ~~(5) Foreign birth certificate. It must be translated by an approved translator, if translation is necessary.~~
    - ~~(6) Military discharge, military orders or separation papers.~~
    - ~~(7) Military dependent identification card.~~
    - ~~(8) Employer identification card.~~
    - ~~(9) Health insurance card.~~
    - ~~(10) Document issued by the Internal Revenue Service or a state tax agency. Form W-2 tax form completed by the employer is acceptable.~~
    - ~~(11) Marriage certificate.~~
    - ~~(12) Gun permit.~~
    - ~~(13) Pilot's license.~~
    - ~~(14) School record or transcript. It must be certified.~~
    - ~~(15) Social security card issued by the Social Security Administration. A metal version of the card is not acceptable.~~
    - ~~(16) Social insurance card issued by the Canadian government.~~
    - ~~(17) Photo student identification card.~~
    - ~~(18) Voter registration card.~~
    - ~~(19) Welfare card.~~
    - ~~(20) Prison release document.~~
    - ~~(21) Parent or guardian affidavit. The parent or guardian must appear in person, submit proof of the parent's or guardian's age and identity, and submit a certified or notarized affidavit regarding the child's identity. This applies only to minors.~~~~
  - ~~c. The department may require additional documentation if the department believes that the documentation submitted is questionable or if the department has reason to believe that the person is not who the person claims to be.~~~~



- a. A valid, unexpired U.S. passport or U.S. passport card.
- b. A certified copy of a birth certificate and, if applicable, a certified amended birth certificate showing a change in name, date of birth, or sex, filed with a state office of vital statistics or equivalent agency in the applicant's state of birth. The birth certificate must be a certified copy and have the stamp or raised seal of the issuing authority. A hospital-issued certificate is not acceptable. As used herein, "state" means a state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
- c. A Consular Report of Birth Abroad issued by the U.S. Department of State (Form FS-240, DS-1350 or FS-545).
- d. A valid, unexpired Permanent Resident Card (Form I-551) issued by the U.S. Department of Homeland Security or U.S. Immigration and Naturalization Service.
- e. An unexpired employment authorization document issued by the U.S. Department of Homeland Security (Form I-766 or Form I-688B).
- f. An unexpired foreign passport with a U.S. visa affixed, accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States.
- g. A Certificate of Naturalization issued by the U.S. Department of Homeland Security (Form N-550 or Form N-570).
- h. A Certificate of Citizenship (Form N-560 or Form N-561) issued by the U.S. Department of Homeland Security.
- i. A REAL ID driver's license or identification card issued in compliance with the standards established by 6 CFR Part 37.
- j. Such other documents as the U.S. Department of Homeland Security may designate as acceptable proof of identity and date of birth for REAL ID purposes by notice published in the Federal Register.
- k. An Inmate Descriptor Inquiry, Client Information Inquiry or Offender Snapshot document issued by the Iowa department of corrections or the United States District Court, Northern and Southern Districts of Iowa. The document must contain the applicant's full legal name and date of birth and be notarized. An applicant who provides only a document listed in this paragraph shall not be eligible for a driver's license or nonoperator's identification card marked as acceptable for federal purposes under 6 CFR Part 37.

**601.5(2) Verification of social security number.**

a. Except as provided in paragraph 601.5(2) "b," an applicant must present the applicant's Social Security Administration's account number card; or if a social security account number card is not available, the applicant may present any of the following documents bearing the applicant's social security number:

- (1) A W-2 form.
- (2) A Social Security Administration-1099 form.
- (3) A non-Social Security Administration-1099 form.
- (4) A pay stub with the applicant's name and social security number on it.

b. An applicant who establishes identity by presenting the identity document listed in paragraph 601.5(1) "f" (unexpired foreign passport with a valid, unexpired U.S. visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the United States) must document the applicant's social security number as set forth in paragraph 601.5(2) "a" or demonstrate non-work authorized status.

**601.5(3) Verification of Iowa residency and current residential address.**

a. To document Iowa residency and current residential address, an applicant must present two documents that include the applicant's name and current Iowa residential address and that demonstrate residency in the state of Iowa. Acceptable documents are documents issued by a person, organization, or entity other than the applicant, that include the issuer's name and address, include the applicant's name and current residential address, and demonstrate residency in the state of Iowa. The documents must be reasonable, authentic documents capable of verification by the department.

b. The address must be a street or highway address, and may not be a post office box. In areas where a number and street name have not been assigned, an address convention used by the U.S. Postal Service is acceptable. The current residence of a person with more than one dwelling is the dwelling for which the person claims a homestead tax credit under Iowa Code chapter 425, if applicable.

c. An applicant who is a member of the armed forces and is an Iowa resident stationed in another state may use the applicant's address in the state of station as the applicant's current residential address if the applicant does not maintain an Iowa residence during the applicant's deployment outside the state of Iowa. The applicant must provide official documentation confirming the applicant's residential address in the state of station and that the applicant is stationed in that state. The applicant's mailing address may be the applicant's current residential address or another address at which the applicant receives mail.

d. An applicant who is a dependent family member of and resides with a member of the armed forces who is an Iowa resident stationed in another state may use the applicant's address in the state of station as the applicant's current residential address if the applicant does not maintain an Iowa residence during the applicant's deployment outside the state of Iowa. The applicant must provide official documentation confirming the applicant's residential address in the state of station and that the applicant is a dependent family member of a member of the armed forces stationed in that state. The applicant's mailing address may be the applicant's current residential address or another address at which the applicant receives mail.

