

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

February 22, 1939.
 Passed on File.

Senate File 379.

By COMMITTEE ON CONSOLIDATION AND CO-
 ORDINATION OF STATE GOVERNMENT.

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 officers activities, and to repeal the following sections of the 1935 Code of Iowa: thirteen thousand four hundred seven (13407), thirteen thousand four hundred eight (13408), thirteen thousand four hundred nine (13409), thirteen thousand four hundred ten (13410), thirteen thousand four hundred twelve (13412), thirteen thousand four hundred thirteen (13413), thirteen thousand four hundred fourteen (13414), thirteen thousand four hundred fifteen (13415), thirteen thousand four hundred seventeen (13417), sixteen hundred twenty (1620), sixteen hundred twenty-one (1621), sixteen hundred twenty-two (1622), sixteen hundred twenty-three (1623), sixteen hundred twenty-three-c one (1623-cl), sixteen hundred fifty-five (1655), fifty hundred ninety-three-d fourteen (5093-d14); and to repeal section sixteen hundred nineteen (1619), Code, 1935, and to enact a substitute therefor, and to repeal section sixteen hundred seventy-four (1674), Code, 1935, and to enact a substitute therefor; and to repeal the following sections of chapter one hundred thirty-four (134) of the Acts of the Forty-seventh General Assembly; thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), and forty-seven (47); also to amend sections fifty-one hundred eighty-two (5182), thirteen thousand four hundred five (13405), thirteen thousand four hundred sixteen

(13416), thirteen thousand four hundred seventeen-b one (13417-b1), thirteen thousand four hundred seventeen-d one (13417-d1), thirteen thousand four hundred seventeen-d two (13417-d2), thirteen thousand four hundred seventeen-d three (13417-d3), thirteen thousand four hundred seventeen-d four (13417-d4), thirteen thousand four hundred seventeen-d five (13417-d5), also to amend sections nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f ninety-four (1921-f94), thirty-two hundred twenty-seven (3227), fifteen hundred fourteen (1514), sixteen hundred twenty-four (1624), sixteen hundred twenty-eight (1628), sixteen hundred twenty-nine (1629), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), sixteen hundred thirty-two (1632), sixteen hundred thirty-three (1633), sixteen hundred forty-five (1645), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred fifty (1650), sixteen hundred fifty-one (1651), sixteen hundred fifty-four (1654), sixteen hundred sixty-four (1664), sixteen hundred sixty-five (1665), sixteen hundred sixty-six (1666), sixteen hundred sixty-eight (1668), sixteen hundred sixty-nine (1669), sixteen hundred seventy (1670), sixteen hundred seventy-one (1671), sixteen hundred seventy-five (1675), sixteen hundred seventy-six (1676), sixteen hundred seventy-seven (1677), twenty-eight hundred fifty-three (2853), forty-nine hundred eighty-five (4985), forty-nine hundred eighty-six (4986), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-one (4991), fifty hundred sixty-six (5066), fifty hundred ninety-three-d one (5093-d1), fifty hundred ninety-three-d seven (5093-d7), fifty hundred ninety-three-d thirteen (5093-d13), fifty-one hundred five-a two (5105-a2), fifty-one hundred five-a three (5105-a3), fifty-one hundred five-a eighteen (5105-a18), fifty-one hundred five-a twenty-nine (5105-a29), fifty-one hundred five-a thirty (5105-a30), fifty-one hundred five-a thirty-eight (5105-a38), fifty-one hundred five-c two (5105-c2), fifty-one hundred five-c three (5105-c3), fifty-one hundred five-c eight (5105-c8), fifty-one hundred five-c fifteen (5105-c15), fifty-one hundred five-c sixteen (5105-c16), fifty-one hundred five-c seventeen (5105-c17), fifty-one hundred five-c twenty-three (5105-c23), fifty-one hundred

five-c twenty-five (5105-c25), thirty-two hundred forty-four-b six (3244-b6), and thirty-two hundred fifty-one (3251), Code, 1935; also to amend sections one (1), fourteen (14), fifteen (15), sixteen (16), twenty (20), twenty-five (25), twenty-six (26), two hundred five (205), two hundred nineteen (219), two hundred twenty-three (223), two hundred seventy-two (272), two hundred seventy-six (276), and four hundred two (402), of chapter one hundred thirty-four (134) of the Forty-seventh General Assembly; and to further amend by adding sections thirteen thousand four hundred seventy-nine-a one (13479-a1), sixteen hundred fifty-five (1655), and section forty-nine hundred ninety-eight-a one (4998-a1).

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
3 of public safety, which shall consist of a commissioner of public
4 safety and of such officers and employees as may be required.

1 Sec. 2. The chief executive officer of the department of
2 public safety shall be the commissioner of public safety. The
3 governor shall, within sixty (60) days after this act shall have
4 become effective, and in every sixth year after the year 1939,
5 within sixty (60) days following the organization of the regular
6 session of the general assembly in said year, appoint, with the
7 approval of two-thirds of the members of the senate in executive
8 session, a commissioner of public safety, who shall be a man of
9 high moral character, of good standing in the community in which
10 he lives, of recognized executive and administrative capacity,
11 and who shall be selected solely with regard to his qualifications
12 and fitness to discharge the duties of his office. The commissioner
13 of public safety shall devote his entire time to the duties of his

14 office and shall serve for a period of six (6) years from July
15 first of the year of his appointment at an annual salary of three
16 thousand six hundred dollars (\$3,600). The governor may remove
17 the commissioner of public safety for cause after a public hearing
18 before the executive council.

