

CHAPTER 1121

REGISTRATION OF VESSELS

H. F. 1359

AN ACT relating to the registration of vessels.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred six point four (106.4), Code
 2 1973, is amended to read as follows:
 3 **106.4 Operation of unnumbered ~~motorboats~~ vessels prohibited.**
 4 Every undocumented ~~motorboat~~ vessel on the waters of this state
 5 under the jurisdiction of the state conservation commission and
 6 waters specifically delegated to local authorities shall be numbered.
 7 No person shall operate, maintain or give permission for the opera-
 8 tion or maintenance of any such vessel on such waters unless the
 9 vessel is numbered in accordance with this chapter or in accordance
 10 with applicable federal laws or in accordance with a federally ap-
 11 proved numbering system of another state and unless the certificate
 12 of number awarded to such vessel is in full force and effect and the
 13 identifying number set forth in the certificate of number is displayed
 14 on each side of the bow of such vessel.

1 SEC. 2. Section one hundred six point five (106.5), Code 1973, is
 2 amended to read as follows:
 3 **106.5 Registration and identification number.**
 4 1. The owner of each ~~motorboat~~ vessel required to be numbered by
 5 this state shall register it every two years with the county recorder
 6 of the county in which the owner resides, or, if the owner is a non-
 7 resident, he shall register it in the county in which such ~~motorboat~~
 8 vessel is principally used. The commission shall have supervisory
 9 responsibility over the registration of all ~~motorboats~~ vessels and shall
 10 provide each county recorder with registration forms and certificates
 11 and shall allocate identification numbers to each county.
 12 The owner of such ~~motorboat~~ vessel shall file an application for
 13 registration with the appropriate county recorder on forms provided
 14 by the commission. The application shall be completed and signed by
 15 the owner of the ~~motorboat~~ vessel and shall be accompanied by a fee
 16 of ~~four~~ eight dollars for each motorboat or sailboat, four dollars for
 17 any other vessel without sail or motor, and a writing fee of fifty cents.
 18 Upon receipt of the application in approved form accompanied by the
 19 required fees, the county recorder shall enter the same upon the rec-
 20 ords of his office and shall issue to the applicant a pocket-size regis-
 21 tration certificate. The certificate shall be executed in triplicate, one
 22 copy to be delivered to the owner, one copy to the commission, and
 23 one copy to be retained on file by the county recorder. The registra-
 24 tion certificate shall bear thereon the number awarded to such ~~motor-~~
 25 ~~boat~~ vessel, the passenger capacity of such vessel and the name and
 26 address of the owner. The registration certificate shall be carried
 27 either in the ~~motorboat~~ vessel or on the person of the operator of such
 28 vessel when in use.
 29 The owner shall cause the identification number to be painted on or
 30 attached to each side of the bow of the ~~motorboat~~ vessel in such size

31 and manner as may be prescribed by the rules and regulations of the
32 commission and shall be maintained in a legible condition at all times.

33 No number, other than the number awarded to a vessel under the
34 provisions of this chapter or granted reciprocity pursuant to this
35 chapter, shall be painted, attached or otherwise displayed on either
36 side of the bow of such vessel.

37 The owner of each vessel must display and maintain, in a legible
38 manner and in a prominent spot on the exterior of such vessel, other
39 than the bow, the passenger capacity of the vessel which must con-
40 form with the passenger capacity designated on the registration
41 certificate.

42 ~~2. The owner of any vessel already covered by a number in full
43 force and effect, which has been awarded to it pursuant to then oper-
44 ating federal law, shall not be required to register such vessel under
45 the provisions of this chapter for one year from the date of approval
46 of such numbering system by the United States coast guard unless
47 such number expires prior to that time.~~

48 ~~3 2.~~ When an agency of the United States government shall have
49 in force an over-all system of identification numbering for ~~motorboats~~
50 *vessels*, the numbering system prescribed by the commission pursuant
51 to this chapter, shall be in conformity therewith.

52 ~~4 3.~~ Every registration certificate and number issued hereunder
53 shall become delinquent at midnight April 30 ~~1969~~ 1975, and every
54 two years thereafter unless sooner terminated or discontinued in
55 accordance with the provisions of this chapter. After the first day
56 of January in odd-numbered years any unregistered vessels and
57 renewals of registrations may be so registered for the subsequent
58 biennium beginning May ~~1~~ *first*. ~~After the first day of January in~~
59 ~~even-numbered years any unregistered vessels may be registered for~~
60 ~~the remainder of the current biennium and such registration shall be~~
61 ~~at the rate of two dollars and a writing fee of fifty cents. After the~~
62 ~~first day of January in even-numbered years any unregistered motor-~~
63 ~~boat or sailboat may be registered at the rate of four dollars and any~~
64 ~~other unregistered vessel without sail or motor may be registered at~~
65 ~~the rate of two dollars for the remainder of the current biennium,~~
66 ~~plus a writing fee of fifty cents for each registration. All registra-~~
67 ~~tions shall become delinquent as hereinabove stated. Registration~~
68 ~~certificates and numbers may be renewed upon application of the~~
69 ~~owner in the same manner as provided for in securing the original~~
70 ~~registration.~~

