

**CHAPTER 1028****REGULATION OF RECREATIONAL BOATS***S.F. 399*

**AN ACT** relating to revision of laws governing recreational boating in Iowa, including penalties and scheduled fines for violations of boating laws.

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

Section 1. Section 88A.11, Code 1981, is amended by adding the following new subsection:  
**NEW SUBSECTION.** 5. Vessels inspected by officers appointed by the conservation commission under chapter 106.

Sec. 2. Section 106.2, subsection 4, Code 1981, is amended to read as follows:

4. "Waters of this state under the jurisdiction of the state conservation commission" means any navigable waters within the territorial limits of this state, and the marginal river areas adjacent to this state, exempting only farm ponds, and privately owned lakes and waters specifically delegated to local authorities.

Sec. 3. Section 106.2, Code 1981, is amended by adding the following new subsections:

**NEW SUBSECTION.** 20. "Boat livery" means a person who holds a vessel for hire, renting, leasing, or chartering including hotels, motels, or resorts which furnish a vessel to guests as part of the services of the business.

**NEW SUBSECTION.** 21. "Vessel for hire or commercial vessel" means a vessel for the use of which a fee of any nature is imposed including vessels furnished as a part of lodge, hotel, or resort services.

**NEW SUBSECTION.** 22. "Passenger" means a person carried on board a vessel, including the operator, and anyone towed by a vessel on water skis, surfboards, inner tubes, or similar devices.

**NEW SUBSECTION.** 23. "Operator" means a person who operates or is in actual physical control of a vessel.

**NEW SUBSECTION.** 24. "Inflatable vessel" means a vessel which achieves and maintains its intended shape and buoyancy by inflation.

**NEW SUBSECTION.** 25. "Inboard" means a vessel in which the engine is located internally, the propulsion system is rigidly attached to the engine, and the propulsion mechanism is within the confines of the vessel's extreme length and beam.

**NEW SUBSECTION.** 26. "Inboard-outdrive" means a vessel in which the power plant or engine is located inside of the vessel and the propulsion mechanism is located outside of the transom.

Sec. 4. Section 106.3, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The state conservation commission is hereby authorized to may adopt, promulgate and enforce such rules and regulations under chapter 17A as may be necessary to carry out the provisions of this chapter and to protect private and public property and the health, safety, and welfare of the public. In adopting rules, the commission shall give consideration to the various uses to which they may be put by and for public and private purposes, the preservation of each body of water, its bed, waters, ice, banks, and public and private property attached thereto, and the need for uniformity of rules relating to the use, operation, and equipment of vessels and vehicles.

Sec. 5. Section 106.4, Code 1981, is amended to read as follows:

106.4 OPERATION OF UNNUMBERED VESSELS PROHIBITED. Every ~~undocumented~~ vessel except as provided in section 106.6 on the waters of this state under the jurisdiction of the state conservation commission ~~and waters specifically delegated to local authorities~~ shall be numbered. ~~No~~ A person shall not operate, maintain or give permission for the operation or maintenance of any ~~such~~ vessel on such waters unless the vessel is numbered in accordance with this chapter or in accordance with applicable federal laws or in accordance with a federal-ly approved numbering system of another state and unless the certificate of number awarded to ~~such the~~ vessel is in full force and effect and the ~~identifying number set forth in the certificate of number is displayed on each side of the bow of such vessel.~~