**601.5(4) Verification of lawful status in the United States.**

a. If an applicant presents one of the identity documents listed under subrule 601.5(1), the department's verification of that identity document is satisfactory evidence of lawful status.

b. An applicant who presents only a document listed under subrule 601.5(1), paragraph "e," "f," or "i," is not eligible to receive a driver's license or nonoperator's identification card marked as REAL ID compliant unless the applicant also provides one of the other documents listed in subrule 601.5(1), or another United States Department of Homeland Security-approved document.

**601.5(3) 601.5(5) Name Verification of name change verification.** ~~The name listed on the driver's license or nonoperator's identification card that is issued shall be identical to the name contained listed on the primary identity document submitted unless the applicant submits an affidavit of name change on Form 430043. The affidavit must be accompanied by one of the chain of legal documents necessary to show the legal change of the applicant's name from the identity document submitted to the name listed on the affidavit. The following documents are acceptable:~~

a. Court-ordered name change. A court order must contain the applicant's prior full legal name, the applicant's court-ordered full legal name, the applicant's date of birth, and the official court seal. Acceptable court orders include orders under petition for name change, orders for name change set forth in a decree of dissolution, and orders for name change set forth in a decree of adoption.

~~b. Divorcee-deeree.~~

~~e- b. Marriage certificate. The marriage certificate must be filed with a state office of vital statistics or equivalent agency in the person's state or country of marriage. The certificate must be a certified copy and have the stamp or raised seal of the issuing authority. A church, chapel or similarly issued certificate is not acceptable. As used herein, "state" means a state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.~~

**601.5(6) Verification of change of date of birth.** ~~The date of birth listed on the driver's license or nonoperator's identification card that is issued shall be identical to the date of birth listed on the identity document submitted unless the applicant submits a certified amended birth certificate that documents the change of date of birth and that meets the requirements of paragraph 601.5(1)"b," or submits a court-ordered date of birth change. The court order must contain the applicant's full legal name, the applicant's prior date of birth, the applicant's court-ordered date of birth, and official court seal.~~

**601.5(7) Verification of change of sex designation.** ~~The sex designation listed on the driver's license or nonoperator's identification card that is issued shall be identical to the sex designation listed on the identity document submitted unless the applicant submits a certified amended birth certificate that documents the change of sex designation and that meets the requirements of paragraph 601.5(1)"b," or submits a court-ordered change of sex designation. The court order must contain the applicant's full legal name, the applicant's date of birth, the applicant's prior sex designation, the applicant's court-ordered sex designation, and official court seal.~~

~~This rule is intended to implement Iowa Code sections 321.182 and 321.189, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.~~

ITEM 3. Amend rule 761—605.2(321) as follows:

**761—605.2(321) Contents of license.** In addition to the information specified in Iowa Code subsection 321.189(2), the following information shall be shown on a driver's license.

**605.2(1) Name.** The licensee's full legal name shall be listed as established according to 761—subrule 601.5(1) and 761—subrule 601.5(5) and shall conform to the requirements of 761—subrule 601.1(2).

~~**605.2(1) 605.2(2) Address Current residential address.** A business address shall be used only when the licensee does not have an Iowa address and will not be able to establish a residence address in Iowa. The licensee's current residential address shall be listed as established according to the requirements of 761—subrule 601.5(3).~~

**605.2(2) 605.2(3) Physical description.** The physical description of the licensee on the face of the driver's license shall include:

a. and b. No change.

~~e. Rescinded IAB 11/8/06, effective 12/13/06.~~

**605.2(4) Date of birth.** The licensee's date of birth shall be listed as established according to 761—subrule 601.5(1) and 761—subrule 601.5(6).

**605.2(5) Sex.** The licensee's sex designation shall be listed as established according to the requirements of 761—subrule 601.5(7).

**605.2(6) REAL ID markings.**

a. A driver's license that is issued as a REAL ID license as defined in 761—601.7(321) shall include a security marking as required by 6 CFR 37.17(n).

b. Beginning January 15, 2013, a driver's license that is not issued as a REAL ID license as defined in 761—601.7(321) may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

c. A driver's license issued to a foreign national with temporary lawful status shall include the following statement on the face of the license: "limited term."

