

1 SEC. 2. Section three hundred twenty-one E point fourteen
2 (321E.14), Code 1973, is amended to read as follows:

3 321E.14 Fees for permits. The commission or local authorities
4 issuing such permits shall charge a fee of ten dollars for an annual
5 permit and a fee of five dollars for a single-trip permit. Fees for the
6 movement of buildings, parts of buildings, or unusual vehicles or loads
7 may be increased to cover the costs of inspections by the issuing
8 authority. A fee not to exceed ~~sixty~~ eighty dollars per ten-hour day
9 or prorated fraction thereof per man and car for escort service may be
10 charged when requested or when required under this chapter. Pro-
11 ration of escort fees between state and local authorities when more
12 than one governmental authority provides or is required to provide
13 escort for a movement during the period of a day shall be determined
14 by rule under section 321E.15. The commission and local authorities
15 may charge any permit applicant for the cost of trimming trees and
16 removal and replacement of natural obstructions or official signs and
17 signals or other public or private property required to be removed
18 during the movement of a vehicle and load.

Approved May 27, 1974

CHAPTER 1196

SNOWMOBILES

H. F. 1199

AN ACT relating to snowmobile registrations and operations.

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

1 SECTION 1. Section three hundred twenty-one G point six
2 (321G.6), unnumbered paragraph five (5), Code 1973, is amended to
3 read as follows:

4 Registrations may be transferred when a snowmobile is sold by filing
5 an application for such transfer with the county recorder of the county
6 wherein the snowmobile is registered. The county recorder shall collect
7 a transfer fee of one dollar and an additional twenty-five cents as a
8 writing fee. Upon the transfer of ownership of any snowmobile, the
9 owner shall complete the form on the back of the registration certifi-
10 cate and shall deliver it to the purchaser or transferee at the time of
11 delivering the snowmobile. The purchaser or transferee shall, within
12 five days, file a new application form with the county recorder with a
13 fee of one dollar and the appropriate writing fee, and a transfer of
14 number shall be awarded in the same manner as provided for in any
15 original registration.

16 All registrations must be valid for the current registration period
17 prior to the transfer of any registration, including assignment to a
18 dealer.

1 SEC. 2. Section three hundred twenty-one G point two (321G.2),
2 Code 1973, is amended by adding after subsection three (3) the fol-
3 lowing new subsection:

4 NEW SUBSECTION. Use of snowmobiles on any waters of the state
5 under the jurisdiction of the commission, while such waters are
6 frozen.

1 SEC. 3. Section three hundred twenty-one G point nine (321G.9),
2 subsection four (4), paragraph b, Code 1973, is amended to read as
3 follows:

4 b. On that portion of county ~~roads~~ *roadways* that have not been
5 plowed during the snow season and not maintained or utilized for the
6 operation of conventional motor vehicles.

1 SEC. 4. Section three hundred twenty-one G point nine (321G.9),
2 subsection four (4), Code 1973, is amended by adding the following
3 new paragraphs:

4 NEW PARAGRAPH. On the roadways of that portion of county high-
5 ways designated by the county board of supervisors for such use dur-
6 ing a specified period. The county board of supervisors shall evalu-
7 ate the traffic conditions on all county highways and designate road-
8 ways on which snowmobiles may be operated for the specified period
9 without unduly interfering with or constituting an undue hazard to
10 conventional motor vehicle traffic. Signs warning of the operation of
11 snowmobiles on the roadway shall be placed and maintained on the
12 portions of highway thus designated during the period specified for
13 such operation.

14 NEW PARAGRAPH. On the roadway or shoulder when necessary to
15 cross a bridge or culvert, or avoid an obstruction which makes it im-
16 possible to travel on the portion of the highway not intended for
17 motor vehicles, if the snowmobile is brought to a complete stop before
18 entering onto the roadway or shoulder and the driver yields the right-
19 of-way to any approaching vehicle on the roadway.

1 SEC. 5. Section three hundred twenty-one G point nine (321G.9),
2 Code 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. A snowmobile shall not be operated within the
4 right-of-way of any public highway between the hours of sunset and
5 sunrise except on the right-hand side of such right-of-way and in the
6 same direction as the motor vehicular traffic on the nearest lane of
7 travelled portion of such right-of-way.