Sec. 6. Section 106.5, subsection 1, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The owner of ~~such the~~ vessel shall file an application for registration with the appropriate county recorder on forms provided by the commission. The application shall be completed and signed by the owner of the vessel and shall be accompanied by a fee of eight dollars for each motorboat or sailboat, four dollars for any other vessel without sail or motor, and a writing fee of ~~one dollar~~. Upon applying for registration the owner shall surrender the certificate of origin to the county recorder. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall enter ~~the same it~~ upon the records of the recorder's office and shall issue to the applicant a pocket-size registration certificate. The certificate shall be executed in triplicate, one copy to be delivered to the owner, one copy to the commission, and one copy to be retained on file by the county recorder. The registration certificate shall bear the number awarded to the vessel, the passenger capacity of the vessel and the name and address of the owner. In the use of all vessels except nonpowered sailboats, non-powered canoes and commercial vessels the registration certificate shall be carried either in the vessel or on the person of the operator of the vessel when in use. In the use of nonpowered sailboats, nonpowered canoes or commercial vessels, the registration certificate may be kept on shore in accordance with rules promulgated by the commission. The operator shall exhibit the certificate to any peace officer upon request, or, when involved in a collision or accident of any nature with another vessel or other personal property, to the owner or operator of the other vessel or personal property.

Sec. 7. Section 106.5, subsection 3, Code 1981, is amended to read as follows:

3. Every registration certificate and number issued ~~hereunder~~ shall become delinquent at midnight April 30, 1975, and every two years thereafter unless sooner terminated or discontinued in accordance with the ~~provisions~~ of this chapter. After the first day of January in odd-numbered years any unregistered vessels and renewals of registrations may be so registered for the subsequent biennium beginning May 1. After the first day of January in even-numbered years any unregistered motorboat or sailboat may be registered at the rate of four dollars and any other unregistered vessel without sail or motor may be registered at the rate of two dollars for the remainder of the current biennium, plus a writing fee of ~~fifty cents~~ for each registration. ~~All registrations shall become delinquent as hereinabove stated.~~ Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided for in securing the original registration.

If a timely application for renewal is made, the applicant shall receive the same registration number allocated to ~~him~~ the applicant for the previous registration period. If the application for registration for the biennium is not made before May 1 of each odd-numbered year, the applicant shall be charged a penalty of ~~one dollar~~ two dollars for each six months, or any portion thereof, ~~he~~ the applicant is delinquent. ~~Provided, however,~~ that if ~~the~~ a registration is not

renewed for two consecutive registration periods, the number of said the delinquent registration may be assigned to another applicant person, and upon application for registration by said the delinquent registrant, he or she shall be assigned a new registration number and shall not be charged any penalties.

Sec. 8. Section 106.5, subsection 4, Code 1981, is amended to read as follows:

4. Whenever any If a person, after registering a vessel, moves from the address shown on the registration certificate, he the person shall, within ten days, notify the county recorder in writing of his the old and new address. If appropriate, the county recorder shall forward all past records of such the vessel to the recorder of the county in which the owner resides.

Whenever If the name of any a person, who has registered a vessel, is thereafter changed, he the person shall, within ten days, notify the county recorder of such the former and new name.

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

If a registration certificate is lost, mutilated or becomes illegible, the owner shall immediately make application for and obtain a duplicate registration certificate by furnishing information satisfactory to the county recorder.

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

If a vessel, registered under the provisions of this chapter, is destroyed or abandoned, such the destruction or abandonment shall be reported to the county recorder and the registration certificate shall be forwarded to the office of the county recorder within ten days after such the destruction or abandonment.

Sec. 9. Section 106.5, subsections 6 and 7, Code 1981, are amended to read as follows:

6. The owner of each vessel which has a valid marine document issued by the bureau of customs of the United States government or any federal agency successor thereto shall register it every two years with the county recorder in the same manner prescribed for undocumented vessels and shall cause the registration validation decal to be placed on the vessel in the manner prescribed by the rules of the commission. When such the vessel bears the identification required in the documentation, it shall be is exempt from the placement of the identification numbers as required on undocumented vessels. The fee for such registration shall be is twenty-five dollars plus the usual a writing fee.

