

Reported Recommending.....
 Ind. Postponed.....
 Passed House.....
 Failed to Pass House.....
 Passed Senate.....
 Failed to Pass Senate.....

March 5, 1937.
 Departmental Affairs.

House File 313.
 By PEISEN.

*Public Safety
 Rene Pfeiffer*

A BILL FOR

An Act to create a department of public safety, and to provide for the centralization of all state peace officers therein, and to provide centralization of all state police activities, and to repeal the following sections of the 1935 Code of Iowa: thirteen thousand four hundred and seven (13407), thirteen thousand four hundred and eight (13408), thirteen thousand four hundred and nine (13409), thirteen thousand four hundred and ten (13410), thirteen thousand four hundred and twelve (13412), thirteen thousand four hundred and thirteen (13413), thirteen thousand four hundred and fourteen (13414), thirteen thousand four hundred and fifteen (13415), thirteen thousand four hundred and seventeen (13417); sixteen hundred and twenty (1620), sixteen hundred and twenty-one (1621), sixteen hundred and twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred and twenty-three-one (1623-c1), sixteen hundred and fifty-five (1655); and to repeal section sixteen hundred and nineteen (1619), Code, 1935, and to enact a substitute therefor; also to amend sections fifty-one hundred and eighty-two (5182), thirteen thousand four hundred and five (13405), thirteen thousand four hundred and sixteen (13416), thirteen thousand four hundred and seventeen-b one (13417-b1), thirteen thousand four hundred and seventeen-d one (13417-d1), thirteen thousand four hundred and seventeen-d two (13417-d2), thirteen thousand four hundred and seventeen-d three (13417-d3), thirteen thousand four hundred and seventeen-d four (13417-d4), thirteen thousand four hundred and seventeen-d five (13417-d5), chapter six hundred and twenty-one (621); section sixteen hundred fifty-four (1654), section fifteen hundred fourteen (1514); chapter eighty (80), sections sixteen hundred and sixty-four (1664), sixteen hundred and sixty-five (1665), sixteen hun-

dred and sixty-six (1666), sixteen hundred and sixty-eight (1668), sixteen hundred and sixty-nine (1669), sixteen hundred and seventy (1670), sixteen hundred and seventy-one (1671), sixteen hundred and seventy-four (1674), sixteen hundred and seventy-five (1675), sixteen hundred and seventy-six (1676), sixteen hundred and seventy-seven (1677), twenty-eight hundred and fifty-three (2853), forty-nine hundred and sixty-d one (4960-d1), forty-nine hundred and sixty-d twenty-five (4960-d25), forty-nine hundred and sixty-d twenty-six (4960-d26), forty-nine hundred and eighty-five (4985), forty-nine hundred and eighty-six (4986), forty-nine hundred and eighty-seven (4987), forty-nine hundred and ninety-one (4991), fifty hundred and sixty-six (5066), fifty hundred and ninety-three-d one (5093-d1), fifty hundred and ninety-three-d seven (5093-d7), fifty hundred and ninety-three-d thirteen (5093-d13), fifty-one hundred and five-a two (5105-a2), fifty-one hundred and five-a eighteen (5105-a18), fifty-one hundred and five-a twenty-nine (5105-a29), fifty-one hundred and five-a thirty (5105-a30), fifty-one hundred and five-a thirty-five (5105-a35), fifty-one hundred and five-a thirty-eight (5105-a38), fifty-one hundred and five-c two (5105-c2), fifty-one hundred and five-c eight (5105-c8), fifty-one hundred and five-c fifteen (5105-c15), fifty-one hundred and five-c sixteen (5105-c16), fifty-one hundred and five-c seventeen (5105-c17), fifty-one hundred and five-c nineteen (5105-c19), fifty-one hundred and five-c twenty (5105-c20), fifty-one hundred and five-c twenty-one (5105-c21), fifty-one hundred and five-c twenty-three (5105-c23), fifteen hundred and seventy-six (1576), thirty-two hundred and forty-four-b six (3244-b6) and thirty-two hundred and fifty-one (3251), Code, 1935, and chapter one hundred and twenty-four (124) of the Forty-sixth General Assembly, relating to peace officers and the department of justice, state fire marshal and deputy, bureau of labor, department of agriculture, motor vehicles and law of the road, liquor control and fish and game laws.

