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STATE OF IOWA  
LEGISLATIVE FISCAL BUREAU

MEMO

TO: Members of the Legislative Fiscal Committee  
FROM: Dan Ritter, Legislative Analyst  
DATE: October 17, 1988  
RE: IDOT Motor Vehicle Investigators Transfer Study

The Legislative Fiscal Committee directed the Legislative Fiscal Bureau to request the Iowa Department of Transportation (IDOT) and the Department of Public Safety (DPS) to jointly prepare a report which identifies all necessary changes to the Code of Iowa, and to the Administrative rules, for the transfer of IDOT Motor Vehicle Investigators, equipment, records, and related support staff to the DPS. The Departments were also to include an estimate of the impacts on other operations within their departments should this transfer occur. Three documents were submitted in response to that request and are attached.

Attachment 1, submitted by IDOT, identifies the Code sections and Administrative Rules which comprise the duties and responsibilities of the Motor Vehicle Investigators. A brief explanation of the investigative activity follows each section and rule cited. The document also contains financial, organizational and other related information.

Attachments 2 and 3 were submitted by IDOT and DPS to describe which issues will have to be addressed if a transfer were to occur, and to highlight the major impacts on agency operations.

The Fiscal Bureau has prepared the following summary of these materials.

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SUMMARY OF THE  
IDOT MOTOR VEHICLE INVESTIGATORS TRANSFER STUDY  
CODE CHANGES AND ISSUES

Introduction

This summary, prepared by the Legislative Fiscal Bureau, is intended to provide a brief digest of the attached documents from the Iowa Department of Transportation (IDOT) and the Department of Public Safety (DPS). These documents were prepared by each agency separately and although the agencies identify some of the same issues and impacts, their discussion expresses that agencies opinion, and not necessarily a finding of fact or agreement.

It should also be noted that the responses do not reflect an advocative position for the transfer. The IDOT concludes in one of the attached documents, that the transfer would not be in the best interests of the State. DPS staff have stated that they will implement any mandated action the Legislature directs, but are not advocating for or against the transfer. There are no improvements in efficiency or effectiveness described in the documents; however, this does not mean that none would occur. Again, this only reflects the opinion or position taken by the agency in response to the requests.

The responses do highlight the major issues, impacts and concerns which the Legislature could address by stipulating elements of the implementation. For example, language could state whether DPS hiring standards will apply to all transferred personnel or the Legislature could request the executive branch to prepare an implementation plan which must be approved by the Legislature before it is enacted.

Requests and Responses

1. Identify All Necessary changes to the Code of Iowa and Administrative Rules for the transfer of IDOT Motor Vehicle Investigators to the DPS.

Attachment 1, prepared by IDOT, lists sixty-eight Code sections which define the codified responsibilities and duties of the Motor Vehicle Investigator under current practices. However, only fourteen sections would need to be changed if a transfer were to occur. These fourteen sections relate to duties exclusively the responsibility of the Investigators. The other

sections relate to (1) responsibilities of different Bureaus within the Department where the investigators perform some service, but the function will remain in IDOT, and (2) laws that are enforced by investigators but are also enforced by other law enforcement personnel.

2. Estimate the impacts on other operations within the Departments.

- A. Duplication: The IDOT states, in Attachment 2, that a comparison of duties and responsibilities of the investigators against those of the personnel from DPS shows virtually no duplication of service. This issue was discussed at a joint meeting between the agencies held prior to the preparation of these documents. IDOT staff stated at the meeting that, after a 1979 report was issued which proposed vehicle theft activities in the IDOT be reassigned to DPS, meetings were held with DPS staff in an effort to insure better cooperation, understanding, and the elimination of duplication.

Still, state and local peace officers may at times carry out the same law enforcement functions when authorized by law. For example, Senate File 2285, as passed during the 1988 session, assigns the responsibility to conduct salvage theft examinations to the IDOT and DPS. On the surface these actions may appear duplicative, but instead each supplement the efforts of the other agency.

- B. Pay, Classifications and Retirement System: The pay and classifications of transferred personnel will eventually need to be integrated with comparable Department of Public Safety Classifications. Some personnel/positions may also be transferred from one retirement system to another. The IDOT has submitted a cost estimate related to this issue based on a certain set of assumptions. Actual costs, however, would depend on the implementation plan. The DPS has identified the issue in its response but has not estimated potential cost impacts because of the variety of implementation options that could be taken.

- C. Impact of Transfer within IDOT:

Policy and Priorities of Investigator. Currently, the investigators perform assigned internal investigations and duties of priority interest to the IDOT. The

Investigators serve the office of Motor Vehicle Enforcement and the other three offices in the Motor Vehicle Division, as well as some investigative needs of the Department as a whole.

Investigators are charged with administrative, regulatory, and enforcement requirements which contribute to the overall accomplishments, goals, and organizational objectives of the Division and Department. For example, the investigator collects information regarding complaints about motor vehicle dealers and prepares a case report which is used in determining whether a warning, revocation, or suspension of license should be issued. This service supports the dealer license section in performance of that function. If the investigators and support staff are transferred, then DPS would have to assume those types of administrative, regulatory, and enforcement duties or else IDOT may need to add staff to perform whatever service the investigators will no longer provide.

Also, if the investigators continue to perform the same services under DPS administration, the priorities would not necessarily reflect IDOT policy. If IDOT thought a certain function should receive attention, such as investigating whether buyers have avoided paying the full amount of sales tax on cars and trucks, this issue would have to be referred to DPS. The same would be true for internal investigations now conducted by the investigators. They would have to be completed in cooperation with DPS.

Support. The DPS has provided a detailed list, in Attachment 2, of support items which would need to be transferred. This includes items such as personnel files, vehicles, software, equipment, and depreciation accounts.

The IDOT has indicated that much of the data that investigators need for their work is contained in IDOT files. Again, if the responsibilities were to remain the same, arrangements would need to be made regarding access and use of the DOT computer equipment and files.

- D. Communication with Public and Private agencies: The investigators have served as representatives for the IDOT in answering questions on IDOT regulation and licensing functions. Investigative leads are

sometimes provided through these working relationships. County treasurers, for example, handle licensing and regulation functions at the local level and ask investigators questions about applicable laws. In turn, the treasurer provides the investigators with leads on violations of the Code of Iowa as they relate to DOT functions. If the investigators are transferred, the treasurers would be working with two state agencies on matters previously handled by one.

E. Personnel Impact:

Hiring standards. Personnel transferred may be required to meet a different set of hiring standards to undertake duties as required by the applicable job descriptions of DPS. Whether the standards will apply and what action should be taken if transferred personnel do not meet the standards will have to be resolved.

Geographic Assignments. Investigators might have to be relocated. At present, IDOT investigators are headquartered in communities in which the Department of Public Safety also maintains district offices. However, geographic assignments will depend on analysis of task accomplishment and legislative mandates. Also, office space may be more limited in some areas for new personnel.

Staffing Level. Two concerns are expressed by the DPS. First, the operation of the Office of Motor Vehicle Enforcement is supported by IDOT Division and central office staff. Clerks, accountants, and other personnel provide support services to the entire Department. This support would not be accounted for by simply transferring the investigators and their direct support staff.

Second, DPS states there may not be an adequate number of investigators to perform the desired level of current responsibilities and any new duties which the IDOT has planned to assign. This is to let the Committee know that DPS is not sure if legislative mandates are being satisfactorily addressed. If not, they will have to be prioritized to comply with certain mandates, or goals, more completely than with others.

3. The Fiscal Committee also asked the Fiscal Bureau to include the recommendations made during state reorganization addressing this issue.

Attachment 4 provides the recommendations from the report titled: Restructuring and Downsizing of Iowa State Government, prepared by Peat, Marwick, Mitchell & Co., December 1985. Those recommendations would transfer responsibility for enforcement of motor carrier laws and regulations, as well as the investigative function, from the IDOT Office of Motor Vehicle Enforcement to DPS. It was estimated that about \$1.5 million would be saved by consolidating this function and eliminating 77 FTE positions, including 7 investigators.

#### Conclusion

These attached documents identify the sections of the Code of Iowa and the Administrative Rules that will need to be changed to transfer the IDOT investigators to DPS. The documents also state what the impacts will be on the agency if a transfer were to occur and identifies what issues will have to be addressed.

There are costs associated with the impacts. There may also be short or long term benefits associated with a transfer; however, the documents do not identify them. Actual costs or benefits would depend on how a transfer was implemented.

ATTACHMENT 1



# Iowa Department of Transportation

5268 N.W. 2nd Avenue Des Moines, IA 50313 515-281-3047

September 14, 1988

Mr. Dan Ritter  
Legislative Fiscal Bureau  
State Capitol  
Des Moines, IA 50319

Dear Mr. Ritter:

Enclosed, you will find the information you requested in your letter received by us on September 2, 1988.

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Ralph O. Ager".

Ralph O. Ager  
Director  
Motor Vehicle Enforcement

ROA:njh  
Enclosure



## INTRODUCTION

The Office of Motor Vehicle Enforcement investigative personnel provides those investigative services which are specific in nature and scope to the Department of Transportation.

Investigative personnel cooperate and assist other law enforcement agencies only upon request. We do not investigate vehicle theft cases, which infrequently come to our attention, but refer those cases to the law enforcement agency which has jurisdiction.

Virtually all sections of the Code of Iowa included in this report are the sole responsibility of the Iowa Department of Transportation.

Those sections of the Iowa Code which are not exclusively the responsibility of the MVE investigators may be enforced by any law enforcement agency. However, from a practical standpoint, if the MVE investigator does not investigate violations of those sections of the code, it is our opinion that they would not receive a high enforcement priority from other state and local enforcement agencies.

The first section of this report identifies those Iowa Code sections and Administrative Rules which are the responsibility of the MVE investigator. Following each code section is a brief explanation of the investigative activity associated with the code or rule cited. Also in this section, Iowa Code and Administrative Rule changes are identified.

The second portion of the report is the supportive information which you requested.

Be assured we will cooperate and provide all or any information to assist the Fiscal Bureau in arriving at an objective determination.

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DUTIES AND RESPONSIBILITIES OF THE  
IOWA DEPARTMENT OF  
TRANSPORTATION  
MOTOR VEHICLE INVESTIGATOR

## IOWA CODE SECTIONS

307.37 Odometer law enforcement:...The department shall refer available evidence concerning a possible violation of section 321.71 or the federal odometer law or a rule or order issued under section 321.71 or the federal odometer law to the attorney general...

The Investigator is responsible for investigating all cases where odometer fraud is suspected. This includes written communication with all previous owners, contacting all state agencies for documentation and personal interviews when needed. Once all documentation is gathered, a flow chart of owners and respective mileage is drafted and forwarded to the Attorney Generals Office when civil or criminal prosecution is warranted. Complaints are generated from dealers, auctions, consumers, the Iowa Attorney Generals office, county treasurers, other state agencies, the Investigator, etc.

321.2 Department: The state department of transportation shall administer and enforce the provisions of this Chapter...

This statute gives the enforcement authority to the department (Investigators) to enforce all the provisions of Chapter 321. However, investigators direct their attention to those enforcement areas directly affecting the Department of Transportation and its Motor Vehicle Division.

321.9 Authority to administer oaths: Officers and employees of the department designated by the director are, for the purpose of administering the motor vehicle laws, authorized to administer oaths and acknowledge signatures, and shall do so without fee...

The Investigator, at times, must acknowledge signatures on applications for Iowa titles, power of attorneys, etc., to expedite transfers.

321.13 Authority to grant or refuse applications: The department shall examine and determine the genuineness, regularity, and legality of every application lawfully made to the department, and may in all cases make investigations as may be deemed necessary or require additional information, and shall reject any such application if not satisfied of the genuineness, regularity, or legality thereof or the truth of any statement contained therein, or for any other reason, when authorized by law....

The Investigator handles all investigations of this nature (i.e. titles both Iowa and Foreign that appears to be fraudulent. All incoming vehicles, where the make on the title shows homemade, are investigated for compliance in Iowa. All applications for bonded vehicles made to the department are investigated and approved or disapproved by the Investigator. In cases where driver license applications of foreign licenses submitted appear to be fraudulent, these investigations are handled by the Investigator.

321.14 Seizure of Documents and Plates.

The department is hereby authorized to take possession of any registration card, certificate of title, permit, or registration plate, certificate of inspection or any inspection document or form, upon expiration, revocation, cancellation, or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued.

The Investigator picks up documents and plates referred to in this section when directed to do so by the department, the county treasurer, other police agencies or when self-initiated.

321.15 Publication of law: The department shall issue such parts of this Chapter in pamphlet form, together with such rules, instructions, and explanatory matter as may seem advisable. Copies of such pamphlet shall be given as wide distribution as the department shall determine and a supply shall be furnished each county treasurer....

The consistent liaison with county treasurers, other police agencies, and the general public results in the explanation of publications by the Investigator when those publications affect these people.

321.17 Misdemeanor to violate registration provisions: It is a misdemeanor punishable as provided in Section 321.482, for any person to drive or move or for an owner knowingly to permit to be driven or moved upon any highway any vehicle of a type required to be registered hereunder which is not registered, or for which the appropriate fee has not been paid when and as required hereunder....

One of the many responsibilities of the D.O.T. Investigator is to assure that proper fees are being paid on vehicles subject to registration. Direct contact with owners is often necessary to inform and explain that their truck should be registered as a multipurpose vehicle or that their converted school bus should be registered as a house car or their van conversion is actually a Class B motor home. The above violation would result after an investigation revealed proper registration fees had not been paid.

321.18 Vehicles subject to registration - exception: Every motor vehicle, trailer, semitrailer when driven or moved upon a highway shall be subject to the registration provisions of this chapter except:

1. Any such vehicle driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers of nonresidents as contemplated by Section 321.53 and Chapter 326, or under a temporary registration permit issued by the department as hereinafter authorized.

2. Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another.
3. Any implement of husbandry.
4. Any special mobile equipment as herein defined.
5. Any vehicle which is used exclusively for interplant purposes, in the operation of an industrial or manufacturing plant, consisting of a single unit comprising a group of buildings separated by streets, alleys, or railroad tracks, and which vehicle is used solely to transport materials from one part of the plant to another or from an adjacent railroad track to the plant and in so doing incidentally using said streets or alleys for not more than one thousand feet....

Investigators are frequently called upon to determine if those vehicles that are exceptions to registration requirements are in fact, being utilized in accordance with the above provisions.

321.20 Application for registration and certificate of title: Except as provided in this chapter, an owner of a vehicle subject to registration shall make application to the county treasurer, of the county of the owner's residence, or if a nonresident, to the county treasurer of the county where the primary users of the vehicle are located.... The application shall contain:

1. The name, social security number if available, bona fide residence and mailing address of the owner or if the owner is a firm, association or corporation, the application shall contain the business address and employer identification number of the owner if available.
2. A description of the vehicle...
3. Such further information as may reasonably be required by the department.
4. A statement of the applicant's title and of all liens or encumbrances upon said vehicle....
5. The amount of tax to be paid under Section 423.7.

When the County Treasurer suspects incorrect information is being given on an application, the Investigator contacts the applicant to assure the information is correct.

321.21 Special mobile equipment plates:

1. A person owning any special mobile equipment may make application to the department, upon the appropriate form furnished by the department, for a certificate containing a general distinguishing number and for one or more special mobile equipment plates. The applicant shall also submit proof of the status of the vehicle as special mobile equipment as may reasonably be required by the department.

2. The department upon granting such application...
5. ...upon which such special mobile equipment plates are used, which record shall be open to inspection by any police officer or any officer or employee of the department.

The office responsible for issuing special mobile plates will, at times, request the Investigator to physically inspect a vehicle to determine compliance prior to the issuance of the plate and certificate. Audits may be randomly performed by the Investigator for compliance of 321.21(5).

#### 321.23 Titles to specially constructed and foreign vehicles:

1. If the vehicle to be registered is a specially constructed, reconstructed, remanufactured or foreign vehicle... With reference to every specially constructed or reconstructed motor vehicle subject to registration the application shall be accompanied by a statement from the department authorizing the motor vehicle to be titled and registered in this state the department shall cause a physical inspection to be made of all specially constructed or reconstructed motor vehicles...