1 Sec. 3. A vacancy in the office of the commissioner of
2 public safety that may occur while the general assembly is not
3 in session shall be filled by appointment by the governor, which
4 appointment shall expire at the end of thirty (30) days from the
5 time the general assembly next convenes. Prior to the expiration
6 of said thirty (30) days, the governor shall transmit to the
7 senate for its confirmation an appointment for the unexpired
8 portion of the regular term. A vacancy occurring during a session
9 of the general assembly shall be filled as regular appointments
10 are made and before the end of said session, and for the unexpired
11 portion of the regular term.

1 Sec. 4. The commissioner shall appoint such deputies,
2 inspectors, officers, clerical workers, and other employees as may
3 be required for the proper discharge of the duties of the department.
4 The salaries of all employees and members of the department not
5 fixed by statute, and other department expenses shall be fixed by
6 the legislative appropriation therefor.

1 Sec. 4-a. The commissioner may appoint as special agents
2 any person who is regularly employed by a common carrier by
3 rail to protect the persons and property of said common carrier,
4 its patrons, and employees. Such special agents shall not

5 receive any compensation from the state.

1 Sec. 5. It shall be the duty of the department of public
2 safety to prevent crime, to detect and apprehend criminals and
3 to enforce such other laws as are hereinafter specified. The
4 members of the department of public safety, except clerical
5 workers therein, shall have and exercise all the powers of any
6 peace officer of the state.

7 They shall not exercise their general powers within the
8 limits of any city or town, except

9 (a) When so ordered by the direction of the governor ;

10 (b) When request is made by the mayor of any city or
11 town, with the approval of the commissioner ;

12 (c) When request is made by the sheriff of any county
13 with the approval of the commissioner ;

14 (d) While in the pursuit of law violators ;

15 (e) While making any inspection provided by this chapter,
16 or any additional inspection ordered by the commissioner ;

17 (f) When engaged in the investigating, enforcing of fire
18 and arson laws ;

19 (g) When any member of the department shall be acting in
20 cooperation with any other local peace officer, or county
21 attorney in general criminal investigation work, or when acting
22 alone on a special assignment by the commissioner, his
23 jurisdiction shall be statewide.

24 (h) However, the above limitations shall in no way be
25 construed as a limitation as to their power as officers when a

26 public offense is being committed in their presence. In more
27 particular, their duties shall be as follows :

28 1. To enforce all state laws.

29 2. To enforce all laws relating to traffic on the
30 public highways of the state, including those relating
31 to the safe and legal operation of passenger cars,
32 motorcycles, motor trucks and busses ; to issue operators'
33 and chauffeurs' licenses ; to see that proper safety rules
34 are observed and to give first aid to the injured.

35 3. To investigate all fires ; to apprehend persons
36 suspected of arson ; to enforce all safety measures in
37 connection with the prevention of fires ; and to dissemi-
38 nate fire-prevention education.

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

43 5. To collect and classify, and keep at all times
44 available, complete information useful for the detection
45 of crime, and the indentification and apprehension of
46 criminals. Such information shall be available for all
47 peace officers within the state, under such regulations
48 as the commissioner may prescribe.

49 6. To operate such radio broadcasting stations as
50 may be necessary in order to disseminate information
51 which will make possible the speedy apprehension of law

52 breakers, as well as such other information as may be
53 necessary in connection with the duties of this office.

1 Sec. 6. Section fifty-one hundred eighty-two (5182),
2 Code, 1935, is hereby amended by adding the following:

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

1 Sec. 7. For the instruction of law-enforcement officers
2 of this state, including members and prospective members
3 of the department of public safety and peace officers of the
4 several counties, townships, cities and towns, the commissioner
5 of public safety is hereby authorized and directed to utilize
6 the existing peace officers short course and the laboratories
7 and facilities in connection therewith in the college of law
8 of the State University of Iowa.

1 Sec. 8. The course of courses of instruction for peace
2 officers shall include instruction in the following subjects
3 and such others as shall be deemed advisable by the college
4 of law and the commissioner of public safety:

- 5 (a) Criminal law.
- 6 (b) Identification of criminals and fingerprinting.
- 7 (c) Methods of criminal investigation.
- 8 (d) Rules of criminal evidence.
- 9 (e) Presentation of cases in court.
- 10 (f) Making of complaints and securing of criminal warrants.
- 11 (g) Securing and use of search warrants.

12 (h) How to secure extradition and return.

13 (i) Small arms instruction.

14 (j) Regulation of traffic.

15 (k) First aid.

1 Sec. 9. The commissioner of public safety is authorized
2 to send members of the department of public safety to any
3 course of instruction for peace officers given by the college
4 of law of the State University of Iowa, and such members shall
5 be considered on duty while in attendance upon such authority.
6 The legislative body in any county, city, including cities
7 under special charter, or town, may authorize the attendance
8 at such course of any law-enforcing officer under the
9 jurisdiction of such county, city or town and may provide
10 for the payment of the actual and necessary expenses of such
11 person while in attendance, which payment shall be made out
12 of the general fund of such county, city or town.

