



Iowa State Patrol and the Office of Motor Vehicle Enforcement Potential Integration

ISSUE

This **Issue Review** analyzes the duties and responsibilities of troopers in the Iowa State Patrol (ISP) and Motor Vehicle Enforcement (MVE) officers in the Department of Transportation (DOT) as well as the differences such as funding, pay, and pension. In addition, this **Issue Review** discusses the proposal for a potential integration of the offices under one system.

AFFECTED AGENCIES

DPS, DOT, Iowa Law Enforcement Academy (ILEA), and Judicial Branch

CODE AUTHORITY

Iowa Code chapters [8A](#), [80](#), [80B](#), [321](#), [602](#)

BACKGROUND AND HISTORY

The Iowa State Highway Commission was created in 1904 as part of the Iowa State College (Iowa State University) and became a separate agency in 1913. In 1974, the 65th General Assembly created the current Iowa DOT.¹ The Iowa Highway Safety Patrol was created in 1935 as a separate division under the Department of Public Safety (DPS).

On July 1, 1975, the Driver's Division was removed from the Patrol and turned over to the Iowa DOT, and the name of the Iowa Highway Safety Patrol was changed to the ISP. The MVE Office (including the weight enforcement officers and motor vehicle fraud investigators) were transferred from the DPS to the DOT.

In 1985, the [Peat, Marwick, and Mitchell Reorganization of State Government Report](#) recommended a more encompassing DPS that included the consolidation of the MVE Office of the DOT to better utilize people and resources and to improve the coordination of public safety activities. However, this proposal was not enacted. The study cited an estimated savings of \$2.0 million in federal funds and a reduction of 77.0 FTE positions including seven investigators. The money saved would have been used for highway construction efforts.

During the 1988 Legislative Session, SF 2314 required the Legislative Fiscal Bureau (LFB)² to conduct a program evaluation of the administration of motor vehicles of the State DOT and the feasibility of transferring the DOT Investigators to DPS. The LFB presented the findings and conclusions of the [Motor Vehicle Transfer Study](#) to members of the Legislative Fiscal Committee on October 17, 1988. The study found no major duplication of responsibilities other

¹ 1974 Acts, Chapter 1180

² The LFB has since been reorganized as the Fiscal Services Division of the Legislative Services Agency.

than duties related to salvage theft examinations. The study also noted that the pay and classifications of the transferred DOT personnel would need to be integrated with comparable DPS classifications and some positions might need to be transferred to a new retirement system to comply with a different set of hiring standards. The study noted that the actual costs and benefits would vary depending on the implementation of the transfer. If the employees were transferred, the DPS would assume administrative, regulatory, and enforcement functions. At the time, 68 sections of the Iowa Code were identified in relation to Motor Vehicle Investigators and current practices; however, of those, only 14 related exclusively to investigator duties and responsibilities.

Because the transfer of investigators had both fiscal and operational effects on other bureaus and divisions within the DOT, the Department of Management (DOM) determined a more comprehensive review and recommendation was in order. The DOM review determined it was not operationally or fiscally prudent to transfer the DOT investigators to DPS due to the increased cost to the Road Use Tax Fund (RUTF) for salary and benefit equalization and the cost of additional staff required to perform the statutory regulatory duties outweighed any benefit derived from the proposed transfer. In addition, DPS employees are members of the State Peace Officers Council (SPOC) and the Peace Officers Retirement System (PORS) and DOT employees are members of the American Federation of State, County, and Municipal Employees (AFSCME) and IPERS Protection Occupation. The ISP was funded from the RUTF during this time.

According to [Iowa Code section 312.9](#), “moneys credited to the RUTF shall not be appropriated for the payment of salaries, support, or maintenance of any personnel in the DPS.” From FY 1982 through FY 1995, the ISP was funded directly from the RUTF. From FY 1996 through FY 1999, the ISP was funded from motor vehicle use tax receipts prior to deposit in the RUTF. A four-year phase-in to fund the Patrol from the General Fund began in FY 1997 ([SF 481](#) FY 1995 Transportation and Capitals Appropriations Act) and beginning in FY 2000, the ISP was fully funded from the General Fund. In Iowa, certain revenues deposited in the RUTF are constitutionally restricted to highway-related expenditures.³

CURRENT SITUATION

Iowa State Patrol – Department of Public Safety

As of July 2012, the ISP has 278 filled Trooper positions, including 250 actual Troopers on road patrol. Of the 28 remaining Trooper positions, 10 Troopers are assigned to the Motor Carrier Safety Assistance Program (MCSAP), 14 Troopers are assigned to the Vehicle Theft Unit, and four troopers are assigned to the Governor’s Security Detail. The MCSAP is a federal grant program relating to improving highway safety by reducing the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles. The MCSAP Officers are certified to conduct level three inspections (driver-only inspections). In addition, there are