This rule is intended to implement Iowa Code section 321.189, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 4. Adopt the following **new** rule 761—605.6(321):

**761—605.6(321) License term for temporary foreign national.** A driver's license issued to a person who is a foreign national with temporary lawful status shall be issued only for the length of time the person is authorized to be present as verified by the department, not to exceed two years. However, if the person's lawful status as verified by the department has no expiration date, the driver's license shall be issued for a period of no longer than one year.

This rule is intended to implement Iowa Code section 321.196, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 5. Amend rule 761—605.11(321) as follows:

**761—605.11(321) Duplicate license.**

**605.11(1) Lost, stolen or destroyed license.** To replace a valid license that is lost, stolen or destroyed, the licensee shall submit Form 430052 and ~~proof of age, identity and social security number~~ shall comply with the requirements of 761—601.5(321). The replacement fee is \$3.

**605.11(2) Voluntary replacement.** The department shall issue a duplicate of a valid license to an eligible licensee if the license is surrendered to the department and the \$1 voluntary replacement fee is paid. Voluntary replacement includes but is not limited to:

a. No change.

b. Replacement to change the current residential address on a license. The licensee shall comply with the requirements of 761—subrule 601.5(3) to establish a change of current residential address.

c. Replacement to change the name on a license. The licensee shall ~~submit an affidavit of the name change on Form 430043. The affidavit must be accompanied by one of the following documents:~~ comply with the requirements of 761—subrule 601.5(5) to establish a name change.

~~(1)~~ Court-ordered name change. It must contain the full name, date of birth, and court seal.

~~(2)~~ Divorce decree.

~~(3)~~ Marriage certificate.

d. Replacement to change the date of birth on a license. The licensee shall comply with the requirements of 761—subrule 601.5(6) to establish a change of date of birth.

~~d. e.~~ Replacement to change the sex designation on a license. The licensee shall ~~submit court documentation of the sex change~~ comply with the requirements of 761—subrule 601.5(7) to establish a change of sex designation.

~~e. f.~~ Issuance of a license without the words “under 21” to a licensee who is 21 years of age or older.

~~f. g.~~ Issuance of a license without the words “under 18” to a licensee who is 18 years of age or older. (If the licensee is under 21 years of age, the words “under 21” will replace the words “under 18.”)

~~g. h.~~ Issuance of a noncommercial driver’s license to an eligible person who has been disqualified from operating a commercial motor vehicle.

~~h.~~ Replacement of a valid license before its expiration date to obtain a license issued under the new classification system.

i. Replacement of a valid license before its expiration date to obtain a license that may be accepted for federal identification purposes under 6 CFR Part 37 (a REAL ID license). The licensee shall comply with the requirements of 761—601.5(321) to obtain a REAL ID license.

This rule is intended to implement Iowa Code sections 321.189, 321.195, and 321.208, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 6. Amend rule 761—605.25(321) as follows:

#### **761—605.25(321) License renewal.**

**605.25(1)** A licensee who wishes to renew a driver’s license shall apply ~~at a driver’s license examination station to the department~~ and, if required, pass the appropriate examination.

**605.25(2)** and **605.25(3)** No change.

**605.25(4)** If the licensee’s current residential address, name, date of birth, or sex designation has changed since the previous license was issued, the licensee shall comply with the following:

a. Current residential address. The licensee shall comply with the requirements of 761—subrule 601.5(3) to establish a change of current residential address.

b. Name. The licensee shall comply with the requirements of 761—subrule 601.5(5) to establish a name change.

c. Date of birth. The licensee shall comply with the requirements of 761—subrule 601.5(6) to establish a change of date of birth.

d. Sex designation. The licensee shall comply with the requirements of 761—subrule 601.5(7) to establish a change of sex designation.

**605.25(5)** A licensee who has not previously been issued a license that may be accepted for federal identification purposes under 6 CFR Part 37 (a REAL ID license) and wishes to obtain a REAL ID license upon renewal must comply with the requirements of 761—601.5(321) to obtain a REAL ID license upon renewal.

**605.25(6)** A licensee who is a foreign national with temporary lawful status must provide documentation of lawful status as required by 761—subrule 601.5(4) at each renewal.

This rule is intended to implement Iowa Code sections 321.186 and 321.196, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

ITEM 7. Amend subrule 625.3(2) as follows:

**625.3(2)** A two-year license will be issued. The applicant must pay all fees and meet all requirements for the class of license applied for, except that ~~761—subrule 601.5(2) (proof of age and identity);~~ 761—subrule 601.5(1) is waived.

ITEM 8. Amend rule 761—630.2(321) as follows:

**761—630.2(321) Application and issuance.**

**630.2(1)** No change.

**630.2(2)** The applicant shall present proof of age, identity, date of birth, and social security number, Iowa residency, current residential address and lawful status as required by rule 761—601.5(321). Submission of parental consent is also required in accordance with rule 761—601.6(321).

