Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 571—Chapters 36 to 43 and 45 "Green Valley Lake Special Water Activity Rules; Boating Safety Equipment; Boat Registration and Numbering; Boating Passenger Capacity; Boating Speed and Distance Zoning; Boating Navigation Aids; Boating Accident Reports; Motorboat Noise; Boat Motor Regulations"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 462A.3, 462A.5, 462A.7, 462A.9, 462A.11, 462A.17, 462A.26 and 462A.32

State or federal law(s) implemented by the rulemaking: Iowa Code sections 462A.3, 462A.5, 462A.7, 462A.9, 462A.11, 462A.17, 462A.26 and 462A.32 and 2024 Iowa Acts, House File 2485

Public Hearing

A public hearing at which persons may present their views orally will be held via conference call as follows. Persons who wish to attend the conference call should contact Susan Stocker via email. A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at the conference call public hearing must submit a request to Susan Stocker prior to the hearing to facilitate an orderly hearing.

September 24, 2024 9 a.m.	Via video/conference call

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis. Written or oral comments in response to this Regulatory Analysis must be received by the Department of Natural Resources (Department) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Susan Stocker
Iowa Department of Natural Resources
6200 Park Avenue, Suite 200
Des Moines, Iowa 50321
Phone: 515.313.6439
Email: susan.stocker@dnr.iowa.gov

Purpose and Summary

Proposed Chapter 37 contains Iowa's water navigational rules, which exist to protect private and public property and the health, safety, and welfare of the public. The chapter ensures uniformity of vessel use, operation, and equipment. This chapter is the consolidation of former Chapters 36 through 43 and 45. This consolidation is the result of the Executive Order 10 review of Iowa's boating regulations. Through this merger, the substance of these chapters has been revised to eliminate redundancies, improve efficiency, and implement updates in accordance with federal law changes and U.S. Coast Guard guidance.

Notably, two new provisions were added. First, Coal Creek Marsh in Warren County has been added to the list of artificial marshes in proposed Chapter 37 with relevant boating restrictions. Second, Lake Panorama-specific regulations were added to comply with 2024 Iowa Acts, House File 2485, which was signed into law during the 2024 Legislative Session.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

Members of the public using public waters for recreation will bear the costs.

- Classes of persons that will benefit from the proposed rulemaking:

Members of the public using public waters for recreation will benefit.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- Quantitative description of impact:

The cost for members of the public to comply with the rules includes having to purchase additional equipment, modifying a vessel to add compliant equipment or remove noncompliant equipment, and purchasing registration.

- Qualitative description of impact:

Members of the public may be limited from accessing certain water bodies if their preferred vessel, equipment, or operation does not comply with the rules.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

Department costs are for staff involved in enforcing the rules and administrative costs related to vessel registrations and accident reports.

- Anticipated effect on state revenues:

The water navigation rules are necessary to protect private and public property and the health, safety, and welfare of the public. Further, the rules must consider the necessity for uniformity relating to use, operation, and equipment of vessels. Transparency and a safe boating environment encourage increased tourism on public waters, which will have a positive impact on state revenues. Further, compliance with U.S. Coast Guard regulations and guidelines makes Iowa eligible for certain federal funding.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Inaction, meaning the absence of these rules, reduces transparency to the public of expectations in public water recreation and has a negative impact on the health, safety, and welfare of the public. Inaction also threatens federal funding. In contrast, the benefit of the proposed rulemaking is ensuring uniformity for the public and promoting health and safety on public waters. Further, the rules align with U.S. Coast Guard regulations and guidelines, which makes Iowa eligible for certain federal funding.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

Less costly or less intrusive methods to the public would include not having certain regulations on how the public can engage in water recreation. However, these methods do not achieve the purpose of a safe and healthy recreation environment on Iowa's public waters.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

With the risk to federal funding, no serious alternative methods were seriously considered. Moreover, these rules are required by state law.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

Not applicable. These rules are required by state law.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not impact small businesses.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **571—Chapter 36**.