³ The limitation on the use of certain revenues of the RUTF is found in Article VII, Section 8 of the Iowa Constitution (amended in 1942) and reads as follows: “All motor vehicle registration fees and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance, and supervision of the public highways exclusively within the State or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds.” In 1962, the Iowa Supreme Court interpreted this as having intent and purpose to ensure a source of funds for highway purposes and not to allow funds to be used for purposes totally unrelated to highways. A May 1971 Attorney General’s Opinion states, “the term supervision contemplates the use of the public highways as well as the supervision of their construction and maintenance. Since the supervision of the use of the highways is precisely the function of the Iowa highway safety patrol, the primary road fund could be used for the payment of such salaries of such patrol.”

seven Trooper Pilots in the ISP and 52 Sergeants of which 44 are road supervisors. The average base wage for a Trooper on road patrol, without any other form of pay or benefits, is approximately \$62,000 annually.

Training for ISP Troopers is certified through the ILEA and conducted over 20 weeks by the DPS. The cost of the DPS Academy varies from year to year, depending on the number of officers attending but over the past six years has averaged approximately \$6,500 per person. The DPS Academy also trains special agents in the Division of Criminal Investigation, the Division of Narcotics Enforcement, and the Fire Marshal's Office. Peace Officer Candidates receive pay while in the DPS Academy and do not become sworn peace officers until after graduating from the DPS Academy. Peace Officer Candidates are noncontract employees at pay grade 18 with pay of approximately \$17.02 per hour. Upon graduation, ISP Troopers receive their assignment. Typically, the first assignment is to Post 16 as a Trooper 1 at paygrade 24 (\$38,542 - \$57,886). In some instances, a Trooper has been assigned directly to the road as a Trooper 2 at paygrade 29 (\$47,133 - \$70,886).

The ISP Troopers are assigned throughout the State in [Posts](#) 1 through 4 and 6 through 13. Specialty Posts include Post 15 (Vehicle Theft), Post 16 (Capitol Security), Post 17 (Executive Protection Unit), and Post 22 (MCSAP), as well as communications, fleet and supply, air wing, and the canine unit.⁴ Each District has three to four sergeants charged with the general supervision of Troopers. The Patrol closed Post 5 in Cherokee effective March 18, 2010, and Post 14 in Ottumwa was closed effective April 16, 2010.

Motor Vehicle Enforcement Officers - Department of Transportation

The MVE Office is included in the Motor Vehicle Division of the Iowa DOT. The MVE Office is authorized to employ 131 positions, including 128 sworn peace officers. Of this number, 98 are road officers (73 Officers, 17 Sergeants, and eight Captains) and 23 are Investigators that investigate vehicle and identify theft, odometer fraud, and other crimes. Seven other officers work primarily out of the central office (three executive officers, three commanders, and one public service executive) and three positions provide administrative support. Five of the 131 positions were vacant as of July 2012.

Within the MVE Office there are a total of 12 supervisory positions including eight Captains, three Majors, and one Chief. The MVE Office consists of three units including the Commercial Vehicle Unit, the Hazardous Materials and Safety Audit Unit, and the Investigative Unit. The average base wage for an MVE Officer on road patrol, without any other form of pay or benefits, is approximately \$50,000 annually.

The MVE Officers are sworn law enforcement officers and, in the past, have attended the 14-week ILEA Basic Training Academy. Other training includes the North American Standard Inspection class, hazardous materials and cargo tank courses, firearms training, and self-defense classes. The MVE Officers assist other law enforcement officers when requested and when the situation dictates, such as excessive speeding or OWI⁵ offenses, imminent hazards, or noncommercial vehicles that have weight, dimension, or load securement violations. The MVE Officers are trained and certified to conduct level one through level three inspections on commercial vehicles and buses in the MCSAP.⁶

⁴ A Patrol Post is a District Office.

⁵ Operating While Intoxicated (OWI)

⁶ The Federal Motor Carrier Safety Administration (FMCSA) maintains a description of the various North American Standard Driver/Vehicle Inspections: <http://www.fmcsa.dot.gov/safety-security/safety-initiatives/mcsap/insplevels.htm>

The MCSAP is the program that authorizes and provides some federal funding for the MVE and ISP officers to conduct the Commercial Vehicle Inspection program. Annual federal grants for implementation of the MCSAP program total \$2.9 million. The DOT is the lead agency and administers these grant funds through the MVE, with the ISP acting as a subrecipient. The funds are annually distributed on a 65.0%/35.0% basis between the MVE and the ISP. Annually, the MVE completes approximately 90.0% of the safety inspections administered under the program and the ISP completes approximately 10.0%. The DOT does not fund the MVE operations directly from the grant but reimburses eligible expenses as incurred on an 80.0%/20.0% basis; the grant funds received are returned to the RUTF and Primary Road Fund. Approximately 96.0% of the MVE budget is funded by the RUTF and 4.0% is funded by the Primary Road Fund.