The physical inspection and statement form the department referred to in this section is all handled on-site by the Investigator on behalf of the department. The physical inspection is performed by the Investigator in accordance with the Iowa Administrative Rule discussed later. If the vehicle passes, the Investigator issues appropriate forms for the applicant to take to the county treasurer for registration of the vehicle.

4. Any vehicle which does not meet the equipment requirements of this Chapter due to the particular use for which it is designed or intended may be registered by the department upon payment of appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition and will not endanger any person...

This inspection and certification, along with the establishing of driving restrictions in conjunction with local authorities is handled on-site by the investigator on behalf of the department.

#### 321.24 Issuance of registration and certificate of title:

Upon receipt of the application for title and payment of the required fees for motor vehicle, trailer, or semitrailer, the county treasurer or the department shall, when satisfied as to the applications genuineness and regularity, and, in the case of a mobile home, that taxes are not owing under Chapter 135D, issue a certificate of title...

...If the county treasurer or department is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interstates in it, the county treasurer or department may register the vehicle but shall as a condition of issuing a certificate of title and registration receipt, require the applicant to file with the department a bond in the form prescribed by the department and ...

Requests are frequently made by county treasurers to Investigators to determine the genuineness and regularity of applications, titles registrations, etc.

Many times the Investigator determines, as a result of an investigation, if an owner's documentation is sufficient to issue a title and registration or whether a bond should be secured in accordance with this code section.

321.25 Application for registration and title - cards attached: A vehicle may be operated upon the highways of this state without registration plates for a period of thirty days after the date of delivery of the vehicle to the purchaser from a dealer if a card bearing the words "registration applied for" is attached on the rear of the vehicle. The car shall have plainly stamped or stenciled the registration number of the dealer from whom the vehicle was purchased and the date of delivery of the vehicle. A dealer shall not issue a card to a person known to the dealer to be in possession of registration plates which may be attached to the vehicle. A dealer shall not issue a card unless an application for registration and certificate of title has been made by the purchaser and a receipt issued to the purchaser of the vehicle showing the fee paid by the person making the application....

Investigators receive information from county treasurers, other police agencies, and self-initiated cases as to misuse of "registration applied for cards" by individuals and licensed dealers. The Investigator must contact the purchaser and determine the date of purchase of the vehicle, then contact the dealer to review the records of purchase the dealer has to determine if a violation of the above code section occurred and file appropriate charges when necessary.

321.30 Ground for refusing registration or title: The department or the county treasurer shall refuse registration and issuance of a certificate of title or any transfer to title and registration upon any of the following grounds:

1. That the application contains any false or fraudulent statement or that the applicant has failed to furnish required information or reasonable additional information requested by the department or that the applicant is not entitled to registration and issuance of a certificate of title of the vehicle under this Chapter.
2. That the vehicle is mechanically unfit or unsafe to be operated or moved upon the highways, providing such condition is revealed by a member of this department, or any peace officer.



3. That the department or the county treasurer has reasonable ground to believe that the vehicle is a stolen or embezzled vehicle or that the granting of registration and issuance of a certificate of title would constitute a fraud against the rightful owner.
4. That the registration of the vehicle stands suspended or revoked for any reason as provided in the motor vehicle laws of this state.
5. That the required fee has not been paid except as provided in section 321.48.
6. That the required use tax has not been paid.
7. If application for registration and issuance of a certificate of title for a used vehicle registered in this state is not accompanied by a certificate to title duly assigned.
8. If application for a transfer of registration and issuance of a certificate of title for a used vehicle registered in this state is not accompanied by a certificate of title duly assigned.
9. If application and supporting documents are insufficient ....

The Investigators frequently work in conjunction with the county treasurer or on behalf of the department to determine if the registration and title to a vehicle should be refused. This may include talking to the owner or previous owners, viewing documentation, looking at vehicles, etc.

321.34 Plates or validation sticker furnished-retained by owner.

1. ...When the owner of a registered vehicle transfers or assigns ownership of the vehicle to another person, the owner shall remove the registration plates from the vehicle. The owner shall forward the plates to the county treasurer where the vehicle is registered or the owner may have the plates assigned to another vehicle within thirty days after transfer, upon payment of the fees required by law. The owner shall immediately affix registration plates retained by the owner to another vehicle owned or acquired by the owner, providing the owner complies with Section 321.46....

The Investigator may have to look at county treasurer's records, dealer records, and individuals purchase agreements to determine if the above code section is being complied with.

321.35 Plates-reflective materials: All motor vehicle registration plates shall be treated with a reflective material according to specifications prescribed by the director.

The Department of Transportation Investigators assigned dummy plates are currently using test plates to determine if the material is durable.

321.37 Display of plates: Registration plates issued for a motor vehicle other than a motorcycle, motorized bicycle or a truck tractor shall be attached to the motor vehicle, one in the front and the other in the rear....issued to a dealer shall be attached on the rear of the vehicle when operated on the highways of this state.... It is unlawful for the owner of a vehicle to place any frame around or over the registration plate which does not permit full view of all numerals and letters printed on the registration plate.

Complaints are directed to Investigators regarding individuals and dealers not displaying plates in proper locations. Also, Investigators look into illegal license plate frames by physical inspection.

321.38 Plates, method of attaching: Every registration plate shall at all times be securely fastened...in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly legible....

Investigations are conducted as to foreign material on license plates (i.e. homemade validation stickers and dark covering over the plate.) Investigators will physically inspect vehicles and file appropriate charges.

321.42 Lost or damaged certificates, cards, and plates. ...due to claims on the original certificate. a person recovering an original certificate of title for which a duplicate has been issued shall surrender the original certificate to the county treasurer or the department...

County treasurers frequently contact Investigators to look into original titles being submitted for transfer when a duplicate has been issued. This occurs frequently in divorce situations and dual ownership of vehicles.

321.43 New identifying numbers: The department may assign a distinguishing number to a vehicle when the serial number on the vehicle is destroyed or obliterated and issue to the owner a special plate bearing the distinguishing number which shall be affixed to the vehicle in a position to be determined by the director. The vehicle shall be registered and titled under the distinguishing number in lieu of the former serial number.

In all cases where a vehicle identification number is issued by the department (and in a majority of instances the Investigator issues these numbers on-site on behalf of the department) the number is physically attached after an investigation and verification of the authenticity of the application by the Investigator. Appropriate documents for registration and titling are then given to the applicant.

321.45 Title must be transferred with vehicle:

3. Upon the transfer of any registered vehicle, the owner, except as otherwise provided in this chapter, shall endorse an assignment and warranty of title upon the certificate of title for such vehicle with a statement of all liens and encumbrances thereon, and he shall deliver the certificate of title to the purchaser of transfer at the time of delivering the vehicle....
4. Within seven days of the sale and delivery of a mobile home the dealer making the sale shall certify to the county treasurer of the county where the unit is delivered, the name and address of the purchaser, the point of delivery to the purchaser, and the make, year of manufacturing, taxable size, and identification number of the unit....

The Investigator will conduct an investigation to determine the actual date of sale and interview all participants when a title is not delivered as this chapter requires. Appropriate charges are filed when warranted.

321.46 New title and registration upon transfer of ownership:

1. The transferee shall within fifteen calendar days after purchase of transfer apply for and obtain from the county treasurer of the person's residence or if a nonresident, the county where all other vehicles owned by the nonresident are registered, a new registration and a new certificate of title for the vehicle except as provided in section 321.25 or 321.48.

The Investigator will conduct an investigation to determine the actual date of sale, that the buyer was given all the proper documentation to secure a new title, and conduct interviews to determine if a violation occurred.

321.47 Transfers by operation of law: In the event of the transfer of ownership of a vehicle by operation of law as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin, foreclosure or execution sales ...

Although this code section may not require any extensive investigation it does generate numerous phone calls to Investigators from county treasurers and the general public as to how to execute a transfer by operation of law. The Investigator may be required to physically look at documentation before making a determination if a proper transfer can be made.

321.48 Vehicles acquired for resale:

1. When the transferee of a vehicle is a dealer who holds the vehicle for resale and operates the vehicle only for purposes incident to a resale and displays a dealer plate on the vehicle or does not drive such vehicle or permit it to be driven upon the highways, such transferee shall not be required to obtain a new registration or a new certificate of title but upon transferring title or interest to another person shall execute and acknowledge an assignment and warranty of title upon the certificate of title assigned to the person and deliver the same to the person to whom such transfer is made. The dealer shall also sign the reverse side of the registration card for such vehicle indicating the name and address of the new purchaser...
2. A foreign registered vehicle purchased or otherwise acquired by a dealer for the purpose to resale shall be issued a certificate of title for the vehicle by the county treasurer of the dealer's residence upon proper application as provided in the chapter and upon payment of a fee of five dollars. The dealer is exempt from the payment of any and all registration fees for the vehicle. The application for certificate of title shall be made within fifteen days after the vehicle comes within the border of the state.

Enforcement of this code section is not only done when complaints are received but also when periodic dealer audits are performed by the Investigator in Iowa licensed dealers. The Investigator will make a physical inspection of the dealers records to insure the dealer is properly titling vehicles required by this code section.

321.52 Wrecked or salvaged vehicles:

This code section was revised effective July 1, 1988. The statute now provides for a component part review in addition to the vehicle theft examination. Also, there is a fee collected for both examinations. The administration of this code section is handled by the Office of Motor Vehicle Enforcement. The Investigators assisted in drafting Administrative Rules, forms to be used and procedures to follow for both examinations. Investigators also assisted in the development of the training package used to train Iowa State Patrol personnel assigned to conduct the examinations. Investigators, additionally, worked directly with ISP personnel to train them in conducting theft examinations.

321.53 Nonresident owners of passenger vehicles and trucks: A nonresident owner, except as provided in Sections 321.54 and 321.55 of a private passenger motor vehicle, not operated for hire, may operate or permit the operation of such vehicle within this state without registering such vehicle in, or paying any fees to, this state subject to the condition that such vehicle at all times when operated in this state is duly registered in, and displays upon it a valid registration plate or plates issued for such vehicle in the place of residence of such owner. A nonresident who leases a vehicle from a resident owner shall not be considered a nonresident owner of such vehicle for the purpose of exemption under this section...

Investigations are conducted on persons suspected of non-compliance of this code section. This may require continuous watching of a particular vehicle, or interviews with vehicle operators and/or owners.

321.54 Registration required of certain nonresident carriers: Non-resident owners of foreign vehicles operated within this state for the intrastate transportation of persons or property for compensation or for the intrastate transportation of merchandise shall register each such vehicle and pay the same fees therefore as is required with reference to like vehicles owned by residents of this state.

The term "intrastate transportation" as used herein, shall mean "the transportation for compensation of persons or property originating at any point or place in the State of Iowa and destined to any other point or place in the state irrespective of the route or highway or highways traversed, including the crossing of any state line of the State of Iowa, or the ticket or bill of lading issued and used for such transportation..."

Investigations are conducted on non-resident owners of vehicles for compliance with this code section. This may require continuous surveillance of a particular vehicle, or interviews with vehicle operators and/or owners.

321.55 Registration required for certain vehicle owned or operated by nonresidents: A nonresident owner or operator engaged in remunerative employment within the state or carrying on business within the state and owning or operating a motor vehicle, trailer, or semitrailer within the state shall register each such vehicle and pay the same fees for registration as are paid for like vehicles owned by residents of this state. However, this paragraph does not apply to a person commuting from the persons residence in another state or whose employment is seasonal or temporary, not exceeding ninety days.

A nonresident owner of a motor vehicle operated within the state by a resident of the state shall register the vehicle and pay the same fees for registration as are paid for like vehicles owned by residents of this state. However, this paragraph does not apply to vehicles being operated by residents temporarily, not exceeding ninety days. It is unlawful for a resident to operate within the state an unregistered motor vehicle required to be registered under this paragraph.

This may require continuous surveillance of a particular vehicle, or interviews with vehicle operators and/or owners.

321.57 Operation under special plates: A dealer owning any vehicle of a type otherwise required to be registered hereunder may operate or move the same upon the highways solely for purposes of transporting, testing, demonstrating or selling the same without registering each such vehicle upon condition that any such vehicle display in the manner prescribed in Sections 321.37 and 321.38 a special plate issued to such owner as provided in sections 321.58 to 321.62. In addition to the foregoing, a new car dealer or a used car dealer may operate or move upon the highways any new or used car or trailer owned by him for either private or business purposes without registering the same providing, (1) such new or used car or trailer is in the dealer's inventory and is continuously offered for sale at retail, and (2) there is displayed thereon a special plate issued to such dealer as provided in sections 321.58 to 321.62.

In addition, while a service customer is having his or her own vehicle serviced or repaired by the dealer, the service customer of the dealer may operate upon the highways a motor vehicle owned by the dealer, except a motor truck or truck tractor, upon which there is displayed a special plate issued to the dealer, provided all of the requirements of this section are complied with.

Also a transporter may operate or move any vehicle of like type upon the highways solely for the purpose of delivery upon likewise displaying thereon like plates issued to him as provided in these Sections. The provisions of this Section and Sections 321.58 to 321.62 shall not apply to any vehicles offered for hire, work or service vehicles owned by a transporter or dealer.

Investigations are conducted on dealers for non-compliance of the above code section. Misuse of dealer plates is a frequently requested investigation. Complaints are generated mostly by other licensed dealers, the public, other enforcement agencies and self initiated cases.

321.62 Records required: Every transporter or dealer shall keep a written record of the vehicles upon which such special plates are used, which record shall be open to inspection by any police officer or any officer or employee of the department.

Periodic dealer audits performed by Investigators insure compliance with this code sections.

321.66 Duty to hold vehicles: The proprietor of a garage and his employees upon discovering that the engine number of a motor vehicle has been altered or obliterated shall immediately notify some member of the department or peace officer of the county in which the garage is located, and hold said vehicle for a period of twenty-four hours or until investigation shall have been made by such peace officer.

Investigators are contacted by local garages reference to the above code section, however, whenever possible this type of investigation is turned over to the vehicle theft section of the Iowa State Patrol.

321.67 Certificate of title must be executed:

1. No person, except as provided in sections 321.23 and 321.45 shall sell or otherwise dispose of a registered vehicle or a vehicle subject to registration without delivering to the purchaser or transferee thereof a certificate of title with such assignment thereon as may be necessary to show title in the purchase.
2. No person shall purchase or otherwise acquire or bring into this state a registered vehicle or a vehicle subject to registration without obtaining a certificate of title thereto except for temporary use or as provided in sections 321.23 and 321.45.

Investigations are conducted into non-compliance of this code section. Contact is made with sellers and purchasers to determine if a bona fide sale was made and reasons why the title was not executed.

321.68 Sale in bulk: It shall be unlawful for any dealer in this state to sell and transfer his stock of used motor vehicle in bulk unless he complies with the following requirements:

1. The vendor shall file with the county treasurer and the department duplicate inventories of all used motor vehicles proposed to be transferred, giving the factory number, last registration number, if any, and description of each such used motor vehicle and the name and address of proposed vendee, with a certification signed by both the vendee and the vendor that the certificates of title pertaining to all the used motor vehicles listed on the inventory have been duly assigned to the vendee as prescribed in this chapter.
2. The vendee shall, if he has not already secured a dealers registration, immediately secure such registration from the department.

Upon the completion of such requirements the department shall certify to the county treasurer that such used motor vehicles are, from and after a date to be set by the department, the property of the vendee.

Investigators may be called upon to insure by physical inspection that the above code section is being complied with.

321.70 Dealer vehicles: A dealer registered under this chapter shall not be required to register any vehicle owned by the dealer which is being held for sales or trade, provided the registration fee was not delinquent at the time the vehicle was acquired by the dealer. When a dealer ceases to hold any vehicle for sale or trade or the vehicle otherwise becomes subject to registration under this chapter the registration fee and delinquent registration fee, if any, shall be due for the registration year.

Investigations of this section deal with dealers transferring vehicles in and out of their inventory. Investigators insure compliance.