ITEM 2. Rescind 571—Chapter 37 and adopt the following **new** chapter in lieu thereof:

CHAPTER 37
VESSEL SAFETY AND REGISTRATION

571—37.1(462A) Purpose. Pursuant to Iowa Code section 462A.3, these rules set forth vessel safety equipment and registration requirements, vessel operation and waterway zoning, and vessel occurrence reporting requirements.

571—37.2(462A) Definitions. For the purpose of Divisions I, II, and III of this chapter:

"A Scale" or *"A"* means the physical scale marked "A" graduated in decibels on a sound level meter that meets the requirements of the American National Standards Institute, Incorporated, publication S1.4 — 1983 General Purpose Sound Level Meters.

"Buoy" means any device designed to float that is anchored in the water and that is used to convey a message.

"Display area" means the area on a sign or buoy needed for display of a waterway marker symbol.

"Diver's flag" means a red flag or device with a white diagonal running from the upper left hand corner to the lower right hand corner (from mast head to lower outside corner).

"PFD" means a U.S. Coast Guard-approved personal flotation device that is intended to be worn or thrown.

"Regulatory marker" means a waterway marker that has no equivalent in the U.S. Coast Guard system of navigational aids.

"Sign" means any device for carrying a message that is attached to another object such as a piling, buoy, structure or the land itself.

"Symbols" means geometric figures such as a diamond, circle, rectangle, etc., used to convey a basic message.

"Throwable PFD" means a PFD that is intended to be thrown to a person in the water. A PFD marked as Type IV or Type V with Type IV performance is considered a throwable PFD. Unless specifically marked otherwise, a wearable PFD is not a throwable PFD.

"Waterway marker" means any device designed to be placed in, on, or near the water to convey an official message to a boat operator on matters which may affect health, safety, or well-being, except that such devices of the U.S. or any agency of the United States are excluded from the meaning of this definition.

"Wearable PFD" means a U.S. Coast Guard-approved PFD that is intended to be worn or otherwise attached to the body. A PFD marked as Type I, Type II, Type III, or Type V with Type I, II or III performance is considered a wearable PFD.

DIVISION I
EQUIPMENT AND REGISTRATION

571—37.3(462A) Fire extinguishers. The number and type of fire extinguishers required for motorboats within the state of Iowa are as follows:

37.3(1) *Fire extinguisher type.* Fire extinguishers shall be a U.S. Coast Guard-approved B-I or B-II type as described in 33 CFR Part 175, Subpart E (June 1, 2024).

37.3(2) *Number of fire extinguishers.* The number of fire extinguishers required shall be dependent upon motorboat class and in compliance with 33 CFR Part 175, Subpart E (June 1, 2024).

Class	Minimum number of 5-B portable fire extinguishers	
	If no fixed fire extinguishing system	With fixed fire extinguishing system
I (less than 16 ft.)	1	0
II (16 ft. to under 26 ft.)	1	0
III (26 ft. to under 40 ft.)	2	1
IV (40 ft. to 65 ft.)	3	2

37.3(3) *Fire extinguisher condition.* Fire extinguishers must:

a. Be on board and readily accessible;

b. Not be expired or appear to have been previously used; and

c. Be maintained in good and serviceable working condition, meaning:

(1) If the extinguisher has a pressure gauge reading or indicator, the reading or indicator must be in the operable range or position;

(2) The lock pin is firmly in place;

(3) The discharge nozzle is clean and free of obstruction; and

(4) The extinguisher does not show visible signs of significant corrosion or damage.

571—37.4(462A) Flame arrestors. All motorboat engines, except outboard engines, shall be equipped with an efficient flame arrestor, backfire trap or other similar device. An acceptable flame arrestor shall have evidence of compliance with UL Standard 1111 (October 31, 2008) or the revised 2020-02 Society of Automotive Engineers Standard J1928, titled "Devices Providing Backfire Flame Control for Gasoline Engines in Marine Applications."

571—37.5(462A) Lights on vessels. The following lights shall be required on all vessels:

37.5(1) *Vessels at anchor.*

a. A vessel at anchor shall exhibit between the hours of sunset and sunrise:

(1) In the forepart, a white light to show 360 degrees around the horizon or one ball.

