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Passed on File.

Senate File 451
By CONSERVATION COMMITTEE

Passed Senate, Date 4-7-61
Vote: Ayes 46 Nays 0

Passed House, Date 4-21-61
Vote: Ayes 89 Nays 2

Approved.....
Senate concurred 4-24-61
Ayes 49 Nays 0

A BILL FOR

An Act relating to boat registration, navigation regulations
and water safety.

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

1 Chapter one hundred six (106), Code 1958, is hereby repealed
2 and the following enacted in lieu thereof:

1 "Section 1. Declaration of Policy. It is the policy of this
2 state to promote safety for persons and property in and connected
3 with the use, operation and equipment of vessels and to promote
4 uniformity of laws relating thereto.

1 Sec. 2. Definitions. As used in this Act, unless the
2 context clearly requires a different meaning:

3 1. 'Vessel' means every description of watercraft, other
4 than a seaplane on the water, used or capable of being used as
5 a means of transportation on water.

6 2. 'Motorboat' means any vessel propelled by machinery,
7 whether or not such machinery is the principal source of
8 propulsion, or vessel propelled attached to another craft
9 which is propelled by machinery.

10 3. 'Owner' means a person, other than a lien holder, having
11 the property right in or title to a motorboat or vessel. The
12 term includes a person entitled to the use or possession of a
13 vessel or motorboat subject to an interest in another person,
14 reserved or created by agreement and securing payment or
15 performance of an obligation, but the term excludes a lessee

16 under a lease not intended as security.

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

23 5. 'Farm pond' means a body of water wholly on the lands
24 of a single owner, or a group of joint owners, which does not
25 have any connection with any public waters and which is less than
26 ten surface acres.

27 6. 'Person' means an individual, partnership, firm,
28 corporation or association.

29 7. 'Operate' means to navigate or otherwise use a vessel
30 or motorboat.

31 8. 'Navigable waters' means all lakes, rivers and streams,
32 which can support a vessel capable of carrying one or more
33 persons during a total of six months period in one out of every
34 ten years.

35 9. 'Watercraft' means any vessel which through the
36 buoyant force of water floats upon the water and is capable of
37 carrying one or more persons.

38 10. 'Undocumented vessel' means any vessel which is not
39 required to have, and does not have, a valid marine document
40 issued by the bureau of customs.

41 11. 'Commission' means state conservation commission.

42 12. 'Privately owned lakes' means any lake, located within
43 the boundaries of this state and not subject to federal control,
44 covering navigation owned by an individual, group of individuals

45 or a nonprofit corporation and which is not open to the use of
46 the general public but is used exclusively by the owners and
47 their personal guests.

1 Sec. 3. Powers and Duties of State Conservation Commission.

2 The state conservation commission is hereby vested with the
3 power and is charged with the duty of observing, administering
4 and enforcing the provisions of this Act.

5 The state conservation commission is hereby authorized to
6 adopt, promulgate and enforce such rules and regulations as may
7 be necessary to carry out the provisions of this Act.

1 Sec. 4. Operation of Unnumbered Motorboats Prohibited. Every

2 undocumented motorboat on the waters of this state under the
3 jurisdiction of the state conservation commission and waters
4 specifically delegated to local authorities shall be numbered.
5 No person shall operate, maintain or give permission for the
6 operation or maintenance of any such vessel on such waters
7 unless the vessel is numbered in accordance with this Act or
8 in accordance with applicable federal laws or in accordance
9 with a federally approved numbering system of another state and
10 unless the certificate of number awarded to such vessel is in
11 full force and effect and the identifying number set forth in the
12 certificate of number is displayed on each side of the bow of
13 such vessel.

1 Sec. 5. Registration and Identification Number.

2 1. The owner of each motorboat requiring numbering by this
3 state shall be registered every two years with the commission.
4 The owner of such motorboat shall file an application for
5 registration with the commission on forms approved by it. The
6 application shall be signed by the owner of the motorboat and

7 shall be accompanied by a fee of four dollars. Upon receipt
8 of the application in approved form, the commission shall enter
9 the same upon the records of its office and shall issue to the
10 applicant a pocket size registration certificate. The registration
11 certificate shall bear thereon the number awarded to such
12 motorboat, the passenger capacity of such vessel and the name and
13 address of the owner. The registration certificate shall be
14 carried either in the motorboat or on the person of the operator
15 of such vessel when in use.