321.71 Odometer requirements:

1. For the purposes of this section the following words and phrases shall have the meanings respectively ascribed to them:
  - a. "Intent and purpose of this section" is and shall mean to achieve the end that odometers of motor vehicles shall at all times correctly show the true mileage that the motor vehicle has been driven.
  - b. "True mileage" is the actual mileage the motor vehicle has been driven.
2. No person shall knowingly tamper with, adjust, alter, change, set back, disconnect or fail to connect the odometer of any motor vehicle, or cause any of the foregoing to occur to an odometer or a motor vehicle, so as to reflect a lower mileage than the true mileage driven by the motor vehicle.
3. No person shall conspire with any other person to evade the intent and purpose of this section.
4. No person shall with the intent to defraud operate a motor vehicle on any street or highway knowing that the odometer of the motor vehicle is disconnected or nonfunctional.
5. No person shall advertise for sale, sell, use or install on any part of a motor vehicle or on any odometer in a motor vehicle any device which causes the odometer to register any mileage other than the true mileage.
8. Any person who knowingly makes or delivers a false odometer statement as required by subsection 7 of this section shall be guilty of a violation of this section.
9. An Iowa licensed motor vehicle dealer shall not have in possession as inventory for sale a used motor vehicle acquired by the dealer after the eleventh model year prior to the current registration year, for which the dealer does not possess an odometer statement by the transferor which is in compliance with federal law and regulations unless a certificate of title has been issued for the vehicle in the name of the dealer.
10. A transferee of a motor vehicle reassigning the certificate of title to such motor vehicle pursuant to the provision of section 321.48, subsection 1, shall not be guilty of a violation of this section if such transferee has in his possession an odometer statement by the transferor which is in compliance with federal law and regulations and if he has no knowledge that the statement is false and that he has no knowledge that the odometer does not reflect the true mileage of such motor vehicle.



11. Any person who violates this section commits a fraudulent practice.

Thorough investigations of alleged odometer tampering or making a false odometer statement are conducted by D.O.T. Investigators. These investigations may require requesting documentation from other states, dealers, individuals, etc. The investigative section has an indepth procedure for investigations of this nature and is a forerunner of odometer investigations in the entire midwest.

321.84 Seizure of vehicles: It shall be the duty of any peace officer who finds a vehicle or component part, the vehicle identification number or component part number of which has been altered, defaced, or tampered with, and who has reasonable cause to believe that the possessor of the vehicle or component part wrongfully holds it, to forthwith seize it, either with or without warrant, and deliver it to the sheriff of the county in which it is seized.

Due to the many vehicles D.O.T. Investigators physically check for one reason or another, they will run into vehicles with altered numbers.

If it is determined that the vehicle's alteration is not title related, the Investigator will turn the vehicle and case over to the vehicle theft section of the Iowa State Patrol.

321.89 Abandoned vehicles:

1. Definitions. As used in this section 321.90 and 321.91 unless the context otherwise requires:

- a. "Police authority" means the Iowa highway safety patrol or any law enforcement agency of a county or city...

Although the D.O.T. Investigator is not directly involved in abandoned vehicles or disposal, thereof, knowledge is required of this code section. Many police agencies throughout the state rely on D.O.T. Investigators for assistance and guidance in processing abandoned vehicles.

321.92 Altering or changing numbers:

1. Fraudulent intent. No person shall with fraudulent intent, deface, destroy, or alter the vehicle identification number or component part number or other distinguishing number or identification mark of a vehicle or component part nor shall any person place or stamp any serial, engine, or other number or mark upon a vehicle or component part, except one assigned thereto by the department. Any violation of this provision is a felony punishable as provided in section 321.483.
2. Vehicles without identification numbers. Any person who knowingly buys, receives, disposes of, sells, offers for sale, or has in his or her possession any vehicle, or any component part of a vehicle, from which the vehicle identification number or component part number has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of the vehicle or component part is guilty of a simple misdemeanor.

This section shall not prohibit the restoration of an original vehicle identification number, component part number or other number or mark when such restoration is made by the department, nor prevent any manufacturer from placing in the ordinary course of business numbers or marks upon vehicles or component parts.

During the course of conducting salvage theft examinations or checking reconstructed/specially constructed vehicles, Investigators will become involved with violations of this code section and appropriate charges are filed.

321.94 Test to determine true number: Where it appears that a vehicle identification number or component part number has been altered, defaced or tampered with, any peace officer, or any other person acting under a peace officer's direction, may apply any recognized process or test to the part containing the number for the purpose of determining the true number.

Investigators have the knowledge and expertise to restore numbers using the different known processes. However, due to their heavy workload in other more directly related enforcement areas, they would usually turn the case over to the vehicle theft section of the Iowa State Patrol. Many other local enforcement agencies have contacted our Investigators for assistance in restoring numbers.

321.95 Right of inspection: Peace officers shall have the authority to inspect any vehicle or component part in possession of a vehicle rebuilder, vehicle salvager, used vehicle parts dealer or any person licensed under chapter 322, or found upon the public highway or in any public garage, enclosure or property in which vehicles or component parts are kept for sale, storage, hire or repair and for that purpose may enter any such public garage, enclosure or property....

Although this code section applies to all peace officers, the D.O.T. Investigator uses this code section frequently as part of their routine duties to assure compliance by vehicle recyclers and licensed vehicle dealers.

321.96 Prohibited plates - certificates - badges: No person shall display or cause or permit to be displayed, or have in his or her possession, any vehicle identification number or component part number except as provided in this chapter, or any receipt, certificate of title, chauffeur's license certificate, or chauffeur's badge, as the same are respectively provided for in this chapter.

The D.O.T. Investigators, after receiving information as to a suspected violation of this code section, would investigate and take appropriate action.

321.97 Fraudulent applications: Any person who fraudulently uses a false or fictitious name in any application for the registration of, or knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application is guilty of a fraudulent practice.

Many investigations into title applications result in a violation of this code section. The Investigator has a responsibility to insure proper information is being given on title applications when the Office of Vehicle Registration or county treasurers suspect a violation.

321.98 Operation without registration: No person shall operate, nor shall an owner knowingly permit to be operated upon any highway any vehicle required to be registered and titled hereunder unless there shall be attached thereto and displayed thereon when and as required by this chapter a valid registration card and registration plate or plates issued therefor for the current registration year and unless a certificate of title has been issued for such vehicle except as otherwise expressly permitted in this chapter. Any violation of this section is a simple misdemeanor.

Investigators frequently investigate alleged violations of this code section to determine if an owner knowingly permitted operation of an improperly registered vehicle. If necessary, charges would be filed.

321.99 Fraudulent use of registration: A person shall not knowingly lend to another a registration card, registration plate, special plate, or permit issued to the person if the other person desiring to borrow the card, plate, or permit would not be entitled to the use of it. A person shall not knowingly permit the use of a registration card, registration plate, special plate, or permit issued to the person by one not entitled to it, nor shall a person knowingly display upon a vehicle a registration card, registration plate, special plate, or permit not issued for that vehicle under this chapter. A violation of this section is a simple misdemeanor.

Investigators, as a part of their responsibilities, look into suspected violations of this code section. An investigation is conducted and charges filed if warranted after interviews and statements are taken from all persons involved.

321.100 False evidences of registration: It is fraudulent practice for any person to commit any of the following acts:

1. To alter with a fraudulent intent any certificate of title, manufacturers or importers certificate, registration card, registration plate, manufacturers vehicle identification plate, or permit issued by the department or county treasurer.
2. To forge or counterfeit any such document or plate.
3. To hold or use any such document or plate knowing the same to have been so altered, forged, or falsified.
4. To hold or use any certificate ... for any vehicle to which such document or plate is not legally assigned.

An Investigator is responsible for investigation into alleged violations of this code section. Proper investigations are conducted and appropriate action take.

321.101 Suspension or revocation of registration or certificate of title: The department is hereby authorized to suspend or revoke the registration of a vehicle, registration card, registration plate, or any nonresident or other permit in any of the following events...

1. When the department is satisfied that such registration card, plate, or permit was fraudulently or erroneously issued.
2. When the department determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon the highways.
3. When a registered vehicle has been dismantled or wrecked.
4. When the department determines that the required fee has not been paid and the same is not paid upon reasonable notice and demand.
5. When a registration card, registration plate, or permit is knowingly displayed upon a vehicle other than the one for which issued.
6. When the department determines that the owner has committed any offense under this chapter involving the registration card, plate, or permit to be suspended or revoked...

Most of the above listed events that would result in the revocation or suspension of a vehicle registration require an investigation to reasonably determine that the event occurred. The D.O.T. Investigator handles these investigations as a part of their routine responsibilities.

321.102 Suspending or revoking special registration: The department is also authorized to suspend or revoke a certificate or the special plates issued to a manufacturer, transporter, or dealer upon determining that any said person is not lawfully entitled thereto or has made or knowingly permitted any illegal use of such plates or has committed fraud in the registration of vehicles or failed to give notices of transfer when and as required by this chapter.

When special plates are misused, the Investigator conducts interviews, takes statements and recommends appropriate action in conjunction with this code section.

321.103 Owner to return evidences of registration and title: Whenever the department as authorized hereunder cancels, suspends, or revokes the registration of a vehicle, or certificate of title, or registration card, or registration plate or plates, or any nonresident or other permit or the registration of any dealer, the owner or person in possession of the same shall immediately return the evidences of registration, certificate of title, or plates so canceled, suspended, or revoked to the department.

As a part of their routine duties, the Investigator may be called upon to attempt recovery of those items listed in this code section, that the owner fails to surrender. Appropriate charges would be filed.

321.104 Penal offenses against title law: It is a misdemeanor, punishable as provided in section 321.482, for any person to commit any of the following acts:

1. To operate any motor vehicle upon the highways upon which the certificate of title has been canceled or while a certificate of registration of a motor vehicle is suspended or revoked.
2. For a dealer, or a person acting on behalf of a dealer to acquire, purchase, hold or display for sale a motor vehicle without having obtained a manufacturer's or importer's certificate or a certificate of title, or assignments thereof, unless otherwise provided in this chapter.
3. To fail to surrender a certificate of title, registration card, or registration plates upon cancellation, suspension, or revocation of the certificate of registration by the department and notice as prescribed in this chapter.
4. To purport to sell or transfer a motor vehicle, trailer, or semitrailer without delivering to the purchaser or transferee a certificate of title or a manufacturer's or importer's certificate duly assigned to the purchaser or transferee as provided in this chapter.
5. To violate any of the other provisions of this chapter or any lawful rules adopted pursuant to this chapter.
6. For a dealer to sell or transfer a mobile home without delivering to the purchaser or transferee a certificate of title or a manufacturer's or importer's certificate properly assigned to the purchaser, or to transfer a mobile home without disclosing to the purchaser the owner of the mobile home in a manner prescribed by the department pursuant to rules or to fail to certify within seven days to the proper county treasurer the information required under section 321.45, subsection 4, or to fail to apply for and obtain a certificate of title for a used mobile home, titled in Iowa, acquired by the dealer within fifteen days from the date of acquisition as required under section 321.45, subsection 4.

A great number of the investigations conducted on vehicle registration and titles result in charges being filed in accordance with the above code section.

321.109 Motor vehicle fee - transit fee: ...

2. Dealers may, in addition to other provisions of this section, purchase from the department in-transit stickers, for which a fee of two dollars per sticker shall be paid at time of purchase. One such sticker shall be displayed on each vehicle purchased from a dealer by a nonresident for removal to the state of his or her residence, and one such sticker shall also be displayed on each vehicle not currently registered in Iowa and purchased by an Iowa dealer for removal to the dealer's place of business in this state. The stickers shall be void three days after issuance by the selling dealer. Each sticker shall contain the following information:

- a. The words "in-transit" in bold type.
- b. The dealer's license number.
- c. The date issued.
- d. The purchaser's name and address.
- e. The word "Iowa" in bold type.
- f. The words "good for three days after the date of issuance."
- g. Other information the director requires...

Investigations are conducted on dealers who misuse the in-transit stickers. Interviews and statements are taken to make a determination as to non-compliance.

321.11 Conversion of car - effect: Any motor vehicle originally registered as a passenger car and thereafter converted into a truck with a loading capacity of less than one thousand pounds, shall be registered as a passenger car.

Investigators often are called upon to physically check vehicles for compliance with the above code section.

321.115 Antiquated vehicles: Any motor vehicle twenty-five years old, or older, whose owner desires to use said motor vehicle exclusively for exhibition or educational purposes at state or county fairs, or other places where said motor vehicle may be exhibited for entertainment or educational purposes, shall be given a registration permitting the driving of said motor vehicle upon the public roads to and from said fair or other place of entertainment or education for a registration fee of five dollars per annum.

...The sale of motor vehicle twenty-five years old or older which is primarily of value as a collectors item and not as transportation is not subject to chapter 322 and any person may sell such a vehicle at retail or wholesale without a license as required under chapter 322.

Investigators often check sales of antique vehicles to insure compliance with paragraph 2 of this code section.

321.159 Exceptional cases: The department shall have the power to fix the registration fee on all makes and models of cars which are not now being furnished or upon which the statement from the factory cannot be obtained.

This fee is based on value and weight. One percent of value and 40¢ per 100 pounds of vehicle weight. Investigators establish registration fee on all reconstructed and specially constructed vehicles when applicable and on other vehicles when requested by the Office of Vehicle Registration.

321.169 Account of plates: The department shall keep an accurate record of all number plates issued to each county, and shall also keep a record showing the assignment thereof by the county treasurer to motor vehicles.

Investigators physically audit plates and stickers annually at their respective county treasurers and report their findings to the Office of Vehicle Registration.

321.190 Issuance of nonoperators identification cards - fees: ....

2. Unlawful use of nonoperators identification cards. It is a simple misdemeanor, punishable as provided in section 321.482, for any person:
  - a. To display or permit to be displayed or possess any fictitious or fraudulently altered nonoperators identification card.
  - b. To lend his or her nonoperators identification card to any person or knowingly permit the use of such card by another person.
  - c. To display or represent as ones own a nonoperators identification card not issued to such person.
  - d. To fail or refuse to surrender to the department upon its lawful demand an expired or invalid nonoperators identification card.
  - e. To use a false or fictitious name in any application for a nonoperators identification card or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application.
  - f. To permit any unlawful use of a nonoperators identification card issued to such person...

Investigators handle all investigations into alleged violations of this code section and file appropriate charges when warranted. Investigations are usually requested by the Office of Driver Services.

321.216 Unlawful use of license: It is a simple misdemeanor for any person:

1. To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious or fraudulently altered temporary drivers permit, temporary instruction permit, motorized bicycle license, operators license, or chauffeurs license.
2. To lend his temporary drivers permit...to any other person or knowingly permit the use thereof by another.
3. To display or represent as ones own any temporary drivers permit, temporary instruction permit, motorized bicycle license, operators license, or chauffeurs license not issued to him.
4. To fail to refuse to surrender to the department upon its lawful demand any temporary drivers permit, temporary instruction permit, motorized bicycle license, operators license, or chauffeurs license which has been suspended, revoked, or canceled.
5. To use a false or fictitious name...

Investigators handle all investigations of this code section when requested by the Office of Driver Services. Interviews are conducted, statements are taken and documentation is reviewed to determine if a violation occurred. Charges are filed when warranted.

321.234A All-terrain vehicles: All-terrain vehicles shall be operated on a highway only between sunrise and sunset and only when the operation on the highway is incidental to the vehicles use for agricultural purposes. A person operating an all-terrain vehicle on a highway shall have a valid operators license and the vehicle shall be operated at speeds of less than thirty miles per hour. When operated on a highway, an all-terrain vehicle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches, be day-glow in color, and shall be in lieu of the reflective equipment required by section 321.383.

Investigators are not directly responsible for the enforcement of this code section anymore than any other peace officer. However, other enforcement officers and the public rely on the Investigators knowledge when requested.



321.240 Altering center of gravity of vehicles: A person shall not drive or operate a new car, used car, light delivery truck, panel delivery truck, pickup, or multipurpose vehicle upon a public highway which has had the center of gravity altered or modified in any manner which is prohibited by rules adopted by the director. The rules shall be based upon original automobile manufacturer specifications. The rules adopted by the director shall not prohibit a person from driving or operating a new car, used car, light delivery truck, panel delivery truck, pickup, or multipurpose vehicle where the bumper is not more than five inches above or below the original automobile manufacturers specifications.