**630.2(3)** The nonoperator's identification card shall be coded for identification only, as explained on the reverse side of the card. The county number shall indicate the county of residence. The card shall expire five years from the date of issue if the applicant is under the age of 70. A card issued to a person who is a foreign national with temporary lawful status shall be issued only for the length of time the person is authorized to be present in the United States as verified by the department, not to exceed two years. However, if the person's lawful status as verified by the department has no expiration date, the card shall be issued for a period of no longer than one year.

**630.2(4)** and **630.2(5)** No change.

**630.2(6)** ~~Rescinded IAB 2/8/12, effective 3/14/12.~~ An applicant who is a foreign national with temporary lawful status must provide documentation of lawful status as required by 761—subrule 601.5(4) at each renewal.

**630.2(7)** No change.

**630.2(8)** A nonoperator's identification card issued to a foreign national with temporary lawful status shall include the following statement on the face of the card: "limited term."

**630.2(9)** Beginning January 15, 2013, a nonoperator's identification card that is not issued as a REAL ID nonoperator's identification card as defined in subrule 630.2(7) may be marked as required by 6 CFR 37.71 and any subsequent guidance issued by the U.S. Department of Homeland Security.

ITEM 9. Amend subrule 630.3(1) as follows:

**630.3(1)** Lost, stolen or destroyed card. To replace a nonoperator's identification card that is lost, stolen or destroyed, the cardholder shall submit Form 430052 and ~~proof of age, identity and social security number~~ shall comply with the requirements of 761—601.5(321). The replacement fee is \$3.

ITEM 10. Amend subrule 630.3(2) as follows:

**630.3(2)** Voluntary replacement. To voluntarily replace a nonoperator's identification card, the cardholder shall surrender to the department the card to be replaced. The reasons a card may be voluntarily replaced and any additional supporting documentation required are the same as those listed in ~~subrule 761—605.11(2), 761—paragraphs 605.11(2) "a" to "f," "i."~~ The fee for voluntary replacement is \$1.

ITEM 11. Amend **761—Chapter 630**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 321.189, 321.190, ~~321.192~~, 321.195, 321.216, 321.216A, 321.216B and 321.216C, the REAL ID Act of 2005 (49 U.S.C. Section 30301 note), and 6 CFR Part 37.

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Systems Planning Order No. PPM-2013-13  
Submitted by Craig Markley Phone No. 515-239-1027 Meeting Date September 11, 2012  
Title Revitalize Iowa's Sound Economy (RISE) Application – Boone County (Delegation)

**DISCUSSION/BACKGROUND:**

Boone County submitted a RISE Immediate Opportunity application requesting a grant to assist in reconstruction of approximately 1,500 feet of E Avenue south of U.S. 30 located southwest of Ogden. This project is anticipated to be completed by August 2013.

This improvement is necessary to provide access to the site of AgReliant Genetics, LLC's seed corn production, conditioning and distribution facility. This company conforms to the legislative requirements of the RISE program.

The roadway will support:

- The creation of 25 new jobs at this facility.
- \$36,221,729 in associated capital investment.

The RISE cost per job assisted will be \$10,000, and there will be a total capital investment of \$144.89 for each RISE dollar requested.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$250,000 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE Fund.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

\_\_\_\_\_  
Division Director                      Legal                      State Director

Craig Markley, Office Systems Planning, reviewed the RISE Immediate Opportunity application from Boone county to reconstruct approximately 1,500 feet of E Avenue south of U.S. 30 located southwest of Ogden. The completed improvement will provide access to the site of AgReliant Genetics, LLC's seed corn production, conditioning, and distribution facility. The proposed project will result in the creation of 25 new jobs within three years along with associated capital investments of more than \$36 million. The average starting wage of the positions to be created is \$17.09 per hour which is 107 percent of the Boone county average wage rate of \$15.93 per hour. The recommended RISE grant is \$250,000. Local participation is 49 percent or \$241,613 for a total cost of \$491,613. RISE cost per job assisted is \$10,000; total capital investment per RISE dollar is \$144.89. He introduced Bill Lusher, Boone County Supervisor.

Mr. Lusher said AgReliant expressed an interest in their community and being an agricultural based community, it seemed like a good fit. He noted AgReliant recently built a new research facility south of the Iowa 17/U.S. 30 interchange and is now looking to build a seed corn processing plant nearby. This is a great opportunity for the local farmers as they will have the ability to participate in the growing of value-added crops.

Bob Fisher, Exec. Director, Boone's Future, said this project started early this year on a fast track. They worked with the state of Iowa through the high-quality jobs program and rebate on service and use taxes and committed more than \$2 million to the project. Midland Power Coop of Jefferson is investing \$850,000 for infrastructure. Boone's Future is contributing \$20,000. Boone county, through a tax rebate program, has committed \$1.8 million which will return about \$500,000 annually in property taxes. AgReliant will commit in excess of \$36 million. The Commission's commitment will be the final piece of the puzzle.

