

MAY 6 1971

HOUSE FILE 684

Place On Calendar

By COMMITTEE ON WAYS AND

Ways and Means 5/19, Pass 4/16/72 MEANS

Passed House, Date 5-14-71 Passed Senate, Date 2-18-72
Vote: Ayes 70 Nays 9 Vote: Ayes 44 Nays 6
Approved 3/2/72

A BILL FOR

1 An Act relating to enforcement of the motor fuel tax laws.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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- 1 Amend House File 684 as follows:
- 2 1. Page 2, by striking line 5, and inserting in lieu
- 3 thereof the following: "chapter except sections three
- 4 hundred twenty-four point fourteen (324.14) and three
- 5 hundred twenty-four point fifty-two (324.52) of the
- 6 Code".
- 7 2. Page 2, line 6, by striking the words "and em-
- 8 ployees" and inserting in lieu thereof the words "and
- 9 employees. Employees".
- 10 3. Page 2, line 9, by striking the word "section"
- 11 and inserting in lieu thereof the word "sections".
- 12 4. Page 2, by striking lines 10 through 12 and
- 13 inserting in lieu thereof the following: "fourteen
- 14 (324.14) and three hundred twenty-four point fifty-two
- 15 (324.52) of the Code, is given to the state".

Filed - *Adopted 5/14*
May 13, 1971

By FREEMAN of Buena Vista
District 15

1 Section 1. Section three hundred twenty-four point seventy-
2 six (324.76), Code 1971, is amended as follows:

3 324.76 ENFORCEMENT AUTHORITY. Authority is hereby given to
4 the department of revenue to enforce the provisions of this
5 chapter which are not enforced by the state highway commission
6 and employees of the department of revenue designated as enforce-
7 ment officers shall have the power of peace officers in the
8 performance of such duties.

9 Authority to enforce section three hundred twenty-four point
10 eleven (324.11) and sections three hundred twenty-four point
11 fifty (324.50) through three hundred twenty-four point fifty-
12 six (324.56) of the Code, inclusive, is also given to the state
13 highway commission. Employees of the commission designated
14 enforcement officers shall have the power of peace officers in
15 the performance of their duties; however, they shall not be
16 considered members of the Iowa highway safety patrol. The
17 commission shall furnish enforcement officers with necessary
18 equipment and supplies in the same manner as provided in section
19 eighty point eighteen (80.18) of the Code, including uniforms
20 which are distinguishable in color and design from those of the
21 Iowa highway safety patrol. Enforcement officers shall be
22 furnished and shall conspicuously display badges of authority.

23 It is hereby made the duty of all sheriffs, deputy sheriffs,
24 constables, and all other peace officers to see that the pro-
25 visions of this chapter are not violated, and to respond to the
26 call of the department of revenue and state highway commission
27 to make investigations in their respective counties and report
28 to the department of revenue and state highway commission and
29 said officers are authorized to stop conveyance suspected to
30 be illegally transporting motor fuel on the highways, and to
31 investigate the cargo for that purpose and to seize and impound
32 said cargo and conveyance where it appears that said conveyance
33 is being operated in violation of the provisions of this chapter.

34 Sec. 2. Any employee of the department of revenue whose
35 duty assignments will be terminated because of this Act may be

1 reassigned to other duties or may be transferred to the state
2 highway commission. The Iowa merit employment commission shall
3 promulgate rules and regulations to carry out any reassignment
4 or transfer and shall arbitrate and decide any written appeal
5 made by any employee concerning any transfer, reassignment or
6 reclassification made necessary by this Act. No employee
7 shall lose any benefits he may have accrued, including but not
8 limited to salary, retirement, vacation, sick leave, or longevity,
9 because of the reassignment provided for in this section.

10 EXPLANATION

11 This bill provides that certain enforcement duties relating
12 to motor fuel tax laws be transferred to the state highway
13 commission.

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