1 Sec. 10. To each person satisfactorily completing the
2 course of study prescribed, an appropriate certificate or
3 diploma shall be issued.

1 Sec. 11. No applicant for membership in the department
2 of public safety, except clerical workers and special agents
3 appointed under Section 4-a shall be appointed as a member
4 until he has passed a satisfactory physical and mental
5 examination. In addition, such applicant must be a citizen
6 of the United States, of sound constitution, of good moral
7 character, not less than twenty-five (25) years of age, and

8 have actually and in good faith acquired a general education
9 substantially equivalent to that involved in the completion
10 of a high school course of study of at least four years in
11 extent. Such examination shall be prepared and given under
12 the direction or supervision of the commissioner of public
13 safety. Each applicant shall take an oath on becoming a
14 member of the force, to uphold the laws and constitution
15 of the United States and of the state of Iowa. During the
16 period of six months after appointment, any member of the
17 department of public safety shall be subject to dismissal
18 at the will of the commissioner. After the six months'
19 service, no member of the department, who shall have been
20 appointed after having passed the before-mentioned examinations,
21 shall be subject to dismissal unless charges have been filed
22 with the secretary of the executive council and a hearing
23 held before the executive council, if requested by said member
24 of the department, at which he shall have an opportunity to
25 present his defense to such charges. The decision of the
26 executive council by majority vote shall be final. All rules
27 and regulations regarding the enlistment, appointment, and
28 employment affecting the personnel of the department shall be
29 established by the commissioner with the approval of the
30 governor.

1 Sec. 11-a. All special agents appointed by the commissioner
2 of public safety and all members of the state department of
3 public safety excepting the members of the clerical force shall,

4 upon appointment, give bond in the sum of five thousand dollars
5 (\$5,000), which bond shall be approved by the appointing officer.

1 Sec. 12. In general, the allocation of duties of the
2 department 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 be interpreted
10 to prevent flexibility in inter-departmental operations or to
11 forbid other divisional allocations of duties in the discretion
12 of the commissioner of public safety.

1 Sec. 13. It shall be the duty of the commissioner of public
2 safety to provide for the members of the department when on duty,
3 suitable uniforms, subsistence, arms, equipment, clothing,
4 quarters, and other necessary supplies, and also the expense and
5 means of travel and boarding the members of the department,
6 according to rules and regulations made by the commissioner, as
7 may be provided by appropriation.

1 Sec. 14. The commissioner of public safety may, subject
2 to the approval of the governor, establish divisional
3 headquarters at various places in the state.

1 Sec. 15. No fees or records shall be retained personally
2 by members of the department in addition to their salaries,

3 and any such fees or rewards earned by any members of said
4 department, shall be credited to the fund as herein provided
5 to pay the expenses of this department. All salaries herein
6 provided for and all expenses incurred under the provisions of
7 this act shall be allowed and audited in the same manner as
8 in other state offices, and shall be payable out of moneys
9 hereafter appropriated.

1 Sec. 16. Section thirteen thousand four hundred five
2 (13405), Code, 1935, is amended by striking out paragraph four
3 (4) and substituting the following: "4. All special agents
4 appointed by the commissioner of public safety and all
5 members of the state department of public safety excepting
6 the members of the clerical force."

1 Sec. 17. Sections thirteen thousand four hundred seven
2 (13407), thirteen thousand four hundred eight (13408), thirteen
3 thousand four hundred nine (13409), thirteen thousand four hundred
4 ten (13410), thirteen thousand four hundred twelve (13412), thirteen
5 thousand four hundred thirteen (13413), thirteen thousand four
6 hundred fourteen (13414), thirteen thousand four hundred fifteen
7 (13415), and thirteen thousand four hundred seventeen (13417),
8 Code, 1935, relating to special agents and the attorney general's
9 connection with the bureau of investigation are hereby repealed.

BUREAU OF CRIMINAL INVESTIGATION

1 Sec. 18. Section thirteen thousand four hundred sixteen
2 (13416), Code, 1935, is amended by striking out the words "attorney
3 general" in lines one (1) and two (2) and substituting therefor

4 the words "commissioner of public safety"; further amend by
5 striking out the words "attorney general" in line eight (8) and
6 substituting therefor the words "commissioner of public safety";
7 further amend by striking out the word "system" in line two (2) and
8 substituting therefor the word "bureau".

1 Sec. 19. Section thirteen thousand four hundred seventeen-b
2 one (13417-b1), Code, 1935, is amended by striking out the words
3 "attorney general" in lines sixteen (16) and seventeen (17) and
4 substituting the words "commissioner of public safety".

RADIO BROADCASTING STATIONS

1 Sec. 20. Section thirteen thousand four hundred seventeen-d
2 one (13417-d1), Code, 1935, is amended by striking out the words
3 "attorney general" in lines one (1) and two (2) and substituting
4 the words "commissioner of public safety"; and said section is
5 further amended by adding the following: "The said commissioner
6 shall be empowered, subject to the approval of the governor and
7 executive council, to equip divisional headquarters, cars and
8 motorcycles in his department with radio sending and/or receiving
9 apparatus."