(2) At or near the stern and at a lower level than the light prescribed in 37.5(1)*"a"*(1) a white light to show 360 degrees around the horizon.

b. A vessel of less than 50 meters in length may exhibit a white light to show 360 degrees around the horizon instead of the lights prescribed in this subrule.

37.5(2) *Vessels not powered by motor or sail.* All vessels not powered by motor or sail and not at anchor shall exhibit a white light to show 360 degrees around the horizon that is visible from at least one mile under clear conditions between the hours of sunset and sunrise when operated on natural lakes, Corps of Engineers impoundments, border rivers excluding border portions of the Big Sioux and Des Moines rivers, and impoundments on inland rivers. If the white light is partially obscured due to the nature of the craft, an additional white light must be shown in sufficient time to prevent collision. When operated on bodies of water other than those listed in subrule, all vessels not powered

by motor or sail and not at anchor shall have in possession a white light to be used when necessary between the hours of sunset and sunrise.

37.5(3) *Sailing vessels.*

a. Vessels of all classes when propelled by sail alone shall exhibit one of the following lighting systems between sunset and sunrise and at all other times required by applicable laws:

(1) While underway, one of the following lighting systems is acceptable:

1. The international lighting system for the applicable class of vessel.

2. The combined lantern or separate side lights required for the applicable class of vessel plus a white light so placed as to illuminate the sail so the sail is visible at a distance of at least one-half mile.

(2) While at anchor, one of the following lighting systems is acceptable:

1. A white light that shows all around the horizon (360 degrees).

2. An illuminated sail, to be visible all around the horizon (360 degrees) at a distance of one-half mile.

b. A sailing vessel means any vessel whose sole source of propulsion is the natural element (i.e., wind). A sailing vessel using any auxiliary source of mechanical propulsion is a motorboat and must exhibit the lights required for the applicable class of motorboat.

571—37.6(462A) Buoyant safety equipment.

37.6(1) PFDs shall be U.S. Coast Guard-approved. Each PFD must be appropriately sized for the person for whom it is intended and be used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual.

Registered American Power Boat Association (APBA) drivers shall wear an APBA-certified PFD while in competition or practice related to an APBA-sanctioned event.

37.6(2) Wearable PFDs. Except as provided in 37.6(4), no person may use a vessel of any length unless at least one wearable PFD is on board for each person.

37.6(3) Throwable PFDs. No person may use a vessel 16 feet or more in length, except a canoe or kayak, unless at least one throwable PFD is on board in addition to the PFDs required in 37.6(2).

37.6(4) Exceptions. A person using a canoe or kayak that is enclosed by a deck and spray skirt need not comply with 37.6(2) if that person wears a vest-type lifesaving device that:

a. Has no less than 150 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film, and has not less than 13 pounds positive buoyancy in fresh water, if that person weighs more than 90 pounds; or

b. Has no less than 120 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film and has not less than 8½ pounds positive buoyancy in fresh water, if that person weighs 90 pounds or less.

37.6(5) Nonapproved devices. Any PFD which has a torn or missing strap, punctured flotation bag, waterlogged flotation material, rotted material in straps or webbing or cover, missing laces, missing hardware, envelope torn or perforated, torn stitching or any other condition which impairs the operating efficiency, any PFD on which the U.S. Coast Guard approval tag is no longer easily legible, or any inflatable device which has a discharged or otherwise inoperable gas cartridge shall be deemed as not approved for use on board vessels as equipment required by law.

37.6(6) Water skis and surfboards. Any person engaged in waterskiing, wakeboarding, wakesurfing, surfboarding, or other similar activity, except for vessels known as windsurfers, shall wear a U.S. Coast Guard-approved wearable PFD that is properly fastened and secured and used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual. Inflatable devices are not approved for waterskiing, wakeboarding, wakesurfing, or tow-behind activities. Skiers participating in a tournament or exhibition may be exempted from the PFD requirement if the skiers

are wearing wet suits with built-in flotation and granted a specific exemption in the special events permit issued by the natural resource commission. A flotation wet suit may include a full suit (top and bottom) or a form-fitting top as long as the top will float the wearer when air is expelled from the wearer's lungs. A special event may include practice sessions if all practice sessions for the season are listed on the special event application. In that case, the application shall include a specific location, date and time for each practice session.