7. If the owner of a currently registered vessel places such the vessel in storage, he the owner shall return the registration certificate to the county recorder with an affidavit stating that the vessel is placed in storage and the effective date of such the storage. The county recorder shall notify the commission of each registered vessel placed in storage. When the owner of a stored vessel desires to renew the vessel's registration, he the owner shall make application apply to the county recorder and pay the registration fees plus a writing fee as provided in subsections 1 and 3 without penalty. No refund of registration fees shall be allowed for a stored vessel.

Sec. 10. Section 106.7, subsection 4, Code 1981, is amended to read as follows:

4. All reports shall be in writing, and the written report shall be without prejudice to the individual so reporting and shall be for the confidential use of the commission. Provided however However, upon the request of any person involved in an occurrence covered under the provisions of this section, or the attorney for such person, the commission shall disclose the identity identities of the person persons on board the vessels involved in the occurrence

and his address their addresses. A written report filed with the commission shall not be admissible in or used in evidence in any civil or criminal action arising out of the facts on which the report is based.

Sec. 11. Section 106.9, subsection 2, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Every vessel, in all weathers, from sunset to sunrise, shall carry and exhibit the following lights when underway, and during such that time shall exhibit no other lights which may be mistaken for those required except that the international lighting system as approved by the United States coast guard will be accepted for use on motorboats on the waters of this state.

Sec. 12. Section 106.9, subsection 2, paragraph d, Code 1981, is amended by striking the paragraph.

Sec. 13. Section 106.9, subsection 6, Code 1981, is amended to read as follows:

6. Every vessel shall carry at least one life preserver, life belt, ring buoy or other device, of the sort prescribed by the regulations rules of the commission, for each person on board passenger, so placed as to be readily accessible. This does not apply to a vessel which is a racing shell used in the sport of sculling.

Sec. 14. Section 106.11, Code 1981, is amended to read as follows:

106.11 MUFFLING DEVICES. The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled by equipment so constructed and used as to muffle the total vessel noise of the exhaust in a reasonable manner in accordance with rules adopted by the commission. The use of cut-outs is prohibited, except for motorboats competing in a regatta or boat race approved as provided in section 106.16 and for such motorboats while on trial run during a period from 8:00 a.m. to 6:00 p.m. not to exceed forty-eight twenty-four hours immediately preceding such regatta or race and for such motorboats while competing in official trials for speed records during a period not to exceed forty-eight hours immediately following such regatta or race.

Sec. 15. Section 106.12, subsection 2, Code 1981, is amended to read as follows:

2. No person shall operate any vessel, or manipulate any water skis, surfboard or similar device while intoxicated or under the influence of any an alcoholic beverage, marijuana, a narcotic, hypnotic or other drug, barbiturate or marijuana or any combination of these substances. However, this subsection shall not apply to a person operating any vessel or manipulating any water skis, surfboard or similar device while under the influence of marijuana, or a narcotic, hypnotic or other drug if the substances were prescribed for the person and have been taken under the prescription and in accordance with the directions of a medical practitioner as defined in section 155.3, subsection 11, provided there is no evidence of the consumption of alcohol and further provided the medical practitioner has not directed the person to refrain from operating a motor vehicle, any vessel or from manipulating any water skis, surfboard or similar device.

Sec. 16. Section 106.12, Code 1981, is amended by adding the following new subsections:

NEW SUBSECTION. 7. A person shall not operate watercraft in a manner which unreasonably or unnecessarily interferes with other watercraft or with the free and proper navigation of the waters of the state. Anchoring under bridges, in a heavily-traveled channel, in a lock chamber, or near the entrance of a lock constitutes such interference if unreasonable under the prevailing circumstances.

NEW SUBSECTION. 8. A person shall not operate a vessel in violation of restrictions as given by state-approved buoys or signs marking an area.

NEW SUBSECTION. 9. A person shall not operate on the waters of this state under the jurisdiction of the commission a vessel equipped with an engine of greater horsepower rating

than is designated for the vessel by the federally-required capacity plate or by the manufacturer's plate on those vessels not covered by federal regulations.