1 Sec. 21. Section thirteen thousand four hundred seventeen-d
2 two (13417-d2), Code, 1935, is amended by striking out the words
3 "state bureau of investigation for the use of the department of
4 justice" in lines five (5), six (6) and seven (7), and substituting
5 therefor the words "department of public safety"; and by striking
6 out the last sentence thereof.

1 Sec. 22. Section thirteen thousand four hundred seventeen-d

2 three (13417-d3), Code, 1935, is amended by striking out the
3 words “attorney general” in line two (2) and substituting therefor
4 the words “commissioner of public safety”.

1 Sec. 23. Section thirteen thousand four hundred seventeen-d
2 four (13417-d4), Code, 1935, is amended by striking out the
3 words “attorney general” in line five (5) and substituting therefor
4 the words “commissioner of public safety”.

1 Sec. 24. Section thirteen thousand four hundred seventeen-d
2 five (13417-d5), Code, 1935, is amended by striking out the words
3 “attorney general” in line (5) and substituting therefor the words
4 “commissioner of public safety”.

1 Sec. 25. Chapter six hundred twenty-one (621), Code, 1935,
2 is amended by adding the following section:

3 “13479-i1. The sheriff of any county shall accept for
4 custody in the county jail of his respective county any person
5 handed over to him for safe keeping and lodging by any member of
6 the state department of public safety.”

TRAFFIC LAW ENFORCEMENT AND SAFETY PATROL

1 Sec. 26. Section one (1) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is
3 hereby amended by striking out paragraph thirty (30) thereof
4 and substituting the following:

5 “30. Commissioner means the commissioner of motor vehicles
6 under the secretary of state with respect to registering and
7 licensing motor vehicles under the provisions of this chapter, but
8 it shall mean the commissioner of public safety with respect to

9 enforcement of traffic laws, the reporting of accidents, the
10 licensing of operators and chauffeurs, the enforcement of safety
11 provisions relating to the operation of motor vehicles, and other
12 related provisions of this chapter.”

1 Sec. 27. Section one (1) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is
3 hereby amended by striking out paragraph thirty-one (31) thereof
4 and substituting the following :

5 “31. Department means the department of motor vehicles
6 under the secretary of state acting directly or through its duly
7 authorized officers and agents, with respect to registering and
8 licensing motor vehicles under the provisions of this chapter,
9 but it shall mean the department of public safety with respect
10 to enforcement of traffic laws, the reporting of accidents,
11 the licensing of operators and chauffeurs, the enforcement
12 of safety provisions relating to the operation of motor vehicles,
13 and other related provisions of this chapter.”

1 Sec. 28. Section fourteen (14) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly is amended
3 by striking out everything after the word “department” in line three
4 (3) and substituting a period for the comma.

1 Sec. 29. Section fifteen (15) of chapter one hundred thirty-
2 four (134) Acts of the Forty-seventh General Assembly, is amended
3 by striking all of the first sentence thereof after the word
4 “chapter” appearing in line four (4) and inserting in lieu thereof
5 a period.

1 Sec. 30. Section sixteen (16) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by striking all of the first sentence thereof after the word
4 “chapter” in line four (4) and inserting in lieu thereof a period.

1 Sec. 31. Section twenty (20) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by striking from line three (3) thereof the following: “, operators’
4 and chauffeurs’ licenses,”.

1 Sec. 32. Section twenty-five (25) of chapter one hundred thirty-
2 four (134), Acts of the Forty-seventh General Assembly, is amended
3 by striking from lines three (3) and four (4) thereof the words
4 “for an operator’s or chauffeur’s license, and of any other
5 application.”

1 Sec. 33. Section twenty-six (26) of chapter one hundred
2 thirty-four (134), Acts of the Forty-seventh General Assembly,
3 is amended by striking the word “license,” in line three (3).

1 Sec. 34. Sections thirty (30) to forty-seven (47), inclusive,
2 of chapter one hundred thirty-four (134), Acts of the Forty-seventh
3 General Assembly, are hereby repealed.

OPERATORS’ AND CHAUFFEURS’ LICENSES, ISSUANCE OF
LICENSES, EXPIRATION, AND RENEWAL

1 Sec. 35. Section two hundred five (205) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General
3 Assembly, is amended by striking from line four (4) thereof
4 after the word “chauffeur” the words “under the provisions of
5 this chapter” and inserting in lieu thereof the following:

6 “issued by the department of public safety”.

1 Sec. 36. Section two hundred nineteen (219) of chapter
2 one hundred thirty-four (134), Acts of the Forty-seventh
3 General Assembly, is amended by striking the words “appoint persons
4 from the highway patrol for the purpose of examining” in line two
5 (2) and three (3) and substituting the word “examine”.

1 Sec. 37. Section two hundred twenty-three (223) of chapter
2 one hundred thirty-four (134), Acts of the Forty-seventh General
3 Assembly, is amended by striking out the remainder of the section
4 beginning with the word “maintenance” in line three (3) and
5 substituting the words “general fund of the state.”