37.6(7) No person shall operate a vessel on any waters of this state under the jurisdiction of the commission, towing a person or persons on water skis, surfboard, or similar device, nor shall any person engage in waterskiing, wakeboarding, wakesurfing, surfboarding, or similar activities, at any time between the hours of one-half hour after sunset to sunrise.

37.6(8) Personal watercraft (PWCs). All operators and passengers of PWCs must wear a U.S. Coast Guard-approved wearable PFD that is properly fastened and secured and used in accordance with current U.S. Coast Guard safety equipment requirements as specified in 33 CFR 175.15 and 46 CFR 160 (June 1, 2024), any requirements on the approval label, and any requirements in the PFD's owner's manual if the approval label makes reference to such a manual. Inflatable PFDs are not approved for use on personal watercraft.

571—37.7(462A) Motorboat noise. No person shall operate any motorboat on waters of this state under the jurisdiction of the commission, in such a manner as to exceed the following noise levels:

37.7(1) *Stationary sound level test.* Motorboats manufactured prior to 1993 shall not exceed a noise level of 90dB(A) during a stationary sound level test as prescribed by 2018-06 Society of Automotive Engineers Standard J2005, titled "Stationary Sound Level Measurement Procedure for Recreational Motorboats." For motorboats manufactured on or after January 1, 1993, a motorboat shall not exceed a noise level of 88dB(A) when subjected to a stationary sound level test as prescribed by 2018-06 Society of Automotive Engineers Standard J2005, titled "Stationary Sound Level Measurement Procedure for Recreational Motorboats."

37.7(2) *Shoreline sound level test.* A motorboat engine shall not exceed a noise level of 75dB(A) when measured as specified in 2018-02 Society of Automotive Engineers Standard J1970, titled "Shoreline Sound Level Measurement Procedure for Recreational Motorboats."

571—37.8(462A) Boat registration emblem placement. The current registration emblem shall be placed within six inches of the stern of the registration number on each side of the bow of the vessel. On sailboats, when the registration number is placed on the mast, the registration emblem shall be placed six inches below the registration number on each side of the mast. All newly registered boats or boats with renewed registrations will receive emblems with the registration certificate. This rule shall apply to all registered vessels, including those being used by dealers in accordance with Iowa Code chapter 462A.

571—37.9(462A) Procedure for application for boat registration number—content.

37.9(1) *Application.* An applicant for a boat registration number shall submit the required information described in 33 CFR 174.17 (June 1, 2024).

37.9(2) *Vessels not previously registered.* If a person or business is making application for a boat registration number for a used vessel that has never before been registered or titled and the person does not have any satisfactory proof of ownership, the county recorder may issue a certificate of number for the used vessel if the applicant has provided the recorder with a signed and notarized affidavit on an appropriate department of natural resources form, stating that the person making the application is the lawful owner of the vessel.

37.9(3) *Information on certificate.* The certificate of number shall show the information described in 33 CFR 174.19 (June 1, 2024).

37.9(4) *Registration applied for card.* The dealer selling the vessel shall legibly print on the registration applied for card all information described in 33 CFR 174.21 (June 1, 2024).

a. Use. The registration applied for card may be used only after an application for registration has been made to the county recorder. Placing a completed application for registration and required fee in the mail to the recorder shall constitute making an application.

b. Placement on vessel. The registration applied for card shall be placed on the forward half of the vessel in a position so as to be clearly visible at all times and shall be maintained in a legible manner.

c. Proof of purchase. The operator of any vessel displaying a registration applied for card shall carry and display to any peace officer upon request a valid bill of sale for said vessel.

571—37.10(462A) Vessels in storage. If the owner of a currently registered vessel places the vessel in storage, the owner shall return the registration certificate to the county recorder with an affidavit on an appropriate department form. The county recorder shall notify the department of each registered vessel placed in storage. When the owner of a stored vessel desires to renew the vessel's registration, the owner shall apply to the county recorder and pay the applicable fees.