16 The owner shall cause the identification number to be
17 painted on or attached to each side of the bow of the motorboat in
18 such size and manner as may be prescribed by the rules and
19 regulations of the commission and shall be maintained in a legible
20 condition at all times.

21 No number, other than the number awarded to a vessel under
22 the provisions of this Act or granted reciprocity pursuant to
23 this Act, shall be painted, attached or otherwise displayed on
24 either side of the bow of such vessel.

25 The owner of each vessel must display and maintain, in a
26 legible manner and in a prominent spot on the exterior of such
27 vessel, other than the bow, the passenger capacity of the vessel
28 which must conform with the passenger capacity designated on the
29 registration certificate.

30 2. The commission may issue a certificate to dealers and
31 manufacturers which may be used on different vessels at different
32 times, when such vessels are used as demonstrators or experimental
33 craft. The word "manufacturer" or "dealer" shall be plainly
34 marked on each such certificate. The manufacturer or dealer shall
35 have the number so awarded printed upon or attached to a removable

36 sign or signs to be temporarily but firmly mounted upon or
37 attached to the vessel being demonstrated or tested and the
38 display must meet the requirements of this Act and the rules
39 and regulations of the commission.

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

46 4. Upon transfer of ownership of any motorboat, the owner
47 shall within five days surrender the registration certificate to
48 the commission and report the name and address of the purchaser
49 and the date of transfer. Within five days the purchaser shall
50 file a new application form with the commission with a fee of one
51 dollar and a transfer of number shall be awarded in the same manner
52 as provided for in an original registration.

53 5. All fees collected for the registration of vessels shall
54 be forwarded by the commission to the treasurer of the state,
55 who shall place such money in a conservation fund. The money so
56 collected shall be appropriated by the legislature to the
57 commission solely for the administration and enforcement of
58 navigation laws and water safety.

59 6. When an agency of the United States government shall
60 have in force an over-all system of identification numbering for
61 motorboats, the numbering system prescribed by the commission
62 pursuant to this Act, shall be in conformity therewith.

63 7. Every registration certificate and number issued hereunder
64 shall expire at midnight July 3, 1963 and every two years

65 thereafter unless sooner terminated or discontinued in accordance
66 with the provisions of this Act. Registration certificates and
67 numbers may be renewed upon application of the owner in the same
68 manner as provided for in securing the original registration.

69 8. Whenever any person, after registering a vessel, moves
70 from the address shown on the registration certificate, he shall,
71 within ten days, notify the commission in writing of his old
72 and new address.

73 Whenever the name of any person, who has registered a
74 vessel, is thereafter changed by marriage or otherwise, he shall,
75 within ten days, notify the commission of such former and
76 new name.

77 If a registration certificate is lost, mutilated or becomes
78 illegible, the owner shall immediately make application for and
79 obtain a duplicate registration certificate by furnishing
80 information satisfactory to the commission.

81 A fee of one dollar shall be paid to the commission for a
82 change of name, change of address or for a duplicate registration
83 certificate.

84 If a vessel, registered under the provisions of this Act, is
85 destroyed or abandoned, such destruction or abandonment shall be
86 reported to the commission and the registration certificate shall
87 be forwarded to the office of the commission within ten days
88 after such destruction or abandonment.

89 9. All records of the commission, made or kept pursuant to
90 this Act, shall be public records.

1 Sec. 6. Exemption from Registration Provisions of this Act.

2 A vessel shall not be required to be registered if it is:

3 1. Covered by a number in full force and effect which has

4 been awarded to it pursuant to federal law or a federally-approved
5 numbering system of another state if such vessel shall not have
6 been within this state for a period in excess of ninety days
7 within one calendar year.

8 2. Foreign vessels temporarily using the navigable waters
9 of the United States and of this state.

10 3. A public vessel of the United States, a state or
11 subdivision thereof.

12 4. A vessel which has a valid marine document issued by the
13 bureau of customs of the United States government or any federal
14 agency successor thereto.

15 5. A ship's lifeboat.

16 6. A type of vessel which has been exempted from registration
17 by the commission after said commission has found that the
18 registration or numbering of such vessel will not materially aid
19 in its identification and such vessel would be exempt from
20 numbering if it were subject to federal law.