71 If a timely application for renewal is made, the applicant shall
72 receive the same registration number allocated to him for the pre-
73 vious registration period. If the application for registration for the
74 biennium is not made before May ~~1~~ *first* of each odd-numbered year,
75 the applicant shall be charged a penalty of one dollar for each six
76 months, or any portion thereof, he is delinquent. Provided, however,
77 that if the registration is not renewed for two consecutive registra-
78 tion periods, the number of said delinquent registration may be as-
79 signed to another applicant, and upon application for registration by
80 said delinquent registrant, he shall be assigned a new registration
81 number and shall not be charged any penalties.

82 ~~5 4.~~ Whenever any person, after registering a vessel, moves from
83 the address shown on the registration certificate, he shall, within ten

84 days, notify the county recorder in writing of his old and new address.
 85 *If appropriate, the county recorder shall forward all past records of*
 86 *such vessel to the recorder of the county in which the owner resides.*

87 Whenever the name of any person, who has registered a vessel, is
 88 thereafter changed by marriage or otherwise, he shall, within ten
 89 days, notify the county recorder of such former and new name.

90 No fee shall be paid to the county recorder for making the afore-
 91 mentioned changes, unless the owner requests a new registration
 92 certificate showing the change, in which case a fee of one dollar plus
 93 a twenty-five-cent writing fee shall be paid to the recorder.

94 If a registration certificate is lost, mutilated or becomes illegible,
 95 the owner shall immediately make application for and obtain a dupli-
 96 cate registration certificate by furnishing information satisfactory
 97 to the county recorder.

98 A fee of one dollar plus a twenty-five-cent writing fee shall be paid
 99 to the county recorder for a duplicate registration certificate.

100 If a vessel, registered under the provisions of this chapter, is de-
 101 stroyed or abandoned, such destruction or abandonment shall be
 102 reported to the county recorder and the registration certificate shall
 103 be forwarded to the office of the county recorder within ten days after
 104 such destruction or abandonment.

105 § 5. All records of the commission and the county recorder, other
 106 than those declared by law to be confidential for the use of the com-
 107 mission and the county recorder, shall be open to public inspection
 108 during office hours.

1 SEC. 3. Section one hundred six point twenty-three (106.23), sub-
 2 section four (4), Code 1973, is amended to read as follows:

3 4. The commission is hereby authorized to suspend or revoke the
 4 certificate of registration of a ~~motorboat~~ vessel registered under the
 5 provisions of this chapter when:

6 a. It is satisfied that such registration certificate was fraudulently
 7 or erroneously obtained.

8 b. It determines that a registered ~~motorboat~~ vessel is unsafe to be
 9 operated on waters of the state under the jurisdiction of the commis-
 10 sion.

11 c. A registered ~~motorboat~~ vessel has been abandoned or wrecked.

12 d. Identification numbers are knowingly displayed on a ~~motorboat~~
 13 vessel other than the one to which assigned.

1 SEC. 4. Section one hundred six point thirty-five (106.35), Code
 2 1973, is amended to read as follows:

3 106.35 **Special certificate for manufacturer or dealer.** A manu-
 4 facturer or dealer owning any ~~motorboat~~ vessel required to be regis-
 5 tered under the provisions of this chapter may operate the same for
 6 purposes of transporting, testing, demonstrating, or selling the same
 7 without registering each such ~~motorboat~~ vessel, provided that any
 8 such ~~motorboat~~ vessel displays thereon a special certificate issued to
 9 such owner as provided in this chapter. This special certificate may
 10 not be used for any ~~motorboat~~ vessel offered for hire or for any work
 11 or service ~~motorboats~~ vessels owned by a manufacturer or dealer.

1 SEC. 5. Section one hundred six point forty (106.40), Code 1973,
 2 is amended to read as follows:

3 **106.40 Record of use.** Every manufacturer or dealer shall keep a
 4 written record of the ~~motorboats~~ *vessels* upon which such special cer-
 5 tificates are used, which record shall be open to inspection by any law
 6 enforcement officer or any officer or employee of the commission.

1 SEC. 6. Section one hundred six point forty-two (106.42), Code
 2 1973, is amended to read as follows:

3 **106.42 List of used boats on hand furnished.** Dealers using spe-
 4 cial certificates* under the provisions of this chapter shall, before May
 5 ~~5~~ *fifth* of each year, furnish the commission with a list of all used
 6 ~~motorboats~~ *vessels* held by them for sale or trade, and upon which the
 7 registration fee for the current year has not been paid, giving the
 8 previous registration number, name of previous owner at the time
 9 such ~~motorboat~~ *vessel* was transferred to the dealer, and such other
 10 information as the commission may require.

