

16 An order of revocation shall be effective upon the issuance of the or-
 17 der of revocation, and until the order is rescinded by the secretary, or
 18 until the decision of the secretary is reversed by a final order of a court
 19 of this state.

1 SEC. 12. Chapter one hundred seventy-two A (172A), Code 1975, is
 2 amended by adding the following new section:

3 **172A.13 NEW SECTION. Rules.** The secretary is authorized to
 4 adopt rules pursuant to chapter seventeen A (17A) of the Code which
 5 are reasonable and necessary for the enforcement of this Act.

1 SEC. 13. This Act shall take effect on July 1, 1975. A person having
 2 a license in effect on June 30, 1975, shall have until September 1, 1975
 3 in which to submit application for license and proof of financial re-
 4 sponsibility as required by this Act. A license in effect on June 30,
 5 1975, shall continue to be in effect until September 1, 1975, unless
 6 sooner revoked, suspended or surrendered by the licensee, and a licen-
 7 see shall comply with all of the provisions of this Act, except as provid-
 8 ed in this section.

Approved June 16, 1975

CHAPTER 132

LIVESTOCK TRANSPORTATION

H. F. 185

AN ACT relating to the transporting of livestock, and providing penalties.

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

1 SECTION 1. NEW SECTION. **Definitions.** As used in this Act, un-
 2 less the context otherwise requires:

3 1. "Livestock" means and includes live cattle, swine, sheep or horses,
 4 and the carcasses of such animals whether in whole or in part.

5 2. "Law enforcement officer" means a state highway safety patrol-
 6 man, a sheriff, or other peace officer so designated by this state or by a
 7 county or municipality.

8 3. "Owner" means a person having legal title to livestock.

9 4. "Secretary" means the secretary of agriculture or his designee.

10 5. "Transporting livestock" means being in custody of or operating a
 11 vehicle in this state, whether or not on a highway, in which are con-
 12 fined one or more head of livestock. Vehicle includes a truck, trailer,
 13 and other device used for the purpose of conveying objects, whether or
 14 not the device has motive power or is attached to a vehicle with motive
 15 power at the time the livestock are confined.

16 6. "Transportation certificate" means the document specified in sec-
 17 tion three (3) of this Act, and includes either the standard form pre-
 18 scribed by the secretary, or a substitute document the use of which has
 19 been authorized by the secretary.

1 SEC. 2. NEW SECTION. **Transportation certificate exhibited—**
 2 **public offense.** A person transporting livestock shall execute in the
 3 presence of a law enforcement officer, at the request of the officer, a
 4 transportation certificate. A person who fails to comply with this sec-
 5 tion commits a public offense punishable as provided in section six (6)

6 of this Act. A person who fails to execute a transportation certificate
 7 upon the request of the officer fails to comply with this section even
 8 though the person possesses a transportation certificate.

1 **SEC. 3. NEW SECTION. Form of certificate—substitutes.**

2 1. Duties of secretary. The secretary, pursuant to chapter seventeen
 3 A (17A) of the Code, shall prescribe a standard form of the transporta-
 4 tion certificate required by this Act. Where the laws of this state or of
 5 the United States require the possession of another shipping document
 6 by a person transporting livestock, or where the industry practice of
 7 carriers requires the possession of a shipping document by a person
 8 transporting livestock, and where such a document contains all of the
 9 information other than signatures which is prescribed in subsection two
 10 (2) of this section, upon application of a carrier the secretary by rule
 11 shall authorize the use of a specific document in lieu of the standard
 12 form prescribed by the secretary, but subject to any conditions the sec-
 13 retary may impose. A person who is in possession of a shipping docu-
 14 ment approved by the secretary shall not be required to possess the
 15 standard form transportation certificate prescribed by the secretary,
 16 but the person may be required by a law enforcement officer to execute
 17 the standard form transportation certificate.

18 The form prescribed or authorized by the secretary shall be executed
 19 in triplicate, and shall be retained as provided in section four (4) of
 20 this Act.

21 The secretary shall distribute, upon request, copies of the prescribed
 22 standard form to veterinarians, marketing agencies, carriers, law en-
 23 forcement officers, and other persons, and may collect a fee from the
 24 recipient totaling not more than the cost of printing and postage.
 25 Nothing in this Act shall be construed to prohibit a person from caus-
 26 ing the reproduction of the standard form, and an accurate reproduc-
 27 tion of a standard current form may be used as a transportation
 28 certificate for all purposes.

29 2. Contents. The transportation certificate shall contain the follow-
 30 ing information:

- 31 a. The date of execution of the certificate.
- 32 b. The name and address of the owner of the livestock.
- 33 c. The name and address of the shipper if other than the owner.
- 34 d. The address of the loading point of the livestock, or the nearest
 35 post office and county.
- 36 e. The date of loading of the livestock.
- 37 f. The name and address of the purchaser, consignee, or other person
 38 receiving shipment.
- 39 g. The address of the destination of the livestock, or the nearest post
 40 office and county.
- 41 h. The name and address of the carrier or person transporting live-
 42 stock.
- 43 i. The motor vehicle operator's license number of the person trans-
 44 porting livestock.
- 45 j. The vehicle license number and the state of issuance.
- 46 k. The vehicle seal number, if any.
- 47 l. The form number and state of issuance of any health certificate
 48 accompanying the livestock.
- 49 m. A description of the livestock including number, breed, sex, age,
 50 and brands, if any.
- 51 n. The signature of the owner or shipper, or the signature of the per-
 52 son transporting livestock, or the signatures of either the owner or ship-
 53 per and the person transporting livestock.