PROPOSAL FOR POTENTIAL INTEGRATION

In a [memo](#) presented to legislators and staff in early January 2012, the DOT and DPS proposed a two-step implementation plan for the integration of the MVE Office and the ISP into the DPS beginning in January 2012. The purpose of the memo was to discuss goals and key concepts involved with the integration plan and included the following points:

- **Implement joint operations meetings between the DPS and the DOT.** According to both Departments as of July 2012, these meetings are occurring monthly to discuss integration efforts.
- **Implement a common presence in vehicle use for the ISP and the MVE Office by modifying the MVE vehicles to the ISP emblem and coloring scheme.** The MVE vehicles will say Iowa State MVE in the shield on the door rather than Iowa State Patrol. On the Patrol vehicle, the front fender will say State Trooper and on the MVE Officer vehicle, the front fender will say State Officer. The primary colors of the trooper vehicles are silver, tan, or white. The traditional blue cars used by MVE officers are being replaced with primarily white-colored vehicles. The blue-colored vehicles will be phased out as new vehicle orders are placed. The license plate on the State Patrol vehicle will continue to be yellow with two red stars and will say State Patrol at the bottom. The Motor Vehicle license plate will say Vehicle Enforcement at the bottom and will have two black stars and the number will begin with the capital letter "T". There are currently vehicles patrolling the roads with the new color schemes and emblems. **Attachment A** shows a mock-up of the vehicles and license plates.
- **Recommend transfer of the MVE Office to the DPS for legislative action during the 2013 Legislative Session (FY 2014 budget).** Department budget requests for FY 2014 (2013 Legislative Session) are due October 1, 2012, and Governor's recommendations for FY 2014 will be released in January 2013.
- **Transfer the MVE Officers in the Commercial Vehicle Unit, Hazardous Materials and Safety Audit Unit, and the Investigative Unit into the DPS as a Division reporting to the Commissioner of Public Safety.** This will require statutory changes. As of July 2012, the proposal does not include moving the five-person TraCS team. TraCS is a program administered by the MVE Office that provides an electronic citation and crash reporting option for 180 law enforcement agencies throughout the State.
- **All currently assigned personnel will maintain their established headquarters unless facility changes enhance operational outcomes for both the DPS and the DOT.** Historically, sharing of facilities has been done on a limited basis. Currently, details are being finalized within the joint meetings to provide 24/7 access to the respective facilities including weigh scales, rest areas, DOT maintenance facilities, and ISP District Offices. A memo was sent to all DPS and DOT enforcement personnel in June 2012 stating that by

having more accessibility at several locations around Iowa; drive time to an office facility would be reduced enhancing the efficiency of both agencies.

- **Incorporate current ISP MCSAP federal funding into the new MVE Division at the DPS.** The table below shows the federal money currently received by the ISP for 10 Troopers that perform MCSAP duties.

Motor Carrier Safety Assistance Program (MCSAP)					
(As Received by the Department of Public Safety)					
FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
\$784,483	\$1,081,342	\$887,048	\$966,113	\$972,334	\$1,045,132

- **Coordinate respective hiring processes and have a joint academy for ISP Troopers and DOT MVE Officers.** The DPS has its own hiring process separate from the Department of Administrative Services (DAS). For the most recent DPS Academy that began July 2, 2012, and continues through November 26, 2012, the DOT MVE applicants applied via the DAS website as well as directly to the DPS. There are currently 10 DOT MVE Officers and seven Troopers taking part in the DPS Academy.

BUDGET IMPACT

The DOT MVE includes 131 positions. The estimated office budget is approximately \$12.5 million, including \$10.7 million for salaries, benefits, and associated support costs. The MVE is funded 96.0% from the RUTF and 4.0% from the Primary Road Fund.

Under current law, due to the Code restriction that prohibits DPS employees from being paid from the RUTF, transferring the Office of MVE from the DOT to the DPS will also require transferring the funding from the RUTF to the General Fund. **Table 1** is the estimated General Fund cost for moving the personnel from the DOT to the DPS.

Table 1	
FY 2013 Motor Vehicle Enforcement	
Salary, Benefits, And Associated Support Costs	
Uniformed Officers	\$ 7,822,986
Investigation Unit	1,754,893
Support	1,133,000
Total	<u>\$ 10,710,879</u>
NOTES:	
The three administrative positions are included under the uniformed officer line in the chart.	
Support includes travel, meals, lodging, utilities, materials, supplies, equipment operation, and depreciation.	

