

3 dollars" (\$4000.00) and enacting in lieu thereof the following: "five
4 thousand dollars" (\$5000.00).

Approved April 14, 1947.

CHAPTER 61

HIGHWAY PATROL COMPENSATION

H. F. 316

AN ACT to amend section eighty point eight (80.8), code 1946, relating to the compensation of members of the highway patrol.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend section eighty point eight (80.8), Code 1946,
2 by adding the following sentence after the word "governor." in line
3 twenty-six (26): "While on active duty each patrolman shall also
4 receive a flat daily sum as fixed by the commissioner with the approval
5 of the governor for meals while away from home and within his
6 district."

Approved April 22, 1947.

CHAPTER 62

LICENSING PRIVATE DETECTIVES

H. F. 481

AN ACT relating to the licensing and regulation of private detectives and private detective agencies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Definitions. The following words and phrases when
2 used in this act shall for the purposes of this act have the meanings
3 respectively ascribed to them, the singular to include the plural and
4 the masculine gender to include the feminine gender:
5 (a) "Private detective business or profession" shall mean and
6 include the business of making for hire, reward or gratis an investiga-
7 tion or investigations for the purpose of obtaining information with
8 reference to any of the following matters: Crimes against a common-
9 wealth or wrongs done or threatened; the habits, conduct, movement,
10 whereabouts, associations, transactions, reputation or character of
11 any person, firm or corporation; the credibility of witnesses or
12 other persons; the location or recovery of lost or stolen property;
13 the causes, origin of or responsibility for fires or accidents or injuries
14 or damages to persons or to real or personal property; or concerning
15 the truth or falsity of any statement or representation; or the business
16 of securing for hire, reward, or gratis evidence to be used before
17 investigation committees, boards of award or arbitration, or in the
18 trial of civil or criminal cases, or the business of furnishing for
19 hire, reward, or gratis guards or other persons to protect persons

20 or property; or to prevent the theft or the unlawful taking or use
21 of real or personal property, or the business of performing the services
22 of such guard or other person for any of said purposes.

23 (b) "*Detective agency*" shall mean and include any person, firm
24 or corporation engaged in the private detective business who adver-
25 tises as such or employs one or more detective agents in conducting
26 such business.

27 (c) "*Private detective*" shall mean and include any person who
28 advertises himself as such or who singly conducts a private detective
29 business without the assistance of any other detective agents other
30 than those employed as such on a part time basis only and who do not
31 make such an occupation their principal business or means of liveli-
32 hood.

33 (d) "*Detective Agent*" shall mean any person or operative employed
34 by a detective agency or private detective and engaging in any of
35 the activities of the private detective business or profession as defined
36 in this section.

37 (e) "*Commissioner*" or "*commissioner of public safety*" shall mean
38 the commissioner of public safety of the state of Iowa.

1 SEC. 2. The provisions of this act shall not apply to any detective
2 or officer belonging to and on the payroll of the police force of the
3 United States, or of any state, or of any county, city, town or village
4 thereof, appointed or elected by due authority of law; nor to any
5 person in the employ of the police force or police department or law
6 enforcement agency of any state, or of any county, city, town or
7 village thereof in the performance of his official duties; nor to any
8 county attorney; nor to any attorneys-at-law in the regular practice
9 of their profession; nor to any person, firm or corporation whose
10 business is solely the making of investigations and adjustments for
11 insurance companies or the furnishing of information with respect
12 to the business and financial standing and credit of persons, firms or
13 corporations; nor to any person making any investigation of any
14 matter in which such person or the person, firm or corporation by
15 whom such person is solely employed is interested or involved, nor
16 to any person making any investigation for any person, firm or corpora-
17 tion engaged in the business of transporting persons or property
18 in interstate commerce, nor to any person or persons, firm or corpora-
19 tion while engaged in the collection, editing or dissemination of news
20 for or on behalf of any newspaper, magazine, radio broadcasting
21 station or press or wire news services.

1 SEC. 3. It shall be unlawful for any person to engage in or attempt
2 to engage in business as a private detective without first obtaining
3 a license therefor issued by the commissioner of public safety.

