

CHAPTER 1123**CEDAR RIVER BOAT DOCK REQUIREMENTS***H.F. 2484*

AN ACT exempting certain boat harbors from certain dock requirements and including effective date provisions.

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

Section 1. **NEW SECTION. 462A.27A Dock requirements — exemptions.**

1. A dock in a boat harbor located on the Cedar river in a city with a population of more than one hundred twenty-five thousand located in a county with a population of more than two hundred thousand is exempt from all dock requirements of the department of natural resources if the dock is in compliance with local city regulations for a dock in such a boat harbor except as provided in subsection 2.

2. A dock in a boat harbor located on the Cedar river in a city with a population of more than one hundred twenty-five thousand located in a county with a population of more than two hundred thousand that meets the requirements of subsection 1 and that uses containers as dock flotation devices that were not originally manufactured as dock flotation devices, may continue to use such containers as dock flotation devices if the containers were in use on or before the effective date of this Act. At the time that such containers are replaced, the replacement dock flotation devices shall be dock flotation devices that comply with the rules of the department of natural resources. However, if the ownership of the dock is transferred, the new owner shall have six months from the date of transfer to replace such containers with dock flotation devices that comply with the rules of the department of natural resources.

Sec. 2. **EFFECTIVE UPON ENACTMENT.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 10, 2010

CHAPTER 1124**OPERATING-WHILE-INTOXICATED — MISCELLANEOUS CHANGES***S.F. 431*

AN ACT relating to the reorganization of operating-while-intoxicated criminal offenses, making related changes, and providing an effective date.

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

Section 1. Section 321J.2, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

321J.2 Operating while under the influence of alcohol or a drug or while having an alcohol concentration of .08 or more (OWI).

1. A person commits the offense of operating while intoxicated if the person operates a motor vehicle in this state in any of the following conditions:

a. While under the influence of an alcoholic beverage or other drug or a combination of such substances.

b. While having an alcohol concentration of .08 or more.

c. While any amount of a controlled substance is present in the person, as measured in the person's blood or urine.

2. A person who violates subsection 1 commits:

a. A serious misdemeanor for the first offense.