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

- 1 Section 1. There is hereby created a department of the state
- 2 government which shall be known and designated as the Department of
- 3 Public Safety, which shall consist of a commissioner as its executive

4 head and of such officers and employees as may be necessary.

1 Sec. 2. The governor shall, within sixty (60) days after the
2 passage of this act and every six (6) years thereafter, appoint,
3 with the approval of the senate, a commissioner of public safety.

1 Sec. 3. The term of office of the commissioner shall be for a
2 period of six (6) years beginning July 1, 1937, and his successors
3 shall be appointed for like periods.

1 Sec. 4. The governor may remove the commissioner for cause
2 after a public hearing before the executive council.

1 Sec. 5. The commissioner of public safety must have had at least
2 five (5) years' practical experience as a police officer in an admin-
3 istrative capacity in a city police department, in a county sheriff's
4 office, or in a state police system. Said commissioner need not
5 necessarily be a citizen and resident of Iowa at the time of his
6 appointment. Said commissioner shall be a man of high moral
7 character, of good standing in the community in which he lives, and
8 of recognized standing in his profession.

1 Sec. 6. The commissioner shall appoint such deputies, office
2 employees and officers as may be required for the proper discharge
3 of the duties of the department. The salaries of all employees
4 and members of the department shall be fixed by the governor and
5 comptroller.

1 Sec. 7. It shall be the duty of the commissioner and
2 members of the department to prevent crime, and to detect
3 and apprehend criminals, and to enforce such other laws as
4 are hereinafter set forth. They shall have power to arrest,

5 without a warrant, any person committing or attempting to
6 commit within their presence or view a breach of the peace or
7 other violation of the law; to serve and execute warrants of
8 arrest or search issued by proper authority; and to exercise
9 the powers of all other police officers of the state. They
10 shall not exercise their powers within the limits of any city
11 except by direction of the governor or upon a request of the
12 mayor of the city with the approval of the governor, and ex-
13 cept while in hot pursuit of law violators, or while making
14 inspections as herein provided, or enforcing fire and arson
15 laws. Members of the department, in cooperation with the
16 following officers named, shall have and may exercise in any
17 part of the state, with regard to the enforcement of the
18 criminal laws, all powers of sheriffs, deputy sheriffs, chiefs
19 of police, police officers, and township constables. They
20 shall have the right to demand and receive in the discharge
21 of their duties, the assistance of any county attorney or
22 peace officer within their respective counties, and authorize
23 the payment of any necessary expense therefor.

24 In more particular, their duties shall be as follows:

- 25 1. To enforce all state laws.
- 26 2. To compel the enforcement of all laws relating
27 to traffic on the public highways of the state, including those
28 regulating the weight, speed, and operation of vehicles; to
29 enforce the laws relating to drivers' and motor vehicle licenses
30 and truckers' and carriers' licenses, permits, and certificates,

31 to see that proper safety rules are observed, and to give first
32 aid to the injured.

33 3. To investigate all fires; to apprehend persons
34 suspected of arson; to enforce all safety measures in connec-
35 tion with the prevention of fires; and to disseminate fire
36 prevention education.

37 4. Enforce the fish and game laws of the state.

38 5. To inspect and test all fuel and oil pumps, weights,
39 measures, and scales used in the carrying on of retail and
40 wholesale trade, and to enforce the correct operation of same.

41 6. To collect and classify, and keep at all times
42 available, complete information useful for the detection of
43 crime, and the identification and apprehension of criminals.
44 Such information shall be available for all police officers
45 within the state, under such regulations as the commissioner
46 may prescribe.

47 7. To operate such radio broadcasting stations as may
48 be necessary in order to disseminate information which will make
49 possible the speedy apprehension of law breakers, as well as such
50 other information as may be necessary in connection with the
51 duties of this office.

1 Sec. 8. Section fifty-one hundred eighty-two (5182) of the
2 Code, 1935, is hereby amended by adding the following:

3 “The sheriffs shall, so far as possible, use the services of
4 the state department of public safety in the apprehension of
5 criminals and detection of crime.”