Other enforcement agencies and concerned citizens often contact D.O.T. Investigators for information and direction concerning this code section.

321.423 Flashing lights:

1. Definitions. As used in this section, unless the context otherwise requires:
  - a. "Fire department" means a paid or volunteer fire protection service provided by a benefited fire district under chapter 357B or by a county, municipality or township, or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township or governmental agency.
  - b. "Member": means a person who is a member in good standing of a fire department.
2. Prohibited lights. A flashing light on or in a motor vehicle is prohibited except as follows:
  - a. On an authorized emergency vehicle.
  - b. On a vehicle as a means of indicating a right or left turn, a mechanical failure, or an emergency stop or intent to stop.
  - c. On a motor vehicle used by a rural mail carrier when stopping or stopped on or near a highway in the process of delivering mail, if such a light is any shade of color between white and amber and if it is mounted as a dome light on the roof of the vehicle.
  - d. On a vehicle being operated under an excess size permit issued under chapter 321E.
  - e. A flashing blue light on a vehicle upon which a blue light is permitted pursuant to subsection 3 of this section.

3. Blue light. A blue light shall not be used on any vehicle except:
  - a. A vehicle owned or exclusively operated by a fire department;  
or
  - b. A vehicle authorized by the director when:
    1. The vehicle is owned by a member of a fire department.
    2. The request for authorization is demonstrated in the request.
    3. Necessity for authorization is demonstrated in the request.
    4. The chief of the fire department certifies that the member is in good standing with the fire department and recommends that the authorization be granted.
4. Expiration of authority. The authorization shall expire at midnight on the thirty-first day of December five years from the year in which it was issued, or when the vehicle is no longer owned by the member, or when the member has ceased to be an active member of the fire department or when the member has used the blue light beyond the scope of its authorized use.
5. When used. The certificate of authorization shall be carried at all times with the certificate of registration of the authorized vehicle and the operator of the vehicle shall not illuminate the blue light except:
  - a. When the member is en route to the scene of a fire or is responding to an emergency in the line of duty requiring the services of the member;
  - b. When the authorized vehicle is transporting a person requiring emergency care; or
  - c. When the authorized vehicle is at the scene of an emergency.
  - d. The use of a blue light in or on a private motor vehicle shall be for identification purposes only.

Investigators are frequently asked to look into the request for flashing light permits to determine if, in fact, an applicant qualifies. This will usually require a direct interview with the applicant or county sheriff requesting the permit.

321A.31 Surrender of license and registration: Any person whose license or registration shall have been suspended as herein provided, or whose policy of insurance or bond, when required under this chapter, shall have been canceled or terminated, or who shall neglect to furnish other proof upon request of the director shall immediately return his license and registration to the director. If any person shall fail to return to the director the license or registration as provided herein, the director shall forthwith direct any peace officer to secure possession thereof and to return the same to the director.

The Office of Driver Services often requests the Investigator to attempt recovery of license and registrations pursuant to the above code section.

321F Leasing and renting of vehicles:

The Investigator is responsible for enforcement of this chapter to insure that anyone engaged in the business of leasing vehicles is properly licensed and complies with all statutory requirements of this chapter.

321H Vehicle salvagers and recyclers:

The Investigator is responsible for the enforcement of this chapter, to insure that anyone engaged in the business of recycling or salvaging is properly licensed and complies with all statutory requirements of this chapter.

322 Motor vehicle manufacturers, distributors and dealers:

The Investigator is responsible for the enforcement of this entire chapter. To insure that anyone engaged in the business is properly licensed and complies with all statutory requirements of this chapter.

322A Motor vehicle franchisers:

The Investigator has minor enforcement involvement because most of the chapter is administrative. However, the Investigator is sometimes called upon to assist in the administrative decision making process prior to any franchise being established.

322B Mobile home dealer licensing act:

The Investigator has enforcement responsibility for this entire chapter. To insure that anyone engaged in the business is properly licensed and complies with all statutory requirements of the chapter.

322C Travel trailer dealers, manufacturers and distributors:

The Investigator has enforcement responsibility for this entire chapter. To insure that anyone engaged in the business is properly licensed and complies with all statutory requirements of the chapter.

326.6 Proportional registration of fleets: The department may, pursuant to section 326.5, provide for proportional registration between this state and other jurisdictions of fleets of commercial vehicles owned by residents or nonresidents engaged in interstate and intrastate commerce.

Investigators periodically bring to the attention of the Office of Motor Carrier Services rental car companies doing business in Iowa and allegedly not registering enough vehicles in Iowa based on business being conducted.

IOWA ADMINISTRATIVE RULES

Chapter 400 - Vehicle Registration and Certificate of Title:

761-400.2(321) Vehicle registration and certificate of title - general provisions.

400.2(4) Trailers with an empty weight of two thousand pounds or less: Certificates of title shall not be issued for trailers with an empty weight of two thousand pounds or less. However, these trailers shall be subject to the registration fees provided in Iowa Code section 321.123.

Investigators are frequently requested by county treasurers to physically check trailers for compliance of this code section. This may include having the trailer weighed.

400.2(11) Restricted or salvage certificated of title:

- A. Changing a restricted or salvage certificate of title to a regular certificate of title. When a vehicle owner wants to change a restricted or salvage certificate of title to a regular certificate of title, the following procedure shall apply:
1. The vehicle owner shall obtain Form 411083, "Report of Vehicle Check," from the county treasurer's office.
  2. The vehicle owner shall then arrange to have the vehicle checked by a peace officer.

Investigators are responsible for physically inspecting vehicles currently on a (Red/Restricted) title before the vehicle can be issued a regular title. Although the rule provides for any peace officer to check the vehicle, the bulk of this rule has fallen on the D.O.T. Investigator. This inspection consists of a walk-around inspection of those items mentioned in this rule (i.e., lights, horn, mirrors, tires, brakes, seatbelts, etc.) If the vehicle passes, a form is given to the applicant to submit for a regular title and registration.

400.4(3) Used vehicle from a foreign jurisdiction:...

- D. If a trailer weighing 2000 lbs. or less is exempt from the issuance of a certificate of title and registration in the foreign jurisdiction, a bill of sale conveying ownership to the applicant, if acquired by a resident from a nonresident, or an affidavit of ownership signed by the applicant, if the applicant is establishing residence in this state, shall be submitted.
- E. If a motor vehicle is exempt from the issuance of a certificate of title and registration in the foreign jurisdiction, the bonding procedures as provided in Iowa Code Section 321.24 shall be followed.
- F. If the foreign ownership document is not in English, a written English translation from a qualified translator and the translator's written statement certifying the accuracy of the translation shall be submitted with the ownership document.

Investigators are frequently asked to check small trailers for proper ownership prior to registering. This may include contact with other states to determine the type of ownership document, if any, that state provides.

400.4(4) Used vehicle acquired by a resident of the state from a government agency: If the vehicle was required from an agency of the federal government, the applicant shall surrender the government bill of sale, Form 97 or 97A, properly assigned to the applicant. If the vehicle was acquired from the state of Iowa or a subdivision of government the applicant shall surrender the Iowa certificate of title issued in the name of the agency, properly assigned to the applicant.

Oftentimes county treasurers ask the Investigator to check for authenticity of Form 97 or 97A prior to issuance of an Iowa title.

400.4(6) Vehicle acquired by a resident of this state by operation of law: If the vehicle was acquired by the applicant by operation of law as upon inheritance, devise or bequest, order in bankruptcy, insolvency, replevin, foreclosure or execution sale, under the laws of descent and distribution, artisan's lien sale, storage lien sale or abandoned vehicle sale, the last issued certificate of title shall be submitted by the applicant, or when that is not possible, presentation of satisfactory proof of the applicant's ownership and right of possession to the vehicle shall be submitted by the applicant. Proof of ownership may consist of a foreclosure sale affidavit, artisan's or storage lien affidavit, affidavit of death intestate, abandoned vehicle sales receipt, peace officers bill of sale or court order.

Investigators may be called upon to determine if an applicants proof of ownership or right of possession is adequate to issue an Iowa title in accordance with the above Administrative Rule.

761-400.13(321) Bond required before title issued...

400.13(4) Approval:

A. If the department determines that the applicant has complied with this rule, that there is sufficient evidence to indicate that the applicant is the rightful owner, and that there is no known unsatisfied security interest, the department shall...

The D.O.T. Investigator frequently will determine, through an investigation, whether evidence is sufficient to issue a bonded title to a vehicle.

761-400.16(321) Application for certificate of title or original registration for a specially constructed, reconstructed, or kit vehicle:

The rule specifically addresses the procedures for licensing specially constructed, reconstructed and kit vehicles. The final determination rests with the D.O.T. Investigator after a physical inspection of the vehicle.

761-400.17(321) Remanufactured vehicle: If the vehicle to be titled and registered is a remanufactured vehicle, the following shall apply:

All applications for remanufactured vehicles are made directly to the Motor Vehicle Enforcement office. The Investigator will then follow the procedure set forth by this rule and determine if the vehicle is approved or disapproved.

761-400.19(321) Temporary use of vehicle without plates or registration card:

400.19(1) Temporary use of vehicle without plates: A person who acquires a vehicle which is currently registered or in a dealer's inventory at the time of sale and who does not possess registration plates which may be assigned to and displayed on the vehicle may operate or permit the operation of the vehicle not to exceed fifteen days from the date of purchase or transfer without registration plates displayed thereon, if ownership evidence is carried in the vehicle.

400.19(2) Temporary use of vehicle without registration card: A person who acquires a vehicle which is currently registered or in a dealer's inventory at the time of sale and who has possession of plates which may be attached to the vehicle acquired may operate or permit the operation of the vehicle not to exceed thirty days from the date of purchase or transfer without a registration card, if ownership evidence is carried in the vehicle.

400.19(3) Ownership evidence: Ownership evidence under this rule shall consist of the certificate of title or registration receipt, or a photocopy thereof, properly assigned to the person who has acquired the vehicle, or a bill of sale conveying ownership of the vehicle to the person who has acquired the vehicle. The ownership evidence shall be shown to any peace officer upon request. This rule is intended to implement Iowa Code sections 321.33 and 321.46.

Investigators check into alleged violations of this administrative rule. Complaints are usually generated by the general public. When violations are found, appropriate charges are filed.

761-400.21(321) Registration of vehicles on a restricted basis: The department may register a vehicle which does not meet the equipment requirements of Iowa Code Chapter 321, due to the particular use for which it is designed or intended. Registration may be accomplished upon payment of the appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition and will not endanger any person.

This rule sets forth the procedure for licensing vehicles on a restricted registration. The Investigator follows the steps involved and sets restrictions based on the intended use of the vehicle.

761-400.23(321) Junked vehicles: ...

400.23(2) Retitling a junked vehicle. The department may authorize issuance of a new certificate of title to the vehicle owner named on the junking certificate, only if the junking certificate was issued in error for one of the following reasons:...

- C. The owner intended to apply for a salvage title under Iowa Code Subsection 321.52(4) but inadvertently submitted an application for a junking certificate. The owner shall submit to the department a bill of sale or other documentation from the previous owner stating that the vehicle was rebuildable when purchased and a signed statement explaining the owner's original intention to obtain a salvage title. The department shall inspect the vehicle to verify the rebuildable condition. ...

When requested the D.O.T. Investigator physically inspects those vehicles referred to in the above administrative rule.

400.27(3) New Certificate of Title Required. A dealer shall obtain a new certificate of title, but is not required to pay registration fees for a vehicle if:

- a. The vehicle has been registered in a foreign state or country.
- b. The certificate of title assigned to the dealer for that vehicle is an official, restricted or salvage certificate of title.
- c. The reassignment area of the certificate of title has been used.
- d. The vehicle has a certificate of title from a foreign state or country but is not registered and the dealer is licensed under Iowa Code Chapter 322 to sell that line make of vehicle.
- e. The vehicle is not currently registered in Iowa at the time of sale. The delinquent fees and penalty shall be paid by the dealer from the first day the registration was due to the month the application for title is submitted.

400.27(4) New Certificate of Title and Registration Fee Required: A dealer shall obtain both a new certificate of title and pay a registration fee for a vehicle if:

- a. The vehicle has a foreign certificate of title but has never been registered and the dealer is not licensed under Iowa Code Chapter 322 to sell that line make of vehicle. The registration fee due shall be prorated for the remaining unexpired months of the dealer's registration year.
- b. The vehicle was placed in storage by the previous owner. The registration fee due shall be a full registration year fee.
- c. The vehicle has been registered in a foreign state or country and the application for a new certificate of title is submitted more than fifteen days after the date the vehicle entered Iowa. The registration fee due shall be prorated for the remaining unexpired months of the dealer's registration year.



400.27(5) Registration Fee Required: A vehicle owned by a dealer and used as a work or service vehicle, or offered for lease, rent or hire, shall become subject to a registration fee in the month that the vehicle is first used for that purpose. The registration fee shall be due annually unless the vehicle is transferred to the dealer's inventory. To transfer the vehicle, the dealer shall surrender the registration plates that were issued for the vehicle and assign the certificate of title to the dealership name, as provided in subrule 400.27(1).

400.27(6) Violations:

- a. Failure to comply with this rule is a violation of Iowa Code subsection 321.104(2).
- b. Failure to obtain a certificate of title when required shall result in a penalty of ten dollars, as specified in Iowa Code subsection 321.49(1).

This rule is intended to implement Iowa Code Sections 321.45, 321.46, 321.48, 321.49, 321.67, 321.70, 321.104 and Chapter 322.

400.27(3)(4)(5)(6)

The Investigator checks into alleged violations of the above rules by Iowa licensed dealers. This may include interviews, statements and contact with foreign states. The documentation supplied by the dealer is also considered prior to any charges being filed.

761-400.34(321) Multipurpose Vehicle Registration Fee. The registration fee for multipurpose vehicles, including van-type vehicles, shall be applicable subject to the following provisions:

400.34(1) If the owner of a vehicle which appears to be a multipurpose vehicle according to the information listed on the ownership document certifies in writing to the county treasurer of the owner's residence that the vehicle is not equipped with rear seats and is in fact a motor truck, the county treasurer shall register the vehicle as a motor truck.

400.34(2) A vehicle that appears to be a multipurpose vehicle according to the information on the ownership document but is certified to and registered as a motor truck.

400.34(3) The owner of a multipurpose vehicle that is registered as such may operate or move the vehicle with or without the vehicle being equipped with rear seats.

400.34(4) A van-type multipurpose vehicle shall not include a van equipped to transport more than ten persons nor a van equipped with one bench seat or two individual seats with all floor space behind the seat or seats reserved exclusively for the transportation of property, except as provided in subrule 400.34(3).

This rule is intended to implement Iowa Code sections 321.1(4), 321.1(76), and 321.124.

Investigators look into alleged violations of multipurpose vehicle registration fees. They physically check vehicles in question for compliance and file appropriate charges when warranted.

400.44(6) Statement of Nonuse. If the owner of a vehicle, on which the registration fees have not been paid for more than three complete registration years, certifies to the county treasurer of the owner's residence that the vehicle has not been moved or operated upon the highway since the year it was last registered, the county treasurer may register the vehicle upon payment of the current year's registration fee.

This rule is intended to implement Iowa Code sections 321.46, 321.47, 321.49, 321.134 and 321.135.

Usually at the request of the County Treasurers office, the Investigator will investigate situations where persons are signing a statement of nonuse when in fact the vehicle has been used on public highways.

761-400.51(321) Assigned Identification Numbers. The department is authorized to assign a distinguishing number to a vehicle or component part and to issue to the owner of the vehicle or component part a special plate bearing the distinguishing number. The vehicle shall be registered and titled under the distinguishing number. The distinguishing number assigned to a component part shall be used only for identification purposes of the component part. The issuance of a distinguishing number shall be in accordance with the following:

This rule sets forth the procedure for issuing Iowa assigned vehicle identification numbers. All numbers are physically placed on the vehicles by a DOT Investigator.