1 SEC. 6. Section three hundred twenty-one G point eleven
2 (321G.11), Code 1973, is amended by adding the following new un-
3 numbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. A snowmobile manufactured after
5 July 1, 1975, which is sold, offered for sale or used in this state, except
6 in an authorized special event, shall have a muffler system that limits
7 engine noise to not more than seventy-eight decibels as measured on
8 the "A" scale at a distance of fifty feet.

1 SEC. 7. Section three hundred twenty-one G point thirteen
2 (321G.13), subsection four (4), Code 1973, is amended to read as fol-
3 lows:

4 4. Without a lighted headlight and taillight ~~when required for safety~~
5 *from sunset to sunrise and at such other times when conditions provide*
6 *insufficient lighting to render clearly discernible persons and vehicles*
7 *at a distance of five hundred feet ahead.*

1 SEC. 8. Section three hundred twenty-one G point thirteen
2 (321G.13), Code 1973, is amended by adding the following new sub-
3 sections:

4 NEW SUBSECTION. On any public road or street without a bright
5 colored pennant or flag displayed at least sixty inches above the
6 ground. Said pennant or flag shall be a minimum of six inches by
7 nine inches, shall be orange and shall provide a fluorescent effect.

8 NEW SUBSECTION. No person shall operate or ride in any snow-
9 mobile with any firearm in his possession unless it is unloaded and
10 enclosed in a carrying case, or any bow unless it is unstrung or en-
11 closed in a carrying case.

1 SEC. 9. Section three hundred twenty-one G point twenty-one
2 (321G.21), Code 1973, is amended by adding the following new sub-
3 sections:

4 NEW SUBSECTION. Dealers using special certificates under the pro-
5 visions of this chapter shall, before January tenth of each year, fur-
6 nish the commission with a list of all used snowmobiles held by them
7 for sale or trade, and upon which the registration fee for the current
8 year has not been paid, giving the previous registration number, name
9 of previous owner at the time such snowmobile was transferred to the
10 dealer, and such other information as the commission may require.

11 NEW SUBSECTION. When the purchaser or transferee of a snowmo-
12 bile is a dealer who holds the same for resale and operates the snow-
13 mobile only for purposes incidental to a resale and displays thereon
14 his special dealer's certificate, or does not operate such snowmobile
15 or permit it to be operated, such transferee shall not be required to
16 obtain a new registration certificate but upon transferring his title
17 or interest to another person he shall sign the reverse side of the reg-
18 istration certificate of such snowmobile indicating the name and ad-
19 dress of the new purchaser.

20 NEW SUBSECTION. Whenever a dealer purchases or otherwise ac-
21 quires a snowmobile registered in this state, he shall issue a signed
22 receipt to the previous owner, indicating the date of purchase or ac-
23 quisition, the name and address of such previous owner, and the regis-
24 tration number of the snowmobile purchased or acquired. The origi-
25 nal receipt shall be delivered to the previous owner and one copy shall
26 be mailed or delivered by the dealer to the county recorder of the
27 county in which the snowmobile is registered, and one copy shall be
28 delivered to the commission within forty-eight hours.

29 NEW SUBSECTION. Nothing in this section shall prohibit a dealer
30 from obtaining a new registration and transfer of registration in the
31 same manner as other purchasers.

1 SEC. 10. Section three hundred twenty-one G point one (321G.1),
2 Code 1973, is amended by adding the following new subsection:

3 NEW SUBSECTION. "Safety certificate" means a snowmobile safety
4 certificate issued by the state conservation commission to qualified
5 applicants who are twelve years of age or more.

1 SEC. 11. Section three hundred twenty-one G point two (321G.2),
2 subsections one (1) and two (2), Code 1973, are amended to read as
3 follows:

4 1. Registration of snowmobiles.

5 2. Use of snowmobiles insofar as game and fish resources are af-
6 fected, and.