1 Sec. 9. The department of public safety is hereby authorized
2 to establish and conduct a school for the instruction of law-
3 enforcement officers of this state, including members and pros-
4 pective members of the department of public safety and of the
5 several counties, townships, cities and towns thereof, such
6 schools to be known as the Iowa Training School for Police
7 and to be conducted at such place or places in the state of
8 Iowa and the sessions thereof to be held at such times and
9 for such periods as the commissioner of public safety shall
10 designate.

11 Provisions shall be made for instruction in the following
12 subjects and such others as the commissioner of public safety
13 shall deem expedient:

- 14 (a) Identification of criminals and fingerprinting.
- 15 (b) Methods of criminal investigation.
- 16 (c) Rules of criminal evidence.
- 17 (d) Presentation of cases in court.
- 18 (e) Making of complaints and securing of criminal
19 warrants.
- 20 (f) Securing and use of search warrants.
- 21 (g) How to secure extradition and rendition.
- 22 (h) Small arms instruction.
- 23 (i) Regulation of traffic.
- 24 (j) First aid.

1 Sec. 10. The commissioner of public safety shall call upon
2 members of any state department or any instructor or professor

3 in any state educational institution, subject to the approval
4 of the executive head of such department or institution, to act
5 as instructor or lecturer in such school and may pay the reason-
6 able expenses of such persons while in attendance. The legisla-
7 tive body in any county, city or town may authorize the attendance
8 at such school of any law-enforcing officer under the jurisdic-
9 tion of such county, city or town and may provide for the
10 payment of the expenses of such person while in attendance,
11 which payment shall be made out of the general fund of such
12 county, city or town.

1 Sec. 11. The commissioner of public safety may provide
2 board and lodging for persons in attendance at such schools,
3 the cost thereof to be borne by the student or by the county,
4 city or town authorizing his attendance at such school.

1 Sec. 12. To each person satisfactorily completing the
2 course of study prescribed, the commissioner of public safety
3 shall issue a certificate of graduation or diploma stating that
4 the holder has graduated from the Iowa Training School for Police.

1 Sec. 13. No applicant for membership in the department of
2 public safety shall be appointed as a member until he has passed
3 a satisfactory physical and mental examination. In addition,
4 such applicant must be a citizen of the United States, of sound
5 constitution, able to write, of good moral character, and not
6 less than 21 years of age, or more than 35 years at time of
7 enlistment. Such examination shall be prepared and given by
8 the commissioner of public safety and shall conform as a minimum

9 to recognized standards in the testing and recruiting of appli-
10 cants as are required in other cities and state police forces.
11 Each applicant shall take an oath on becoming a member of the
12 force to uphold the laws and constitution of the United States
13 and of the State of Iowa. All rules and regulations regarding
14 the enlistment, appointment, and employment affecting the
15 personnel of the department shall be established by the commis-
16 sioner.

17 Members of the Highway Safety Patrol as provided in
18 Chapter forty-eight (48) of the acts of the Forty-sixth (46th)
19 General Assembly, may be enrolled in the department without
20 further examination, at the discretion of the commissioner.

1 Sec. 14. In general, the allocation of duties of the depart-
2 ment of public safety shall be as follows :

- 3 (1) Commissioner's office.
- 4 (2) Division of statistics and records.
- 5 (3) Division of criminal investigation.
- 6 (4) Division of highway safety and uniformed force.
- 7 (5) Division of fire protection.
- 8 (6) Division of inspection.

9 Nothing in the aforesaid allocation of duties shall
10 be interpreted to prevent flexibility in inter-departmental
11 operations or to forbid other divisional allocations of duties
12 in the discretion of the commissioner of public safety.

1 Sec. 15. It shall be the duty of the commissioner of public
2 safety to provide for the members of the department suitable

3 uniforms, subsistence, arms, equipment, clothing, quarters, and
4 other necessary supplies, and also the expense and means of
5 travel and boarding the force or members thereof, according to
6 rules and regulations made by the commissioner, as may be provided
7 by appropriation.

1 Sec. 16. It shall be the duty of the commissioner of public
2 safety, subject to the approval of the governor, to establish
3 divisional headquarters at various places in the state.