1 Sec. 38. Section two hundred seventy-two (272) of chapter
2 one hundred thirty-four (134), Acts of the Forty-seventh
3 General Assembly, is amended by striking out the words “state
4 motor vehicle department” in line one (1) and substituting the words
5 “department of public safety”.

1 Sec. 39. Section two hundred seventy-six (276) of chapter
2 one hundred thirty-four (134), Acts of the Forty-seventh General
3 Assembly, is amended by striking the words “state motor vehicle
4 department” in lines one (1) and two (2) and substituting the words
5 “department of public safety”.

1 Sec. 40. Section four hundred two (402) of chapter one
2 hundred thirty-four (134), Acts of the Forty-seventh General
3 Assembly, is amended by striking out the words “motor vehicles” in
4 line three (3) and substituting the words “public safety.”

DUTIES OF FIRE MARSHAL

1 Sec. 41. Sections sixteen hundred twenty (1620), sixteen
2 hundred twenty-one (1621), sixteen hundred twenty-two (1622),
3 sixteen hundred twenty-three (1623), sixteen hundred twenty-three-
4 c one (1623-c1), and sixteen hundred fifty-five (1655), Code, 1935,
5 are hereby repealed.

1 Sec. 42. Section sixteen hundred nineteen (1619), Code, 1935,
2 is hereby repealed and the following enacted in lieu thereof:

3 “The chief officer of the division of fire protection in the
4 department of public safety shall be known as the state fire marshal.”

1 Sec. 43. Section sixteen hundred twenty-four (1624), Code, 1935,
2 is amended by striking from line two (2) thereof the following:

3 “, his deputy or inspectors,” and further
4 amend by striking from line three (3) thereof the words “immedi-
5 ately investigate” and substituting in lieu thereof the words
6 “cause immediate investigation to be made of”.

1 Sec. 44. Section sixteen hundred twenty-eight (1628),
2 Code, 1935, is amended by striking from line two (2) thereof
3 the words “deputy or inspectors” and inserting in lieu thereof
4 “designated subordinates”.

1 Sec. 45. Section sixteen hundred twenty-nine (1629),
2 Code, 1935, is amended by striking from line two (2) thereof
3 the words “deputy or inspectors” and inserting in lieu thereof
4 “designated subordinates”.

1 Sec. 46. Section sixteen hundred thirty (1630), Code,
2 1935, is amended by striking from line four (4) thereof the

3 words “his deputy or inspectors” and inserting in lieu thereof
4 the words “or his designated subordinates”.

1 Sec. 47. Section sixteen hundred thirty-one (1631), Code,
2 1935, is amended by striking from line two (2) thereof the
3 words “or his deputy” and further amend by striking from line
4 seven (7) thereof the words “or they”.

1 Sec. 48. Section sixteen hundred thirty-two (1632),
2 Code, 1935, is amended by striking from line two (2) thereof
3 the words “his deputies and inspectors” and inserting in lieu
4 thereof the words “and his designated subordinates”.

1 Sec. 49. Section sixteen hundred thirty-three (1633),
2 Code, 1935, is amended by striking from line two (2) thereof
3 the words “or his deputy” and inserting in lieu thereof the
4 words “acting in person or through his designated subordinate”.

1 Sec. 50. Section sixteen hundred forty-five (1645),
2 Code, 1935, is amended by striking from line three (3) thereof
3 “or his deputy”.

1 Sec. 51. Section sixteen hundred forty-seven (1647),
2 Code, 1935, is amended by striking from line three (3) thereof
3 the words “or his deputy”.

1 Sec. 52. Section sixteen hundred forty-eight (1648),
2 Code, 1935, is amended by striking from line four (4) thereof
3 the word “deputy” and inserting in lieu thereof “designated
4 subordinate”.

1 Sec. 53. Section sixteen hundred fifty (1650), Code,
2 1935, is amended by striking from line three (3) thereof the

3 words “deputy or inspectors” and inserting in lieu thereof the
4 words “designated subordinates”.

1 Sec. 54. Section sixteen hundred fifty-one (1651), Code,
2 1935, is amended by striking from line three (3) thereof the
3 word “deputy” and by substituting in lieu thereof the words
4 “designated subordinate”.

1 Sec. 55. Section sixteen hundred fifty-four (1654),
2 Code, 1935, is amended by inserting in line fourteen (14) after
3 the word “marshal” the following: “, provided that such fees
4 shall not be paid to any full-time salaried public official
5 who is paid for full time at such duties”.

RELATING TO FIRE ESCAPES

1 Sec. 56. Section fifteen hundred fourteen (1514), Code,
2 1935, is amended by striking therefrom paragraph numbered two (2)
3 and renumbering the remaining paragraphs.

1 Sec. 57. Chapter eighty (80), Code, 1935, is amended by
2 adding thereto the following section:

3 “It shall be the duty of the fire marshal to enforce all
4 laws relating to fire escapes.”

1 Sec. 58. Section sixteen hundred sixty-four (1664), Code,
2 1935, is amended by striking from line seven (7) the words
3 “labor commissioner” and substituting therefor the word
4 “state fire marshal”; further amend by striking from line
5 ten (10) the word “commissioner” and inserting in lieu thereof
6 the words “fire marshal”.