1 Sec. 7. Collisions, Accidents and Casualties.

2 1. The operator of a vessel involved in a collision,
3 accident or other casualty shall, so far as possible without
4 serious danger to his own vessel, crew or passengers, render to
5 other persons affected by the collision, accident or casualty,
6 such assistance as may be practicable and necessary to save them
7 from or minimize any danger caused by the collision, accident or
8 other casualty. He shall also give his name, address and
9 identification of his vessel in writing to any person injured
10 and to the owner of any property damaged in the collision,
11 accident or other casualty.

12 2. Whenever any vessel numbered under this Act is involved

13 in a collision, accident or casualty which results in loss of
14 life, injury requiring medical attention, or property damage in
15 excess of one hundred dollars, the operator of such vessel
16 shall file with the commission a report of the occurrence, in
17 writing, and containing such information as the commission may,
18 by regulation, require. Said report shall be submitted within
19 forty-eight hours in death cases and within five days in other
20 cases.

1 Sec. 8. Transmittal of Information. When any request is
2 duly made by an authorized official or agency of the United States,
3 any information compiled or otherwise available to the commission
4 under this Act, such information shall be transmitted to said
5 official or agency.

1 Sec. 9. If any provision of this Act is declared
2 unconstitutional or the applicability thereof is invalid, the
3 constitutionality of the remainder of the Act shall not be affected.

1 Sec. 10. Classification and Required Equipment.

2 1. Vessels subject to the provisions of this Act shall be
3 divided into four classes as follows:

4 Class I. Less than sixteen feet in length.

5 Class II. Sixteen feet or over and less than twenty-six
6 feet in length.

7 Class III. Twenty-six feet or over and less than forty
8 feet in length.

9 Class IV. Forty feet or over.

10 2. Every vessel, in all weathers, from sunset to sunrise,
11 shall carry and exhibit the following lights when under way, and
12 during such time shall exhibit no other lights which may be
13 mistaken for those required.

14 a. Every motorboat of class I and II shall carry the
15 following lights:

16 (1) A bright light aft to show all around the horizon.

17 (2) A combined lantern in the fore part of the vessel and
18 lower than the white light aft, showing green to starboard and
19 red to port, so fixed as to throw the light from right ahead to
20 two points abaft the beam on their respective sides.

21 b. Every motorboat of classes III and IV shall carry the
22 following lights:

23 (1) A bright white light in the fore part of the vessel as
24 near the bow as practicable, so constructed as to show an
25 unbroken light over an arc of the horizon of twenty points of
26 the compass, so fixed as to throw the light ten points on each
27 side of the vessel; namely, from right ahead to two points
28 abaft the beam on either side.

29 (2) A bright white light aft to show all around the horizon
30 and higher than the white light forward.

31 (3) A green light on the starboard side so constructed as to
32 show an unbroken light over an arc of the horizon of ten points
33 of the compass, so fixed as to throw the light from right ahead
34 to two points abaft the beam on the starboard side. A red light
35 on the port side, so constructed as to show an unbroken light
36 over an arc of the horizon of ten points of the compass so fixed
37 as to throw the light from right ahead to two points abaft the
38 beam on the port side. The said side lights shall be fitted with
39 inboard screens of sufficient height so set as to prevent these
40 lights from being seen across the bow.

41 c. Vessels of classes I and II, when propelled by sail alone,
42 shall carry the combined lantern, but not the white light aft

43 prescribed by this section. Vessels of classes III and IV, when
44 so propelled, shall carry the colored side lights, suitably
45 screened, but not the white lights required by this section.

46 d. Vessels of all classes, other than motorboats and sailboats,
40 shall carry ready at hand a lantern or flashlight showing a white
48 light which shall be exhibited in sufficient time to avert
49 collision.

50 e. Every white light required by this section shall be of
51 such character as to be visible at a distance of at least two
52 miles. Every colored light required by this section shall be of
53 such character as to be visible at a distance of at least one
54 mile. The term "visible" in this section, when applied to lights,
55 shall mean visible on a dark night with clear atmosphere.

56 f. When propelled by sail and machinery, such motorboat shall
57 carry the lights required by this section for a motorboat
58 propelled by machinery only.

59 3. Every vessel shall carry and exhibit such other lights
60 required by the rules and regulations of the commission.

61 4. Every motorboat of class II, III or IV shall be provided
62 with an efficient whistle or other sound producing appliance.

63 5. Every motorboat of class III or IV shall be provided
64 with an efficient bell.