1 Sec. 17. No fees or rewards shall be retained personally by
2 members of the force in addition to their salaries, and any such
3 fees or rewards earned by any members of said force, shall be
4 credited to the fund as herein provided to pay the expenses of
5 this department. All salaries herein provided for and all expenses
6 incurred under the provisions of this act shall be allowed and
7 audited in the same manner as in other state offices, and shall
8 be payable out of moneys hereafter appropriated.

1 Sec. 18. Amend section thirteen thousand four hundred five
2 (13405) of the Code, 1935, by striking out paragraph four (4)
3 and substituting the following: "4. All members of the state
4 department of public safety excepting the members of the clerical
5 force".

1 Sec. 19. Repeal sections 13407, 13408, 13409, 13410,
2 13412, 13413, 13414, 13415, and 13417 of the Code, 1935.

1 Sec. 20. Amend section thirteen thousand four hundred
2 sixteen (13416) of the Code, 1935, by striking out the words
3 "attorney general" in lines one (1) and two (2) and substitut-

4 ing therefor the words “commissioner of public safety”; further
5 amend by striking out the words “attorney general” in line
6 eight (8) and substituting therefor the words “commissioner of
7 public safety”.

1 Sec. 21. Amend section thirteen thousand four hundred
2 seventeen-b one (13417-b1) of the Code, 1935, by striking out
3 the words “attorney general” in lines sixteen (16) and seventeen
4 (17) and substituting the words “commissioner of public safety”.

1 Sec. 22. Amend section thirteen thousand four hundred
2 seventeen-d one (13417-d1) of the Code, 1935, by striking out
3 the words “attorney general” in lines one (1) and two (2) and
4 substituting the words “commissioner of public safety”; further
5 amend by adding the following: “The said commissioner shall be
6 empowered, subject to the approval of the governor and executive
7 council, to equip divisional headquarters, cars and motorcycles
8 in his department with radio sending and/or receiving apparatus.”

1 Sec. 23. Amend section thirteen thousand four hundred seven-
2 teen-d two (13417-d2) of the Code, 1935, by striking out the
3 words “state bureau of investigation for the use of the depart-
4 ment of justice” in lines five (5), six (6) and seven (7), and
5 substituting therefor the words “department of public safety”.

1 Sec. 24. Amend section thirteen thousand four hundred seven-
2 teen-d three (13417-d3) of the Code, 1935, by striking out the
3 words “attorney general” in line two (2) and substituting there-
4 for the words “commissioner of public safety”.

1 Sec. 25. Amend section thirteen thousand four hundred

2 seventeenth-d four (13417-d4) of the Code, 1935, by striking
3 out the words “attorney general” in line five (5) and sub-
4 stituting therefor the words “commissioner of public safety”.

1 Sec. 26. Amend section thirteen thousand four hundred
2 seventeen-d five (13417-d5) of the Code, 1935, by striking out
3 the words “attorney general” in line five (5) and substituting
4 therefor the words “commissioner of public safety”.

1 Sec. 27. Amend Chapter one hundred twenty-four (124) of
2 the Forty-sixth (46th) General Assembly by striking out the
3 words “attorney general” in lines four (4), ten (10), eighteen
4 (18), nineteen (19) and substituting the word “commissioner”
5 Further amend by striking out the words “of justice” in line
6 twenty-five (25) and substituting a period therefor.

1 Sec. 28. Amend Chapter six hundred twenty-one (621), Code,
2 1935, by adding the following section:

3 “13479-h1. The sheriff of any county shall accept for cus-
4 tody in the county jail of his respective county, any duly
5 arrested prisoner handed over to him for safe keeping by any
6 member of the state department of public safety.”

DUTIES OF FIRE MARSHAL

1 Sec. 29. Sections 1620, 1621, 1622, 1623, 1623-c1, and 1655,
2 of the Code, 1935, are hereby repealed.

1 Sec. 30. Section one thousand six hundred nineteen (1619)
2 of the Code 1935, is hereby repealed and the following enacted
3 in lieu thereof: “Section 1619. The chief officer of the
4 division of fire protection in the department of public safety

5 shall be known as the state fire marshal and shall be appointed
6 as other members of the department are appointed.”