1 Sec. 59. Section sixteen hundred sixty-five (1665),

2 Code, 1935, is amended by striking from line four (4) of
3 paragraph two (2) the word “commissioner” and inserting in
4 lieu thereof the words “state fire marshal”; and further
5 amend by striking from line five (5) of paragraph six (6)
6 the word “commissioner” and inserting in lieu thereof the
7 words “state fire marshal”.

1 Sec. 60. Section sixteen hundred sixty-six (1666), Code,
2 1935, is amended by striking from line seven (7) of paragraph
3 two (2) the words “labor commissioner” and inserting in lieu
4 thereof the words “state fire marshal”.

1 Sec. 61. Section sixteen hundred sixty-eight (1668), Code,
2 1935, is amended by striking from lines two (2) and three (3)
3 the word “commissioner” and inserting in lieu thereof the words
4 “state fire marshal”.

1 Sec. 62. Section sixteen hundred sixty-nine (1669),
2 Code, 1935, is amended by striking from lines one (1) and
3 two (2) the words “labor commissioner” and inserting in lieu
4 thereof the words “state fire marshal”; further amend by striking
5 from lines eleven (11) and twelve (12) the word “commissioner”
6 and inserting in lieu thereof the words “state fire marshal”.

1 Sec. 63. Section sixteen hundred seventy (1670), Code,
2 1935, is amended by striking from lines one (1) and two (2)
3 the word “commissioner” and inserting in lieu thereof the words
4 “state fire marshal”.

1 Sec. 64. Section sixteen hundred seventy-one (1671),
2 Code, 1935, is amended by striking from lines one (1) and

3 two (2) the words “labor commissioner” and inserting in lieu
4 thereof the words “state fire marshal”; further amend by striking
5 from line thirteen (13) the word “commissioner” and inserting
6 in lieu thereof the words “state fire marshal”.

1 Sec. 65. Section sixteen hundred seventy-four (1674),
2 Code, 1935, is repealed.

1 Sec. 66. Section sixteen hundred seventy-five (1675),
2 Code, 1935, is amended by striking from line eighteen (18)
3 the words “inspector or commissioner” and inserting in lieu
4 thereof the words “state fire marshal”; further amend by
5 striking from lines twenty (20) and twenty-one (21) the words
6 “labor commissioner” and inserting in lieu thereof the words
7 “state fire marshal”.

1 Sec. 67. Section sixteen hundred seventy-six (1676),
2 Code, 1935, is amended by striking from line six (6) the word
3 “commissioner” and inserting in lieu thereof the words “state
4 fire marshal”; further amend by striking from line nine (9)
5 the word “commissioner” and inserting in lieu thereof the
6 words “state fire marshal”; further amend by striking from
7 line thirteen (13) the word “commissioner” and inserting in
8 lieu thereof the words “state fire marshal”.

1 Sec. 68. Section sixteen hundred seventy-seven (1677),
2 Code, 1935, is amended by striking from lines eight (8) and
3 nine (9) the word “commissioner” and inserting in lieu thereof
4 the words “state fire marshal”; further amend by striking from
5 lines ten (10) and eleven (11) the words “inspector or the

6 commissioner” and inserting in lieu thereof the words “state
7 fire marshal”; further amend by striking from line thirteen (13)
8 the words “labor commissioner” and inserting in lieu thereof
9 the words “state fire marshal”.

1 Sec. 69. Section twenty-eight hundred fifty-three (2853),
2 Code, 1935, is amended by striking from line four (4) the words
3 “proper state” and inserting in lieu thereof the words “state
4 fire marshal”.

APPROVAL OF HEADLIGHT LENSES

1 Sec. 70. Section forty-nine hundred eighty-five (4985),
2 Code, 1935, is amended by striking from line two (2) the
3 words “state highway commission” and inserting in lieu thereof
4 the words “department of public safety”; further amend by
5 striking from lines seven (7) and eight (8) the words “primary
6 road fund” and inserting in lieu thereof the words “general
7 fund of the state”.

1 Sec. 71. Section forty-nine hundred eighty-six (4986),
2 Code, 1935, is amended by striking from lines two (2) and
3 three (3) the words “highway commission” and inserting in
4 lieu thereof the words “commissioner of public safety” and
5 inserting in line four (4) after the word “department” the
6 words “of public safety”.

1 Sec. 72. Section forty-nine hundred eighty-seven (4987),
2 Code, 1935, is amended by inserting in line one (1) after the
3 word “department” the words “of public safety”; further amend

4 by inserting in line three (3) after the words “of the” the
5 word “said”.

REPORT CHANGES OF ENGINE NUMBERS

1 Sec. 73. Section forty-nine hundred ninety-one (4991),
2 Code, 1935, is amended by inserting after the word “some” in
3 line five (5) the words “member of the state department of
4 public safety or”.

1 Sec. 74. There shall be reciprocal cooperation between
2 the members of the state department of public safety and local
3 authorities in the enforcing of local and state traffic laws
4 and in making inspections, although this shall not be construed
5 to give the state department of public safety any right to
6 establish regular patrol beats inside municipal limits unless
7 requested for a special occasion or emergency by the mayor of
8 such city or town or the sheriff of the county.