NEW SUBSECTION. 10. A person shall not leave an unattended vessel tied or moored to a dock which is placed immediately adjacent to a public boat launching ramp or to a dock which is posted for loading and unloading.

Sec. 17. Section 106.13, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Any person violating any of the provisions of this chapter, or any of the rules adopted under this chapter, for which another penalty is not otherwise specifically provided, shall be is guilty of a simple misdemeanor.

Sec. 18. Section 106.14, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Whoever, while in an intoxicated condition or under influence of narcotic drugs, operates a vessel or manipulates any water skis, surfboard or similar device upon the public waters of this state, while under the influence of an alcoholic beverage, marijuana, a narcotic, hypnotic or other drug, or any combination of these substances, not permitted by section 106.12, subsection 2, shall, upon conviction or a plea of guilty be punished, for the first offense by a fine of not less than three hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for a period of not to exceed one year, or by both such fine and imprisonment; for the second offense by a fine of not less than five hundred dollars, nor more than one thousand dollars, or by imprisonment in the penitentiary for a period of not to exceed one year, or by both such fine and imprisonment; and for a third offense and each offense thereafter, by imprisonment in the penitentiary for a period not to exceed three years.

Sec. 19. Section 106.15, subsection 2, Code 1981, is amended by striking the subsection.

Sec. 20. Section 106.17, subsection 1, Code 1981, is amended to read as follows:

1. ~~The provisions of this~~ This chapter and other applicable laws of this state shall govern the operation, equipment, numbering and all other matters relating thereto of any vessel whenever ~~such~~ the vessel is operated or maintained on the waters of this state under the jurisdiction of the commission, but ~~nothing in this chapter shall be construed to~~ does not prevent the adoption of any ordinance or local law relating to the operation ~~of or~~ equipment of vessels. Such ordinances or local law shall ~~be~~ are operative only so long as they are not inconsistent with ~~the provisions of this chapter or the rules and regulations adopted by the commission.~~

Sec. 21. Section 106.17, subsection 3, Code 1981, is amended to read as follows:

3. The commission ~~is hereby authorized~~, upon application of local authorities ~~to~~, may make special rules ~~and regulations~~, in conformity with this chapter, concerning the operation of vessels on any waters of this state under the jurisdiction of the commission within the territorial limits of any subdivision of this state. Special rules shall only be adopted upon a finding by the commission that the rules are necessary to carry out the policies and purposes of this chapter due to special conditions with regard to a particular body of water and that the special rules provide greater protection to the public health, safety, and welfare than the rules of general application.

Sec. 22. Section 106.26, Code 1981, is amended to read as follows:

106.26 RIGHT OF WAY RULES – SPEED AND DISTANCE RULES – ZONING WATER AREAS.

1. Vessel traffic shall be governed by the following rules:

1 a. Passing from rear – keep to the operator's left.

2 b. Passing head on – keep to the operator's right.

3 c. Passing at right angles – vessel at the right has the right of way.

4 d. Manually propelled vessels have the right of way over all other vessels.

5 e. Sailboats have the right of way over all motor driven vessels. Motorboats, when meeting or overtaking sailboats, shall always pass on the leeward side.

6 f. Any vessel backing from a landing has the right of way over incoming vessels.

7 g. The When necessary to protect the public health, safety, and welfare due to the physical nature and characteristics of any waters under the jurisdiction of the commission, the commission is authorized to may promulgate further rules and regulations governing vessel traffic on such waters.

2. The commission may adopt rules governing all activities on waters and ice of this state under the jurisdiction of the commission, including impoundments constructed by or in cooperation with the federal government, when necessary and desirable to permit appropriate utilization of specific water areas, consistent with section 106.3. The rules may include rules relating to the following:

a. Zoning as to area, activity, vessel, or vehicle, speed, and time of day during which specified activities are permitted.

b. Horsepower, size, and types of vessels and vehicles which may be operated.

c. Safety precautions and practices required.