1 Sec. 31. Amend section sixteen hundred fifty-four (1654) of
2 the Code, 1935, by adding the following: “provided that such
3 fees shall not be paid to any full-time salaried public official
4 who is paid for full time at such duties.”

RELATING TO FIRE ESCAPES

1 Sec. 32. Amend section fifteen hundred fourteen (1514)
2 of the Code, 1935, by striking out paragraph two (2) and
3 renumbering the following.

1 Sec. 33. Amend chapter eighty (80) of the Code, 1935, by
2 adding the following: “Section 1655-f1. It shall be the duty
3 of the fire marshal to enforce all laws relating to fire escapes.”

1 Sec. 34. Amend section sixteen hundred sixty-four (1664)
2 of the Code, 1935, by striking out the words “labor commissioner”
3 in line seven (7) and substituting therefor the words “state fire
4 marshal”; further amend by striking out the word “commissioner”
5 in line ten (10) and substituting therefor the words “fire
6 marshal”

1 Sec. 35. Amend section sixteen hundred sixty-five (1665)
2 of the Code, 1935, by striking out the word “commissioner” in
3 line fourteen (14) and substituting therefor the words “state
4 fire marshal”; and further amend by striking out the word
5 “commissioner” in line five (5) of paragraph six (6) and sub-
6 stituting therefor the words “state fire marshal”

1 Sec. 36. Amend section sixteen hundred sixty-six (1666) of

2 the Code, 1935, by striking out the words “labor commissioner”
3 in line seven (7) of paragraph two (2) and substituting therefor
4 the words “state fire marshal”.

1 Sec. 37. Amend section sixteen hundred sixty-eight (1668)
2 of the Code, 1935, by striking out the word “commissioner” in
3 lines two (2) and three (3) and substituting therefor the words
4 “state fire marshal”.

1 Sec. 38. Amend section sixteen hundred sixty-nine (1669)
2 of the Code, 1935, by striking out the words “labor commissioner”
3 in lines one (1) and two (2) and substituting therefor the words
4 “state fire marshal”; further amend by striking out the
5 word “commissioner” in lines eleven (11) and twelve (12)
6 and substituting therefor the words “state fire marshal”

1 Sec. 39. Amend section sixteen hundred seventy (1670)
2 of the Code, 1935, by striking out the word “commissioner” in lines
3 one and two, and substituting therefor the words “state
4 fire marshal”

1 Sec. 40. Amend section sixteen hundred seventy-one
2 (1671) of the Code, 1935, by striking out the words “labor
3 commissioner” in lines one (1) and two (2) and substituting
4 therefor the words “state fire marshal”; further amend by
5 striking out the word “commissioner” in line thirteen (13)
6 and substituting therefor the words “state fire marshal”.

1 Sec. 41. Amend section sixteen hundred seventy-four
2 (1674) of the Code, 1935, by striking out the words “depart-
3 ment of labor” in line three (3) and substituting therefor

4 the words "department of public safety"; and further amend
5 by inserting the word "other" before the word "duties" in
6 line four (4).

1 Sec. 42. Amend section sixteen hundred seventy-five
2 (1675) of the Code, 1935, by striking out the words "inspector
3 or commissioner" in line eighteen (18) and substituting there-
4 for the words "state fire marshal or his deputy"; further
5 amend by striking out the words "labor commissioner" in lines
6 twenty (20) and twenty-one (21) and substituting therefor the
7 words "state fire marshal".

1 Sec. 43. Amend section sixteen hundred seventy-six
2 (1676) of the Code, 1935, by striking out the word "commissioner"
3 in line six (6) and substituting therefor the words "state fire
4 marshal"; further amend by striking out the word "commissioner"
5 in line nine (9) and substituting therefor the words "state
6 fire marshal"; further amend by striking out the word
7 "commissioner" in line thirteen (13) and substituting therefor
8 the words "state fire marshal"

1 Sec. 44. Amend section sixteen hundred seventy-seven
2 (1677) of the Code, 1935, by striking out the word "commis-
3 sioner" in lines eight (8) and nine (9) and substituting
4 therefor the words "state fire marshal"; further amend by
5 striking out the words "inspector or the commissioner" in lines
6 ten (10) and eleven (11) and substituting therefor the words
7 "state fire marshal or one of his deputies"; further amend by
8 striking out the words "labor commissioner" in line thirteen

9 (13) and substituting therefor the words “state fire marshal”.