571—37.11(462A) Numbering pattern to be used. The identification numbers awarded under the Iowa system shall consist of three parts. The first part shall consist of the letters "IA" indicating this state. The second part shall consist of not more than four Arabic numerals. The third part shall consist of not more than two letters. Since the letters "I," "O," and "Q" may be mistaken for Arabic numerals, they shall not be used in the suffix. The parts shall be separated by a hyphen or an equivalent space. For example: IA-2500-C, IA-9875-EA, IA 7560 ZZ.

571—37.12(462A) Display of number on vessel.

37.12(1) The identification number awarded to any vessel under the Iowa numbering system shall be displayed thereon by being:

a. Painted on, or attached to, each side of the bow (i.e., the forward half) of the vessel; read from left to right, and in such position as to provide maximum visibility.

b. In block characters of good proportion not less than three inches in height.

c. Of a color that will contrast with the color of the background (i.e., dark numbers on a light background, or light numbers on a dark background) and so maintained as to be clearly visible and legible.

37.12(2) On vessels propelled by sail only, the numbers may be placed in such a position as to provide maximum visibility, on each side of the bow or deck or on each side of the boom or mast. In all cases except placement on the mast, the numbers shall read from left to right and comply with 37.12(1)*"b"* and *"c."* In placement on the mast, the number shall read from top to bottom and comply with 37.12(1)*"b"* and *"c."*

37.12(3) Purchase and attachment of these letters and numbers is the responsibility of the vessel owner.

37.12(4) No other number shall be carried or displayed on the bow of the vessel.

571—37.13(462A) Special certificates for boat dealers or manufacturers. A manufacturer or dealer may operate an unregistered vessel for purposes of transporting, testing, demonstrating, or selling the vessel after first obtaining a special certificate from the department. An application for a special certificate shall be submitted on the appropriate department form. A manufacturer or dealer operating a vessel pursuant to the issuance of a special certificate shall file an annual report with the department.

571—37.14(462A) Boat dealer's annual report of vessels with expired registrations. Each boat dealer shall file, before May 5 of each year, an annual report with the department on the appropriate form listing all used vessels held by the dealer for sale or trade and for which the registration fee for the current year has not been paid.

571—37.15(462A) Monthly reports by county recorders. Each county recorder shall submit a monthly report to the department listing all vessels registered in that county in the previous month. The applicable fees shall accompany the monthly report.

571—37.16(462A) Boats for hire. Each commercial boat operator will be required to number the boat or boats used to operate for hire with block characters of good proportion not less than three inches in height, in the following manner:

Upon making application for a number for commercially operated vessels, the following type number will be assigned: Example IA-1555-E.

To identify this vessel as a commercial vessel, it will be required that the commercial operator affix an X as the final letter of the suffix: Example IA-1555-EX.

When a commercial operator transfers a vessel to another individual, unless it be to another commercial operator, it will be the operator's responsibility to remove the second letter from the suffix (the letter X).

Transferred to	
Commercial	Private Individual
IA-1555-XX	IA-1555-X
IA-1555-EX	IA-1555-E
Transferred to	
Private	Commercial Operator
IA-1555-A	IA-1555-AX
IA-1555-D	IA-1555-DX

571—37.17(462A) U.S. Coast Guard capacity rating. For vessels assigned a U.S. Coast Guard capacity rating in whole persons as evidenced by a U.S. Coast Guard capacity plate affixed to the vessel, that capacity shall be recognized as the registration capacity.

571—37.18(462A) Vessels assigned a capacity rating by the manufacturer. For vessels that have not been assigned a U.S. Coast Guard capacity rating in whole persons but that contain capacity information in whole persons on a plate affixed to the vessel furnished by the boating industry association, national marine manufacturer association or any similar organization, that capacity shall be recognized as the registration capacity.

571—37.19(462A) Vessels not containing capacity rating information. For vessels with no passenger capacity information provided by the U.S. Coast Guard or the manufacturer, the passenger capacity designated on the registration shall be O.R., "Operator's Responsibility." The operator of the vessel has responsibility for determining passenger capacity of a vessel so designated. Such operation must comply with the provisions of Iowa Code section 462A.12(1).