Commercial Vehicle Fine Revenue

[Iowa Code section 602.8108\(8\)](#) requires the State Court Administrator to allocate all the fines and fees attributable to commercial vehicle violation citations issued by the MVE personnel of the DOT to the Treasurer of the State for deposit in the RUTF. In the memo, the DOT indicated the commercial vehicle revenue will offset a portion of the transfer of the MVE Officers to the DPS. This will require a statutory change and will also be a reduction to RUTF receipts. **Table 2** shows the revenue deposited each fiscal year into the RUTF and the six-year average.⁷

Table 2						
DOT Commercial Vehicle Revenue Deposited in the Road Use Tax Fund						
FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Six-Year Average
\$2,405,991	\$2,262,631	\$2,121,638	\$2,400,830	\$1,845,703	\$2,661,063	\$ 2,282,976

Impacts to Other State Agencies

The DPS funds its Academy through salary savings from vacant positions while the DOT previously paid tuition to the ILEA of approximately \$7,518 per person.⁸ The change in training of DOT Officers from the ILEA to the DPS has resulted in a loss of receipts to ILEA of approximately \$75,000 for FY 2013.

For the current DPS Academy, the DOT is paying costs such as officer uniforms, meals, and training materials. Training of MVE Officers is paid from the RUTF. All other DPS Academy costs are being paid by the DPS.

⁷ The DOT MVE Officers are sworn peace officers and do issue speeding tickets. Revenue from a speeding ticket given to the general public is deposited in the General Fund based per statute depending on the type of violation. The DOT MVE Officer's primary focus is commercial vehicle enforcement; however, officers use discretion to determine whether a serious speeding violation requires intervention for a noncommercial vehicle. The MVE Officers also cooperate with the ISP on various types of enforcement activities as requested. There have been questions posed in the past as to the scope of the enforcement of the officers.

The Iowa Attorney General's Opinion (90-12-8) issued December 28, 1990, was in response to a series of questions posed regarding the scope of the enforcement power of the DOT peace officers. The Opinion cites the 1948 Supreme Court decision (Merchants Motor Freight Inc. v. State Highway Commission et. al.) as a limitation on the enforcement authority of DOT officers as interpreted by [Iowa Code section 321.477](#).

⁸ [Iowa Code section 80B.11B\(2\)\(a\)](#) requires the DOT to pay the full cost to attend the ILEA Basic Training Academy.

POTENTIAL ISSUES AND CONSIDERATIONS FOR INTEGRATION

Before a complete integration can occur, several differences may need to be addressed through statute, Administrative Rules and/or policy changes. **Chart 1** below highlights some of the current differences between the two groups.

Chart 1		
Issue	Department of Public Safety Troopers	Department of Transportation Motor Vehicle Enforcement Officers
Funding	General Fund appropriation	96.0% Road Use Tax Fund and 4.0% Primary Road Fund
Hiring	DPS has own hiring process	Goes through DAS hiring process using Brass Ring
Training	20 week DPS Academy - officers do not become sworn until graduation.	Previously participated in a 14 week ILEA Basic Training Academy; as of July 2, 2012, participating in a 20 week DPS Academy - officers do not become sworn until graduation.
Pension	Peace Officers Retirement System - FY 2013 total contribution is 37.35%. The employee share is 10.35% and the employer share is 27.0%.	IPERS Protection Occupation - FY 2013 total contribution is 17.11% of which the employee share is 6.84% and the employer share is 10.27%.
Social Security	Pay 1.45% of gross pay for the Medicare portion of social security	Pay 7.65% of gross pay for social security, including Medicare
Overtime	Employer determines whether cash or comp time	Employee determines whether cash or comp time
Merit	Merit Exempt	Merit
Union	SPOC - seniority begins the date the Trooper graduates the Academy	AFSCME - seniority begins the date the Officer is hired into a permanent position
Pay	Pay grade 29 (\$47,133 - \$70,886) Cadet status at pay grade 18 until graduation from the DPS Academy	Pay grade 25 (\$40,414 - \$60,445) Investigators are pay grade 27 (\$43,784 to \$66,373)
Ticket Revenue	Deposited in the General Fund	Deposited in the Road Use Tax Fund
Weapons	Smith and Wesson .40 caliber sidearm, a Remington 870 12 gauge shotgun, and a Smith and Wesson model M&P .223/5.56mm caliber rifle.	Glock .40 caliber sidearm and a Smith and Wesson AR 15 long rifle. Hazardous materials officers that escort radioactive loads carry Remington 870 shotguns. Shotguns are required by the federal Radioactive Materials Program and the Program is administered through the Department of Public Health. Officers escorting these loads are required to have a secondary weapon system.
Probationary Period	Period begins from the time the officer graduates and lasts for one year.	Period begins from date of hire and lasts six months.
Vehicle Depreciation	General Fund	Road Use Tax Fund

