

80.5 Duties of department — state patrol established — duties and powers of state patrol.

1. It shall be the duty of the department to prevent crime, to detect and apprehend criminals, and to enforce such other laws as are specified.

2. The state patrol is established in the department. The patrol shall be under the direction of the commissioner. The number of supervisory officers shall be in proportion to the membership of the state patrol. The department shall maintain a vehicle theft unit in the state patrol to investigate and assist in the examination and identification of stolen, altered, or forfeited vehicles. In addition to other duties, powers, and responsibilities prescribed by law, the state patrol shall conduct enforcement activities that ensure the safe and lawful movement and operation of commercial motor vehicles and vehicles transporting loads, including but not limited to the enforcement of motor vehicle laws relating to the operating authority, registration, size, weight, and load of motor vehicles and trailers.

3. The department shall be primarily responsible for the enforcement of all laws and rules relating to any controlled substance or counterfeit substance, except for making accountability audits of the supply and inventory of controlled substances in the possession of pharmacists, physicians, hospitals, and health care facilities as defined in [section 135C.1](#), as well as in the possession of any and all other individuals or institutions authorized to have possession of any controlled substances.

4. The department shall collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals. Such information shall be available for all peace officers within the state, under such regulations as the commissioner may prescribe.

5. The department shall operate such radio broadcasting stations as may be necessary in order to disseminate information which will make possible the speedy apprehension of lawbreakers, as well as such other information as may be necessary in connection with the duties of the department.

6. The department shall provide protection and security for persons and property on the grounds of the state capitol complex.

7. a. The department shall assist persons who are responsible for the care of private and public land in identifying growing marijuana plants when the plants are reported to the department. The department shall also provide education to the persons regarding methods of eradicating the plants.

b. Notwithstanding paragraph “a”, the department is not required to provide such assistance if the marijuana plants are hemp produced in accordance with the provisions of [chapter 204](#).

c. The department shall adopt rules necessary to carry out [this subsection](#).

8. The department shall receive and review the budget submitted by the state fire marshal and the state fire service and emergency response council. The department shall develop training standards, provide training to fire fighters around the state, and address other issues related to fire service and emergency response as requested by the state fire service and emergency response council.

9. The department shall administer [section 100B.31](#) relating to volunteer emergency services provider death benefits.

10. The department of public safety shall adopt, after consultation with the department of natural resources and the department of transportation, rules relating to enforcement of the rules regarding transportation of hazardous wastes adopted by the department of natural resources and the department of transportation. The state patrol shall carry out the enforcement of the rules, in accordance with state law.

11. The department shall submit a report to the general assembly on or before December 1 of each year that details the nature and scope of enforcement activities that ensure the safe and lawful movement and operation of commercial motor vehicles and vehicles transporting loads conducted by members of the state patrol assigned to such enforcement activities in the previous year. The report shall include a comparison of commercial and noncommercial motor vehicle enforcement activities conducted by such members of the state patrol.

12. The department shall receive and review the budget submitted by the drug policy

director and assist the drug policy director in directing the office of drug control policy pursuant to [section 80E.1](#).

[C73, §120; C97, §147, 148; SS15, §65-b, 147; C24, §273, 13410; C27, 31, §273, 5017-a1, 13410; C35, §273, 5018-g6, 13410; C39, §273, 1225.13; C46, 50, 54, 58, 62, 66, 71, §18.2(1, 4), 80.9; C73, §19A.3(4), 80.9; C75, §18.3(4), 80.9; C77, 79, 81, §80.9]

[90 Acts, ch 1179, §1](#); [91 Acts, ch 34, §1](#); [92 Acts, ch 1238, §18](#); [94 Acts, ch 1154, §1](#); [95 Acts, ch 191, §2](#); [98 Acts, ch 1074, §6](#); [99 Acts, ch 181, §1](#); [2000 Acts, ch 1117, §4, 5](#); [2000 Acts, ch 1232, §96](#); [2005 Acts, ch 35, §4 – 8, 31](#); [2007 Acts, ch 38, §1 – 3](#); [2008 Acts, ch 1031, §87](#); [2019 Acts, ch 24, §104](#)

C2020, §80.5

[2019 Acts, ch 130, §21, 33](#); [2021 Acts, ch 80, §29](#); [2023 Acts, ch 19, §2188](#); [2023 Acts, ch 85, §1, 2](#)

Referred to in [§8D.13](#)

Department designated as state highway safety agency to receive federal funds; Executive Order No. 23, June 9, 1986