1 SEC. 12. Section three hundred twenty-one G point two (321G.2),
2 Code 1973, is amended by adding the following new subsections after
3 subsection three (3):

4 NEW SUBSECTION. Establishment of a course of instruction for the
5 safe use and operation of a snowmobile.

6 NEW SUBSECTION. Issuance of safety certificates.

1 SEC. 13. Section three hundred twenty-one G point nine (321G.9),
2 subsection six (6), Code 1973, is amended to read as follows:

3 6. A snowmobile shall not be operated on or across a public high-
4 way by a person under sixteen years of age *who does not have in his*
5 *possession a safety certificate issued to him pursuant to this Act.*

1 SEC. 14. Chapter three hundred twenty-one G (321G), Code 1973,
2 is amended by adding the following new section:

3 NEW SECTION. **Course of instruction.**

4 1. The commission shall provide, by rules adopted pursuant to sec-
5 tion three hundred twenty-one G point two (321G.2) of the Code, for
6 the establishment of a course of instruction to be conducted through-
7 out the state for the safe use and operation of snowmobiles. The
8 curriculum shall include instruction in the safe use, operation, and
9 equipping of snowmobiles consistent with the provisions of this chap-
10 ter and rules adopted by the commission and the commissioner of
11 public safety and such other matters as the commission deems perti-
12 nent for a qualified snowmobile operator.

13 2. The commission may certify any experienced, qualified operator
14 to be an instructor of a class established under subsection one (1) of
15 this section. Each instructor shall be at least eighteen years of age.

16 3. Upon completion of the course of instruction, the commission
17 shall provide for the administration of a written test to any student
18 who wishes to qualify for a safety certificate.

19 4. The commission shall provide safety material relating to the
20 operation of snowmobiles for the use of private or public elementary
21 and secondary schools in this state.

1 SEC. 15. Chapter three hundred twenty-one G (321G), Code 1973,
2 is amended by adding the following new section:

3 NEW SECTION. **Safety certificate.**

4 1. Effective July 1, 1975, no person who is twelve years of age or
5 more and less than sixteen years of age shall operate a snowmobile
6 in this state without obtaining a valid safety certificate issued by the
7 commission and having such certificate in his possession, or unless he
8 is accompanied on the same machine by a responsible person of at
9 least eighteen years of age who is experienced in snowmobile opera-
10 tion.

11 2. Upon application and payment of a fee of two dollars, a qualified
12 applicant shall be issued a safety certificate which shall be valid until
13 such person reaches his seventeenth birthday unless the certificate
14 is suspended or revoked for a violation of a provision of this chapter
15 or the rules of the commission or the commissioner of public safety
16 before that date. The application shall be made on forms issued by

17 the commission and shall contain such information as the commission
18 may reasonably require.

19 3. Any person who is required to have a safety certificate under
20 this Act and who has completed a course of instruction established
21 under section twelve (12) of this Act including the successful pas-
22 sage of an examination which includes a written test relating to such
23 course of instruction, shall be considered qualified to apply for a safety
24 certificate. The commission may waive the requirement of complet-
25 ing such course of instruction if such person successfully passes a
26 written test based on such course of instruction.

27 4. The permit fees collected under this section shall be credited to
28 the state conservation fund and shall be used for safety and educa-
29 tional programs.

30 5. A valid snowmobile safety certificate or license issued to a non-
31 resident by a governmental authority of another state shall be consid-
32 ered a valid certificate or license in this state if the permit or license
33 requirements of such governmental authority, excluding fees, are
34 substantially the same as the requirements of this Act as determined
35 by the commission.

Approved May 27, 1974

CHAPTER 1197

MOTOR VEHICLE DEALERS

H. F. 1188

AN ACT relating to the requirements, form, and content of motor vehicle dealer license applications and renewal applications and the approval of such applications.

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

1 SECTION 1. Section three hundred twenty-two point four (322.4),
2 subsection seven (7), Code 1973, is amended to read as follows:

3 7. ~~A financial statement of the applicant showing his true financial~~
4 ~~condition as of a date not more than six months prior to the date of~~
5 ~~such application.~~ Before the issuance of a motor vehicle dealer's
6 license to a dealer engaged in the sale of vehicles for which a certifi-
7 cate of title is required, under the provisions of chapter 321, the appli-
8 cant for such license shall furnish a surety bond executed by the ap-
9 plicant as principal and executed by a corporate surety company,
10 licensed and qualified to do business within this state, which bond
11 shall run to the state of Iowa, be in the amount of ~~ten~~ *twenty-five*
12 thousand dollars and be conditioned upon the faithful compliance by
13 said applicant as a dealer, if the license be issued to it or him, that
14 such dealer will comply with all of the statutes of this state regulat-
15 ing or being applicable to the business of said dealer as a dealer in
16 motor vehicles, and indemnifying any person dealing or transacting
17 business with said dealer in connection with any motor vehicle from
18 any loss or damage occasioned by the failure of such dealer to comply
19 with any of the provisions of chapter 321 and this chapter, including,