- **Uniforms/Training** – Although both groups are presently being trained together, the uniforms of the graduates from the DPS Academy in November 2012 will continue to be the same as they currently are with the ISP Troopers wearing brown uniforms and MVE Officers wearing blue uniforms. Although a change in uniform coloring has been discussed, as of July 2012, changes to uniforms are not being considered at this time.
- **Organizational Structure** – The current proposal recommends the MVE Office be transferred to the DPS as a separate division reporting to the DPS Commissioner. There are differences within the organizational structures of the MVE Office when compared to the ISP and these duties and positions may need to be reconfigured in the future. Sergeants within the ISP are supervisory positions whereas sergeants within the DOT are lead worker positions. Supervisors within the DOT are Captains and are similar to Lieutenants within the ISP. The Chief of the DOT’s MVE Office is similar to the Colonel of the ISP. Both Departments use the same Noncontract Pay Plan for their supervisors. The following are some examples of pay differences between the two departments.

Supervisor Pay Differences					
DPS			DOT		
Sergeant	Paygrade 31	\$50,461 to \$78,104	Captain	Paygrade 31	\$50,461 to \$78,104
Captain	Paygrade 35	\$61,298 to \$94,266	Commander	Paygrade 33	\$55,599 to \$85,696
Major	Paygrade 38	\$75,504 to \$107,474	Commander - Uniformed Officer	Paygrade 35	\$61,298 to \$94,266

- **Vehicle Depreciation** – If MVE vehicles are transferred to the DPS with no accumulated depreciation account funds, there will be a significant financial impact to the ISP. The ISP recently reinstated a four-year vehicle replacement cycle that results in vehicles routinely being replaced at 120,000 miles and higher. Compared to the previous three-year replacement cycle, the ISP vehicles remain in service longer and have higher miles at the time of sale. The DOT has a five-year replacement cycle.

The ISP annually deposits General Fund money in a depreciation account with the DAS to purchase vehicles. The DPS takes into consideration the price of fuel and whether or not salary adjustment appropriations were received and then determines the amount of money deposited into the Fund each year. The amount needed to purchase 75 to 80 cars is approximately \$1.67 to \$1.75 million. The amount needed to purchase 100 vehicles is approximately \$2.2 million. The DOT has a revolving fund established for vehicle purchases where 1/5 (20.0%) of the cost of the purchase of a new vehicle is set aside from the RUTF.

For FY 2012, the DOT ordered seven Dodge Chargers and 14 Chevy Tahoes. For FY 2013, the DOT will be ordering 12 Chevy Tahoes. For FY 2012, the ISP ordered 50 Dodge Chargers. For FY 2013, the ISP plans to order 50 Dodge Chargers in the fall of 2012 and an additional 50 Dodge Chargers in the spring of 2013. There are also a few pickups and SUVs planned for both orders to accommodate the needs of the K-9 unit.

- **Salaries** – At the present time, the intent is to keep the two groups as separate divisions. The 73 MVE Officers are pay grade 25 and Troopers 2s (more commonly referred to as “road troopers”) are pay grade 29. Effective June 22, 2012 – December 20, 2012, the pay range for a MVE officer is \$40,414 to \$60,445. The current pay range for a Trooper 2 is \$47,133 to \$70,886. This represents a difference of \$6,719 to \$10,441. Both pay ranges will increase December 21, 2012, to reflect an additional 1.0% cost of living increase http://das.hre.iowa.gov/pay_plans.html. A trooper with 15 or more years of experience or with 11 years of experience and a bachelor’s degree is a Trooper 3 at pay grade 29 (\$48,090 to \$72,301). The DOT Investigators and the DOT Sergeants are paygrade 27 (\$43,784 to \$66,373).
- **Pensions** – Two separate retirement systems could be maintained at no additional cost; however, if the pension issue is addressed the following FY 2013 information applies.
 - The ISP Troopers are members of the Peace Officers’ Retirement System (PORS) and for FY 2013 contribute 10.35% of their covered wages to the retirement system. The employer share is 27.0% for a total of 37.35%. Troopers do not contribute to social security but do contribute 1.45% for Medicare. Normal retirement for members of PORS is age 55; however, troopers may retire at age 50 or older with at least 22 years of service. The maximum retirement allowance is 88.0% of their highest years of salary.
 - The MVE Officers are members of the IPERS Protection Occupation and for FY 2013 contribute 6.84% of their covered wages for the employee share. The employer share is 10.27% for a total of 17.11%. The MVE Officers also contribute 7.65% of their gross pay for social security (currently reduced by 2.0%). Members of the IPERS Protection

Occupation may retire at age 55 or older. The maximum allowance is 72.0% of their highest three years of salary.

