

**CHAPTER 138**

## REGULATION OF SNOWMOBILES

H.F. 879

**AN ACT** relating to the regulation of snowmobiles and establishing fees.

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

Section 1. Section 321G.1, subsection 18, Code 2005, is amended to read as follows:

18. "Snowmobile" means a motorized vehicle weighing less than one thousand pounds which uses sled-type runners or skis, endless belt-type tread with a width of forty-eight inches or less, or any combination of runners, skis, or tread, and is designed for travel on snow or ice. "Snowmobile" does not include an all-terrain vehicle, as defined in section 321I.1, which has been altered or equipped with runners, skis, belt-type tracks, or treads.

Sec. 2. Section 321G.3, subsection 1, Code 2005, is amended to read as follows:

1. Each snowmobile used on public land or ice of this state shall be currently registered and numbered. A person shall not operate, maintain, or give permission for the operation or maintenance of a snowmobile on public land or ice unless the snowmobile is numbered in accordance with this chapter, or applicable federal laws, or an approved numbering system of another state, and unless the snowmobile displays a current annual user permit for the snowmobile. If the snowmobile is required to be registered in this state, the identifying number set forth in the registration is shall be displayed as prescribed by rules of the commission.

Sec. 3. Section 321G.4, Code 2005, is amended to read as follows:

**321G.4 REGISTRATION WITH COUNTY RECORDER — FEE.**

1. The owner of each snowmobile required to be numbered shall register it annually with the department through the county recorder of the county in which the owner resides or, if the owner is a nonresident, the owner shall register it in the county in which the snowmobile is principally used. The department shall develop and maintain an electronic system for the registration of snowmobiles pursuant to this chapter. The commission has supervisory responsibility over department shall establish forms and procedures as necessary for the registration of snowmobiles and shall provide each county recorder with registration forms and certificates and shall allocate registration numbers to each county.

2. The owner of the snowmobile shall file an application for registration with the department through the appropriate county recorder on forms provided in the manner established by the commission. The application shall be completed and signed by the owner and shall be accompanied by a fee of fifteen dollars and a writing fee. A snowmobile shall not be registered by the county recorder until the county recorder is presented with receipts, bills of sale, or other satisfactory evidence that the sales or use tax has been paid for the purchase of the snowmobile or that the owner is exempt from paying the tax. A snowmobile that has an expired registration certificate from another state may be registered in this state upon proper application, payment of all applicable registration and writing fees, and payment of a penalty of five dollars.

3. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall enter it upon the records register the snowmobile with the department and shall issue to the applicant a 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 snowmobile and the name and address of the owner. The registration certificate shall be carried either in the snowmobile or on the person of the operator of the snowmobile when in use. The operator of a snowmobile shall exhibit the registration certificate to a peace officer upon request, to a person injured in an accident involving a snowmobile, to the

owner or operator of another snowmobile or the owner of personal or real property when the snowmobile is involved in a collision or accident of any nature with another snowmobile or the property of another person, or to the property owner or tenant when the snowmobile is being operated on private property without permission from the property owner or tenant.

4. If a snowmobile is placed in storage, the owner shall return the current registration certificate to the county recorder with an affidavit stating that the snowmobile is placed in storage and the effective date of storage. The county recorder shall notify the ~~commission~~ department of each snowmobile placed in storage. When the owner of a stored snowmobile desires to renew the registration, the owner shall make application to through the county recorder and pay the registration and writing fees without penalty. A refund of the registration fee shall not be allowed for a stored snowmobile.

5. Notwithstanding subsections 1 and 2, a snowmobile that is more than thirty years old may be registered for a one-time fee of twenty-five dollars, which shall exempt the owner from annual registration and fee requirements for that snowmobile. However, if ownership of such a snowmobile is transferred, the new owner shall register the snowmobile and pay the one-time fee as required under this subsection.

Sec. 4. NEW SECTION. 321G.4A NONRESIDENT USER PERMITS.

