

CHAPTER 13  
SPECIAL RAILWAY AGENTS  
[Rules 13.1 to 13.16 appeared as 4.6 prior to 6/27/79]  
[Prior to 4/20/88, see Public Safety Department[680] Ch 13]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

**661—13.1(17A,80) Appointment of railway special agents.** The administrative services division processes applications for appointment as railway special agents from persons who are regularly employed by a railroad so those persons may protect railroad property.

**661—13.2(17A,80) Standards.** All applicants shall meet minimum standards to qualify as law enforcement officers as established in the Iowa law enforcement academy rules.

**661—13.3(17A,80) Training requirements.** All applicants shall meet all training requirements of the Iowa law enforcement academy.

**661—13.4(17A,80) Letter of request.** The chief special agent of the railroad company shall submit a letter of request for the appointment of a railroad employee as railway special agent. This letter and all other correspondence is to be sent to this division, Attention: Railway special agent license. The letter shall state the applicant's full name (first, middle and last) and address and should state to whom the application should be mailed.

**661—13.5(17A,80) Application form.** Each railway special agent applicant shall complete an application form that is not reproduced in these rules but is available and may be obtained from this division. This form should be typewritten or clearly printed in ink and all questions must be answered, if applicable.

**661—13.6(17A,80) Photographs.** Each application shall have the required 3" × 3" photograph, as required, and two additional photographs measuring 1½" by 1½" suitable for the identification card.

**661—13.7(17A,80) Vision classification.** Each applicant's vision classification for each eye with and without glasses shall be indicated.

**661—13.8(17A,80) Surety bond.** It is required that the requesting railroad company submit a surety bond in the amount of \$5,000 for the person to be appointed. Such surety bond in the amount stated shall be issued by a bonding or surety company licensed through the Iowa insurance commission to do business in the state of Iowa. The surety bond shall name the railway special agent and the bond shall state that the bonded person is a duly appointed railway special agent. Surety bonds shall be issued for each person and shall remain in effect until 30 days after the company providing the bond gives notice to the department that the bond will be terminated.

**661—13.9(17A,80) Background investigation.** All railroad employers who are seeking to have an applicant appointed as a railway special agent shall conduct a complete background investigation of each applicant. The results of this background investigation shall be submitted with the application in typewritten report form. This background investigation shall contain, but not be limited to, the following.

**13.9(1)** Written comments from former employers in reference to honesty, integrity, character, personality and working performance of the applicant.

**13.9(2)** Written comments by personnel with any state, municipal or county law enforcement agency about the applicant and the applicant's prior employment and residences.

**13.9(3)** A check with all creditors for payment record and obligations.

**13.9(4)** A check with the clerk of court in the applicant's county of residence for any court action, civil or criminal.

**13.9(5)** A check with the county recorder's office where applicant resides to determine any property listed in the applicant's name and liens which may be on file.

**13.9(6)** A check with the credit bureau where the applicant resides or has been employed for the applicant's credit rating.

**13.9(7)** Certified copies of any educational records that are available (high school and college transcripts) and DD201 military form, if any.

**661—13.10(17A,80) Weapons permit.** If the applicant needs a weapons permit, the application shall show that the requirements outlined in Chapter 4, "Weapons," have been fulfilled.

**661—13.11(17A,80) Renewal of permit.** Each railroad employer of a railway special agent will file with this division Form WP1 or WP2 to renew the weapons permit.

**661—13.12(17A,80) Weapons training.** It is required that each railway special agent receive continuous weapon training and demonstrate necessary proficiency in the use of weapons.

**661—13.13(17A,80) Review of application.** Upon receipt of all material necessary for the appointment of a railway special agent, the division will process the application. All material will be reviewed and maintained in administrative services division headquarters' files. The division will conduct further investigation of the applicant which may include a check of drivers' license and motor vehicle files, criminal history data records and verification of the fact that income tax returns have been filed with the Iowa department of revenue.

**661—13.14(17A,80) Identification card.** After the application is approved, the railroad company will be issued an identification card for the applicant. This card should have affixed one fingerprint and the signature of the applicant. It shall then be returned to the administrative services division for authentication signatures.

**661—13.15(17A,80) Notification.** The railroad company shall notify the administrative services division, within five working days, when any of the following take place:

**13.15(1)** The railway special agent appointed by the department is terminated from employment.

**13.15(2)** The railway special agent has been hospitalized for a long-term illness or is undergoing psychiatric evaluation or treatment.

**13.15(3)** The discharge of any firearm by any railway special agent other than during target practice or hunting. This report shall include the circumstances, the number of shots fired, the type of weapon, the reason for firing and all information concerning any injury to a person or property.

**661—13.16(17A,80) Notice of termination of employment.** A notice of termination of employment shall include the railway special agent's identification card and weapon permit.

These rules are intended to implement Iowa Code section 80.7.

[Filed 6/30/75]

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