8 3. Except as provided in special rules promulgated under the authority of this chapter, the following speed and distance regulations shall apply:

a. On all waters under the jurisdiction of the state conservation commission:

(1) ~~No~~ A motorboat shall not be operated at speeds greater than five miles per hour when within ~~two~~ one hundred fifty feet of another craft traveling at five miles per hour or less or any sailboat at any time.

(2) Motorboats shall maintain a minimum passing or meeting distance of fifty feet when both boats are traveling at speeds greater than five miles per hour.

(3) A motorboat shall not be operated at a speed exceeding ten miles per hour unless vision is unobstructed at least two hundred feet ahead.

b. On all inland lakes and federal impoundments under the jurisdiction of the state conservation commission:

(1) ~~No~~ motorboat shall be operated at a speed exceeding five miles per hour unless vision is unobstructed at three hundred feet ahead.

(2) ~~No~~ a motorboat shall not be operated within three hundred feet of shore at a speed greater than ten miles per hour.

Sec. 23. Section 106.27, Code 1981, is amended to read as follows:

106.27 REMOVAL OF NONPERMANENT STRUCTURES. Every vessel or structure, not considered a permanent structure by the commission or excepted by the regulations rules of the commission, shall be removed from the waters, ice, or land of this state under the jurisdiction of the commission on or before December 15 of each year. Failure to comply with this section shall cause said vessel or the structure to be declared a public nuisance and disposition shall be in accordance with sections 110.32 to 110.34. Provided, however, that structures used for seasonal or year-round habitation purposes shall not be removed.

Sec. 24. Section 106.28, Code 1981, is amended to read as follows:

106.28 UNWORTHY VESSELS DRYDOCKED. ~~No~~ A person shall not place or allow to remain in the waters of this state under the jurisdiction of the commission, any vessel which has failed to pass inspection. All vessels shall be seaworthy for the waters on which they are being used.

Sec. 25. Section 106.29, Code 1981, is amended to read as follows:

106.29 OFFICIAL DUTY EXEMPTED. Members Peace officers, members of the commission, its deputies, agents and employees shall are not be deemed violating the provisions of

this chapter while on emergency duty and acting within the scope of their employment in search and rescue operations, law enforcement duty, emergency duty, and other resource management activities as determined by rules of the commission.

Sec. 26. Section 106.31, Code 1981, is amended to read as follows:

106.31 ARTIFICIAL LAKES.

1. No motorboats shall ~~Except as provided in special rules adopted under this chapter, a motorboat shall not be permitted on any artificial lake under the jurisdiction of the conservation commission except the following:~~

a. Boats ~~A motorboat~~ equipped with one outboard battery operated electric trolling motor of not more than one and one-half horsepower.

b. Boats ~~A motorboat~~ equipped with an outboard ~~motors motor~~ of not more than ~~six ten~~ horsepower on all artificial lakes of more than one hundred acres in size.

2. No person shall operate any sailboat on any artificial lake under the jurisdiction of the commission except those lakes specifically designated by the commission. All sailboats, so operated, must be of a type and size approved by the commission.

3. 2. All privately owned boats vessels on artificial lakes under the jurisdiction of the commission shall be kept at locations designated by the commission.

4. 3. All privately owned rowboats vessels, used on or kept at the artificial lakes under the jurisdiction of the commission, shall be seaworthy for the waters where they are kept and used. All such boats vessels shall be removed from state property whenever ordered by the commission, and, in any event, shall be removed from such property not later than December 15 of each year.

5. 4. Upon construction of an artificial lake by any a political subdivision of this state, such the subdivision may, after publication in a newspaper of general circulation in the subdivision, make formal application to the commission for special rules relating to the operation of watercraft on such the lake, and shall set forth therein the reasons which make such special rules necessary or appropriate. The commission shall may promulgate such the special rules as provided in this chapter, concerning the operation of watercraft on a lake constructed and maintained by a subdivision of this state. Such special rules may include the following:

a. Zoning by area and time to regulate navigation and other types of activity.

b. Regulating the horsepower, size and type of watercraft.

