

## PUBLIC SAFETY DEPARTMENT[661](cont'd)

b. Location in efficiency dwelling units and hotels. In efficiency dwelling units, in hotel suites and in hotel sleeping rooms, detectors shall be located on the ceiling or wall of the main room or hotel sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located.

**661—210.3(100) Smoke detectors—notice and certification of installation.**

**210.3(1)** Notice of installation. An owner of a rental residential building containing two or more units, who is required by law to install smoke detectors, shall notify the local fire department upon installation of required smoke detectors.

**210.3(2)** Certification—single-family dwelling units. A person who files for a homestead tax credit pursuant to Iowa Code chapter 425 shall certify that the single-family dwelling unit for which the credit is filed has a smoke detector(s) installed in accordance with subrule 210.2(6) and paragraph 210.2(11)“a,” or that such smoke detector(s) will be installed within 30 days of the date of filing for credit.

**210.3(3)** Reports to fire marshal. Each county or city assessor charged with the responsibility of accepting homestead tax credit applications shall obtain certification of smoke detection on a form acceptable to the state fire marshal, signed by the person making application for credit, and shall file a quarterly report with the fire marshal listing the name and address and stating whether applicant attested to a detector(s) being present at the time of application or that a detector(s) would be installed as required within 30 days.

**661—210.4(100) Smoke detectors—new and existing construction.**

**210.4(1)** New construction. All multiple-unit residential buildings and single-family dwellings which are constructed after July 1, 1991, shall include the installation of smoke detectors meeting the requirements of rule 661—210.1(100) and rule 661—210.2(100).

**210.4(2)** Existing construction. All existing single-family units and multiple-unit residential buildings shall be equipped with smoke detectors as required in paragraph 210.2(11)“a.”

These rules are intended to implement Iowa Code section 100.18.

[Filed 11/2/06, effective 1/1/07]

[Published 11/22/06]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/22/06.

**ARC 5559B****PUBLIC SAFETY  
DEPARTMENT[661]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 691.3, the Department of Public Safety hereby rescinds Chapter 12, “Criminalistics Laboratory,” and adopts a new Chapter 150, “Division of Criminal Investigation Criminalistics Laboratory,” Iowa Administrative Code.

Iowa Code chapter 691 creates a State Criminalistics Laboratory under the supervision of the Commissioner of Public Safety and authorizes the Commissioner to assign the laboratory to a division or bureau within the Department. Further, the Commissioner of Public Safety is required to adopt rules regarding the capabilities of the laboratory and procedures for submitting evidence to the laboratory for analysis.

The administrative rules for the Criminalistics Laboratory, contained in Iowa Administrative Code 661—Chapter 12, have become outdated. The rules adopted herein update those outdated provisions. In addition, the Department's rules generally are being renumbered, which is intended to make the rules more accessible to members of the public and to persons subject to the provisions of these rules. In coordination with that initiative, Chapter 12 is rescinded and replaced with a new Chapter 150.

These rules were proposed in a Notice of Intended Action published in the Iowa Administrative Bulletin on September 13, 2006, as **ARC 5374B**. A public hearing on these amendments was held on October 5, 2006. One comment was received, pointing out that proposed subrule 150.4(1) was problematic, in that it provided for submission of evidence to the laboratory only by a law enforcement agency. The Criminalistics Laboratory receives evidence from the Iowa Department of Corrections and from other criminal and juvenile justice agencies. Subrule 150.4(1) has been revised to reflect that the laboratory does receive evidence from criminal and juvenile justice agencies other than law enforcement agencies. Other than this change, the rules adopted herein are identical to those proposed in the Notice of Intended Action. Subrule 150.4(1) now reads as follows:

“**150.4(1)** Evidence may be submitted to the laboratory by:

“a. Any law enforcement agency in Iowa;

“b. The Iowa department of corrections;

“c. Any other criminal or juvenile justice agency, with the approval of the laboratory administrator; or

“d. Any other state agency, with the approval of the laboratory administrator.”

These amendments will become effective January 1, 2007.

These amendments are intended to implement Iowa Code chapter 691.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [rescind Ch 12; adopt Ch 150] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 5374B**, IAB 9/13/06.

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**ARC 5558B****PUBLIC SAFETY  
DEPARTMENT[661]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 17A.3 and 321.4, the Department of Public Safety hereby rescinds Chapter 19, “Missing Person Information Clearinghouse,”