571—37.20(462A) Incorrect registration. When information contained on the registration certificate of a vessel is found to be incorrect regarding vessel length, vessel width, or passenger capacity, officers appointed by the department may, upon inspection of the vessel, or the county recorder, upon presentation of adequate documentation, including but not limited to an affidavit by the owner, may change the information on the certificate. The officer shall within four days notify the department and the county recorder of the county in which the vessel is registered of the changes.

571—37.21(462A) Number designating passenger capacity.

37.21(1) The passenger capacity of boats as assigned by the commission shall be painted or attached to the starboard side (the right side while in boat and facing the bow) of boat within nine inches of transom in three-inch or larger block numbers in a color contrasting to the boat color so that the numbers ride above the water line when boat is fully loaded.

37.21(2) The requirements of this rule pertaining to the display of registration decals, registration numbers and passenger capacity numbers do not apply to vessels that are exempt pursuant to Iowa Code section 462A.6A.

DIVISION II

Part I
Operating and Zoning

571—37.22(462A) Inland navigation rules. All vessels upon the inland waters, including border rivers, of this state shall conform to Subpart B, "Steering and Sailing Rules," Rules 11 through 18, of the Inland Navigation Rules Act of 1980 (June 1, 2024).

571—37.23(462A) Uniform buoy system. All buoys placed shall be those of the uniform waterway marking system adopted by the commission and shall be constructed, placed, and maintained in accordance with Iowa Code chapter 462A and this chapter.

571—37.24(462A) Commission approval. The placement of buoys or official signs that restrict speed and distance or involve special zoning restrictions shall be approved by the commission.

571—37.25(462A) Restricted areas. All vessels, except authorized emergency vessels, shall be operated in compliance with, and all persons engaged in water recreation activities shall obey, restrictions with posted areas marked with a uniform waterway buoy or official signs adopted by the commission.

571—37.26(462A) Right for aggrieved party to appeal. Any finding or establishment of areas involving special speed and distance or zoning restrictions by the commission may be appealed by aggrieved party upon written notice. A hearing thereon shall be held by the commission within 30 days thereafter.

571—37.27(462A) Mooring of vessels on riparian property of the state of Iowa. Where the state of Iowa owns riparian property adjacent to sovereign land or water, mooring of vessels is prohibited between sunset and sunrise on those riparian or sovereign lands or waters where posted by either official buoys or official signs of the department.

571—37.28(462A) Horsepower limitations on artificial lakes. On artificial lakes of 100 acres or less, a vessel shall only be operated with an electric motor or with an outboard motor where permitted by the rules in division II, part II, of this chapter. On artificial lakes of more than 100 acres, vessels may be operated with unrestricted horsepower motors at a speed not greater than 5 miles per hour except as otherwise permitted by the rules in division II, part II, of this chapter.

571—37.29(462A) Horsepower rating. The horsepower rating of an outboard motor permitted on artificial lakes under the authority of Iowa Code chapter 462A and these rules shall be as determined by the manufacturer when the motor was originally produced. An outboard motor that has been altered to increase its horsepower in excess of ten as rated by the original manufacturer shall not be permitted on artificial lakes.

571—37.30(462A) Propulsion mechanism not in use. Any power unit mounted or carried aboard a vessel, while not being used or operated as a source of propulsion, shall be lawful on artificial lakes, so long as the auxiliary power unit being used or operated as a source of propulsion is within the lawful horsepower limitation established for that lake.

Part II
Waterbody Specific Restrictions and Zoning

571—37.31(462A) Avenue of the Saints Lake, Bremer County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.32(462A) Banner Lakes at Summerset State Park, Warren County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.33(462A) Beaver Lake, Dallas County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.34(462A) Beaver Creek Safety Zone, Polk County. A safety zone is hereby established on Beaver Creek within the property boundaries of the Camp Dodge military reservation in Polk County.

37.34(1) Watercraft and vehicles shall be prohibited from entering the safety zone in order to prevent access to areas within Camp Dodge where a hazard to the public may exist. This prohibition shall not apply to watercraft or vehicles explicitly authorized to enter the safety zone by the Iowa national guard. The safety zone boundaries shall be indicated by signage including the wording "Warning, Restricted Area, No Entrance." The Iowa National Guard shall be responsible for the acquisition, placement, and maintenance of any signage.