1 Sec. 45. Amend section twenty-eight hundred fifty-three
2 (2853) of the Code, 1935, by striking out the words “proper
3 State” in line four (4) and substituting therefor the words
4 “state fire marshal”.

OPERATOR'S AND CHAUFFEUR'S LICENSE

1 Sec. 46. Amend section forty-nine hundred sixty-d one
2 (4960-d1) of the Code, 1935, by striking paragraph four (4),
3 and by adding the following :

4 “4. ‘Department’. Whenever the word ‘department’ is used in
5 connection with the issuing of operator’s and chauffeur’s
6 licenses as set out in sections 6960-d1 to 6960-d58, it shall
7 refer to the department of public safety.”

1 Sec. 47. Amend section forty-nine hundred sixty-d twenty-
2 five (4960-d25) of the Code, 1935, by striking out everything
3 after the word “shall” in line twelve (12) and substituting the
4 following: “credit same to a trust fund which shall be used
5 exclusively for the expenditures incurred by the division of
6 highway safety of the department of public safety”

1 Sec. 48. Amend section forty-nine hundred sixty-d
2 twenty-six (4960-d26) of the Code, 1935, by striking out
3 the words “twenty-five cents” in line two (2) and substituting
4 the words “one dollar”; further amend by striking out the word
5 “two” in line three (3) and substituting the word “four”

APPROVAL OF HEADLIGHT LENSES

1 Sec. 49. Amend Section forty-nine hundred eighty-five

2 (4985) of the Code, 1935, by striking out the words “state
3 highway commission” in line two (2) and substituting therefor
4 the words “commissioner of public safety”; further amend by
5 striking out the word “it” in line four (4) and substituting
6 therefor the word “him”; further amend by striking the words
7 “primary road fund” in lines seven (7) and eight (8) and sub-
8 stituting therefor the words “trust fund for the division of
9 highway safety”.

1 Sec. 50. Amend section forty-nine hundred eighty-six (4986)
2 of the Code, 1935, by striking out the words “highway commission”
3 in lines two (2) and three (3) and substituting therefor the
4 words “commissioner of public safety” and adding after the word
5 “department” in line four (4) “of public safety”.

1 Sec. 51. Amend section forty-nine hundred eighty-seven
2 (4987) of the Code, 1935, by adding after the word “department”
3 in line one (1) the words “of public safety”; further amend by
4 inserting after the words “of the” in line three (3) the word
5 “said”

REPORT CHANGES OF ENGINE NUMBERS

1 Sec. 52. Amend section forty-nine hundred ninety-one
2 (4991) of the Code, 1935, by inserting after the word “some”
3 in line five (5) the words “members of the state department of
4 public safety or”

COOPERATION WITH LOCAL AUTHORITIES

1 Sec. 53. There is hereby enacted as follows: “Section
2 4998-h1. There shall be reciprocal cooperation between the

3 members of the state department of public safety and local
4 authorities in the enforcing of local and state traffic laws
5 and in making inspections, although this shall not be construed
6 to give the state department of public safety any right to
7 establish regular patrol beats inside municipal limits unless
8 requested for a special occasion or emergency by the mayor of
9 such city or town.”

ESTABLISHING TRAFFIC RULES

1 Sec. 54. Amend section five thousand sixty-six (5066) of the
2 Code, 1935, by inserting after the word “The” in line one (1) the
3 words “commissioner of public safety with the advice of the”.

MOTOR VEHICLE FUEL INSPECTION

1 Sec. 55. Section five thousand ninety-three-d one (5093-d1)
2 of the Code, 1935, is hereby amended by striking out the words
3 “of agriculture” in line three (3) of paragraph two (2) and sub-
4 stituting therefor the words “of public safety”.

1 Sec. 56. Section five thousand ninety-three-d seven (5093-d7)
2 of the Code, 1935, is hereby amended by striking out the words
3 “of agriculture” in line one (1) and substituting therefor the
4 words “of public safety”

1 Sec. 57. Section five thousand ninety-three-d thirteen
2 (5093-d13) of the Code, 1935, is amended by striking out the
3 words “secretary of agriculture” in line two (2) and substituting
4 therefor the words “commissioner of public safety”.