ESTABLISHING TRAFFIC RULES

1 Sec. 75. Section fifty hundred sixty-six (5066), Code,
2 1935, is amended by inserting in line two (2) after the word
3 “commission” the words “with the advice of the commissioner
4 of public safety”.

MOTOR VEHICLE FUEL INSPECTION

1 Sec. 76. Section five thousand ninety-three-d one
2 (5093-d1), Code, 1935, is amended by striking from line three
3 (3) of paragraph two (2) the words “of agriculture” and in-
4 serting in lieu thereof the words “of public safety”.

1 Sec. 77. Section five thousand ninety-three-d seven

2 (5093-d7), Code, 1935, is amended by striking from line one (1)
3 the words “of agriculture” and inserting in lieu thereof the
4 words “of public safety”.

1 Sec. 78. Section five thousand ninety-three-d thirteen
2 (5093-d13), Code, 1935, is amended by striking from line two (2)
3 the words “secretary of agriculture” and inserting in lieu
4 thereof the words “commissioner of public safety”.

1 Sec. 79. Section fifty hundred ninety-three-d fourteen
2 (5093-d14), Code, 1935 is repealed.

SAFETY MEASURES FOR MOTOR VEHICLE CARRIERS WITH
TERMINI OR ROUTE

1 Sec. 80. Section fifty-one hundred five-a three (5105-a3),
2 Code, 1935, is amended by adding thereto the following: “The
3 state department of public safety is hereby authorized and
4 empowered to prescribe and enforce safety regulations in the
5 operation of motor carriers, require a periodic inspection
6 of the equipment of every motor carrier from the standpoint
7 of enforcement of safety regulations, and such equipment
8 shall be at all times subject to inspection by properly
9 authorized representatives of the department of public
10 safety.”

1 Sec. 81. Section fifty-one hundred five-a two (5105-a2),
2 Code, 1935, is amended by striking therefrom paragraph
3 numbered one (1); striking numbered paragraph three (3) and
4 inserting in lieu thereof the following:

5 “3. Regulate and supervise the accounts, schedules,

6 and services of each motor carrier.”;

7 and by renumbering the numbered paragraphs of said code
8 section.

1 Sec. 82. Section fifty-one hundred five-a eighteen
2 (5105-a18), Code, 1935, is amended by adding thereto the
3 following: “The actual operation of such motor vehicles or
4 vehicle shall not begin without a written statement of approval
5 from the department of public safety to the effect that the
6 safety provisions have been complied with.”

1 Sec. 83. Section fifty-one hundred five-a twenty-nine
2 (5105-a29), Code, 1935, is amended by striking from lines
3 four (4) and five (5) the words “commission and its duly
4 authorized representatives” and inserting in lieu thereof
5 the words “members of the department of public safety”.

1 Sec. 84. Section fifty-one hundred five-a thirty
2 (5105-a30), Code, 1935, is amended by striking from line seven
3 (7) the words “state motor vehicle department” and inserting
4 in lieu thereof the words “department of public safety”.

1 Sec. 85. Section fifty-one hundred five-a thirty-eight
2 (5105-a38), Code, 1935, is amended by adding thereto the
3 following: “In the event of any flagrant and persistent
4 violation of safety regulations by the holder of a certifi-
5 cate or his agent, the department of public safety is
6 authorized to request the state commerce commission to revoke
7 such certificate of necessity and such violation shall be
8 grounds for revocation at the discretion of the commission.”

MOTOR VEHICLE CARRIERS WITHOUT FIXED TERMINI

1 Sec. 86. Section fifty-one hundred five-c two (6105-c2),
2 Code, 1935, is amended by striking from paragraph numbered
3 three (3) the following: “and safety of operation” and by
4 inserting after the last word thereof the following:
5 “, provided that only the department of public safety shall
6 prescribe and enforce safety regulations”.

1 Sec. 87. Section fifty-one hundred five-c two (5105-c2),
2 Code, 1935, is amended by striking therefrom all of paragraph
3 numbered one (1) and renumbering the remaining paragraphs.

1 Sec. 88. Section fifty-one hundred five-c three (5105-c3),
2 Code, 1935, is amended by inserting in line five (5) after the
3 word “operators” the following: “, provided that only the
4 department of public safety shall prescribe and enforce safety
5 regulations”.

1 Sec. 89. Section fifty-one hundred five-c eight (5105-c8),
2 Code, 1935, is amended by adding thereto the following: “The
3 actual operation of such motor vehicle or vehicles shall not
4 begin without the written approval of the state department of
5 public safety, stating that the applicant has complied with
6 the prescribed safety regulations.”

1 Sec. 90. Section fifty-one hundred five-c fifteen
2 (5105-c15), Code, 1935, is amended by adding thereto the
3 following: “If the holder of the permit or his agent persists
4 in a violation of any safety regulation prescribed by the
5 department of public safety, the latter may recommend to the

6 commission revocation of said permit and such violation shall
7 be grounds for such revocation.”

1 Sec. 91. Section fifty-one hundred five-c sixteen
2 (5105-c16), Code, 1935, is amended by striking from line
3 five (5) and six (6) the words “commission and its duly
4 authorized representatives” and inserting in lieu thereof
5 the words “department of public safety”.