- **Benefits** – If benefits for the two groups were aligned, the following differences may need to be addressed.
 - The ISP Troopers receive a maximum of \$1,200 annually in longevity pay, a per diem meal allowance of \$8.00 per duty day, and a \$350 annual cleaning allowance for their uniforms. Troopers also receive [SPOC Sick Leave Payout](#) and receive up to 60 working days for duty injury time off. Troopers are eligible for workers' compensation for injuries beyond the 60 working days injury leave.
 - Newly hired MVE Officers do not receive longevity pay; however, past AFSCME contract negotiations have permitted this so some officers do receive this benefit but as employees in this group retire, the number is being reduced. The MVE Officers do not receive a meal allowance. The MVE Officers do receive necessary and actual cleaning costs for uniforms up to \$750 per year. The MVE Officers receive the [sick leave insurance program](#) (SLIP) and do not receive any days off for injury but are eligible for workers' compensation with the balance charged to the Officer's vacation and sick leave balances.
- **Federal Funds** – The DOT receives approximately \$400.0 million annually from the [U.S. Department of Transportation, Federal Highway Administration \(USFHWA\)](#). Of this amount, 10.0% of selected highway program funds (approximately \$34.0 million annually) is conditioned on the implementation of an approved commercial vehicle size and weight plan. In order for the State to continue receiving federal funds, one of the agencies (DOT or DPS), or both jointly, will need to maintain the current approved size and weight plan for commercial vehicles travelling Iowa roads with the federal government. Regardless of which agency does this, the DOT will continue receiving the funds. If this is not maintained, the State risks losing approximately \$34.0 million in federal funding.

OTHER STATES

The National Conference of State Legislatures (NCSL) reported that according to the [Commercial Vehicle Safety Alliance](#), the following is a list of States that house their commercial vehicle enforcement unit within the Department of Transportation or Motor Vehicles. In [Ohio](#), regulatory information on motor carriers is housed within the Public Utilities Commission.

- [Alaska](#)
- [Connecticut](#)
- [Iowa](#)
- [Hawaii](#)
- [Missouri](#)
- [Montana](#)
- [New Jersey](#)
- [New York](#)
- [Oregon](#)
- [Utah](#)
- [Vermont](#)
- [Wisconsin](#)

In addition, according to the NCSL document (**Attachment B**) entitled, "State Public Safety or Law Enforcement Agencies – Functions, How Organized" from June 2011, in both [Wisconsin](#) and [Wyoming](#), the State Highway Patrol is included in the Transportation Department. In [Montana](#) and [New Jersey](#), the Highway Patrol is included in the Attorney General's Office.

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Attachment A







Attachment B



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

State public safety or law enforcement agencies – Functions, how organized
June 2011 update

Alabama	Department of Public Safety includes six divisions: Administrative, Alabama Bureau of Investigation, Driver License, Highway Patrol, Protective Services, and Service. (Department of Homeland Security and Emergency Management Agencies are separate.)
Alaska	Department of Public Safety includes State Troopers, Wildlife Troopers, Department of Fire and Life Safety, Police Standards Council, Fire Standards Council, Alcoholic Beverage Control Board (issues liquor licenses), Council on Domestic Violence and Sexual Assault, Statewide services and Administrative services. (State has a separate Division of Homeland Security and Emergency Management.)
Arizona	Department of Public Safety includes the Director's Office, Criminal Investigations Division, Highway Patrol Division, and Technical Services Division (scientific analysis and criminal justice support to Arizona's criminal justice agencies). (Division of Emergency Management is separate.)
Arkansas	State Police agency includes Highway Control Division, Criminal Investigation Division, Crimes Against Children Division, Highway Safety Office, and Regulatory Services. (Fire Prevention Commission and the Department of Emergency Management are separate.)
California	Within the Governor's Office of Emergency Services, The California Emergency Management Agency includes (among other divisions) Law Enforcement and Victim Services Division (which also includes Criminal Justice Programs on Crime and Gangs, Drug and Counter Drug, Victim and Children's, and Sexual Assault, Domestic Violence & Victim Witness), as well as a separate Public Safety Branch (Crime Suppression Section, Gang Violence Section, Drug Enforcement Section, and the Public Safety Procurement Program) and a Victim Services Branch. (Related departments outside of the Governor's Office include Department of California Highway Patrol, Department of Forestry and Fire Protection, Office of Traffic Safety, and the Seismic Safety Commission.)
Colorado	Department of Public Safety includes bureau of investigation, state patrol, criminal justice and fire safety divisions, Colorado School Safety Resource Center, and Commissions including a cold case task force, commission on criminal and juvenile justice, DNA working group and an immigration working group.