SAFETY MEASURES FOR MOTOR VEHICLE CARRIERS

1 Sec. 58. The state department of public safety is hereby

2 authorized and empowered to prescribe and enforce safety regu-
3 lations in the operation of motor vehicle carriers, require a
4 periodic inspection of the equipment of every motor carrier
5 from the standpoint of enforcement of safety regulations, and
6 the same shall be at all times subject to inspection by properly
7 authorized representatives of the department of public safety.

1 Sec. 59. Amend section fifty-one hundred five-a two
2 (5105-a2) of the Code, 1935, by striking out paragraph one (1)
3 and renumbering the remaining paragraphs; further amend by
4 striking out paragraph three (3) and substituting therefor:

5 "3. Regulate and supervise the accounts, schedules, and service
6 of each motor carrier."

1 Sec. 60. Amend section fifty-one hundred five-a eighteen
2 (5105-a18) of the Code, 1935, by adding the following: "Such
3 application shall not be granted by said commission without a
4 written statement of approval from the department of public safety
5 to the effect that the safety provisions have been complied with."

1 Sec. 61. Amend section fifty-one hundred five-a twenty-nine
2 (5105-a29) of the Code, 1935, by striking out the words "commis-
3 sion and its duly authorized representatives" in lines four and five
4 and substituting therefor the words "members of the department of
5 public safety".

1 Sec. 62. Amend section fifty-one hundred five-a thirty
2 (5105-a30) of the Code, 1935, by striking out the words "state
3 motor vehicle department" in line seven (7) and substituting
4 therefor the words "department of public safety".

1 Sec. 63. Amend section fifty-one hundred five-a thirty-five
2 (5105-a35) of the Code, 1935, by striking out the word “commission”
3 in line three (3) and substituting therefor the words “department
4 of public safety”; further amend by striking out the word
5 “commission” in lines four (4) and five (5) and substituting
6 therefor the word “it”.

1 Sec. 64. Amend section fifty-one hundred five-a thirty-
2 eight (5105-a38) of the Code, 1935, by adding the following:
3 “In the event of any flagrant and persistent violations of
4 safety regulations by the holder of a motor carrier’s certifi-
5 cate or his agent, the department of public safety is authorized
6 to request the state railroad commission to revoke such certifi-
7 cate of necessity and such violation shall be grounds for
8 revocation at the discretion of the commission.”

CARRIERS WITHOUT FIXED TERMINI

1 Sec. 65. Amend section fifty-one hundred five-c two (5105-c2)
2 of the Code, 1935, by striking from paragraph three (3) the
3 following: “and safety of operation”; further amend by adding
4 to the same paragraph, the following: “provided that the
5 prescribing and enforcing of safety regulations shall be per-
6 formed by the state department of public safety.”

1 Sec. 66. Amend section fifty-one hundred five-c eight
2 (5105-c8) of the Code, 1935, by adding the following: “No permit
3 shall be granted by the commission without the written approval
4 of the state department of public safety, stating that the
5 applicant has complied with the prescribed safety regulations.”

1 Sec. 67. Amend section fifty-one hundred five-c fifteen
2 (5105-c15) of the Code, 1935, by adding the following: “If the
3 holder of the permit or his agent persists in a violation of any
4 safety regulation prescribed by the department of public safety,
5 the latter may recommend to the commission revocation of said
6 permit and such violation shall be grounds for such revocation.”

1 Sec. 68. Amend section fifty-one hundred five-c sixteen
2 (5105-c16) of the Code, 1935, by striking out the words “commission
3 and its duly authorized representatives” in line five (5) and six
4 (6) and substituting therefor the words “department of public safety”.