1 SEC. 4. It shall be unlawful for any person, firm or corporation
2 to conduct or engage in business as a detective agency or to employ
3 persons to act as detective agents in the conduct of such business
4 without first obtaining a license therefor issued by the commissioner
5 of public safety, which license shall include authority for the detective
6 agency to employ detective agents.

1 SEC. 5. Every application for a private detective or detective
2 agency license, as required by this act shall be made to the commis-

3 sioner of public safety and shall be in such form as the commissioner.
4 may prescribe and shall contain a showing that the applicant has
5 qualified under the following conditions:

6 (a) That the applicant is at least twenty-one years of age.

7 (b) That the applicant is a citizen of the United States of America.

8 (c) That the applicant is of good moral character and has not
9 been convicted of a felony.

10 Each applicant shall submit to the commissioner of public safety
11 with his application such pictures and fingerprints of himself and
12 such description of his physical characteristics and appearance as
13 and in the manner and upon such forms as the commissioner of public
14 safety may prescribe. In the event that the applicant is a partnership,
15 all of the members thereof actively engaged in the detective business
16 in this state shall have such qualifications as are prescribed in para-
17 graphs (a), (b) and (c), of this section, and shall submit such
18 pictures, fingerprints and descriptions of his physical characteristics
19 and appearance as are hereby required to be submitted by individual
20 applicants; and in the event that the applicant is a corporation, the
21 articles of incorporation shall authorize the corporation to engage
22 in the business of conducting a detective agency and at least one
23 officer or executive officer and every corporate officer actively par-
24 ticipating in the detective business in this state shall have such
25 qualifications as are required by paragraphs (a), (b) and (c), of
26 this section; and shall submit such pictures, fingerprints and descrip-
27 tions of his physical characteristics and appearance as are required
28 by this section to be submitted by individual applicants. Upon approval
29 of the applications and the passing by the applicant of an examination
30 prescribed and conducted by the commissioner of public safety to
31 ascertain the qualifications, fitness and competency of the applicant
32 to engage in the private detective business or profession, the com-
33 missioner of public safety shall issue a license to such applicant as
34 a private detective or as a detective agency, as the case may be, upon
35 the filing with said commissioner of public safety by such applicant
36 of a surety bond which, in the case of a detective agency, shall be in
37 an amount not less than two thousand dollars and which, in the
38 case of a private detective, shall be in an amount of not less than
39 one thousand dollars, issued by a corporate surety company authorized
40 to do business in the state of Iowa and approved by the commissioner
41 of public safety, conditioned for the faithful, lawful and honest
42 conduct of such applicant and those employed by such applicant in
43 carrying on the private detective business, which bond shall be in
44 such form as the commissioner of public safety may prescribe and
45 shall be taken in the name of the people of the state of Iowa and shall
46 provide that any person, firm or corporation injured by a breach
47 of the conditions of such bond may bring an action on the said
48 bond in the name of the people of the state of Iowa for the use
49 of such person, firm or corporation so injured to recover legal damages
50 suffered by reason of such breach; provided, however, that the
51 aggregate liability of the surety for all such damages shall in no
52 event exceed the amount of said bond.

1 SEC. 6. Licenses issued under the provisions of this Act shall
2 expire on the last day of December each year. Applicants for licenses

3 shall deposit with each application a fee equal to the fee herein
4 prescribed for such license and if the application be approved, said
5 amount shall be applied on the license fee, but if such application is
6 disapproved, the same shall not be returnable or refunded. The annual
7 license fee for a private detective shall be ten dollars. The annual
8 license fee for a private detective agency shall be twenty-five dollars.
9 When a license is issued in the month of February or in succeeding
10 months, the fee therefor shall be computed on the basis of one-twelfth
11 of the annual license fee, as provided herein, multiplied by the number
12 of unexpired months of the year, including the month in which said
13 license is issued. Whenever any such fee so computed contains a
14 fractional part of a dollar, it shall be computed as of the nearest
15 fractional quarter-dollar thereto.

1 SEC. 7. There shall be conspicuously displayed in the place or
2 places of business or office or offices of every private detective or
3 detective agency, the license issued to said private detective or detective
4 agency, pursuant to this act, or a full size facsimile reproduction of
5 said license.