Steve Woodall, AgReliant Site Manager, said for the last several years the company has been looking at adding capacity and looked at sites in Nebraska and in several Iowa counties along with possibly expanding sites they currently own. Boone county did a lot of things that appealed to them so they chose Boone county. They are undergoing a three-year construction project and, over the course of that, will build a 500,000 unit seed corn growing, drying, conditioning facility that goes all way through to distributing the final product to farmers. They are also allowing for the possibility of bringing in soybean conditioning. They will start with 25 full-time positions with as many as 80 seasonal workers depending on the time of year and need.

Mr. Markley reviewed staff's recommendation.

Commissioner Reasner moved, Commissioner Yanney seconded the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$250,000 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the county share of the RISE fund. All voted aye.

Date Submitted: August 2, 2012

Commission Date: September 11, 2012

## RISE Immediate Opportunity Funding Economic Analysis Summary

### GENERAL INFORMATION

**Applicant:** Boone County

**Project Location and Description:** Reconstruction of approximately 1,500 feet of E Avenue south of U.S. 30 located southwest of Ogden.

**Associated Economic Development:** The project provides access to the site of AgReliant Genetics, LLC's seed corn production, conditioning and distribution facility. The project will result in the creation of 25 new jobs and more than \$36 million in associated capital investment.

### ECONOMIC IMPACT

**Total Roadway Project Cost:** \$491,613

**RISE Funds Requested:** \$250,000; **Grant:** \$250,000; **Loan \$----**

**Effective Project Cost to RISE Program:** \$250,000

**Local Participation:** \$241,613; **Sources:** Boone County

**Non-RISE Total Capital Investment:** \$36,221,729

(**Public:** \$36,201,729; **Private:** \$20,000)

**Direct Jobs Created:** 25; (**Other, Potential Future Jobs:** 0)

**Direct Jobs Retained:** 0; **Total Direct Jobs Assisted, Short-Term:** 25

**Number of Existing Jobs:** 0

**Project Average Wage Rate of New Jobs:** \$17.09/hr.

**100% Boone County Average Wage Rate:** \$15.93/hr.

### KEY RATIOS

**Local Match Ratio:** 49% (\$241,613/\$491,613)

**RISE Cost Per Job Assisted (Created):** \$250,000/25 = \$10,000.00

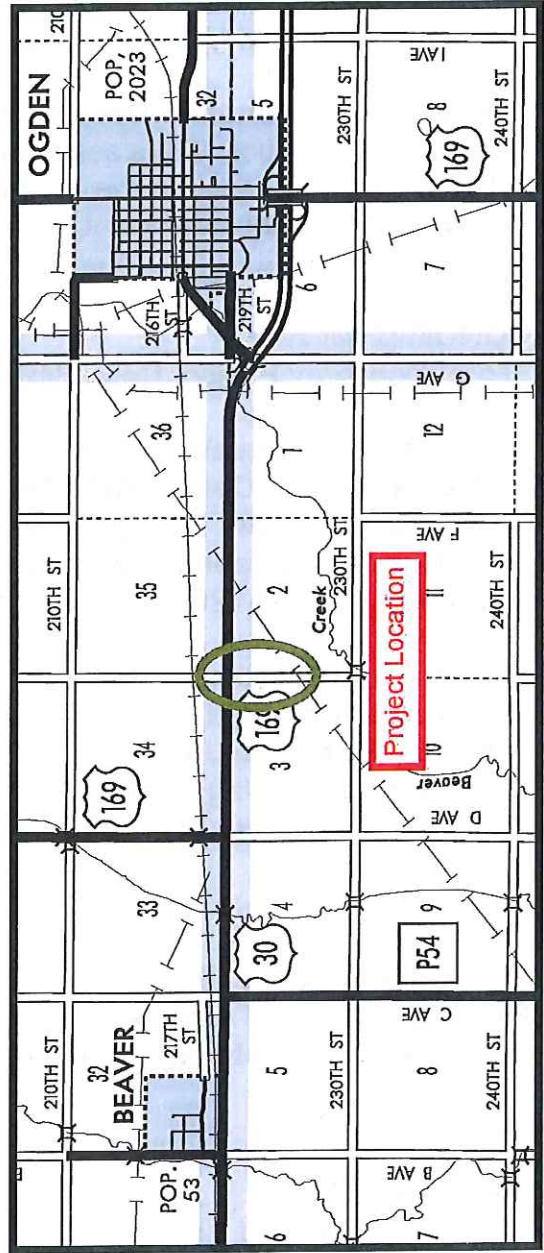
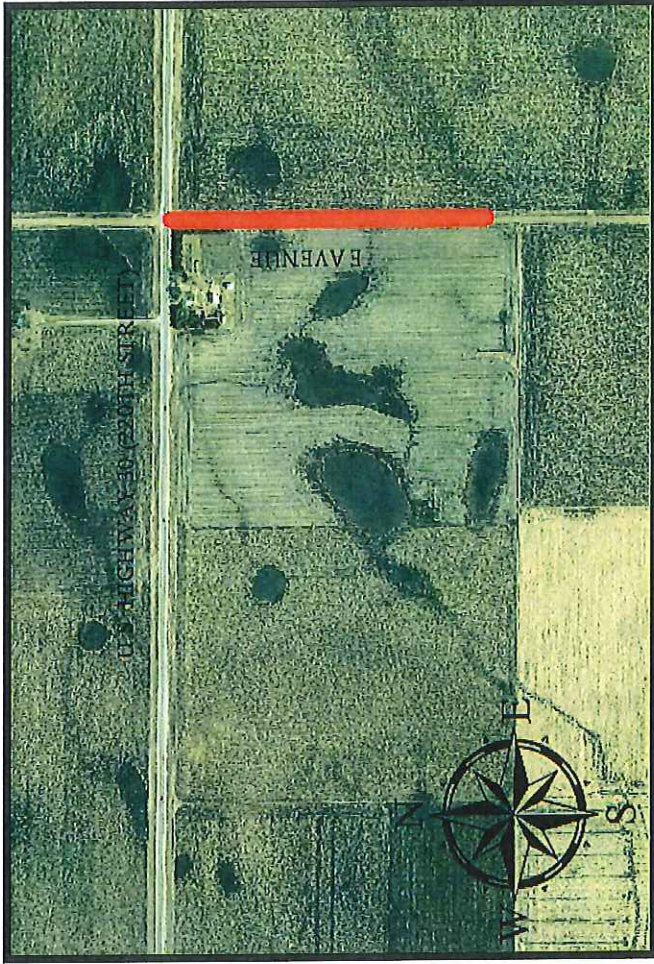
**Total Capital Investment Per RISE Dollar:** \$36,221,729/\$250,000 = \$144.89

