

**House File 2416 - Introduced**

HOUSE FILE 2416

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 639)

**A BILL FOR**

1 An Act relating to the coordination of enforcement activities  
2 between the department of transportation and the department  
3 of public safety, including provisions relating to  
4 department of transportation employees designated as peace  
5 officers, and including effective date provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.477, subsection 1, Code 2018, is  
2 amended to read as follows:

3 1. The department may designate by resolution certain of its  
4 employees upon each of whom there is conferred the authority of  
5 a peace officer to enforce all the laws of the state including  
6 ~~but not limited to the rules and regulations of the department~~  
7 described in subsection 2. Employees designated as peace  
8 officers pursuant to this section shall have the same powers,  
9 duties, privileges, and immunities conferred by law on peace  
10 officers ~~for~~ relating to the enforcement of all such laws of  
11 ~~this state~~ and the apprehension of violators.

12 Sec. 2. Section 321.477, subsection 2, Code 2018, is amended  
13 by striking the subsection and inserting in lieu thereof the  
14 following:

15 2. Employees designated as peace officers pursuant to  
16 this section shall only engage in the following enforcement  
17 activities:

18 a. The enforcement of federal motor carrier safety  
19 regulations and federal motor carrier hazardous materials  
20 regulations as adopted in this chapter and in rules adopted by  
21 the department under this chapter.

22 b. The regulation of the operating authority of motor  
23 carriers.

24 c. The regulation of the movement, safety, and lawful  
25 operation of commercial motor vehicles.

26 d. The regulation of the operating authority of commercial  
27 motor vehicle operators and the enforcement of traffic and  
28 safety laws on operators of commercial motor vehicles.

29 e. The enforcement and performance of other activities  
30 necessary for the motor carrier safety assistance program and  
31 the high priority program administered under 49 C.F.R. pt. 350.

32 f. The investigation and enforcement of matters relating to  
33 or arising out of responsibilities entrusted to the department.

34 g. The control and direction of traffic.

35 h. The enforcement of motor vehicle laws relating to the

1 operating authority, registration, size, weight, and load of  
2 motor vehicles and trailers.

3 *i.* The enforcement of laws, the violations of which are  
4 defined as serious violations under 761 IAC 615.17(2).

5 *j.* The enforcement of speed restrictions where a motor  
6 vehicle is traveling fifteen miles per hour or more over the  
7 legal speed limit.

8 *k.* The enforcement of rules and regulations of the  
9 department.

10 Sec. 3. Section 321.477, subsection 3, unnumbered paragraph  
11 1, Code 2018, is amended to read as follows:

12 Employees designated as peace officers pursuant to this  
13 section shall not exercise the ~~general powers of a peace~~  
14 ~~officer~~ authorized under subsection 2 within the limits of any  
15 city, except as follows:

16 Sec. 4. Section 321.477, subsection 3, paragraphs d and f,  
17 Code 2018, are amended to read as follows:

18 *d.* While in the pursuit of law violators or in investigating  
19 law violations, to the extent the pursuit or investigation is  
20 authorized under subsection 2.

21 *f.* When engaged in the investigation and enforcement of laws  
22 relating to narcotic, counterfeit, stimulant, and depressant  
23 drugs, to the extent the investigation and enforcement is  
24 authorized under subsection 2.

25 Sec. 5. Section 321.477, Code 2018, is amended by adding the  
26 following new subsection:

27 NEW SUBSECTION. 5A. The department and the department  
28 of public safety shall coordinate to provide effective and  
29 efficient enforcement of all laws of the state, including any  
30 related regulatory actions. This subsection shall not be  
31 construed to authorize employees of the department designated  
32 as peace officers pursuant to this section to enforce laws of  
33 the state not otherwise authorized under subsection 2.

34 Sec. 6. REPEAL. 2017 Iowa Acts, chapter 149, section 4, is  
35 repealed.



1 size, weight, and load of motor vehicles and trailers; the  
2 enforcement of laws, the violations of which are defined as  
3 serious violations under 761 IAC 615.17(2); the enforcement  
4 of speed restrictions where a motor vehicle is traveling 15  
5 miles per hour or more over the legal speed limit; and the  
6 enforcement of rules and regulations of the DOT.

7 The bill provides that the DOT and the department of public  
8 safety are required to coordinate to provide effective and  
9 efficient enforcement of all laws of the state, including any  
10 related regulatory actions. However, the bill provides this  
11 provision shall not be construed to authorize employees of the  
12 DOT designated as peace officers to enforce laws of the state  
13 not otherwise authorized under the bill.

14 The bill takes effect upon enactment.