1 SEC. 7. Section one hundred six point forty-three (106.43), Code
 2 1973, is amended to read as follows:

3 **106.43 Transfer of ownership.** Upon the transfer of ownership
 4 of any ~~motorboat~~ *vessel*, the owner, except as otherwise provided by
 5 this chapter, shall complete the form on the back of the registration
 6 certificate and shall deliver it to the purchaser or transferee at the
 7 time of delivering the ~~motorboat~~ *vessel*.

1 SEC. 8. Section one hundred six point forty-five (106.45), Code
 2 1973, is amended to read as follows:

3 **106.45 Transfer by dealer.** When the purchaser or transferee of
 4 a ~~motorboat~~ *vessel* is a dealer who holds the same for resale and
 5 operates the ~~motorboat~~ *vessel* only for purposes incident to a resale
 6 and displays thereon his special dealers' certificate, or does not oper-
 7 ate such ~~motorboat~~ *vessel* or permit it to be operated, such transferee
 8 shall not be required to obtain a new registration certificate but upon
 9 transferring his title or interest to another person he shall sign the
 10 reverse side of the registration certificate of such ~~motorboat~~ *vessel*
 11 indicating the name and address of the new purchaser.

1 SEC. 9. Section one hundred six point forty-six (106.46), Code
 2 1973, is amended to read as follows:

3 **106.46 Purchase of registered ~~boat~~ *vessel* by dealer.** Whenever a
 4 dealer purchases or otherwise acquires a ~~motorboat~~ *vessel* registered
 5 in this state, he shall issue a signed receipt to the previous owner,
 6 indicating the date of purchase or acquisition, the name and address
 7 of such previous owner, and the registration number of the ~~motorboat~~
 8 *vessel* purchased or acquired. The original receipt shall be delivered
 9 to the previous owner and one copy shall be mailed or delivered by
 10 the dealer to the county recorder of the county in which the ~~motorboat~~
 11 *vessel* is registered, and one copy shall be delivered to the commission
 12 within forty-eight hours.

1 SEC. 10. Section one hundred six point forty-eight (106.48), Code
 2 1973, is amended to read as follows:

3 **106.48 Sales by dealer.** Upon the sale of a ~~motorboat~~ *vessel* by a
 4 manufacturer or dealer, the purchaser shall within five days make
 5 application for registration and he may operate the ~~motorboat~~ *vessel*
 6 without its individual identification number thereon for a period of

*According to enrolled Act

7 not more than ten days after the purchase date, provided that during
8 such period the ~~meterbeat~~ vessel shall have attached thereto, in ac-
9 cordance with the provisions of this chapter, a pasteboard card bear-
10 ing the words "registration applied for" and the special certificate
11 number of the dealer from whom the ~~meterbeat~~ vessel was purchased
12 together with the date of purchase plainly stamped or stenciled
13 thereon.

1 SEC. 11. Section one hundred six point fifty-one (106.51), Code
2 1973, is amended to read as follows:

3 **106.51 County recorder—duties.** The county recorder shall be
4 responsible for all fees and penalties for the issuance of ~~meterbeat~~
5 vessel registrations. All unused registration certificates shall be sur-
6 rendered to the commission upon demand.

1 SEC. 12. Section one hundred six point fifty-five (106.55), Code
2 1973, is amended to read as follows:

3 **106.55 Sales or use tax to be paid before registration.** No ~~meter-~~
4 ~~beat~~ vessel shall be registered by the county recorder until there has
5 been presented to the recorder receipts, bills of sale, or other satis-
6 factory evidence that the sales or use tax has been paid for the pur-
7 chase of ~~said~~ ~~beat~~ the vessel. If the owner of the ~~meterbeat~~ vessel is
8 unable to present satisfactory evidence that the sales or use tax has
9 been paid, the county recorder shall collect ~~said~~ the tax. On or before
10 the tenth day of each month, the county recorder shall remit to the
11 department of revenue the amount of the taxes so collected during the
12 preceding month, together with an itemized statement on forms fur-
13 nished by the department of revenue showing the name of each tax-
14 payer, the make and purchase price of each ~~meterbeat~~ vessel and
15 motor, the amount of tax paid, and such other information as the
16 department of revenue shall require.

Approved May 27, 1974

CHAPTER 1122

FISH AND GAME

H. F. 158

AN ACT relating to fish and game.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred nine point twenty-three (109.23),
2 Code 1973, is amended to read as follows:

3 **109.23 Transportation for sale prohibited.** It shall be unlawful for
4 any person, firm, or corporation, *except as otherwise provided*, to offer
5 for transportation or to transport by common carrier or vehicle of any
6 kind, to any place within or without the state, for the purposes of sale,
7 any of the fish, game, animals, or birds taken, caught, or killed within
8 the state, or to peddle any of such fish, game, animals, or birds.