761-400.52(321) Odometer Statement. When an odometer statement is required under Iowa Code subsection 321.71(7) and a statement cannot be furnished at the time that an application is made for a certificate of title, a certificate of title shall not be issued to the applicant except under the following conditions:

400.42(1) If the transferor has furnished an odometer statement to the transferee and the transferee has lost the statement prior to the time the transferee has made an application for a certificate of title, or if the transferor has failed to furnish an odometer statement to the transferee prior to the time the transferee has made an application for a certificate of title, and in either event the transferee has made an attempt in good faith to locate the transferor for the purpose of obtaining an odometer statement and cannot locate the transferor, the transferee may file a sworn statement of the fact, on a form available from any county treasurer or the department.

400.52(2) The sworn statement shall be accepted by the county treasurer or department in lieu of the statement required in Iowa Code subsection 321.71(7). The title of the form is "Odometer Certification and Statement of Fact."

This rule is intended to implement Iowa Code Section 321.71.

Investigators are often asked by County Treasurers to verify sworn statements regarding odometer statements. Previous owners and dealer records may need checking.

#### Chapter 420 Motor Vehicle Dealers, Manufacturers and Distributors

##### 761-420.2(322) Criteria for Obtaining a Motor Vehicle Dealer's License:

This section sets forth the requirements to obtain a license. The Investigator conducts an on-site investigation of the dealers facility to insure compliance.

##### 761.420.3(322) Additional requirements:

420.3(1) A dealer shall not represent or advertise the business under any name or style other than the name which appears on the license.

420.3(2) Every dealer shall file a written statement with the department within ten days after any change of name, location, method or plan of doing business. No license shall be valid until the changes set forth in the statement have been approved by the department.

This rule is intended to implement Iowa Code sections 322.4 and 322.8.

The D.O.T. Investigator looks into alleged violations of this rule. Checking newspaper ads is one form of detection.

##### 761.420.4(321) Dealer Plates:

420.4(2) Criteria for the use of dealer plates. The following criteria shall apply to the use of dealer plates:

- a. Dealer's plates shall not be used on vehicles used for rental purposes, leased vehicles or vehicles loaned, except a vehicle, other than a truck or truck tractor, loaned to a service customer whose vehicle is being repaired by the dealer.
- b. Vehicles used by dealers, manufacturers or distributors to transport other vehicles shall be registered, except when being transported from the place of manufacturing, assembling or distribution to the dealer's place of business.

- c. Saddle-mounted vehicles being transported shall display dealer plates.
- d. Dealer plates may be used for delivery, testing and demonstration.
- e. Trailer dealer's plates may be displayed on a trailer carrying a load provided the truck or truck tractor towing the trailer is properly registered under Iowa Code Section 321.122, except as provided in subrule 420.4(3).

Enforcement of this rule is a responsibility of the DOT Investigator.

420.4(3) Demonstration Permits for Motor Trucks and Truck Tractors:

- a. The department shall issue demonstration permit forms in triplicate to dealers to permit the use of dealer plates for demonstrating load capabilities of motor trucks and truck tractors. The fee for a permit shall be ten dollars.
- c. The dealer shall completely and accurately fill out the permit form which shall include, but not be limited to, the following information:
  - 1. Date of issuance, date of expiration, and the specific dates for which the permit is valid. The expiration date shall be five days or less from the date of issuance.
  - 2. Dealer's name, address and license number.
  - 3. Name(s) of the prospective buyer(s) and all prospective drivers.
  - 4. Route of the demonstration trip. The point of origin and the destination shall be the dealership. No route outside Iowa shall be allowed.
  - 5. The make, year and vehicle identification number of the vehicle being demonstrated.
- d. Only one demonstration permit per vehicle shall be issued to a prospective buyer.

This rule is intended to implement Iowa Code sections 321.57 to 321.63.

Misuses of dealer demonstration permits are investigated by D.O.T. Investigators. Requests usually result from a truck being stopped by D.O.T. Uniform Officers.

761-420.5(322) Fleet Vehicle Sales and Retail Auction Sales: Any person who has acquired vehicles for consumer use in a business shall obtain a dealer's license when more than six vehicles are offered for sale at retail in a twelve-month period. Any other person planning to conduct a public auction of more than six motor vehicles in a twelve-month period shall obtain a dealer's license. All certificates of title for the motor vehicles offered for sale at public auction shall be duly assigned to the dealer. The state of Iowa, counties, municipalities and other subdivisions of government shall not be required to obtain a dealer's license to sell their vehicles at retail. A dealer's license issued under this rule shall not require a place of business as defined in Iowa Code subsection 322.2(5).

This rule is intended to implement Iowa Code Sections 322.2 and 322.3.

Auctions and fleet sales are frequently investigated to insure compliance. Complaints are usually generated from an Investigator reviewing newspaper classified ads and contact from competitors.

761-420.6(322) Salespersons. The following criteria shall apply to salespersons.

420.6(1) No dealer or salesperson employed by a dealer shall act as a salesperson for any other dealer, or represent or imply, directly or indirectly, that the dealer or salesperson is a salesperson for any other dealer.

420.6(2) No person except a bona fide salesperson shall act as a salesperson for any dealer or represent or imply, directly or indirectly, that person is a salesperson for a dealer.

This rule is intended to implement Iowa Code Sections 322.3 and 322.13.

Investigations are conducted to determine if salespersons are complying with the above rule. Appropriate charges are filed.

761.420.10(322) County Fair, Show or Exhibition Permits.

420.10(1) Application for a county fair, show or exhibition permit shall be made on Form 411119 which may be obtained from the Office of Vehicle Registration, Iowa Department of Transportation, Lucas State Office Building, Des Moines, IA 50319.

420.10(4) A permit shall be limited to allow the sale of line makes for which the dealer is licensed in this state.

420.10(5) A permit shall be limited to a fair, show or exhibition when more than one dealer may participate.

420.10(6) A permit shall be issued for the duration of the event excluding Sundays. Only one permit shall be issued to a dealer for an event.

420.10(7) A permit shall be displayed at the location of the fair, show or exhibition in close proximity to the vehicles being exhibited.

Investigators insure compliance of this rule by visiting county fairs, shows and exhibitions where dealers have applied for permits. Appropriate charges may be filed.

761.420.11(322) Display Without Permit. A dealer who does not have a permit under rule 420.10(321) may display vehicles at a fair, vehicle show or exhibition but shall not offer vehicles for sale. The dealer shall not post, display or provide any form of product literature which includes prices, except for the manufacturer's sticker price affixed to the window.

This rule is intended to implement Iowa Code Section 322.5.

Investigators make sure dealers are displaying only and are not offering vehicles for sale in violation of this rule.

761-420.15(321,322) Denial, Suspension or Revocation.

420.15(1) If an applicant or licensee fails to comply with this chapter of rules or Iowa Code Chapter 322, the department may deny, suspend or revoke the license.

This rule allows for the department to take appropriate action on applicants or licensed dealers for failure to comply with Iowa Code Section 322 or Administrative Rule Chapter 420.

All of the different types of investigations conducted under Chapter 322 by the D.O.T. Investigator which were discussed earlier and Administrative Rules Chapter 420 also discussed in this report, would result in an investigative report filed with the Dealer License Section of the Office of Vehicle Registration who would determine from the contents of the report whether to deny an application, or suspend or revoke an active dealer license.

Chapter 421 Mobile Home Dealers, Manufacturers and Distributors

421.2(4) Separate Place of Business. A separate dealer's license shall be obtained in each county in which the applicant maintains a place of business.

This rule is intended to implement Iowa Code section 322B.3.

761-421.4(322B) Prohibited Acts.

421.4(1) Reserved.

421.4(2) Operation under Distinct Name. A mobile home dealer shall not represent or advertise the business under any name other than the name that appears on the dealer's license.

This rule is intended to implement Iowa Code sections 322B.7 and 322B.8.

761-421.5(322B) Dealer Plates. Mobile home dealers may obtain dealer plates as provided in Iowa Code sections 321.57 to 321.63. The plates shall bear the word "trailer."

This rule is intended to implement Iowa Code Section 322B.7.

761-421.6(321,322B) Sales or Transfer of Mobile Homes. The following criteria shall apply to the sale or transfer of mobile homes:

421.6(1) A mobile home, owned by a dealer, shall not be offered for sale unless the dealer has obtained a manufacturer's statement of origin or a certificate of title or assignments for it. A dealer shall not sell a mobile home, owned by the dealer, without delivering to the transferee a manufacturer's statement of origin or a certificate of title duly assigned to the transferee.

421.6(2) A mobile home, not owned by a dealer, may be offered for sale and sold by a dealer under the following conditions:

- a. The mobile home owner and dealer shall enter into a written listing agreement, signed by the owner or by one owner of of a mobile home owned jointly by more than one person, and signed by the dealer, which shall be dated and include the following provisions:
  1. The make, year model, and vehicle identification number.
  2. The period of time that the agreement shall remain in force.
  3. The commission or other remuneration that the dealer is entitled to receive.
  4. The price for which the mobile home shall be sold.
  5. The name and address of the secured party, if the mobile home is subject to a security interest.
  6. Any additional terms to which the owner(s) and dealer agree.

Investigators insure compliance with the above Administrative Rules, usually based on complaints received from competitors and the public.

#### Chapter 421 Travel Trailer Dealers, Manufacturers and Distributors

761-422.2(322C) Criteria for Obtaining a Travel Trailer Dealer License.

422.2(2) Dealer's Bond.

422.2(3) Place of Business.

422.2(4) Separate Place of Business. A separate dealer's license shall be obtained in each county in which the applicant maintains a place of business.

761-422.3(322C) Prohibited Acts. A travel trailer dealer shall not represent or advertise the business under any name other than the name that appears on that dealer's license.

761-422.4(321) Dealer Plates. Travel trailer dealers may obtain dealer plates as provided in Iowa Code Sections 321.57 to 321.63. The plates shall bear the word "trailer." Dealer plates shall not be used on leased, rented or loaned travel trailers.

761-422.5(321) Right of Inspection. Peace officers employed by the department shall have the authority to inspect travel trailers, business records, manufacturer's statements of origin, certificates of title or other evidence of ownership of each travel trailer offered for sale.

Investigators insure compliance of the above listed Rule section.

#### Chapter 424 Transporter Plates

424.4(3) Permitted Uses of a Transporter Plate. If required, the transporter must have the proper operating authority for delivery of the vehicle. The person delivering the vehicle must also carry evidence issued by the owner of the vehicle authorizing the delivery. The evidence shall include the origin and destination of the vehicle delivery, the vehicle owner's name and address, and a description of the vehicle being delivered. Subject to these stipulations, a transporter plate may be displayed on a vehicle being operated or moved on the highway for the purpose of delivery to a place designated by the owner of the vehicle.

424.4(4) Prohibited Uses of a Transporter Plate. A transporter plate shall not be displayed on a vehicle that is not being delivered or displayed in any manner not specifically permitted under Iowa Code Section 321.57 or subrule 424.4(3).

These rules are intended to implement Iowa Code subsection 321.1(39) and Sections 321.57 to 321.63.

Investigations are conducted into alleged misuse of transporter plates.

#### Chapter 430 Motor Vehicle Leasing License

This rule chapter is intended to implement Iowa Code Chapter 321F. Investigators insure compliance with both the statute and the Administrative rule chapter.

#### Chapter 431 Vehicle Recyclers

This rule chapter is intended to implement Iowa Code Chapter 321H. Investigators insure compliance with both the statute and the Administrative rule chapter.



## Chapter 450 Motor Vehicle Equipment

Section 450.2(1) through (21) set forth the equipment requirements for specially constructed, reconstructed and kit vehicles. These items are physically inspected by the D.O.T. Investigator when applicable. Also, the Investigator has input in the writing of these rules based on knowledge gained through his/her experience looking at the different type vehicles.

Section 450.4(1) through (18) set forth the equipment requirement for specially constructed and reconstructed motorcycles. These items are physically inspected by the D.O.T. Investigator when applicable. Also, the Investigator has input in the writing of these rules based on knowledge gained through his/her experience looking at the different type vehicles.

## Chapter 480 Abandoned Vehicles

This Chapter sets forth the reimbursement procedures for police authorities for losses sustained in disposing of abandoned vehicles. Although the Investigators are not directly responsible for this Administrative rule, they must have knowledge of the rule to instruct local police authorities when requested.

Additionally, Investigators conduct investigations, in conjunction with the Iowa Department of Revenue Use Tax Section, on persons not paying proper use tax when applying for Iowa titles and registrations. These investigations are directly related to Iowa Code Chapters 423.26, 423.7 and 321.97.

The following sections of the Code of Iowa, and Iowa Administrative Rules may need to be changed if D.O.T. Motor Vehicle Enforcement Investigators were transferred to the Department of Public Safety.

This list does not include sections of the Iowa Code or Administrative Rules which would impact on the D.O.T. but only those which would require code editing. Those laws or rules associated with D.O.T. functions which are not identified in the following list are responsibilities the MVE Investigators presently have, and if a transfer occurred would be assumed by DPS or the service to D.O.T. would be deleted.

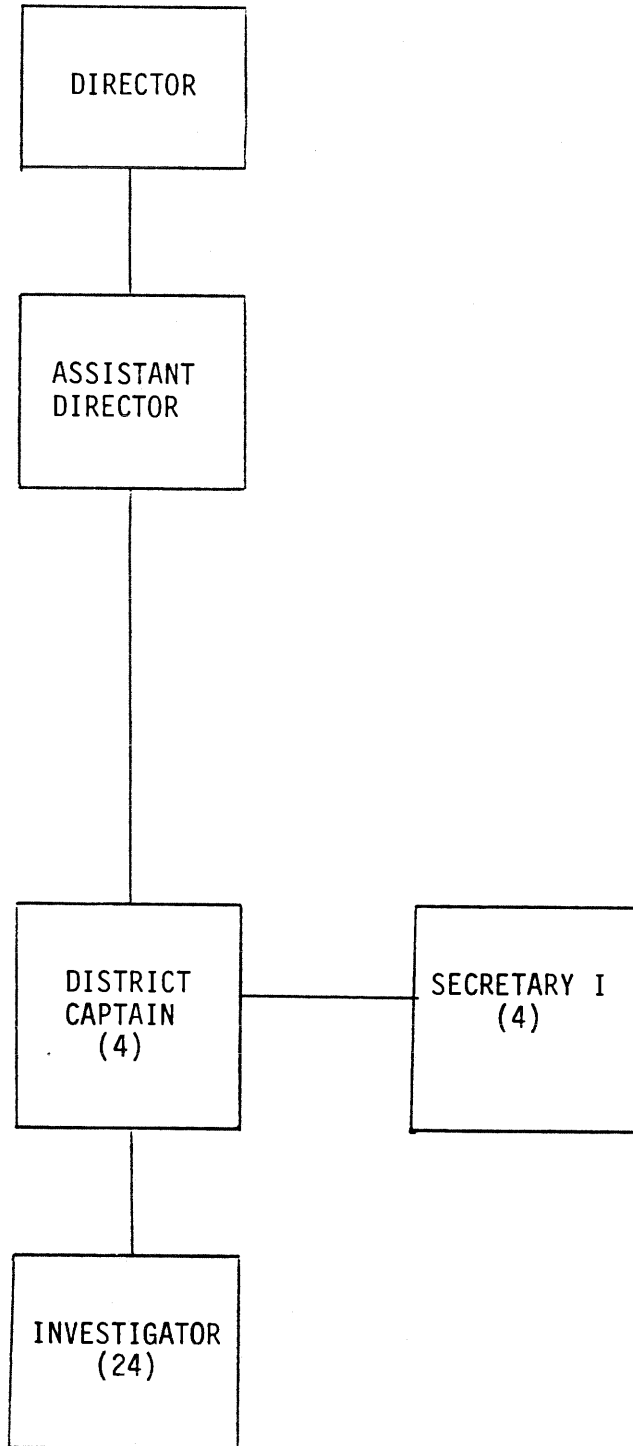
Iowa Code Changes

307.37  
321.2  
321.9  
321.13  
321.14  
321.15  
321.23  
321.30  
321.43  
321.44  
321.52  
321.66  
321.101  
321.159

Iowa Administrative Rule Changes

Chapter 400  
420  
421  
422  
430  
431  
450

TABLE OF ORGANIZATION  
INVESTIGATIVE DIVISION



SALARY STRUCTURE AND POSITION DESCRIPTIONS  
OF ALL INVESTIGATORS AND SUPPORT STAFF  
NEEDED TO PERFORM THE FUNCTION

Investigative - Assistant Director

Pay Grade: 31  
Salary Range: Bi-weekly - \$ 1,140.80 - \$ 1,440.80  
Annual - \$29,660.80 - \$37,460.80

Investigative - Captain

Pay Grade: 28  
Salary Range: Bi-weekly - \$ 990.40 - \$ 1,252.80  
Annual - \$25,750.40 - \$32,572.80

Investigator

Pay Grade: 25  
Salary Range: Bi-weekly - \$ 825.60 - \$ 1,012.00  
Annual - \$21,465.60 - \$26,312.00

Secretary I

Pay Grade: 17  
Salary Range: Bi-weekly - \$ 580.00 - \$ 732.80  
Annual - \$15,080.00 - \$19,052.80

CURRENT RESIDENCE LOCATION OF INVESTIGATORS  
MOTOR VEHICLE ENFORCEMENT

District #1  
P.O. Box 1486  
Cedar Rapids, IA 52406  
319-366-6982

Cities:

Mt. Vernon	Marion
Waverly	Mt. Vernon
State Center	Dubuque
West Union	

District #2  
225 S. Benton  
Ottumwa, IA 52501  
515-684-7388

Cities:

Ottumwa	Ottumwa
Mt. Pleasant	New Sharon
Washington	Stanwood

District #3  
117 S. 35th Street  
Council Bluffs, IA 51501  
712-322-7070

Cities:

Des Moines	Polk City
Indianola	Nevada
Des Moines	Avoca
Winterset	

District #4  
Box 954  
Fort Dodge, IA 50501  
515-955-4440

Cities:

Fort Dodge	Algona
Storm Lake	LeMars
Sac City	Fort Dodge
LeMars	

Total Number of Investigators: 24

Total Number of Supervisors: 5

- 1 - Assistant Director
- 4 - Captains

Total Number of Secretary I's: 4

Total Budget, FTEs Authorized For Function at Current Time (1989):

\*Total Budget: \$1,264,826  
Total FTEs: 33

\* Includes salaries, benefits, vehicle expenses, personal expenses, office supplies and minor incidental expenses.