1 Sec. 92. Section fifty-one hundred five-c seventeen
2 (5105-c17), Code, 1935, as amended by section five hundred
3 thirty-two (532), Chapter one hundred thirty-four (134) Acts
4 of the Forty-seventh General Assembly, is amended by striking
5 from lines eight (8) and nine (9) the words “state motor
6 vehicle department” and inserting in lieu thereof the words
7 “department of public safety”.

1 Sec. 93. Section fifty-one hundred five-c twenty-three
2 (5105-c23), Code, 1935, is amended by striking from lines
3 one (1) and two (2) the word “commission” and inserting in
4 lieu thereof the words “commissioner of public safety”.

1 Sec. 94. Section fifty-one hundred five-c twenty-five
2 (5105-c25), Code, 1935, is amended by inserting in line
3 nine (9) after the word “commission” the words “or the
4 commissioner of public safety”.

RELATING TO WEIGHTS AND MEASURES

1 Sec. 95. Section thirty-two hundred forty-four-b six
2 (3244-b6), Code, 1935, is amended by striking from line one
3 (1) the words “secretary of agriculture” and inserting in lieu

4 thereof the words “commissioner of public safety”.

1 Sec. 96. Section thirty-two hundred fifty-one (3251),
2 Code, 1935, is amended by striking all of the first sentence
3 and inserting in lieu thereof the following: “The commissioner
4 of public safety shall appoint a member of his department to
5 act as the state sealer of weights and measures.”

1 Sec. 97. Wherever the word “department” appears in
2 chapters one hundred sixty-one (161), one hundred sixty-two
3 (162), one hundred sixty-three (163), one hundred sixty-four
4 (164), and one hundred sixty-five (165), Code, 1935, it shall
5 be construed to mean “the department of public safety” except
6 where otherwise specifically provided.

1 Sec. 98. Section thirty two hundred twenty-seven (3227),
2 Code, 1935, is amended by inserting in line three (3) thereof
3 after the word “department” the following: “of agriculture
4 or the department of public safety as the case may be”.

LIQUOR CONTROL ENFORCEMENT

1 Sec. 99. Section nineteen hundred twenty-one-f sixteen
2 (1921-f16), Code, 1935, is amended by adding at the end
3 thereof as an unnumbered paragraph the following: “The
4 commission shall refer all alleged violations of the liquor
5 control act to the ‘state department of public safety’.”

1 Sec. 100. Section nineteen hundred twenty-one-f ninety-
2 four (1921-f94), Code, 1935, is amended by striking therefrom
3 the second sentence: “As supplementary aids to such attorney
4 the sheriff and his deputy, or deputies, and the police

5 department of every city, this to include the day and night
6 marshal of every incorporated town.” and inserting in lieu
7 thereof the following: “The state department of public
8 safety, the sheriff and his deputy or deputies, and the police
9 department of every city, including the day and night marshal
10 of any incorporated town, shall be supplementary aids to such
11 county attorney.”

DUPLICATION IN POLICE OFFICERS PROHIBITED

1 Sec. 101. All other departments and bureaus of the state,
2 including the governor and attorney general, are hereby pro-
3 hibited from employing special peace officers or conferring
4 upon regular employees, any police powers to enforce provisions
5 of the statutes, which are specifically reserved by this act
6 to this department.

1 Sec. 102. Whenever mention is made, in the Code, of
2 “special state agents” in connection with law enforcement, the
3 same shall be construed to mean members of the state depart-
4 ment of public safety.

1 Sec. 103. Industrial Disputes. The police employees
2 of the department shall not be used or called upon for service
3 within any municipality in any industrial dispute unless
4 actual violence has occurred therein, and then only either
5 by order of the governor or on the request of the chief
6 executive officer of the municipality or the sheriff of the
7 county wherein the dispute has occurred if such request is
8 approved by the governor.

1 Sec. 104. Members of the safety patrol as provided in
2 sections thirty (30) to forty-seven (47), inclusive, of
3 chapter one hundred thirty-four (134), Acts of the Forty-
4 seventh General Assembly, and members of the departments
5 consolidated under this act, may be regarded as eligible
6 for appointment in this department without further examination
7 at the discretion of the commissioner.

1 Sec. 104½. The liquor control commission shall pay
2 to the general fund for services received by it, at the
3 hands of this department, the sum of twenty-five hundred
4 dollars (\$2,500.00) per month.

1 Sec. 105. Constitutionality. If any section, subsection,
2 clause, sentence, or phrase of this act is for any reason
3 held to be unconstitutional or invalid, such decision shall
4 not affect the validity of the remaining portions of this
5 act. The legislature hereby declares that it would have
6 passed this act and each section, subsection, clause,
7 sentence, or phrase hereof, irrespective of whether any
8 one or more of the sections, subsections, clauses, sentences
9 or phrases be declared unconstitutional or invalid.

1 Sec. 106. This act being of immediate importance shall
2 become effective upon publication in the Hardin County Index,
3 a newspaper published at Eldora, Iowa, and the Allison
4 Tribune, a newspaper published at Allison, Iowa.