	(Office of Emergency Management separate.)
Connecticut	Public Safety Department includes the Division of State Police, the Division of Fire, Emergency and Building Services and the Division of Scientific Services. (Office of Emergency Management Separate.)
Delaware	Department of Safety and Homeland Security includes the Office of the Secretary, Delaware Division of Gaming Enforcement, Division of Alcohol and Tobacco Enforcement, Capitol Police, Delaware Emergency Management Agency, State Police, Office of Highway Safety, and the State Council for Persons with Disabilities.
District of Columbia	Metropolitan police department handles patrol, investigative functions.
Florida	No Department Public Safety or Homeland Security, but do have separate Department of Corrections, Department of Highway Safety & Motor Vehicles, Department of Juvenile Justice, Department of Law Enforcement, and Parole Commission.
Georgia	Department of Public Safety includes the Commissioner (oversees Legal Services and Special Investigations units), Deputy Commissioner, State Patrol, Capitol Police, Motor Carrier Compliance Division, and Excess Property. (Georgia Emergency Management Agency/ Homeland Security is separate.)
Hawaii	Department of Public Safety includes divisions of Corrections, Law Enforcement, Paroling Authority, and a Sex Offender Management Team.
Idaho	Idaho State Police includes Patrol, Investigations (including Alcohol Beverage Control), Police Services, and Management Services. (Separate Bureau of Homeland Security.)
Illinois	Maintains separate Department of Nuclear Safety, Emergency Management Agency, Illinois Homeland Security, State Fire Marshal and State Police.
Indiana	State Police field and support services bureaus separate from Public Safety Training Institute, Law Enforcement Training Board. (Separate Department of Homeland Security.)
Iowa	Department of Public Safety includes Division of Criminal Investigation, Division of Intelligence, Division of Narcotics Enforcement, Fire Marshal Division, and the State Patrol (Department of Homeland Security and Emergency Management is separate.)
Kansas	No Department of Public Safety, but maintains separate Division of Emergency Management, Bureau of Investigation, and Highway Patrol.
Kentucky	Justice and Public Safety Cabinet include Departments of Corrections, Criminal Justice Training, Juvenile Justice, Public Advocacy, and the State Police. (Division of Emergency Management is separate.)
Louisiana	Department of Public Safety and Corrections includes Gaming Control Board, Liquefied Petroleum Gas Commission, Highway Safety Commission, State Fire Marshal, Oil Spill Coordinator's Office, State Police and Office of Legal Affairs. (There is also an Office of Homeland Security and Emergency Preparedness in the Governor's Office).
Maine	Attorney General has investigative functions; Public Safety Department includes state police, emergency medical, fire marshal, and drug enforcement (Within the Department of Defense, Veterans and Emergency Management, there is an agency for Homeland Security.)
Maryland	State Police has field, drug and other enforcement functions along with fire

	marshal. Public Safety and Correctional Services separate agency with corrections and some police (as well as correctional) training functions. (Separate Emergency Management Agency.)
Massachusetts	Executive Office of Public Safety and Security includes Departments of Criminal Justice Information Services, Corrections, Fire Services, Public Safety Department, Police, the Mass Emergency Management Agency, and Parole Board.
Michigan	State Police Department includes highway safety, investigative and support services.
Minnesota	Department of Public Safety includes Bureau of Criminal Apprehension, Homeland Security and Emergency Management, Justice Programs, Office of Traffic Safety, State Fire Marshal and State Patrol.
Mississippi	Department of Public Safety includes Highway Patrol, State Crime Lab, State Medical Examiner's Office, Bureau of Investigation, and the Mississippi Department of Homeland Security.
Missouri	Public Safety Department includes Homeland Security, Crime Victims Services Unit, Juvenile Justice, Criminal Justice/ Law Enforcement, and Sexual assault Forensic Examination.
Montana	Attorney General has investigative functions, as well as crime information, highway patrol, training divisions.
Nebraska	State Patrol has investigative services separate from Law Enforcement and Criminal Justice Commission, which includes training, information and analysis functions. (Emergency Management Agency is separate.)
Nevada	Department of Public Safety includes Capitol Police, Emergency Management, Highway Patrol, Investigation Division, Criminal Justice Assistance, Parole and Probation, Fire Marshal, and Training Divisions.
New Hampshire	The Department of Safety includes Divisions of Emergency Services, Fire Safety, Fire Standards & Training & Emergency Medical Services, Homeland Security, Motor Vehicles, State Police, and Safety Services.
New Jersey	The Attorney General's Offices functions as a Law and Public Safety Department, including a criminal justice division, highway safety office, juvenile justice commission, state police, emergency management, and victims' compensation. (Office of Homeland Security and Preparedness separate.)
New Mexico	Public Safety Department includes State Police, Transportation Police Division, Special Investigations Divisions, Law Enforcement Academy, Search & Rescue, and a Gang Task Force. (Separate Department of Homeland Security & Emergency Management.)
New York	Department of Criminal Justice Services, Department of Corrections, Division of Homeland Security & Emergency Services and Division of State Police are all separate.
North Carolina	Crime Control and Public Safety Department has investigative functions and includes highway patrol, victim and justice services division, governor's crime commission, and emergency management and crime prevention divisions.
North Dakota	The Attorney General's Office houses a bureau of criminal investigation, and fire marshal. Highway Patrol is a separate state agency, as is the Department of Corrections and Rehabilitation.
Ohio	Public Safety Department includes an Emergency Management Agency, Emergency Medical Services, Homeland Security, State Highway Patrol,