65 6. Every vessel shall carry at least one life preserver,
66 life belt, ring buoy or other device, of the sort prescribed by
67 the regulations of the commission, for each person on board, so
68 placed as to be readily accessible.

69 7. Every motorboat shall be provided with such number, size
70 and type of fire extinguishers capable of promptly and
71 effectually extinguishing burning gasoline, as may be prescribed

72 by the regulations of the commission. Such fire extinguishers
73 shall, at all times, be kept in condition for immediate and
74 effective use and shall be so placed as to be readily accessible.

75 8. The provisions of subsections four (4), five (5) and
76 seven (7) of this section shall not apply to motorboats while
77 competing in any race conducted pursuant to section seventeen (17)
78 of this Act or, if such boats are designed and used solely for
79 racing, while engaged in such navigation as is incidental to the
80 tuning up of the boats and engines for the race.

81 The operator of a motorboat, while engaged in such race, must
82 wear a crash helmet and life preserver.

83 9. Every motorboat shall have the carburetor or carburetors
84 of every engine therein, except outboard motors, using a liquid
85 of a volatile nature as fuel, equipped with such efficient flame
86 arrestor, backfire trap or other similar device as may be
87 prescribed by the rules and regulations of the commission.

88 10. Every motorboat, except open boats, using any liquid of
89 a volatile nature as fuel, shall be provided with such means as
90 may be prescribed by the rules and regulations of the commission
91 for properly and efficiently ventilating the bilges of the
92 engines and fuel tank compartments so as to remove any explosive
93 or inflammable gases.

94 1. The commission is hereby authorized to make rules and
95 regulations modifying the equipment requirements contained in
96 this section to the extent necessary for the safety of operators
97 and passengers.

98 12. The commission is hereby authorized to establish such
99 pilot rules as may be necessary for the safe operation of vessels
100 on the waters of this state under the jurisdiction of the

101 commission.

102 13. No person shall operate or give permission for the
103 operation of a vessel which is not equipped as required by this
104 section or modification thereof.

1 Sec. 11. Boat Liveries.

2 1. The owner of a boat livery shall cause to be kept a
3 record of the name and address of the person or persons hiring
4 any vessel which is designed or permitted by him to be operated
5 for hire, the identification number thereof, the departure date
6 and time and the expected time of return. The records shall be
7 preserved for six months.

8 2. The owner of a boat livery shall not permit any of his
9 vessels, operated for hire, to depart from his premises unless it
10 shall have been provided, either by the owner or renter, with the
11 equipment required by the commission.

1 Sec. 12. Muffling Devices. The exhaust of every internal
2 combustion engine used on any motorboat shall be effectively
3 muffled by equipment so constructed and used as to muffle the
4 noise of the exhaust in a reasonable manner. The use of cut-outs
5 is prohibited, except for motorboats competing in a regatta or
6 boat race approved as provided in section seventeen (17) of this
7 Act and for such motorboats while on trial run during a period
8 not to exceed forty-eight hours immediately preceding such regatta
9 or race and for such motorboats while competing in official trials
10 for speed records during a period not to exceed forty-eight hours
11 immediately following such regatta or race.

1 Sec. 13. Prohibited Operation.

2 1. No person shall operate any vessel, or manipulate any
3 water skis, surfboard or similar device in a careless, reckless

4 or negligent manner so as to endanger the life, limb or property
5 of any person.

6 2. No person shall operate any vessel, or manipulate any
7 water skis, surfboard or similar device while intoxicated or
8 under the influence of any narcotic drug, barbiturate or
9 marijuana.

1 Sec. 14. Penalty. Any person violating any of the provisions
2 of this Act, for which another penalty is not otherwise
3 specifically provided, shall, upon conviction or a plea of
4 guilty, be fined not to exceed one hundred dollars or be
5 imprisoned in the county jail not to exceed thirty days.

1 Sec. 15. Operating Vessel While Intoxicated or Under
2 Influence of Drugs. Whoever, while in an intoxicated condition
3 or under influence of narcotic drugs, operates a vessel or
4 manipulates any water skis, surfboard or similar device upon the
5 public waters of this state, shall, upon conviction or a plea of
6 guilty be punished, for the first offense by a fine of not less
7 than three hundred dollars nor more than one thousand dollars,
8 or by imprisonment in the county jail for a period of not to exceed
9 one year, or by both such fine and imprisonment; for the second
10 offense by a fine of not less than five hundred dollars, nor more
11 than one thousand dollars, or by imprisonment in the penitentiary
12 for a period of not to exceed one year, or by both such fine and
13 imprisonment; and for a third offense and each offense thereafter,
14 by imprisonment in the penitentiary for a period not to exceed
15 three years.