### CONCLUSIONS

**Narrative:** Based on the capital investment and job creation commitments, staff recommends a grant of \$250,000 or up to 80 percent of total RISE-eligible project cost, whichever is less, from the county share of the RISE Fund.



# Boone County





PPM-2013-14

Craig Markley, Office of Systems Planning, reviewed a RISE Immediate Opportunity application from the city of Coralville to construct approximately 1,850 feet of University Parkway and 1,400 feet of Ridgeway Drive east of Coral Ridge Avenue located on the north central side of town. The improvements will provide access to the site of Sedgwick Claims Management Services Inc., a company that specializes in delivering cost-effective claims, productivity, managed care and risk consulting. These improvements also provide access to more than 21 acres for professional office purposes. The proposed project will result in the creation of 212 jobs within three years along with an associated capital investment of more than \$12 million.

Mr. Markley said the average starting wage of the positions to be created is \$18.25 per hour which is 110 percent of the Johnson county average wage rate of \$16.58 per hour. The RISE grant recommended is \$1,632,950; local participation is 20 percent or \$408,238 for a total cost of \$2,041,188. RISE cost per job assisted is \$7,702.59. Total capital investment per RISE dollar is \$7.85. He introduced Kelly Hayworth, Coralville City Manager.

Mr. Hayworth introduced Mayor Jim Fausett, Coralville. Mr. Hayworth said the road project will be an extension of a RISE project they did a little over a year ago which was the extension of University Parkway. MediRevv built a facility, moved in last week, and will expand their employment. Sedgwick is a great company that already has facilities in Dubuque, Bellevue, and Des Moines.

Mr. Markley reviewed the recommendation of staff.

Commissioner Rose moved, Commissioner Cleaveland seconded the Commission, based on the capital investment and job creation commitments, award a RISE grant of \$1,632,950 or up to 80 percent of the total RISE-eligible project cost, whichever is less, from the city share of the RISE fund. Commissioner Reasner abstained; remaining Commissioners voted aye.



Date Submitted: August 15, 2012

Commission Date: September 11, 2012

## **RISE Immediate Opportunity Funding Economic Analysis Summary**

### **GENERAL INFORMATION**

**Applicant:** Coralville

**Project Location and Description:** Construction of approximately 1,850 feet of University Parkway and 1,400 feet of Ridgeway Drive east of Coral Ridge Avenue located on the north central side of town.

**Associated Economic Development:** The project provides access to the site of the Sedgwick Claims Management Services Inc., a company that specializes in delivering cost-effective claims, productivity, managed care and risk consulting. These improvements also provide access to more than 21 acres for professional office purposes. The project will result in the creation of 212 new jobs and more than \$12 million in associated capital investment.