	Investigative Unit, Office of Criminal Justice Services, and the Ohio Traffic Safety Office.
Oklahoma	Public Safety Department has investigative functions, and highway patrol and vehicle inspection divisions. (Separate Department of Homeland Security and Department of Emergency Management.)
Oregon	State Police Department includes investigative and criminal justice services, and incorporates emergency management, counter-terrorism, fire marshal, patrol, fish and wildlife divisions.
Pennsylvania	State Police includes criminal investigations and information, research, drug and liquor enforcement bureaus, and patrol and training functions. (Emergency Management Services separate, with an internal division for Homeland Security.)
Rhode Island	Department of Public Safety includes State Police, State Fire Marshal, Capitol Police, and Municipal Police Training Academy.
South Carolina	Public Safety Department includes Highway Patrol, Protective Services, and Transport Police. A separate Law Enforcement Division includes alcohol enforcement, Homeland Security, and other miscellaneous items.
South Dakota	The Department of Public Safety includes Highway Patrol, Highway Safety, Emergency Management, Emergency Medical Services, State Fire Marshal, and Homeland Security.
Tennessee	Bureau of Investigation has crime investigative, information functions. The Department of Safety and Homeland Security includes Highway Patrol, Driver Services, Homeland Security and handgun permits.
Texas	Public Safety Department includes Criminal Investigations, Emergency Management, Highway Patrol, Intelligence and Counterterrorism, Law Enforcement Support, and the Texas Rangers.
Utah	Department of Public Safety includes divisions for criminal investigations, highway patrol and safety, drivers' licensing, fire marshal, emergency management (including Homeland Security), and forensic services.
Vermont	Public Safety Department includes State Police (including Homeland Security), Emergency Management, Criminal Justice Services, and Fire Safety.
Virginia	Public Safety Secretariat includes corrections department, juvenile justice services, Department of Criminal Justice Services (including homeland security), parole and state police, emergency management and fire programs. (There is also a separate Secretary of Veterans Affairs and Homeland Security.)
Washington	State Patrol functions as the primary public safety body, and includes the Investigative Services Bureau (including homeland security, narcotics investigation, organized crime intelligence, etc.) (There is an Emergency Management Division in the Washington Military Department.)
West Virginia	Military Affairs and Public Safety Department includes Divisions of Justice and Community Services, Corrections, Homeland Security, Juvenile Services, Parole Board, Protective Services, State Police, State Fire Marshal, Veterans Affairs and the Intelligence Fusion Center.
Wisconsin	Attorney General's Office functions as Justice Department, with criminal investigative, information, law enforcement and victim's services functions. State highway patrol is under the Transportation Department.
Wyoming	Office of the Attorney General includes the Division on Criminal

	Investigation, along with victims' services, State Fire Marshal's Office, and Department of Corrections. Highway patrol is part of Transportation Department.
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Changes noted in 2011 since the last update in 2005:

The trend since 2005 appears to be one of bureaucratic expansion rather than consolidation. Most notably, entirely new Departments of Homeland Security were created in several states, or a Division for Homeland Security was added to an existing Department of Public Safety. Some functions overlap in some states, such as in Virginia where a the Department of Criminal Justice Services houses a Division of Homeland Security, while there also is a cabinet-level Veterans Affairs and Homeland Security Secretariat in the Governor's office. Another change seen is creation of more victim-assistance divisions, some of which were dedicated to domestic violence or disabled persons.

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