16 The court shall also, in pronouncing sentence, provide for
17 the revocation of the pilot's and engineer's license of the
18 defendant, if any, and the immediate surrender of the defendant's

19 liquor permit issued under chapter one hundred twenty-three (123).

20 The clerk of court shall immediately certify to the commission a
21 true copy of the judgment sentencing the defendant under this Act.

22 The court, in pronouncing sentence, may provide as to the
23 period during which a pilot's and engineer's license shall not be
24 issued or reissued to the defendant, provided said period shall
25 be not less than sixty days nor more than one year from the date
26 of sentence or revocation. If the court does not so provide, the
27 commission may issue or reissue such license only upon application
28 by the defendant after the expiration of a sixty day period
29 following the date of sentencing.

30 The liquor control commission shall not issue the defendant
31 a new liquor permit until such time as the court or judge of the
32 court having original jurisdiction of the defendant, for good
33 cause shown, shall so certify to the liquor control commission.

1 Sec. 16. Water Skis and Surfboards.

2 1. No person shall operate a vessel on any waters of this
3 state under the jurisdiction of the commission for towing a person
4 or persons on water skis, surfboard or similar device unless there
5 is in such vessel a responsible person, in addition to the
6 operator, in a position to observe the progress of the person or
7 persons being towed.

8 2. No person shall operate a vessel on any waters of this
9 state under the jurisdiction of the commission, towing a person
10 or persons on water skis, surfboard or similar device, nor shall
11 any person engage in water skiing, surfboarding or similar
12 activity at any time between the hours from one hour after sunset
13 to one hour before sunrise.

14 3. The provisions of subsections one (1) and two (2) of this

15 section do not apply to a performer engaged in a professional
16 exhibition or a person or persons engaged in a professional
17 exhibition or a person or persons engaged in an activity authorized
18 under section sixteen (16) of this Act.

1 Sec. 17. Regattas, Races, Marine Parades, Tournaments or
2 Exhibitions.

3 1. The commission may authorize the holding of regattas,
4 motorboat or other boat races, marine parades, tournaments or
5 exhibitions on any waters of this state under the jurisdiction
6 of the commission. The commission shall adopt and may, from time
7 to time, amend regulations concerning the safety of vessels and
8 persons, either observers or participants. If a regatta,
9 motorboat or other boat race, marine parade, tournament or
10 exhibition is proposed to be held, the person in charge thereof
11 shall file an application with the commission for permission to
12 hold such regatta, motorboat or other boat race, marine parade,
13 tournament or exhibition. The application shall set forth the
14 date, time and location where it is proposed to hold such regatta,
15 motorboat or other boat race, marine parade, tournament or
16 exhibition and it shall not be conducted without written
17 authorization of the commission.

18 2. The provisions of this section shall not exempt any person
19 from compliance with applicable federal law or regulation, but
20 nothing contained herein shall be construed to require the
21 securing of a state permit under this section if a permit therefor
22 has been obtained from an authorized agency having jurisdiction of
23 the waters where such regatta, race, marine parade, tournament or
24 exhibition is being conducted.

1 Sec. 18. Local Regulations Prohibited.

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

12 2. Any subdivision of this state may, but only after public
13 notice thereof by publication in a newspaper having a general
14 circulation in such subdivision, make formal application to the
15 commission for special rules and regulations concerning the
16 operation of vessels on any waters within its territorial limits
17 and shall set forth therein the reasons which make such special
18 rules or regulations necessary or appropriate.

19 3. The commission is hereby authorized upon application of
20 local authorities to make special rules and regulations, in
21 conformity with this Act, concerning the operation of vessels on
22 any waters of this state under the jurisdiction of the commission
23 within the territorial limits of any subdivision of this state.

1 Sec. 19. *Owner's Civil Liability.* The owner and operator of
2 a vessel shall be liable for any injury or damage occasioned by
3 the negligent operation of such vessel.