### **ECONOMIC IMPACT**

**Total Roadway Project Cost:** \$2,041,188

**RISE Funds Requested:** \$1,632,950; **Grant:** \$1,632,950; Loan \$----

**Effective Project Cost to RISE Program:** \$1,632,950

**Local Participation:** \$408,238; **Sources:** City of Coralville

**Non-RISE Total Capital Investment:** \$12,818,700

(**Public:** \$1,850,000; **Private:** \$10,968,700)

**Direct Jobs Created:** 212; (**Other, Potential Future Jobs:** 0)

**Direct Jobs Retained:** 0; **Total Direct Jobs Assisted, Short-Term:** 212

**Number of Existing Jobs:** 0

**Project Average Wage Rate of New Jobs:** \$18.25/hr.

**100% Johnson County Average Wage Rate:** \$16.58/hr.

### **KEY RATIOS**

**Local Match Ratio:** 20% ( $\$408,238/\$2,041,188$ )

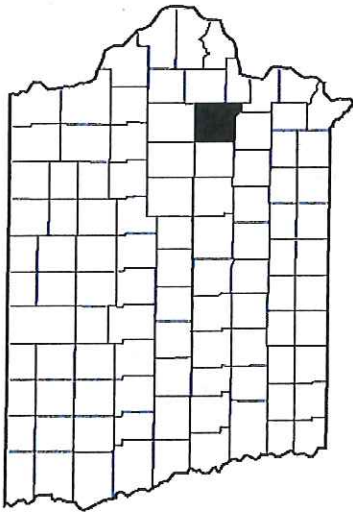
**RISE Cost Per Job Assisted (Created):**  $\$1,632,950/212 = \$7,702.59$

**Total Capital Investment Per RISE Dollar:**  $\$12,818,700/\$1,632,950 = \$7.85$

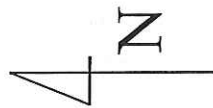
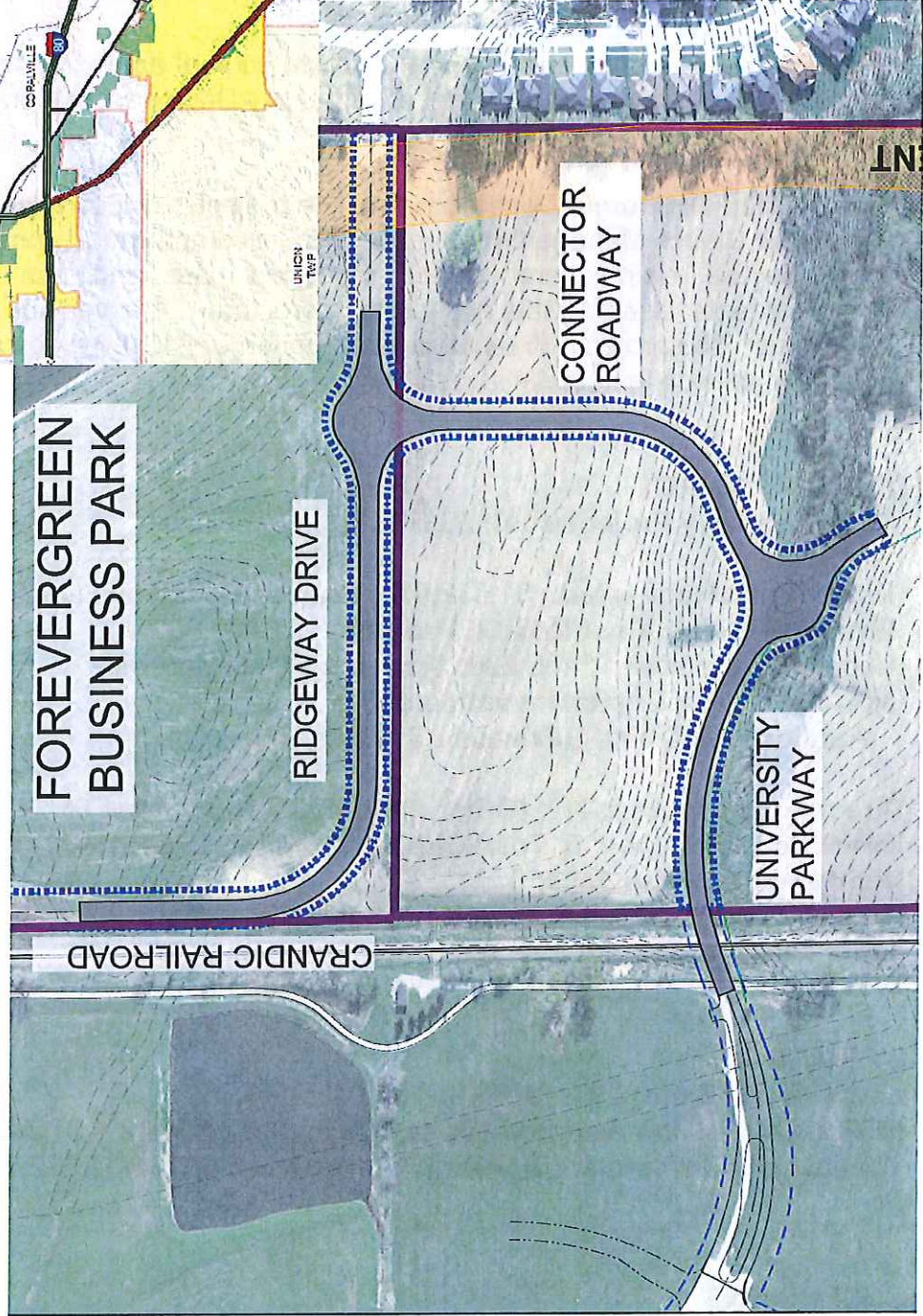
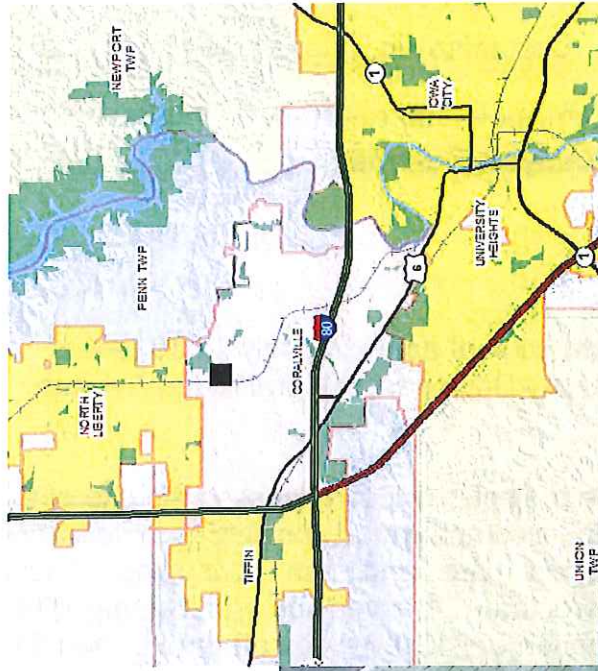
### **CONCLUSIONS**