1 Sec. 69. Amend section fifty-one hundred five-c seventeen
2 (5105-c17) of the Code, 1935, by striking out the words “state
3 motor vehicle department” in lines eight (8) and nine (9) and
4 substituting therefor the words “department of public safety”

1 Sec. 70. Amend section fifty-one hundred five-c nineteen
2 (5105-c19) of the Code, 1935, by striking out the word “commis-
3 sion” in lines two (2) and three (3) and substituting therefor
4 the words “commissioner of public safety”; further amend by
5 striking out the word “commission” in line twelve (12) and sub-
6 stituting the words “commissioner of public safety”

1 Sec. 71. Amend section fifty-one hundred five-c twenty
2 (5105-c20) of the Code, 1935, by striking out the word “commission”
3 in line two (2) and substituting therefor the words “commissioner
4 of public safety”.

1 Sec. 72. Amend section fifty-one hundred five-c twenty-one
2 (5105-c21) of the Code, 1935, by striking out the word “commis-

3 sion” in lines three (3) and four (4) and substituting therefor
4 the words “department of public safety”; and further amend by
5 striking out the word “commission” in line five (5) and substitut-
6 ing therefor the words “department of public safety”.

1 Sec. 73. Amend section fifty-one hundred five-c twenty-three
2 (5105-c23) of the Code, 1935, by striking out the word “commission”
3 in lines one (1) and two (2) and substituting therefor the words
4 “commissioner of public safety”.

CIGARETTE AND TOBACCO TAX INSPECTION

1 Sec. 74. Amend section fifteen hundred seventy-six (1576)
2 of the Code, 1935, by striking out the words “the special agents
3 of the state” in line eight (8) and substituting
4 therefor the words “the members of the department of public
5 safety”.

RELATING TO WEIGHTS AND MEASURES

1 Sec. 75. Amend section thirty-two hundred forty-four-b
2 six (3244-b6) of the Code, 1935, by striking out the words
3 “secretary of agriculture” in line one (1) and substituting
4 therefor the words “commissioner of public safety”

1 Sec. 76. Amend section thirty-two hundred fifty-one (3251)
2 of the Code, 1935, by striking all of the first sentence and
3 substituting therefor the following: “The commissioner of
4 public safety shall appoint the state sealer of weights and
5 measures in the same manner as other members of the department
6 are appointed.”

1 Sec. 77. Wherever the word “department” appears in chapters

2 one hundred sixty-one (161), one hundred sixty-two (162), one
3 hundred sixty-three (163), one hundred sixty-four (164), and one
4 hundred sixty-five (165) of the Code, 1935, it shall be construed
5 to mean the department of public safety.

RELATING TO LIQUOR CONTROL

1 Sec. 78. Violations of the provisions of chapter ninety-
2 three-f one (93-f1) of the Code, 1935, known as the Iowa Liquor
3 Control Act, shall be investigated by this department, and for
4 this purpose, this department and its officers shall have state
5 wide jurisdiction.

ENFORCEMENT OF FISH AND GAME LAWS

1 Sec. 79. Violations of chapter eighty-five-d one (85-d1)
2 of the Code, 1935, and chapter eighty-six (86) of the Code,
3 1935, and chapter eighty-six-e one (86-e1) of the Code, 1935,
4 shall be investigated by this department under the orders of the
5 commissioner, and in cooperation with the State Board of Conser-
6 vation.

DUPLICATION IN POLICE OFFICERS PROHIBITED

1 Sec. 80. All other departments and bureaus of the state
2 are hereby prohibited from employing special peace officers or
3 conferring upon regular employees, any police powers to enforce
4 provisions of the statutes, which are specifically reserved by
5 this act to this department.

1 Sec. 81. Whenever mention is made, in the Code, of “special
2 state agents” in connection with law enforcement, the same shall
3 be construed to mean members of the state department of public

4 safety.

1 Sec. 82. Industrial Disputes: The police employees of the
2 Department shall not be used or called upon for service within any
3 municipality in any industrial dispute unless actual violence has
4 occurred therein, and then only either by order of the governor
5 or on the request of the chief executive officer of the municipality
6 wherein the dispute has occurred if such request is approved by
7 the governor.

1 Sec. 83. The salary of the commissioner herein created,
2 shall be three thousand dollars (\$3000.00) per annum; that of
3 four assistants, two thousand dollars (\$2000.00) per annum, and of
4 all other officers in the department fifteen hundred dollars
5 (\$1500.00) per annum. Those of the department having peace
6 officers' powers shall be limited to one hundred and fifty (150)
7 men.

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