#### EQUIPMENT NEEDED

- 30 Vehicles\*
- 30 Scanners and radio communication systems
- 30 Red light and siren systems
- 30 Handguns and holsters
- 30 Shotguns
- 30 Sets of handcuffs and handcuff cases
- 30 Mag lights
- 30 Tool boxes and miscellaneous tools
- 30 Sets of Polk books, NATB, Iowa Code and other printed material necessary for the Investigator to perform his/her duties
- 4 Computer terminals at 4 different locations to enter data into a computer system

\* Costs included in total budget.

## ASST. MOTOR VEHICLE ENFORCEMENT DIRECTOR

### DEFINITION

Under general supervision performs administrative duties as assistant to the Director in the area of Motor Vehicle Enforcement/Investigation; performs related work as required.

### ILLUSTRATIVE EXAMPLES OF WORK PERFORMED

Supervises and evaluates the work of subordinates; recommends personnel actions related to selection, disciplinary procedures, performance, leaves, grievances, work schedules and assignments; administers personnel policies and procedures.

Coordinates statewide operation of vehicle registration, weight, fuel tax, and dimension laws, reciprocity agreements and economic regulations, and vehicle and safety equipment.

Coordinates investigations concerning misdemeanor or felony violations of motor vehicle laws dealing with registration, dealer's license, title, and vehicle inspection on a state-wide basis.

Provides information, orally and in writing, and assistance to field personnel on the interpretation and/or application of laws, regulations, and departmental policies.

Personally resolves unusual or difficult cases.

Assists in the preparation and maintenance of rule and regulation manuals pertaining to motor vehicle laws.

Researches files and manuals for information to assist in determining appropriate answers to questions regarding the various areas of responsibility.

Reviews and coordinates work schedules, by district, for field forces to provide adequate enforcement/investigation coverage throughout the state.

Gathers reports from the field and summarizes them into monthly, quarterly, and annual reports.

Assists the Motor Vehicle Enforcement Director in the preparation and review of the budget, requests for legislation, and preparation of rules and regulations.

### KNOWLEDGES, ABILITIES, SKILLS, AND PERSONAL CHARACTERISTICS

Knowledge of state laws and Department of Transportation regulations and procedures relating to vehicle weight, dimension, fuel tax, registration, reciprocity, equipment and safety requirements, vehicle titling, license plate issuance regulations, and dealer licensing laws.

Knowledge of law enforcement procedures relative to the investigation of violations of the Code of Iowa that pertain to vehicle titling and licensing and vehicle dealer licensing.

ASSISTANT MOTOR VEHICLE ENFORCEMENT DIRECTOR

Class Code: 06363

an equivalent combination of training and experience substituting 30 semester hours of post high school course work with major emphasis in Law Enforcement, Business or Public Administration for one year of the required experience with a maximum substitution of four years;

OR

employees with current, continuous experience in the state classified service that includes the equivalent of 18 months as a Motor Vehicle Officer 3, 3 years as a Motor Vehicle Investigator or 3 1/2 years as a Motor Vehicle Officer 2 shall be considered as qualifying.

NOTE: The location of positions in this class may be found in the Minimum Qualifications Guide at your nearest Job Service office. For salary information, refer to the Iowa Department of Personnel classification and pay plans at the same location.

Adopted: 12/29/75

Revised: 7/19/85 JG



## MOTOR VEHICLE OFFICER 3

### DEFINITION

Under administrative supervision, maintains supervisory responsibility in an assigned district for the enforcement or investigation of non-compliance with the laws and regulations pertaining to vehicles being operated or sold in a specific district of the state; performs related work as required.

### ILLUSTRATIVE EXAMPLES OF WORK PERFORMED

Supervises and evaluates the work of subordinates; recommends personnel actions related to selection, disciplinary procedures, performance, leaves, grievances, work schedules and assignments; administers personnel policies and procedures.

Advises subordinates on motor vehicle enforcement rules and regulations and escort duty based on instructions and general schedules received from the central office.

Instructs, observes, and assists subordinates at permanent and temporary weigh stations.

Directs subordinate officers responsible for inspecting vehicles and monitoring the proper operation of vehicle inspection stations and vehicle dealerships.

Directs subordinate officers in the investigation of stolen vehicles or vehicles with fraudulent odometer readings or vehicle identification numbers.

Reviews officers' daily and weekly reports and compiles and completes reports concerning enforcement, investigation and other activities in the assigned district.

Investigates complaints of buildings, mobile homes, and machinery that have been moved or escorted illegally and/or without permits.

Instructs contractors, mobile home movers, and other interested parties on laws and regulations governing the use of state highways.

Keeps informed on the status of court cases within the district; acts as liaison between subordinate motor vehicle officers and other law enforcement and court officials.

### KNOWLEDGES, ABILITIES, SKILLS, AND PERSONAL CHARACTERISTICS

Knowledge of state laws and Department of Transportation regulations and procedures relating to commercial vehicle traffic using primary highways and secondary roads within the state.

Knowledge of court procedures and legal proceedings.

Knowledge of the principles and practices of modern supervisory methods.

Ability to express ideas and thoughts clearly and effectively both orally and in writing in order to relate policy and instruction to subordinate officers and report on their activities.

Ability to interpret and enforce regulations impartially and tactfully.

## MOTOR VEHICLE INVESTIGATOR

### DEFINITION

Under general supervision, performs field inspection and investigation work relating to car theft, vehicle registration, vehicle dealer licensing, and vehicle safety inspection programs; performs related work as required.

### ILLUSTRATIVE EXAMPLES OF WORK PERFORMED

Conducts investigations concerning misdemeanor or felony violations of the motor vehicle registration, odometer, vehicle recyclers, dealer licensing, and inspection laws by; obtaining statements from witnesses, checking documents and records for authenticity; and collaborating with county attorneys in developing cases for prosecution.

Contacts county treasurers offices in a multiple county area to convey information with respect to, or assist with, problems relating to motor vehicle registration.

Examines state documents and registration plates held by county treasurers to insure that programs are in compliance with state regulations.

Inspects specially constructed or reconstructed vehicles to determine proper registration legality of body or equipment.

Inspects buildings, reviews zoning firewall requirements, and reviews leases of persons making application for new or used car dealer licenses; inspects all truck, mobile homes, camper, and trailer dealer license applications.

Investigates alleged fraudulent practices relating to the sale or transfer of motor vehicles, alteration of vehicle serial number, falsification of notary seal, failure to collect fees, and/or similar cases of non-compliance with provisions of the Iowa Code or departmental regulations.

Documents investigations in order to indicate the status of the cases by compiling written reports.

Reviews the records of licensed dealer and vehicle recyclers for compliance with Iowa Codes provision and departmental rules and regulations.

Investigates complaints and testifies at hearings relating to complaints involving dealers.

Resolves complaints against commercial carriers for poor freight service and difficulties in collecting freight damage settlements.

Compares freight bills with published rates (tariff) obtained from the operator to insure that proper rates are computed and charged.

## SECRETARY I

DEFINITION

Under general supervision, assists a manager, supervisor or program head in carrying out their program responsibilities by providing general clerical, typing, stenographic and related non-technical support services of limited to moderate diversity and scope; performs related work as required.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED

Relieves superior of routine administrative details such as requisitioning or ordering purchases, checking operating reports for accuracy and for conformance to policies and standards, maintaining budgetary status information, and assisting in preparing agendas for meetings.

Types correspondence and numerous materials either from drafts, dictating machine or shorthand notes; may take and transcribes minutes of meetings or conferences in shorthand or by other means and prepares drafts of proceedings; composes and types routine letters, notices, and other material as follow-up actions.

Provides information on office policies and activities to the public and staff members on request and prepares periodic reports by summarizing data from available sources; relays instructions and messages of superior; informs personnel of changes in office policies, procedures, or rules.

Maintains appointment schedules; receives visitors and answers telephone, screening calls and callers either disposing personally of matters or referring them to appropriate officials.

Maintains various records on office activities pertaining to personnel, budgeting, purchasing, and travel expenses by recording and projecting personnel status, transactions and expenditures.

Reads, sorts, and distributes incoming mail directed to the division, section, department or other unit; assigns requests for information or other routine materials to the proper unit for disposition; maintains control records of materials received, routed or assigned by the division, section, department or other unit.

Reviews the work of lower level clerical personnel for completeness and accuracy prior to necessary action or approval by the administrator of the division or agency.

KNOWLEDGES, ABILITIES, AND SKILLS

Knowledge of English: grammar, sentence structure, spelling and punctuation.

Knowledge of business arithmetic: addition, subtraction, multiplication and division, including fractions and percentages.

Knowledge of basic office methods and procedures.

Knowledge of good human relations practices.

Knowledge of basic principles of supervision.

ADOPTED: 7/1/69

REVISED: 2/15/78

CLASS CODE: 0002



VISITOR/BUREAU/OFFICE: MOTOR VEHICLE ENFORCEMENT

PERIOD: YEAR TO DATE FY 87-88

ITEM	MAY BUDGET ACTUAL	JUN BUDGET ACTUAL	JUL BUDGET ACTUAL	AUG BUDGET ACTUAL	SEP BUDGET ACTUAL	OCT BUDGET ACTUAL	NOV BUDGET ACTUAL	DEC BUDGET ACTUAL	JAN BUDGET ACTUAL	FEB BUDGET ACTUAL	MAR BUDGET ACTUAL	APR BUDGET ACTUAL	MAY BUDGET ACTUAL	JUNE BUDGET ACTUAL
Treasurer Contacts/FRX	453/288	788/503	1152/674	1605/951	1897/1178	2214/1464	2591/1717	2909/1939	3277/2177	3670/2444	4012/2675	4379/2900		
aler On-Sites	420	772	1138	1560	1857	2257	2555	2912	3394	3741	4110	4578		
aler Audits	240	465	670	914	1091	1324	1494	1695	1912	2156	2433	2629		
aining Received/Given	36	68	95	130	178	212	233	256	272	302	333	370		
iles Driven	85	154	114	159	160	188	233	298	364	404	455	493		
iving Time	49	101	125	178	224	298	325	367	404	432	464	496		
Investigative Time	196	390	418	599.50	774.50	782.50	811.50	979.50	1076.50	1359	1449	1549		
User Time	158	158	183	183	187	188	188	188	188	188	191	197		
man Time/Total Hours	171.00	233.25	311.50	1,005.00	1,310.00	1,350.75	1,709.75	1,947.25	2,014.25	2,261.25	2,377.75	2,644.75		
Office Time/Inv.	24.00	65.00	71.00	335.50	442.50	442.50	442.50	509.50	517.00	534.00	541.00	551.00		
arges Filed/Abnings	49536	91971	132958	190960	226596	262239	307039	351661	395757	451919	491233	531114		
	48,437	86,575	130,383	191,965	228,755	270,081	304,863	343,927	393,218	434,024	434,064	434,115		
	1151.50	2,119.25	3,095.25	4,442.75	5,331.75	6,350.00	7,099.75	8,098	9,092	10,245.75	11,294.75	12,264		
	1,141.50	2,038.25	3,051.25	4,472.75	5,331.75	6,350.00	7,183.50	8,129.75	9,306.75	10,245.75	11,184.00	12,380.0		
	1653.25	3,079.25	4,527.75	6,499.25	7,790.75	9,195.75	10,846	12,461.25	14,189	16,201	17,727.25	19,329.75		
	1,843.75	3,350.49	4,880.24	6,514.74	7,790.74	9,293.24	10,447.74	11,885.49	13,816.74	15,150.24	16,847.99	18,581.4		
	1128.75	2054	3026.50	4,311.50	5,187.50	5,983.50	6,691.75	7,530.50	8,390	9,543.75	10,375	11,255.50		
	909.25	1,652.00	2,518.25	4,109.50	5,075.00	5,918.75	6,932.50	7,887.50	8,689.75	9,499.00	10,157.75	11,146.0		
	13	15	17	32.50	46.50	54.50	84	96.50	96.50	102.50	112.50	119.50		
	4064.25	7497.50	11011	1517.75	18913.25	21740.75	23358.25	28971.25	32682.50	37345	40567.50	44317.75		
	20.50	27.25	40.50	49.00	59.00	70.50	120.25	138.50	156.50	172.50	177.25	185.75		
	4,018.50	7,659.00	11,073.75	15,921.25	19,031.75	22,416.25	25,829.75	29,174.25	33,138.75	36,284.50	39,592.50	43,532.0		
	983.50	1641.75	2290	3060.50	3677.25	4258.25	4891.25	5504.75	6274.25	7029.75	7570.75	8276.50		
	410	691.50	950	1357.50	1711	1998	2426.75	2745	3173.75	3615	3967.75	4365.75		
	529.50	942.25	1,470.25	2,183.00	2,741.25	3,451.75	4,018.25	4,674.75	5,518.50	6,102.75	6,899.50	7,739.75		
	423.25	724.00	1,010.25	1,399.00	1,771.25	2,200.75	2,549.00	2,956.00	3,516.00	3,919.00	4,532.50	5,134.25		
	123/8	143/24	166/32	189/36	209/30	219/46	231/54	250/64	266/72	287/81	321/90	345/94		
	16	35	44	58	84	112	130	159	207	232	255	265		
	4	12	20	29	38	43	52	59	83	96	100	108		

**ATTACHMENT 2**



# Iowa Department of Transportation

5268 N.W. 2nd Avenue Des Moines, IA 50313 515-281-3047

October 10, 1988

Mr. Dan Ritter  
Legislative Fiscal Bureau  
State Capitol  
Des Moines, IA 50319

Dear Mr. Ritter:

Enclosed, you will find the Iowa Department of Transportation's response to your letter received by us on September 2, 1988.

This is the second report which addresses questions 2B, 2D and 2E. The first report we submitted, responded to question 2A and provided requested supportive documents.