1. A nonresident wishing to operate a snowmobile, other than a snowmobile registered pursuant to this chapter, on public land or ice of this state shall first obtain a user permit from the department. A user permit shall be issued for the snowmobile specified at the time of application and is not transferable. A user permit shall be valid for the calendar year specified in the permit.

2. User permits may be issued by a county recorder or a license agent pursuant to rules adopted by the commission. The fee for a user permit shall be fifteen dollars plus an administrative fee established by the commission. A county recorder shall retain a writing fee of one dollar from the sale of each user permit issued by the county recorder's office. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A license agent designated by the director pursuant to section 483A.11 shall retain a writing fee of one dollar from the sale of each permit issued by the agent.

Sec. 5. Section 321G.6, subsection 1, Code 2005, is amended to read as follows:

1. Every snowmobile registration certificate and number issued expires at midnight December 31 unless sooner terminated or discontinued in accordance with this chapter. After the first day of September each year, an unregistered snowmobile may be registered ~~or~~ and a registration may be renewed in one transaction. The fee is five dollars for the remainder of the current year, in addition to the registration fee of fifteen dollars for the subsequent year beginning January 1, and a writing fee.

Sec. 6. Section 321G.6, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 6. The department shall develop and maintain an electronic system for residents to renew snowmobile registrations pursuant to this section. A county recorder or license agent may issue snowmobile registration renewals electronically pursuant to rules adopted by the commission. The fee for a registration renewal issued using an electronic system is fifteen dollars plus an administrative fee established by the commission. A county recorder shall retain a writing fee of one dollar and twenty-five cents for each registration renewal issued by the county recorder's office. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A license agent designated by the director pursuant to section 483A.11 shall retain a writing fee of one dollar for each registration renewal issued.

Sec. 7. Section 321G.7, unnumbered paragraph 2, Code 2005, is amended to read as follows:

The department shall remit the fees, including user permit fees collected pursuant to section

321G.4A, to the treasurer of state, who shall place the money in a special snowmobile fund. The money is appropriated to the department for the snowmobile programs of the state. The programs shall include grants, subgrants, contracts, or cost-sharing of snowmobile programs with political subdivisions or incorporated private organizations or both in accordance with rules adopted by the commission. Snowmobile fees may be used to support snowmobile programs on a usage basis. At least fifty percent of the special fund shall be available for political subdivisions or incorporated private organizations or both. Moneys from the special fund not used by the political subdivisions or incorporated private organizations or both shall remain in the fund and may be used by the department for the administration of the snowmobile programs. Notwithstanding section 8.33, moneys in the special fund shall not revert to the general fund of the state at the end of a fiscal year. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the special fund shall remain in the fund.

Sec. 8. Section 321G.8, subsection 3, Code 2005, is amended by striking the subsection.

Sec. 9. Section 321G.13, subsection 1, paragraph g, Code 2005, is amended by striking the paragraph and inserting in lieu thereof the following:

g. In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered stream which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated snowmobile trails.

This paragraph does not prohibit the use of ford crossings of public or private roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of snowmobiles on ice.

Sec. 10. Section 331.602, subsection 16, Code 2005, is amended to read as follows:

16. Issue snowmobile registrations and all-terrain vehicle registrations and user permits as provided in sections 321G.4, 321G.4A, 321G.6, 321G.21, 321I.4, 321I.5, 321I.7, and 321I.22.

Approved May 23, 2005

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## CHAPTER 139

### REGULATION OF DEER POPULATIONS AND HUNTING LICENSES

S.F. 206

**AN ACT** relating to deer population management and providing penalties and appropriations.

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

Section 1. Section 170.1, subsection 4, Code 2005, is amended to read as follows:

4. a. "Farm deer" means an animal belonging to the cervidae family and classified as part of the dama species of the dama genus, commonly referred to as fallow deer; part of the elaphus species of the cervus genus, commonly referred to as red deer or elk; part of the virginianus species of the odocoileus genus, commonly referred to as whitetail; part of the hemionus species of the odocoileus genus, commonly referred to as mule deer; or part of the nippon species of the cervus genus, commonly referred to as sika. ~~However, a farm deer~~