1 Sec. 20. *Inspectors, Water Safety Patrolmen and Conservation*
2 *Officers.* The commission shall appoint one or more qualified
3 persons as boat inspectors and water safety patrolmen.

4 Boat inspectors, water safety patrolmen and conservation

5 officers are herewith vested with the powers and charged with
6 the duties of peace officers in enforcing the provisions of this
7 Act.

1 Sec. 21. Boat Inspection. Any person having, upon any
2 waters of this state under the jurisdiction of the commission,
3 any vessel, either for hire or offered for hire, must have such
4 vessel and all its appurtenances annually inspected.

5 Every such owner shall file in the office of the commission,
6 an application for inspection of such vessels on a blank furnished
7 by the commission for that purpose.

8 Boat inspectors, conservation officers and water safety
9 patrolmen shall have the power and authority to determine whether
10 such vessel is safe for the transportation of passengers or cargo
11 and upon what waters it may be used. They may determine and
12 designate the number of passengers or cargo, including crew, that
13 may be carried and determine whether the machinery, equipment and
14 all appurtenances are such as to make said vessels seaworthy,
15 where used, and such other matters as are pertinent.

16 After such vessels have been inspected as provided herein, a
17 current inspection seal or tag shall be issued by the commission
18 and shall be kept posted in a conspicuous place upon or in such
19 vessel. Any inspection seal or tag shall be in effect only for
20 the calendar year for which the inspection seal or tag is issued.

21 Private vessels may also be inspected to determine their
22 seaworthiness at any time by representatives of the commission.

1 Sec. 22. Fees. The annual fee for the inspection of vessels
2 operated for hire shall be based upon the passenger-carrying
3 capacity, including crew, for which such vessel is registered.

4 Such fee shall be computed at the rate of fifty cents per

5 person capacity, except rowboats, but shall be not less than
6 one dollar and shall not exceed the maximum of twenty dollars.

7 The fee for inspecting rowboats shall be one dollar per boat.

8 The annual fee for pilot's license is one dollar.

9 The annual fee for engineer's license is two dollars.

10 The provisions of this section shall be applicable to all
11 vessels which are rented to the public for hire, including
12 vessels furnished with leased cottages. If such vessels are
13 found to be in satisfactory condition, the boat inspector shall
14 attach thereto a small plate or inspection seal, indicating the
15 date of inspection and the passenger-carrying capacity. The
16 owner of such vessel shall not offer it for hire or allow it to
17 be so used until such inspection has been made and the vessel
18 found to be in satisfactory condition.

19 There shall be no fee charged for the inspection of private
20 vessels not used for hire.

21 The boat inspector or conservation officer shall collect all
22 inspection fees and forward them to the commission.

23 All fees collected shall be forwarded by the commission to
24 the treasurer of the state, who shall place such money in a
25 conservation fund. The money so collected shall be appropriated
26 by the legislature to the commission solely for the administration
27 and enforcement of navigation laws and water safety.

1 Sec. 23. Engineer or Pilot License. No vessel shall be
2 operated for hire by a pilot or engineer upon the waters of this
3 state under the jurisdiction of the commission unless he first
4 obtains an engineer's or pilot's license. A pilot's license is
5 required for any person who as charge of the steering or directing
6 of the vessel's course or who does the steering or directs the

7 vessel's course. An engineer's license is required for all
8 operators who have charge of or operate the equipment by which
9 the boat is propelled. If one person acts in a dual or alternate
10 capacity, he shall first obtain both an engineer's and pilot's
11 license.

12 Any person desiring a pilot's or engineer's license shall
13 file an application with the commission upon forms prepared and
14 furnished by the commission. Such license may be issued by the
15 commission only upon recommendation of a boat inspector, water
16 safety patrolman or conservation officer duly authorized by the
17 commission. Before the boat inspector, water safety patrolman or
18 conservation officer recommends such a license, he shall
19 investigate the competency of the applicant, his acquaintance with
20 and experience in boat work, his habits as to sobriety, his mental
21 and physical qualifications for the work, his acquaintance with
22 the waters for which application to operate upon is made, his
23 familiarity with the laws and regulations pertaining to the vessel
24 operation and all other pertinent matters. Such license shall
25 not be issued to anyone under eighteen years of age.