If you have any questions, feel free to contact us at any time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph O. Ager".

Ralph O. Ager  
Director  
Motor Vehicle Enforcement

ROA:njh  
Enclosure

This report is respectfully submitted by the Iowa Department of Transportation in response to the Fiscal Bureau's study of the Motor Vehicle Enforcement Investigative functions.

October 10, 1988



The proposed transfer of Iowa Department of Transportation (DOT) motor vehicle enforcement investigators to another state department, presumably the Department of Public Safety (DPS), would not be in the best interests of the State of Iowa for a number of reasons:

- o Despite possible appearances to the contrary, there currently is virtually no duplication of efforts between the DOT's motor vehicle enforcement investigators and investigators in other state departments.
- o There would be a significant increase in costs in both the short and long term.
- o Such a move would disrupt the operation of the DOT's Motor Vehicle Division, and the department as a whole, making it unable to carry out certain functions mandated by the Code of Iowa and the Iowa Administrative Code. In addition, the lines of responsibility between state agencies would be blurred, creating the possibility of conflicts and confusion.
- o Lines of communication with other states, local authorities and other agencies and groups that have been developed over a long period of time, and which have a significant effect on the current effectiveness of the DOT motor vehicle enforcement investigators, would be disrupted. This would also diminish the ability of the investigators to carry out their required functions.

These points will be discussed in detail in following segments of this report.

Nothing in the reports which have been issued on this matter to date has questioned the competency of DOT motor vehicle enforcement investigators, so that issue will not be addressed.

## DUPLICATION OF SERVICES

A thorough comparison of the duties and responsibilities of the motor vehicle enforcement investigators with personal from DPS shows virtually no duplication of services.

The only area where there is an appearance -- to the untrained eye -- of duplication would be motor vehicle theft. However, DOT motor vehicle enforcement investigators do not investigate motor vehicle thefts; when they detect a motor vehicle theft situation, they refer the case to DPS vehicle theft troopers.

DOT motor vehicle enforcement investigators do inspect vehicles to ensure they are not made up of stolen vehicle parts, but this is done in cooperation with DPS troopers, not in competition with them.

The requirement that the DOT be involved in investigations of this nature was mandated in recently enacted legislation pertaining to salvage titles and inspection and verification of vehicle component parts used to rebuild motor vehicles.

The law requires all vehicles with a salvage title be examined to verify the vehicle identification number. These examinations are to be done by a peace officer from the DOT, DPS, county sheriff's offices or police departments of cities with a population of 5,000 or more. During calendar year 1987 there were 11,211 vehicles under salvage titles examined, with 70% of those inspections done by DOT motor vehicle enforcement inspectors. (DPS officers that conduct inspections are not the DPS vehicle theft troopers.) Some of the agencies which have been doing vehicle checks have indicated they are discontinuing that activity because of the liability involved, and the lack of time and staff. This will increase the percentage of inspections done by the DOT in 1988.

The DOT motor vehicle enforcement officers' relationship with other law enforcement agencies, local government, and private businesses, groups and individuals over the years has been one of cooperation, not competition. We

do not believe that situation would be improved by transferring the motor vehicle enforcement investigators to another agency.

A description of motor vehicle enforcement investigators' duties are contained in Appendix B.

#### COST

While the cost of transferring the motor vehicle enforcement investigators, records, equipment, and the necessary changing of the Iowa Code and the Iowa Administrative Code would not be insignificant, the real cost increase of such a transfer would accrue over the years.

The following cost comparisons are based on the assumption that, in the event of a transfer, the salary of the motor vehicle enforcement investigator would be the same as a DPS peace officer with similar years of experience. It is also assumed the motor vehicle enforcement investigators' retirement benefits would fall under the Peace Officers' Retirement (POR) plan if they were transferred to DPS. They are currently covered by Iowa Public Employees Retirement System (IPERS). To do otherwise would create a "second class citizen" status for them.

On the six-step (A - F) pay schedule the annual salary of motor vehicle enforcement investigators ranges from \$21,465.60 to \$26,332.80, while the range for DPS troopers is \$23,420.80 to \$28,891.20.

The following is a breakdown of the additional salary dollars which would be spent if the present 24 DOT motor vehicle enforcement investigators were transferred to DPS at the same pay grade step:

Number of investigators	Pay Grade Step	Additional Salary Cost After Transfer
1	B	\$ 2,017.60
1	C	\$ 2,184.00

2	D	\$ 3,702.40
4	E	\$ 7,904.00
16	F	\$40,934.40
ADDITIONAL INVESTIGATOR SALARY DOLLARS		<u>\$56,742.40</u>

The 24 motor vehicle enforcement investigators are supervised by four district captains. This level of supervision and expertise individuals in these four positions possess is necessary for the investigators to carry out their functions effectively and efficiently. Therefore, if the motor vehicle enforcement investigators were transferred, it would be essential to transfer these four captains, whose responsibilities are equivalent to a lieutenant position on the State Patrol. As with investigators, State Patrol salaries at this level are higher. The four motor vehicle enforcement captains are currently at step F. The comparison of their salaries to ISP lieutenants at the same step is:

	Total Annual Lieutenant/Captain Salaries
ISP	\$164,652.80
MVE	\$130,291.20
ADDITIONAL SALARIES	<u>\$ 34,361.60</u>

The same assumption used for the investigators was used for the motor vehicle enforcement captains: they would be transferred to the same step on the DPS pay schedule they now occupy on the DOT schedule, and their retirement benefits would fall under POR.

State contributions to the retirement plans for the investigators and captains

would also be higher if they transferred to DPS and thus were eligible for POR. The state contribution to IPERS is 5.75 percent of each employee's annual salary up to a maximum of \$24,000, while the state contribution to the POR plan is 16 percent. There is no salary cap for contributions to POR. A comparison of the total salaries paid, and the state's cost for retirement benefits, is shown below:

	Total Annual Salaries	State Contribution to Retirement Plan
ISP Investigators & Lieutenant	\$839,987.20	\$134,397.95
MVE Investigators & Captains	\$748,883.20	\$ 38,518.38
	<hr/>	<hr/>
ADDITIONAL COSTS OF TRANSFER	\$ 91,104.00	\$ 95,879.57

In addition, there would be additional costs for FICA and other employee benefits which are keyed to salaries. A more detailed discussion of costs is included in Appendix A.

Of course, the cost in human terms cannot be computed if the present motor vehicle enforcement investigator and captain positions were eliminated and recreated with new people in DPS. Also, the loss of the years of expertise cannot be translated to dollars, but there certainly would be a loss of efficiency and productivity for a number of years.

#### MOTOR VEHICLE ENFORCEMENT ROLE IN DOT

The Office of Motor Vehicle Enforcement is one of four offices which comprise the DOT's Motor Vehicle Division. The other three offices are Vehicle Registration, Motor Carrier Services and Driver Services.

While each office has distinct duties and responsibilities, they are all an integral part of the Motor Vehicle Division; each contributing to the overall accomplishments, goals and organizational objectives of the division and the department.

The Office of Motor Vehicle Enforcement has 133 employees, with only three administrators (a director and two assistant directors). This administrative personnel percentage of only 2.25 still provides an office which operates efficiently and in a very cost-effective manner.

Motor vehicle enforcement investigators serve the other three offices in the Motor Vehicle Division, investigative duties for the Office of Motor Vehicle Enforcement, and some investigative needs of the department as a whole. Motor vehicle enforcement investigators, captains and the office director are contacted on a daily basis by other offices of the Motor Vehicle Division and others to answer questions and comment on issues on which they have expertise. When one of the Motor Vehicle Division offices needs an investigator, the director of the Office of Motor Vehicle Enforcement is contacted and an investigator is assigned.

Removal of the investigators from the Motor Vehicle Division could significantly hamper the operations of the division because it would remove these direct lines of communication. A request for investigative services would become more cumbersome because it would involve two departments, meaning the request would probably have to be routed through the chains of command of both departments. The situation would also be complicated by having to consider the priorities of two departments in determining the investigators' assignments.

With the motor vehicle enforcement personnel no longer responsible to the Motor Vehicle Division director, his ability to ensure that goals of the division and department are accomplished would be impaired.

With the investigators reporting to another agency, that agency would, in effect, assume the role of regulating some of the in-house functions of the DOT as well as setting policy for the DOT, at least in an indirect manner.

Conversely, the DOT would be relinquishing its voice in setting policy relating to motor vehicle enforcement investigative issues.

The involvement of two agencies in a role such as this would understandably lead to delays and confusion, since one agency would have to contact the other for information. For example, on any matters relating to investigations, the Motor Vehicle Division director would have to contact DPS for information needed by the DOT director or Transportation Commission. Further, it might be necessary for a DPS representative to attend Transportation Commission meetings to answer questions and address issues concerning enforcement matters that involve the investigators.

Such a transfer would also raise the question of which agency would provide support for the investigators, since much of the data they need for their work is contained in DOT files, and is now readily available to them through DOT computer equipment.

At best, such a transfer would result in fragmentation and the blurring of lines of responsibility and accountability. At worst, it could jeopardize the present good working relationships of the two agencies, which would be detrimental to both departments and to the state as a whole.

#### COMMUNICATIONS/RELATIONS WITH OTHER AGENCIES

Currently both the DOT and DPS have good working relationships with local governmental agencies; the transfer of motor vehicle enforcement investigators to DPS would add a confusion factor that could jeopardize the current relationships.

One of the county offices which the motor vehicle enforcement investigators work with on a regular basis is the treasurer. County treasurers handle many DOT licensing and regulation functions at the local level, and motor vehicle enforcement investigators are regularly called on to answer their questions concerning applicable sections of the Iowa Code. In turn, the county treasurers provide motor vehicle enforcement investigators many investigative leads on violations of the Iowa Code as they relate to DOT functions. If the

investigators were transferred to DPS, the 99 county treasurers would then be working with two state agencies on matters previously handled by one. They would be performing duties for the DOT, but would have DOT assistance in any matters involving investigators. This could most certainly add a confusion factor at the local level.

Because of their expertise in matters involving registration, licensing and salvage inspections, motor vehicle enforcement investigators are frequently asked to assist local law enforcement personnel on cases involving those subjects. In addition, local law enforcement agencies request assistance from the motor vehicle enforcement investigators in locating hidden vehicle identification numbers and motor vehicle fraud cases. While these functions could be adequately handled by investigators under the jurisdiction of DPS, there would be a period of adjustment for the local authorities to become accustomed to working with a different state agency. This could create at least a temporary drop in effectiveness at the local level.

Motor vehicle enforcement investigators also work with a number of other public and private agencies which have similar interests, and these agencies are accustomed to working with the investigators in their role as DOT representatives. Again, the transfer of the investigators would create a certain amount of confusion as these agencies and groups adjust to working with a different state agency. (A list of some of the agencies and groups who work with the motor vehicle enforcement investigators are included in Appendix B.)

#### SUMMARY

The transfer of DOT motor vehicle enforcement investigators to DPS would:

- o be more costly.
- o not eliminate any significant duplication.
- o unnecessarily involve the DOT and DPS in each other's policy and



decision-making process.

- o hamper the day-to-day operations of the DOT.
- o increase confusion and result in at least a temporary decrease in the efficiency of other agencies and groups who regularly work with the investigators.

APPENDIX A

COST CONSIDERATIONS

One major item to consider in transferring motor vehicle enforcement investigators to the Department of Public Safety is the level of salaries for investigators.

Based on a pay scale with steps A - F, the salaries are as follows:

Step	MVE Investigator		DPS Trooper	
	Biweekly	Annual	Biweekly	Annual
A	\$825.60	\$21,465.60	\$900.80	\$23,420.80
B	864.00	22,464.00	941.60	24,481.60
C	900.80	\$23,420.80	984.80	25,604.80
D	941.60	24,481.60	1,012.80	26,332.80
E	984.80	25,604.80	1,060.80	27,580.80
F	1,012.80	26,332.80	1,111.20	28,891.20

Listed below are the current salary scales of the 24 MVE investigators and the cost of adjusting their pay to that of a State Trooper:

No.	Step	MVE Annual Salary	Trooper Annual Salary	Additional Cost
1	B	\$ 22,404.00	\$ 24,481.60	\$ 2,017.60
1	C	23,420.80	25,604.80	2,184.00
2	D	\$48,963.20	52,665.60	3,702.40
4	E	102,419.20	110,323.20	7,904.00
16	F	<u>421,324.80</u>	<u>462,259.20</u>	<u>40,934.40</u>
		\$618,592.00	\$675,334.40	\$56,742.40

The annual salary ranges for motor vehicle enforcement district captains and DPS lieutenants are:

MVE Captains	\$25,750.40 - \$32,572.80
DPS lieutenants	\$32,572.40 - \$41,163.20

The salaries of the four district motor vehicle enforcement captains, the comparable salaries of DPS lieutenants, and the differences are:

No.	Step	MVE Captain Annual Salary	DPS Lieutenant Annual Salary	Additional Cost
4	F	\$130,291.10	\$164,652.80	\$ 34,361.60

None of the additional cost figures listed above include costs such as FICA and employee benefits. One of the important benefits which would increase costs if the motor vehicle enforcement investigators were transferred to DPS is retirement.

Motor vehicle enforcement investigators are covered under the Iowa Public Employees Retirement System (IPERS). DPS officers have Peace Officers' Retirement (POR). Benefits available and the state's contributions vary between the two systems.

The difference from the employees' point of view is that under IPERS, full benefits begin at age 65 with 30 years of service; under POR they begin at age 55 and 22 years of service. Under IPERS a member with 30 years or more years of service may also retire at full benefits if the member's age plus years of service equals or exceeds 92. The member must be age 55 or older. ("Rule of 92") This means DPS officers can collect full retirement benefits earlier than their DOT counterparts, and with less service.

A comparison of IPERS and POR monthly retirement benefits for employees with a three-year high salary average of \$21,821.76 is shown below:

Age/Years of Service	IPERS	POR
55/22	\$303.10	\$943.97
65/30	\$909.31	\$943.97

The costs to the state for each system are significantly different. The comparison of the two plans include:

	IPERS	POR
State contribution	5.75%*	16%
Employee contribution	3.7%	3.1%

\*Maximum salary subject to state contribution is \$24,000 for IPERS. There is no maximum for POR.

Therefore, the cost of retirement benefits for the motor vehicle enforcement investigators at their present salaries, and the costs if they were on the same pay step in DPS, are:

No.	Step	Salary		State Contribution	
		MVE	DPS	IPERS	POR
<u>Investigators</u>					
1	B	\$22,464.00	\$24,481.60	\$1,291.68	\$3,917.06
1	C	23,420.80	25,604.80	1,346.70	4,096.77
2	D	48,963.20	52,665.60	2,760.00 <sup>1</sup>	8,426.50
4	E	102,419.20	110,323.20	5,520.00 <sup>2</sup>	17,651.71
16	F	421,324.80	462,259.20	22,080.00 <sup>3</sup>	73,961.47
<u>Captains/Lieutenants</u>					
4	F	130,291.10	164,652.80	5,520.00 <sup>2</sup>	26,344.49
TOTALS		\$748,883.20	\$839,987.20	\$38,518.38	\$134,397.95
DIFFERENCE		\$91,104.00		\$95,879.57	
ANNUAL ADDITIONAL COST OF SALARIES/RETIREMENT BENEFITS					<u>\$186,983.57</u>
1	IPERS cost based on \$48,000 (\$24,000 x 2)				
2	IPERS cost based on \$96,000 (\$24,000 x 4)				
3	IPERS cost based on \$384,000 (\$24,000 x 16)				

## APPENDIX B

### MOTOR VEHICLE ENFORCEMENT INVESTIGATOR DUTIES

Iowa Department of Transportation motor vehicle enforcement investigators duties are primarily related to ensuring the laws and administrative rules regulating registration and licensing of motor vehicles in Iowa are complied with. They also conduct investigations involving motor vehicle dealer licenses and driver licenses. The following descriptions amplify those duties.

