

# Senate Study Bill 2013

## Conference Committee Text

PAG LIN

1 1 Section 1. Section 97B.49, subsection 16, paragraph d,  
1 2 subparagraph (7), Code Supplement 1995, is amended to read as  
1 3 follows:  
1 4 (7) An employee of the state department of transportation  
1 5 who is designated as a

~~—~~  
~~peace officer~~

~~— "by resolution"~~

~~— under~~

1 6 section 321.477, but only if the employee retires on or after  
1 7 July 1, 1990. For purposes of this subparagraph, service as a  
1 8 traffic weight officer employed by the highway commission  
1 9 prior to the creation of the state department of  
1 10 transportation or as a peace officer employed by the Iowa  
1 11 state commerce commission prior to the creation of the state  
1 12 department of transportation shall be included in computing  
1 13 the employee's years of membership service.

1 14 Sec. 2. Section 321.1, subsection 50, Code Supplement  
1 15 1995, is amended to read as follows:

1 16 50. "Peace officer" means every officer authorized to  
1 17

~~— direct or regulate traffic or to make arrests for violations~~

1 18

~~— of traffic regulations in addition to its meaning in~~

~~— carry out~~

1 19 and enforce all laws of the state and the rules and  
1 20 regulations of the department or any other peace officer  
1 21 included in the definition of peace officers under section  
1 22 801.4.

1 23 Sec. 3. Section 321.465, unnumbered paragraph 4, Code  
1 24 1995, is amended to read as follows:

1 25

~~— Upon weighing a vehicle and load, as above provided, if~~

1 26

~~— such~~

~~— If the load is a sealed load, the~~

~~— weight~~

~~— peace officer~~

1 27 shall issue a certificate setting forth the weights as  
1 28 determined by the

~~— weight~~

~~— peace officer and the seal number or~~

1 29 numbers, if requested by the operator.

1 30 Sec. 4. Section [321.477](#), Code 1995, is amended to read as  
1 31 follows:

1 32 321.477 EMPLOYEES AS PEACE OFFICERS.

1 33 The department

~~may~~  
- shall designate

~~by resolution~~  
- as peace  
1 34 officers certain

~~of its~~  
- full-time employees

~~upon each of whom~~

1 35

~~there is hereby conferred~~  
- who shall have the authority

~~of a~~

2 1

~~peace officer to control and direct~~  
- to carry out and enforce

2 2 all laws of the state and rules and regulations of the  
2 3 department. Each designated employee's peace officer  
2 4 authority shall include, but not be limited to, controlling  
2 5 and directing traffic

~~and weigh~~  
- weighing vehicles, and

~~to~~

2 6

~~make~~  
- making arrests for violations of the motor vehicle laws  
2 7 relating to

~~the~~  
- operating authority, registration, size,  
2 8 weight, and load of motor vehicles and trailers and  
2 9 registration of a motor carrier's interstate transportation  
2 10 service with the department.  
2 11 Sec. 5. Section [327B.2](#), Code 1995, is amended to read as  
2 12 follows:  
2 13 327B.2 ENFORCEMENT.  
2 14

~~The state~~  
- State department of transportation

~~may designate~~

2 15

~~by resolution certain of its employees upon each of whom there~~

2 16

~~is hereby conferred~~  
- employees designated as peace officers  
2 17 under section 321.477 shall have the authority

~~of a peace~~

2 18

~~officer~~

- to make arrests for violations of laws relating to the  
2 19 registration of a motor carrier's interstate transportation  
2 20 service with the state department of transportation.  
2 21 Sec. 6. Section 452A.76, unnumbered paragraph 1, Code  
2 22 Supplement 1995, is amended to read as follows:  
2 23 Authority to enforce division III is given to the state  
2 24 department of transportation. Employees

~~of~~

- designated by the  
2 25 state department of transportation

~~designated enforcement~~

2 26

~~employees~~

- shall have the power of peace officers in the  
2 27 performance of their duties; however, they shall not be  
2 28 considered members of the Iowa highway safety patrol. The  
2 29 state department of transportation shall furnish

~~enforcement~~

2 30 peace officer employees with necessary equipment and supplies  
2 31 in the same manner as provided in section 80.18, including  
2 32 uniforms which are distinguishable in color and design from  
2 33 those of the Iowa highway safety patrol.

~~Enforcement~~

- Peace  
2 34 officer employees shall be furnished and shall conspicuously  
2 35 display badges of authority.  
3 1 Sec. 7. Section 801.4, subsection 11, paragraph h, Code  
3 2 1995, is amended to read as follows:  
3 3 h.

~~Such employees~~

- Employees of the state department of  
3 4 transportation

~~as~~

- who are designated as

~~"~~

-peace officers

~~"~~

- by  
3 5

~~resolution of~~

- the department under section 321.477.

3 6 EXPLANATION

3 7 This bill gives full-time employees designated by the state  
3 8 department of transportation the same authority as a peace  
3 9 officer to enforce all the laws of the state of Iowa. It  
3 10 eliminates a requirement that the department designate  
3 11 employees by resolution and allows them to simply designate an  
3 12 employee who will have peace officer status. The bill also  
3 13 makes other technical changes.

3 14 LSB 3169SC 76

3 15 js/jj/8