26 Engineer's and pilot's licenses shall be in effect only for
27 the calendar year in which such license is issued.

1 Sec. 24. Suspension or Revocation.

2 1. The boat inspector, water safety patrolman or conservation
3 officer may, for cause, temporarily suspend the registration
4 certificate of any vessel and the license of a pilot or engineer,
5 that has been issued under this Act, and the commission, after a
6 due hearing on the matter at its next session, shall make final
7 determination in the matter.

8 2. The commission shall forthwith revoke the registration

9 certificate of any vessel and the pilot's or engineer's license of
10 the operator of such vessel upon receiving a record of such owner
11 or operator's conviction of any of the following offenses, when
12 such conviction has become final.

13 a. Manslaughter resulting from the operation of a vessel.

14 b. Operating a vessel or manipulating water skis, surfboard
15 or similar device while in an intoxicated condition or under
16 influence of a narcotic drug.

17 c. Failure to stop and render aid as required by this Act
18 when a collision, accident or other casualty results in the
19 death or personal injury of another.

20 d. Perjury or the making of a false affidavit or statement
21 under oath to the commission under this Act relating to the
22 ownership or operation of a vessel.

23 3. The commission is hereby authorized to suspend the
24 registration certificate of any vessel and the pilot's or
25 engineer's license of an operator upon a showing by its records
26 that the owner or operator:

27 a. Has committed an offense for which mandatory revocation of
28 registration certificate or pilot's or engineer's license is
29 required upon conviction.

30 b. Is a habitual reckless or negligent operator of a vessel.

31 c. Is incompetent to operate a vessel.

32 d. Has permitted an unlawful or fraudulent use of such
33 registration certificate or pilot's or engineer's license.

1 Sec. 25. Overloading of vessels. No person owning or
2 operating a vessel shall permit said vessel to be occupied by
3 more passengers and crew than the registration capacity permits.

1 Sec. 26. Penalty. If any owner, agent or master of any

2 vessel, plying the waters of this state, shall hire or offer for
3 hire, such vessel for the carrying of a person or persons thereon,
4 without first obtaining annually, a permit as in this Act required,
5 and before operating such vessel in such service; or if the owner,
6 agent or master, having obtained such permit, receives for carriage
7 or permits carriage on such vessel a greater number of persons than
8 authorized therein, or if any person acts as pilot or engineer on
9 any vessel, for which inspection and registration are required,
10 without first obtaining a permit therefor; or if such pilot or
11 engineer continues to follow such avocation after the same has
12 been revoked or expired, he shall be fined in a sum not to exceed
13 one thousand (1000) dollars or imprisoned in the county jail not
14 to exceed one year or punished by both such fine and imprisonment.
15 The provisions of this section shall not apply to vessels
16 registered or numbered by authority of the United States.

1 Sec. 27. Right-of-way Rules. Vessel traffic shall be
2 governed by the following rules:

- 3 1. Passing from rear—keep to the operator's left.
- 4 2. Passing head on—keep to the operator's right.
- 5 3. Passing at right angles—vessel at the right has the
6 right-of-way.
- 7 4. Manually propelled vessels have the right-of-way over
8 other vessels.
- 9 5. Sailboats have the right-of-way over all motor driven
10 vessels. Motorboats, when meeting or overtaking sailboats, shall
11 always pass on the leeward side.
- 12 6. Any vessel backing from a landing has the right-of-way
13 over incoming vessels.
- 14 7. The commission is authorized to promulgate further rules

15 and regulations governing vessel traffic.

1 Sec. 28. Removal of Non-permanent Structures. Every vessel
2 or structure, not considered a permanent structure by the
3 commission or excepted by the regulations of the commission, shall
4 be removed from the waters of this state under the jurisdiction of
5 the commission on or before December fifteen of each year.

1 Sec. 29. Unworthy Vessels Drydocked. No person shall place
2 or allow to remain in the waters of this state under the
3 jurisdiction of the commission, any vessel which has failed to
4 pass inspection.

1 Sec. 30. Official Duty Exempted. Members of the commission,
2 its deputies, agents and employees shall not be deemed violating
3 the provisions of this Act while on emergency duty and acting
4 within the scope of their employment.

1 Sec. 31. Aircraft Restriction. It shall be unlawful for any
2 aircraft to make use of the inland lakes of the state in the
3 transportation of persons or property between points separated by
4 a distance of thirty miles or more. Nothing herein shall prohibit
5 the use of such waters by any aircraft in danger or distress or
6 the use of such waters by the operators of private aircraft, not
7 operated for hire. The foregoing provisions notwithstanding, the
8 commission may, on the recommendation of the Iowa aeronautics
9 commission, designate certain areas on inland lakes of the state
10 where seaplane flight instruction may be conducted under such
11 conditions as may be adopted by the commission and the Iowa
12 aeronautics commission.