6. The commission may promulgate special rules concerning all activities on impoundments constructed by or in co-operation with the federal government. Such rules may include the following:

a. Zoning by area and time to regulate navigation and other types of activity.

b. Regulating the horsepower, size and type of watercraft.

Sec. 27. Section 106.32, subsection 3, Code 1981, is amended to read as follows:

3. It shall be is unlawful to tamper with, move or attempt to move or, ~~except in an emergency, moor a vessel to any state-owned waterway marker or state-approved buoy or sign.~~

Sec. 28. Section 106.33, Code 1981, is amended to read as follows:

106.33 DRIVING OVER ICE. No A craft or vehicle operating on the surface of ice on the inland lakes and streams of this state including boundary streams and lakes and propelled by sail or by machinery in whole or in part, except ice-cutting machinery, automobiles, motorcycles and trucks licensed under chapter 321 or snowmobiles registered under chapter 321G when such they are used without endangering public safety, shall not be operated without a permit issued, by the commission, for such operation. Any such permit issued may be revoked by the commission if such the craft or vehicle is operated in a careless manner as which endangers others. Except when authorized by a permit for a special event, automobiles, motorcycles, and trucks when used on the ice of waters under the jurisdiction of the commission

shall not exceed fifteen miles per hour and shall be operated in a reasonable and prudent manner.

Sec. 29. Section 106.53, Code 1981, is amended by striking the section and inserting the following in lieu thereof:

106.53 AMOUNT OF WRITING FEES. A writing fee of one dollar for each transaction shall be collected by the county recorder. If two or more functions are transacted for the same vessel at one time, the writing fee is limited to one dollar.

Sec. 30. Chapter 106, Code 1981, is amended by adding sections 31 through 36 of this Act.

Sec. 31. NEW SECTION. INSPECTION AUTHORITY. An officer of the commission may stop and inspect a vessel being launched, being operated, or being moored on the waters of this state under the jurisdiction of the state conservation commission to determine whether the vessel is properly registered, numbered, and equipped as provided under this chapter and rules of the commission. An officer may board a vessel in the course of an inspection if the operator is unable to supply visual evidence that the vessel is properly registered and equipped as required by this chapter and rules of the commission. The inspection shall not include an inspection of an area that is not essential to determine compliance with the provisions of this chapter and rules of the commission.

Sec. 32. NEW SECTION. INSPECTION DEFICIENCY ORDER. If after performing an inspection the officer determines that the vessel is not properly registered, numbered, or equipped, the officer may issue an inspection deficiency order or citation to the operator of the vessel. The inspection deficiency order may indicate any deficiencies found to exist during the inspection and shall direct the owner or operator of the vessel to properly register or number the vessel or have equipment repairs or replacements made and return a copy of the inspection deficiency order with proof of compliance with the registration, numbering, or equipment requirements to the commission within fourteen days. If such proof is not provided within fourteen days, the owner or operator is in violation of this chapter.

Sec. 33. NEW SECTION. TERMINATION OF USE. A vessel for which an inspection deficiency order has been issued shall cease to be used as soon as possible and shall not be launched upon the waters of this state under the jurisdiction of the state conservation commission until the vessel is in compliance with the registration, numbering, or equipment requirement for which the order was issued.

Sec. 34. NEW SECTION. PUBLIC USE OF WATER FOR NAVIGATION PURPOSES. Water occurring in any river, stream, or creek having definite banks and bed with visible evidence of the flow of water is flowing surface water and is declared to be public waters of the state of Iowa and subject to use by the public for navigation purposes in accordance with law. Land underlying flowing surface water is held subject to a trust for the public use of the water flowing over it. Such use is subject to the same rights, duties, limitations, and regulations as presently apply to meandered streams, or other streams deemed navigable for commercial purposes and to any reasonable use by the owner of the land lying under and next to the flowing surface water.