1 **SEC. 4. NEW SECTION. Execution and retention of records.**

2 1. Shipper. A person who causes the transporting of livestock shall
3 cause to be executed and to be delivered to the person transporting
4 livestock, at the request of that person, duplicate copies of a transpor-
5 tation certificate.

6 2. Transporter. A person transporting livestock who has been given a
7 receipt by a law enforcement officer shall retain that receipt until the
8 person relinquishes custody of the livestock.

9 3. Law enforcement officer. A law enforcement officer, upon re-
10 questing and receiving a transportation certificate, shall retain a copy
11 of the certificate and shall submit the certificate to the law enforce-
12 ment agency by which he is employed. The officer shall give to the
13 person transporting livestock, in a form prescribed by the commissioner
14 of public safety or his designee, a receipt for the certificate given to
15 the officer. However, a law enforcement officer shall not retain a copy
16 of the certificate if the person transporting livestock has a receipt is-
17 sued by another law enforcement officer.

18 The commissioner of public safety may authorize the use of any
19 method of giving receipt, including endorsement by the officer on the
20 certificate retained by the person transporting livestock. The receipt
21 shall make the law enforcement officer issuing the receipt identifiable
22 by other law enforcement officers.

1 **SEC. 5. NEW SECTION. Authority of law enforcement officers.**

2 1. Investigation. A law enforcement officer may stop and detain a
3 person, whether on or off a highway, who is transporting livestock for
4 the purpose of obtaining compliance with section two (2) of this Act,
5 and the officer may request the presentation or execution of a trans-
6 portation certificate. The officer may examine the livestock for identi-
7 fication, the vehicle for the purpose of obtaining the vehicle
8 registration number, and the registration of the vehicle and the opera-
9 tor's license of the driver or person detained: However, nothing in this
10 Act shall be construed to authorize any law enforcement officer to open
11 or require the opening of the cargo compartment of any vehicle manu-
12 factured for use in carrying refrigerated cargo when both the cargo is
13 actually under refrigeration at the time the vehicle is detained by the
14 law enforcement officer, and the person operating the vehicle has in
15 possession when stopped a valid transportation certificate or approved
16 shipping document which was executed by the shipper and when identi-
17 fies the cargo as processed livestock and otherwise complies with sub-
18 section two (2) of section three (3) of this Act.

19 2. Execution of certificate. If the person transporting livestock does
20 not possess a completed transportation certificate, or if in the opinion
21 of the officer the form possessed is improper, the officer may provide
22 the person with a blank standard form, and may request that the per-
23 son execute the form, including the person's signature. The person
24 shall be permitted to view any documents in his possession for the pur-
25 pose of completing the form. Except as provided in section four (4) of
26 this Act, the officer shall retain a copy of the certificate and shall give
27 the person a receipt for that certificate.

28 3. Detention. A law enforcement officer may detain a person trans-
29 porting livestock for a reasonable period of time not to exceed thirty
30 minutes for the purpose of verifying any information obtained by the
31 officer.

32 4. Arrest. A detention for the purposes of subsections one (1), two
33 (2), and three (3) of this section shall not constitute an arrest. If the
34 law enforcement officer has probable cause to believe that the person

35 transporting livestock has committed a public offense, the officer may
 36 place the person under arrest. The officer may require the person to
 37 move the vehicle to a place determined by the officer, or the officer
 38 may make other provisions for the vehicle and the livestock, as the of-
 39 ficer shall determine. If the owner of the livestock is not available, the
 40 officer is authorized to incur reasonable expense for the care of the
 41 livestock which expense shall be charged to and paid by the owner of
 42 the livestock.

1 **SEC. 6. NEW SECTION. Offenses and penalties.**

2 1. A person who is convicted of violating section two (2) of this Act
 3 may be sentenced to a fine not to exceed one hundred dollars, or to
 4 imprisonment in the county jail for a period not to exceed thirty days,
 5 or both the fine and imprisonment.

6 2. A person who makes or utters a transportation certificate with
 7 knowledge that some or all of the information contained in the certifi-
 8 cate is false, or a person who alters, forges, or counterfeits a transporta-
 9 tion certificate, or the receipt prescribed in section four (4) of this Act,
 10 commits a public offense and upon conviction may be sentenced to a
 11 term in the state penitentiary not to exceed ten years, to a fine not to
 12 exceed five thousand dollars, or to both the fine and imprisonment.

1 **SEC. 7.** The code editor is directed to codify sections one (1)
 2 through six (6) of this Act as a new chapter one hundred eighty-eight A
 3 (188A).

1 **SEC. 8.** This Act shall take effect on January 1, 1976.

Approved July 11, 1975

CHAPTER 133
LIVESTOCK FEEDLOTS
 H. F. 215

AN ACT prohibiting any processor or limited partnership with certain exceptions from own-
 ing, controlling or operating a feedlot in Iowa, providing for divestment of prohibited op-
 erations, providing a moratorium on acquisition of agricultural land by certain
 corporations, requiring reports from corporations, limited partnerships, fiduciaries, nonresi-
 dent aliens and nonresident alien corporations, and providing penalties.

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

1 **SECTION 1. NEW SECTION. Definitions.** For the purposes of this
 2 Act:

3 1. "Corporation" means a domestic or foreign corporation as defined
 4 in chapters four hundred ninety-one (491), four hundred ninety-six A
 5 (496A), four hundred ninety-seven (497), four hundred ninety-eight
 6 (498), four hundred ninety-nine (499), five hundred four (504) and five
 7 hundred four A (504A) of the Code which owns or leases agricultural
 8 land or is engaged in farming.

9 2. "Limited partnership" means a partnership as defined in chapter
 10 five hundred forty-five (545) of the Code which owns or leases agricul-
 11 tural land or is engaged in farming.