1 Sec. 32. Artificial Lakes.

2 1. No motorboats with inboard motors; motorboats of plane
3 or gliding type, including combination plane and displacement

4 types, propelled by an outboard motor; rowboats of displacement
 5 type with outboard motor, shall be permitted on any artificial
 6 lake under the jurisdiction of the commission except that
 7 rowboats or motorboats equipped with an outboard motor, not to
 8 exceed six horsepower shall be permitted upon any artificial lake
 9 of one hundred acres or more in size.

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

14 3. All privately-owned boats on artificial lakes under the
 15 jurisdiction of the commission shall be kept at locations
 16 designated by the commission.

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

1 Sec. 33. Regulations for Buoys.

2 1. No private buoy shall be maintained in the waters of this
 3 state under the jurisdiction of the commission except as specified
 4 by the rules and regulations of the commission.

5 2. No other obstruction of any kind shall be maintained in the
 6 waters of this state under the jurisdiction of the commission
 7 without first receiving permission from the commission to maintain
 8 such obstruction.

9 3. It shall be unlawful to taper with, move or attempt to
 10 move any state-owned buoy.

11 4. No boat shall be anchored away from the shore and left
 12 unguarded unless it is attached to a legal buoy.

1 Sec. 34. Driving over Ice. No craft or vehicle operating on
 2 the surface of ice on the inland lakes and streams of this state
 3 and propelled by machinery in whole or in part, except ice-cutting

4 machinery, automobiles, motorcycles and trucks when such are used
 5 without endangering public safety, shall be operated without a
 6 permit issued, by the commission, for such operation. Any such
 7 permit issued may be revoked by the commission if such craft or
 8 vehicle is operated in a careless manner as endangers others."

*Adopted
4-5-61*

SENATE FILE 451

- 1 Amend Senate File 451 as follows:
- 2 1. By striking from lines 43 and 44 of section 2 the
- 3 words: "control, covering navigation" and inserting in
- 4 lieu thereof the following: "control covering navigation,".
- 5 2. By inserting after the word "state" in line 2 of
- 6 section 31, the following: ", except".

Filed
 March 2, 1961.

By STUART.

SENATE FILE 451

- 1 Amend Senate File 451 as follows:
- 2 Amend section 5 subsection 8 by striking from line 82 the words
- 3 "change of name, change of address or for a".

Filed
 April 5, 1961.

By FROMMELT.

*Adopted
4-7-61*

SENATE FILE 451

- 1 Amend Senate File 451, section 2, line 6 by striking
- 2 the comma after the word "machinery" and inserting the follow-
- 3 ing: "developing in excess of ten (10) horsepower,".

Filed and lost.
 April 5, 1961.

By RIGLER.

SENATE FILE 451

- 1 Amend Senate File 451 by striking from subsection 3 of
- 2 section 16, line 18, the word and number "sixteen (16)" and
- 3 inserting in lieu thereof the word and number "seventeen
- 4 (17)".

Filed
 April 6, 1961.

By STUART.

*Adopted
4-7-61*

SENATE FILE 451

- 1 Amend Senate File 451 by striking from line 2 of
- 2 section 19 the word "a" and inserting in lieu thereof the
- 3 words "any undocumented".

Filed and adopted
 April 7, 1961.

By STUART.

SENATE FILE 451

- 1 Amend section two (2) of Senate File 451 as follows:
- 2 By adding after the word "customs" in line forty (40) the
- 3 following: "or a foreign government".

Filed
 April 19, 1961.

NADEN of Hamilton.

Adopted

SENATE FILE 451

- 1 Amend Senate File 451 by inserting in line one (1) after the
- 2 figures "1958" the words "as amended by chapter one hundred
- 3 twenty-two (122), Acts of the Fifty-eighth General Assembly".

Filed
 April 19, 1961.

KREAGER of Jasper.

*Adopted
4-19-61*

SENATE FILE 451

- 1 Amend Senate File 451 by inserting the word
- 2 "white" after the word "bright" in line sixteen (16)
- 3 of section ten (10) thereof.

Filed

Adopted