Sec. 35. NEW SECTION. HULL IDENTIFICATION, CAPACITY PLATES, WARNING LABELS.

1. ALTERING OR CHANGING NUMBERS ON PLATES.

a. A person shall not with fraudulent intent, deface, destroy, or alter the hull identification number, capacity plate, or any other plate, warning label, or instrument required by state or federal law on a vessel or component part nor shall a person place or stamp a hull identification number, capacity plate, or any other warning label or instrument upon a vessel or component part except one assigned thereto by state or federal law.



b. This section does not prohibit the restoration of an original hull identification number, capacity plate, or any other original plate, warning label, or instrument required by state or federal law when the restoration is made by the commission nor prevent a manufacturer from placing in the ordinary course of business numbers, plates, or marks upon vessels or component parts.

2. **TEST TO DETERMINE TRUE NUMBER OR PLATE.** When it appears that a hull identification number, capacity plate, or any other plate, warning label, or instrument required by state or federal law has been altered, defaced, or tampered with, a peace officer or inspector employed by the commission or any other person acting under the direction of a peace officer or inspector, may apply any recognized process or test to the vessel or part containing such number or plate for the purpose of determining the true number or plate content.

3. **RIGHT OF INSPECTION.** Peace officers or examiners employed by the commission may inspect any vessel or component part in possession of any person or found upon the waters of this state under the jurisdiction of the commission or in a public mooring or storage area or enclosure in which vessels or component parts are kept for sale, storage, hire, or repair and to determine vessel or component part identification may board the vessel or enter the public mooring or storage area or enclosure.

4. **PENALTY.** A person who is convicted of a violation of any of the provisions of this section or rules adopted under this section by the commission is guilty of a class D felony.

Sec. 36. **NEW SECTION. RECIPROCITY.** The director, with the consent of the commission, may enter into agreements with the appropriate regulatory agencies of other states as necessary or convenient to carry out the purposes of this chapter and not inconsistent with this chapter, and may do all acts contained in the agreements.

The agreements may include, but are not restricted to, the following provisions:

1. Regulations in regard to registration, numbering, and equipment of vessels.
2. Operating requirements for vessels and vessel operators.
3. Enforcement activity of officers.

Sec. 37. Section 805.8, subsection 3, paragraphs a, b and c, Code 1981, are amended by striking the paragraphs and inserting in lieu thereof the following:

a. For violations of registration, inspections, identification, and record provisions under sections 106.5, 106.35, 106.37, and for unused or improper or defective lights and warning devices under section 106.9, subsections 3, 4, 5, 9, and 10, the scheduled fine is ten dollars.

b. For violations of registration, identification, and record provisions under sections 106.4 and 106.10 and for unused or improper or defective equipment under section 106.9, subsections 2, 6, 7, 8, and 13, and section 106.11 and for operation violations under sections 106.26, 106.31 and 106.33, the scheduled fine is twenty dollars.

c. For operating violations under sections 106.12, 106.15, subsection 1, 106.24, and 106.34, the scheduled fine is twenty-five dollars. However, a violation of section 106.12, subsection 2, is not a scheduled violation.

Sec. 38. Section 805.8, subsection 3, paragraphs d and e, Code 1981, are amended by striking the paragraphs.

Sec. 39. Section 805.8, subsection 3, paragraph g, Code 1981, is amended to read as follows:

g. For violations of all subdivision ordinances under section 106.17, subsection 2, except those relating to matters subject to regulation by authority of subsection 5 of section 106.31, the scheduled fine is ten dollars, ~~whether or not a different scheduled fine is prescribed elsewhere in this subsection the same as prescribed for similar violations of state law.~~ For violations of subdivision ordinances for which there is no comparable state law the scheduled fine is ten dollars.