1 SEC. 8. Every private detective agency and private detective shall
2 issue to each of its officers and detective agents an identification card
3 which shall include a physical description and the fingerprints of and
4 a picture of said officer or detective agent. Such identification cards
5 shall be in such form as approved by the commissioner of public
6 safety and there shall be imprinted upon or attached to said identifica-
7 tion card a facsimile reproduction of the license issued to said detective
8 agency pursuant to this act. It shall be unlawful for any detective
9 agency or private detective to employ any person as a detective agent
10 unless at the time of such employment there is issued to such detective
11 agent an identification card as provided in this section. It shall be
12 unlawful for any person to act as a detective agent unless he has
13 in his immediate possession an identification card as provided in
14 this section.

1 SEC. 9. A duplicate license shall be issued by the commissioner
2 of public safety upon the payment of a fee therefor in the amount
3 of one dollar and the filing with him in such form as he shall prescribe,
4 a statement under oath that the original license has been lost or
5 destroyed and that, if the original license is recovered, such original
6 or the duplicate issued will be returned immediately to the commis-
7 sioner of public safety for cancellation.

1 SEC. 10. The commissioner of public safety may either refuse
2 to issue or may suspend or may revoke a license issued by him,
3 pursuant to this act for any one or any combination of the following
4 reasons:
5 (a) Fraud in obtaining a license.
6 (b) Violation of any of the terms and provisions of this act.
7 (c) If the holder of any license or a member of any partnership
8 or an officer of any corporation licensed by the commissioner of
9 public safety, pursuant to the provisions of this act, has been adjudged
10 guilty of the commission of a crime involving moral turpitude.
11 (d) If the holder of any license is found guilty of willful betrayal

12 of any information obtained by the licensee in the course of the
13 conduct of the private detective business.

14 (e) Upon the disqualification or insolvency of the surety on the
15 licensee's bond, unless such licensee files a new bond with sufficient
16 surety within fifteen days of the receipt of notice from the com-
17 missioner.

18 (f) If the licensee or applicant for a license shall fail to have
19 any of the qualifications as provided in Section 5 hereof.

1 SEC. 11. Unless otherwise authorized by law, no person, while
2 engaged in any activity of the private detective business or profession,
3 as defined by this act, shall wear, carry or display any distinctive
4 or identifying badge or insignia pertaining to said business or profes-
5 sion other than that prescribed or approved by the commissioner
6 and, in the event that a private detective or any officer or employee
7 of a detective agency shall wear a uniform while engaged in any
8 activity of the private detective business or profession as defined
9 in this act, there shall be conspicuously displayed thereon such
10 distinctive identifying badges or insignia as the commissioner may
11 prescribe or approve and the manner of displaying such badges or
12 insignia shall be subject to the approval of the commissioner.
13 "Uniform" as used in this section shall mean any manner of dress
14 of a particular style and distinctive appearance as distinguished
15 from ordinary clothing customarily used and worn by the general
16 public.

1 SEC. 12. Any person, firm or corporation who violates any of the
2 provisions of this act or who makes any false statement or representa-
3 tion in any application or statement filed with the commissioner of
4 public safety, as required by this act, or any person who falsely states
5 or represents that he has been or is a private detective or advertises
6 himself as such, or any person, firm or corporation who engages in
7 the private detective business or profession as defined in this act,
8 without being possessed of a current, valid license therefor, as provided
9 by this act, shall be guilty of a misdemeanor and upon conviction
10 thereof shall be punished by a fine of not less than one hundred dollars,
11 nor more than five hundred dollars, or by imprisonment in the county
12 jail not to exceed six months, or by both such fine and imprisonment.

Approved April 14, 1947.

CHAPTER 63

BOARD OF MINE EXAMINERS

S. F. 345

AN ACT to amend section eighty-two point one (82.1), code 1946, relating to coal mines and mining by setting compensation of board of examiners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-two point one (82.1), Code 1946, is
2 amended by adding the following:

3 Each member of the board of examiners shall, in addition to