**Narrative:** Based on the capital investment and job creation commitments, staff recommends a grant of \$1,632,950 or up to 80 percent of total RISE-eligible project cost, whichever is less, from the city share of the RISE Fund.





# Coralville



DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Planning, Programming and Modal Division  
Office of Rail Transportation Order No. PPM-2013-15  
Submitted by Tamara Nicholson Phone No. 515-239-1052 Meeting Date September 11, 2012  
Title Railroad Revolving Loan and Grant Program Recommendation

**DISCUSSION/BACKGROUND:**

Review of the current round of applications for funding from the Railroad Revolving Loan and Grant program has been completed. The following recommendations will be presented.

	<b><u>Targeted job creation projects</u></b>	<b><u>Loan</u></b>	<b><u>Grant</u></b>
1.	Iowa Falls UP/CN Connector	\$ 600,000	\$ 300,000
2.	Rail One	744,000	372,000
	<b><u>Rail network improvement</u></b>		
3.	CRANDIC Iowa River Crossing North Bridge	1,500,000	0
	<b><u>Planning study grants</u></b>		
4.	BJRY Rail/Truck/Barge Planning Study	0	40,000
5.	Central Iowa Transloading Facility Feasibility Study	0	100,000
6.	Iowa Falls/Hardin County Rail Port Planning Study	0	100,000
7.	North Central Ag Park Planning Study	0	80,000
8.	Mills – Pottawattamie County Rail Port Study	0	78,400
9.	Sioux City Rail Study Phase II	0	100,000
	<b>Total recommended funding</b>	<b>\$2,844,000</b>	<b>\$1,170,400</b>

Total recommended funding: \$4,014,400

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the Railroad Revolving Loan and Grant program funding recommendations, as listed.

**COMMISSION ACTION:**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

	Aye	Vote Nay	Pass
Blouin	_____	_____	_____
Cleaveland	_____	_____	_____
Miles	_____	_____	_____
Reasner	_____	_____	_____
Rose	_____	_____	_____
Wiley	_____	_____	_____
Yanney	_____	_____	_____

\_\_\_\_\_  
Division  
Director

\_\_\_\_\_  
Legal

\_\_\_\_\_  
State Director

PPM-2013-15

Tammy Nicholson, Office of Rail Transportation, said the Railroad Revolving Loan and Grant (RRLG) Program provides assistance to rail facilities that create jobs and economic development and provides assistance to railroads for the preservation and improvement of the rail transportation system. New in 2012 are grants for railport planning and development studies. Applications can be submitted at any time and are reviewed as funding is available.

Ms. Nicholson said staff presented and reviewed a recommendation with the Commission at the August 13, 2012, workshop for the fall 2012 round of funding. The recommendation is to fund nine rail infrastructure and related rail development projects for a total of \$4,014,400. Included are two projects in the Targeted Job Creation category, one project in the Rail Network Improvement category, and six planning study grants ranging from \$40,000 to \$100,000. She briefly reviewed the projects recommended for funding as listed in the commission order. These rail projects are expected to support the creation of 110 jobs within three years of implementation and spur the development of six industrial areas across the state. The proposed developments will leverage millions of dollars in new capital investments across the state. She requested Commission approval of this program.

Commissioner Cleaveland moved, Commissioner Wiley seconded the Commission approve the Railroad Revolving Loan and Grant program funding recommendations as listed. Commissioner Reasner abstained; remaining Commissioners voted aye.