#### SALVAGE TITLES

Under Iowa law -- Section 321.52(4) -- all motor vehicles with a marked value of \$500 or more before they are wrecked or declared salvage must have a salvage title. When a vehicle rebuilder or motor vehicle dealer acquires such a vehicle, the regular title must be turned in to the county treasurer and a salvage title obtained. The salvage title must be obtained within 14 days from the date the vehicle is assigned to the new owner.

All vehicles with a salvage title must be inspected to ensure all parts used for repair and the original vehicle are not stolen, and there were no fraudulent practices involved in the sale of the vehicle.

During the investigation, the motor vehicle enforcement investigator must verify the vehicle identification number (VIN) and its derivatives. This includes checking the public VIN, which is the plate normally visible through the windshield. The inspection must determine the plate was installed for the factory for that particular vehicle; letters and number formation must be checked to ensure it is factory stamped; the factory logo, if one is supposed to appear on the plate, is checked; the rivets holding the plate are inspected to ensure they are original; and the area around the plate is inspected for scratches or pry marks which might indicate the original plate has been tampered with or removed. If it is determined to be authentic, at least two other factory applied identifications numbers must be examined. These include:

- o the federal ID sticker which indicates the vehicle complies with federal safety and emission standards. This sticker or plate also contains the VIN, as well as its nation of origin.
- o the motor number die stamped into the engine block. This is an abbreviated serial number related to the VIN, and indicates the make, model year, and production plant.
- o the transmission number die stamped into the transmission case. This number will be the same as the motor number, and generally has been stamped with the same set of dies.
- o the frame number, which is a derivative of the VIN.
- o a confidential VIN derivative placed at a specified place by the manufacturer.

- o The build sheet, which is a sheet of paper put in the vehicle when it being assembled, that contains a breakdown of the public VIN and the options, motor type, etc. of the vehicle.

All areas where the inspected numbers are attached or stamped are thoroughly examined to ensure there has been no alterations of the number.

Once the VIN examination is completed, the number must be checked to ensure the number does not belong to a stolen vehicle; a short safety inspection is made; and the appropriate forms are completed to ensure future titles for the vehicle will identify it as rebuilt.

Vehicles which have suffered extensive damage must be inspected to determine the extent of damage, and to verify that component parts used to rebuild the vehicle are not from stolen vehicles. This inspection also determines whether future titles will indicate the vehicle has been rebuilt.

During calendar year 1987 there were 11,211 vehicles with salvage titles inspected, with each inspection taking approximately one and one-quarter hours. DOT motor vehicle enforcement investigators completed 70 percent of those inspections. These inspections are taking an average of three days per week of the motor vehicle enforcement investigators' time. Several enforcement agencies who have done these inspections are discontinuing that activity because of the liability involved, and the lack of time and personnel to conduct the inspections. Therefore, DOT motor vehicle enforcement investigators will conduct more of the examinations in 1988 than the previous year.

#### USE TAX INVESTIGATIONS

DOT motor vehicle enforcement investigators are called on to investigate whether buyers have avoided paying the full amount of sales tax on cars and trucks by misrepresenting the purchase price. They took over the responsibility for these cases in 1987, conducting 289 investigations. So far this year they have performed 206 use tax investigations.

#### ODOMETER FRAUD

The DOT became active in odometer investigations in the late 1970s, and in the early 1980s this had become a major concern for DOT enforcement. In 1984 the Iowa Legislature approved a measure to allow for 25 cents from each title transfer to be put in a fund for odometer enforcement. In 1988 that fund was extended to cover all vehicle fraud.

Odometer fraud investigations are complex. Generally originating with a consumer complaint or as a result of title reviews by the inspector at a county treasurer's office, they often require contacting a large number of individuals and offices. The investigation must include verification of all previous owners, states in which the vehicle was licensed, and all businesses the vehicle passed through. Once this information is gathered, the investigator prepares a flow chart to show the history of the vehicle. That is then sent to the Motor Vehicle Enforcement Office for a determination of whether the odometer has been turned back.

If there has been an odometer violation, the case is then sent to the State Attorney General's Office for prosecution. The attorney general also receives the case if no determination of fraud, but there is an odometer discrepancy.

When an Iowa auto dealer is involved, there may be hearings to decide whether the dealer's license should be suspended, or a warning issued.

#### DEALER LICENSE INVESTIGATIONS

Complaints about a dealer may originate with citizen, the DOT dealer license section, or a dealer. The investigator collects information by contacting the dealer and the person filing the complaint. After all the facts are gathered, the investigator determines whether has taken place, a citation is issued, and a case report written. The case report then goes to the motor vehicle enforcement captain, who forwards it and the disposition of the citation to the dealer license section. The dealer license section then forwards the information to a hearing officer, who rules whether a warning, revocation or suspension should be issued.

#### DRIVER LICENSE INVESTIGATIONS

Investigation of complaints concerning the licensing of driver are another recent additions to the work load of the motor vehicle enforcement investigators. These complaints may come from driver license examiners, local law enforcement agencies, or the DOT Office of Driver Services.

The complaint sent to the investigator contains a cover sheet explaining the code sections that were violated, a narrative explaining why the investigation is requested, and all pertinent documents on file with the Office of Driver Services.

The investigation is conducted in the same manner as all other investigations of criminal matters, and a case report is prepared to report the findings of the investigation. If criminal prosecution is to be initiated, the case report is submitted to the appropriate county attorney. The Office of Driver Services is also notified of the ultimate disposition of the matter.

Because of the wide range of matters the motor vehicle enforcement investigators are called on to deal with, their contacts are also widespread. Agencies or groups, inside and outside the DOT, which they may regularly contact include:

DOT Bureau of Policy & Information	DOT Data Processing
Assistant Attorney General heading legal staff for DOT	Iowa Attorney General
DOT Office of Vehicle Registration	DOT Office of Motor Carrier Services
DOT Office of Driver Services	DOT Dealer License Section
Iowa consumers	Other states' attorneys general

Enforcement officials of other states	Records & motor vehicle departments in other states
Iowa Department of Inspection & Appeals	Iowa auto dealers
Iowa Auto Dealers Association	Private attorneys
County attorneys	County treasurers
Bonding companies	Auto auctions
National Highway Traffic Safety Administration	Local police departments
National Auto Theft Bureau	Retail businesses
Local school district driver education program personnel	Iowa DOT driver license stations
Iowa Department of Revenue	Motor vehicle leasing companies
Iowa Auto Dismantler & Recyclers Association	Iowa Law Enforcement Academy
Local zoning offices	Iowa recyclers
	Iowa DOT Office of Right of Way



ATTACHMENT 3



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

GENE W. SHEPARD, COMMISSIONER

October 18, 1988

Mr. Daniel Ritter  
Legislative Fiscal Bureau  
Iowa General Assembly  
State Capitol Building  
Des Moines, IA 50319  
L O C A L

Dear Mr. Ritter:

I am enclosing the response of the Iowa Department of Public Safety to your questions regarding the possible transfer of Department of Transportation Motor Vehicle Investigators to this agency.

Please let me know if you require further information.

Very truly yours,

*Larry L. Noble*  
CAPTAIN LARRY L. NOBLE *by Roberta Radn*  
Executive Assistant  
Iowa Department of Public Safety

LLN:ecw  
Enc.

Iowa Department of Public Safety  
Impact Statement: Proposed Transfer  
of DOT Motor Vehicle Investigators  
and Functions to DPS  
October 18, 1988

If directed to assume responsibility for the motor vehicle investigation function, the Department of Public Safety will undertake measures to effect a smooth and orderly transfer of Iowa Department of Transportation Motor Vehicle Division Investigators and associated functions. Such a transfer of personnel, responsibilities, and assets will impact upon the Department of Public Safety in the following areas:

1. Preliminary research shows that both the Iowa Code and the Iowa Administrative Rules will need revisions in selected chapters in order to support the transfer of personnel and responsibilities. Administrative, regulatory, and enforcement requirements will need to be compatible with mandated responsibilities. Amendments to several Code chapters will need to be made to separate and clarify responsibility for these three areas.
2. Personnel impacts include the following considerations:
  - a. The Table of Organization provided by the Department of Transportation identifying positions to be transferred reflects the following: 24 investigators, 4 supervisors, 4 clerical support staff, and one Assistant Director. It was agreed during a joint Iowa Department of Transportation and Department of Public Safety meeting on October 3, 1988 that the current staffing level (24 investigator positions, of which two are currently vacant), is inadequate to accomplish the mandated responsibilities. Iowa Department of Transportation officials estimate that the investigator strength needs to be increased by one-third (1/3) from a level of 24 to a level of 32 investigators to handle current work loads. This need for additional investigators does not include any added responsibilities, as cited below under paragraph 3a (terminal audits). The number of field supervisors and field clerical support staff needs to be increased proportionately. Clerical and accounting staff required to support central office operations also needs to be increased from the furnished Table of Organization number to a minimum of two clerical positions. Department of Public Safety planning efforts would also need to provide for administrative direction of this unit.
  - b. Both Departments use the Iowa Department of Personnel Pay & Classification Plan; however, the pay and classifications of transferred personnel will need eventually to be integrated with comparable Department of Public Safety Classifications, which may also entail eventual transfer of some personnel/positions from one retirement system to another.

- c. Personnel transferred will need to be fully trained, competent, and physically fit to undertake the full-time duties, as required by the applicable job descriptions. As per Iowa Department of Transportation officials, the "terminal audit" portion of the Motor Carrier Safety Action Program is not presently being administered, but will be once training of investigators is completed in late 1988 or early 1989. These terminal audits are an added responsibility.
3. Support requirements include the following impacts:
    - a. Personnel activity and operational files to include payroll records, performance evaluations, retirement program data, and data processing software will be needed to complete the transfer.
    - b. Existing or adjusted budgets, funds or accounts required to support the transferred personnel, plus any additional personnel and equipment to include retirement programs and vehicles, will need to be transferred.
    - c. Equipment and vehicle assets, including any accumulated depreciation accounts currently assigned to investigator operations, need to be transferred, including funds designated for terminal audits, as provided under the M.C.S.A.P. Program.
  4. Geographic assignments and office space requirements have an operational impact. Geographic assignments will be made based upon an analysis of task accomplishment and legislative mandates. At the present, Department of Transportation investigators are headquartered in communities in which the Department of Public Safety maintains district offices. Physical office space requirements for investigators will impact upon limited, existing space availability at district and central office sites.

DJ/JB/lk  
10-18-88

ATTACHMENT 4

A Report on the

RESTRUCTURING AND DOWNSIZING  
of  
IOWA STATE GOVERNMENT



Prepared by

PEAT, MARWICK, MITCHELL & CO.

December 1985

(14) DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety is a statewide law enforcement and public safety agency that complements and supplements local law enforcement agencies and inspection services. A more encompassing Department of Public Safety is created by consolidating the following departments, divisions of departments, or councils:

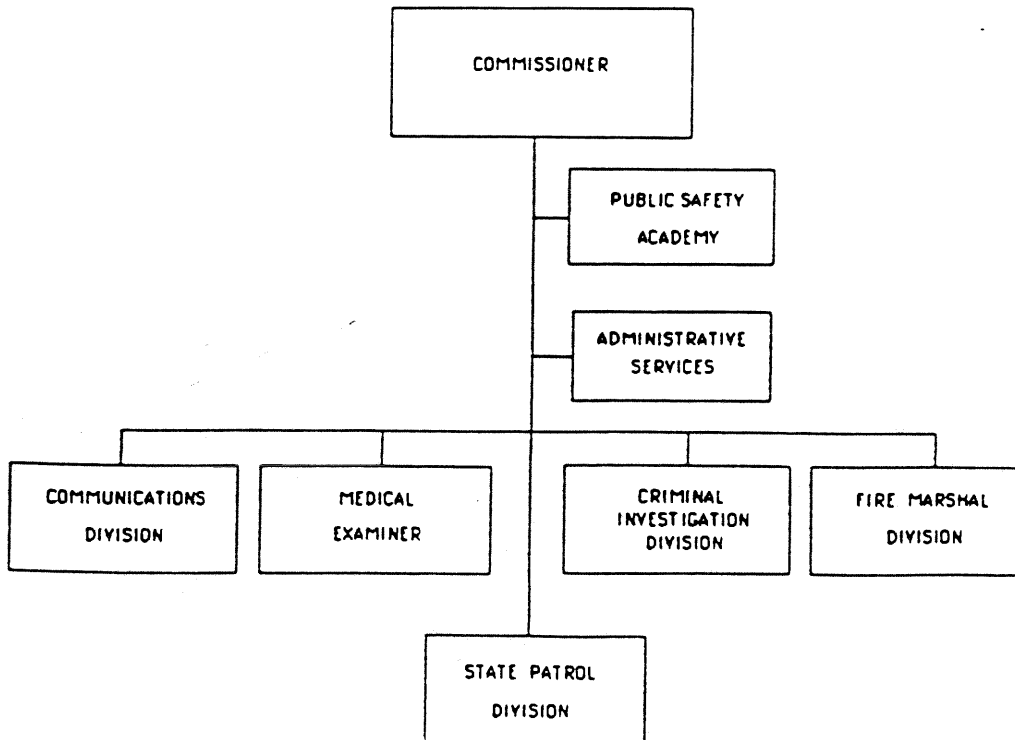
- Department of Public Safety;
- Law Enforcement Council;
- Public Safety Academy (a combined law enforcement and corrections training effort);
- Motor Vehicle Enforcement Division of the Department of Transportation;
- Building Code Advisory Council; and
- Medical Examiner.

The establishment of a more encompassing Department of Public Safety will allow the State to better utilize its people, resources, improve the coordination of public safety activities, and achieve personnel and cost savings by reducing the number of managerial, field, and support positions required.

EXHIBIT III.17 provides an organizational chart of the reorganized, more encompassing Department of Public Safety.

EXHIBIT III.17

DEPARTMENT OF PUBLIC SAFETY



As shown in EXHIBIT III.17, the Department of Public Safety will consist of six major divisions, with the primary changes from the current organizational structure being the addition of divisions for the Medical Examiner and Public Safety Academy and the inclusion of Motor Vehicle Enforcement under the State Patrol Division.

### Recommendations

The recommendations associated with a more encompassing Department of Public Safety and the related downsizing opportunities include:

- Consolidate the Iowa Law Enforcement Academy under the Department of Public Safety;
- Consolidate Motor Vehicle Enforcement under the Department of Public Safety;
- Eliminate Crime Prevention Program; and
- Eliminate community service officers.

In addition to improving control and coordination of public safety services, these recommendations should result in a total estimated general fund savings of \$168,700 and 6.5 full-time equivalent positions.

- Consolidate the Iowa Law Enforcement Academy Under the Department of Public Safety

Currently, the Iowa Law Enforcement Academy (ILEA) operates as a separate agency. By consolidating the ILEA under the Department of Public Safety, restructuring and reassigning duties within the combined agency, and streamlining operations, an estimated savings of 4.5 full-time equivalent positions and \$114,400 will be achieved.

- Consolidate Motor Vehicle Enforcement Under the Department of Public Safety

Responsibility for enforcement of motor carrier laws and regulations currently rests in the Department of Transportation, Division of Motor Vehicle Enforcement.



By transferring this responsibility and division to the Department of Public Safety, streamlining operations, and utilizing other public safety officers to assist in motor vehicle enforcement efforts, a savings of Federal monies and positions estimated at 77 full-time equivalent positions and \$1,958,000 will be achieved for use in highway construction efforts.

- **Shift Crime Prevention Program**

The Crime Prevention Program provides a coordinating body to assist local communities in organizing "crime stopper" programs, which solicit the reporting of suspected criminal activity. The program accomplishes this by providing training and materials to local communities.

Since the program has been in existence for several years, much information and training has been disseminated to the local communities. Crime prevention programs can be shifted to these trained communities for estimated savings of 2 full-time equivalent positions and \$54,300.

- **Eliminate Community Service Officers**

Currently, the Iowa Highway Patrol has fourteen community service officers located throughout the State, who provide assistance to local communities in crime prevention programs and function in a public relations role by working with communities and school districts and sponsoring safety education programs.

Due to the lower-priority need for this community service function and in coordination with the shifting of crime prevention programs to the local communities, elimination of community service officers will result in a Federal savings estimated at 14 full-time equivalent positions and \$447,400.