

FILED MAR 06 2006

SENATE FILE 2348
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 3058)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring certain minor children to wear personal
2 flotation devices while on board certain vessels operated on
3 state waters and providing for a penalty and an effective
4 date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SE 2348

1 Section 1. Section 462A.12, Code Supplement 2005, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 14. A person shall not operate a vessel
4 on the waters of this state under the jurisdiction of the
5 commission unless every person on board the vessel who is
6 under thirteen years of age is wearing a type I, II, III, or V
7 personal flotation device, including "float coats" that meet
8 this definition, that is approved by the United States coast
9 guard, while the vessel is under way. This subsection does
10 not apply when the person under thirteen years of age is in an
11 enclosed cabin or below deck, or is a passenger on a
12 commercial vessel with a passenger capacity of twenty-five
13 persons or more.

14 Sec. 2. WARNING CITATIONS -- TWELVE-MONTH PERIOD. During
15 the twelve-month period beginning on the effective date of
16 this Act, peace officers shall issue only warning citations
17 for violations of this Act.

18 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
19 immediate importance, takes effect upon enactment.

20 EXPLANATION

21 This bill adds a new provision to Code section 462A.12
22 concerning prohibited operations of certain vessels. The bill
23 provides that a person shall not operate a vessel on the
24 waters of this state under the jurisdiction of the natural
25 resource commission unless every person on board who is under
26 13 years of age is wearing a type I, II, III, or V personal
27 flotation device, including "float coats" that meet this
28 definition, that is approved by the United States coast guard,
29 while the vessel is under way. The new provision does not
30 apply when the person under 13 years of age is in an enclosed
31 cabin or below deck, or is a passenger on a commercial vessel
32 with a passenger capacity of 25 persons or more.

33 For a violation of this provision, there is a scheduled
34 fine of \$25, pursuant to Code section 805.8B, subsection 1,
35 paragraph "c". However, the bill provides that during the 12-

1 month period after enactment, violators of the bill shall
2 receive only warning citations.

3 The bill is effective upon enactment.

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Hancock co-chair
Miller co-chair
Schoenjahn
Kettering

Succeeded By
SF/HF 2348

SSB# 3058
Natural Resources

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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2 flotation devices while on board certain vessels operated on
3 state waters.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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8 this definition, that is approved by the United States coast
9 guard, while the vessel is under way. This subsection does
10 not apply when the person under thirteen years of age is in an
11 enclosed cabin or below deck, or is a passenger on a vessel
12 for hire or a commercial vessel with a passenger capacity of
13 twenty-five persons or more.

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EXPLANATION

15 This bill adds a new provision to Code section 462A.12
16 concerning prohibited operations of certain vessels. The bill
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