37.34(2) The safety zone shall be recognized by the state of Iowa only where signage is posted as required. Any section of Beaver Creek that is not designated as a safety zone shall remain open to any otherwise lawful public access.

37.34(3) Signs establishing the safety zone boundaries may be moved within the present or future boundaries of Camp Dodge at the sole discretion of Iowa National Guard personnel. The Iowa National Guard shall notify the department when the location of the safety zone boundary is changed.

571—37.35(462A) Beeds Lake, Franklin County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.36(462A) Black Hawk Lake, Sac County. No motorboat shall be operated at a speed greater than 5 miles per hour within the zoned area marked by the regulatory buoys. The zoned area shall be the area commonly known as Town Bay on the northwest corner of Black Hawk Lake. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.37(462A) Black Hawk Pits, Sac County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.38(462A) Brown's Lake, Woodbury County. Vessels may be operated at a speed not greater than 5 miles per hour within the two zoned areas designated by regulatory buoys or other approved uniform waterway markers. Areas may be specifically designated for swimming by the use of regulatory buoys.

37.38(1) Zone 1 shall extend 570 yards from the boat ramp east to the regulatory buoys and 150 yards west from the boat ramp.

37.38(2) Zone 2 shall begin at the regulatory buoys located at the 24-inch steel pipe and shall extend west.

571—37.39(462A) Carter Lake, Pottawattamie County. All vessels operated in a designated zone known as Shoal Pointe Canal shall be operated at a speed not greater than 5 miles per hour. The City of Carter Lake shall designate and maintain the 5-mile-per-hour speed zone with marker buoys approved by the commission.

571—37.40(462A) Cedar River and connected backwaters.

37.40(1) *Black Hawk County waters.* All vessels shall be operated at a speed not greater than 5 miles per hour when within 600 feet of the Franklin Street bridge. This 600-foot zone shall be designated by buoys, signs, or other approved uniform waterway marking devices. No vessel shall tow skiers, surfboard riders, or other towable devices within this zone.

37.40(2) *Chickasaw County waters.* The city of Nashua shall designate and maintain the following 5-mile-per-hour speed zones with marker buoys approved by the commission:

a. All vessels operated in a designated zone extending east 150 feet from the intersection of Wabash Street and Charles City Road and north 380 feet shall be operated at a speed not greater than 5 miles per hour.

b. All vessels operated in a designated zone extending north 131 feet from the intersection of Wabash Street and the north entrance to Cedar View Circle and east 80 feet and west 80 feet from this point along the shoreline and extending 110 feet north into the lake shall be operated at a speed not greater than 5 miles per hour.

37.40(3) *Floyd County waters.* All vessels operated in a designated zone extending 300 feet upstream from the upper dam shall be operated at a speed not greater than 5 miles per hour. The city of Charles City shall designate and maintain the 5 miles per hour speed zone with marker buoys approved by the commission.

37.40(4) *Mitchell County waters.* Operation of vessels in Mitchell County is restricted to speeds not greater than 5 miles per hour where a speed zone is designated by buoys on the following impounded waters:

a. Cedar River from Mitchell Dam, thence upriver to the County "S" bridge.

b. Cedar River from the St. Ansgar Mill Dam, thence upriver to the Newberg Bridge crossing Highway 105.

c. Cedar River from the Otranto Dam upriver to the Great Western Railway Bridge crossing the Cedar River.

d. The Stacyville Pool, on the Little Cedar River at Stacyville.

571—37.41(462A) Clear Lake, Cerro Gordo County. Areas may be specifically designated for swimming with the use of regulatory buoys. Areas within close proximity of dredging operations may be designated as areas where the speed of vessels is restricted to not greater than 5 miles per hour.

571—37.42(462A) Coralville Lake, Johnson County. Areas may be specifically designated for swimming, wading, and restricted speed areas.

571—37.43(462A) Crawford Creek Recreation Area Lake, Ida County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.44(462A) Crystal Lake, Hancock County. No motorboat shall be operated at a speed greater than 5 miles per hour within the 25-acre zoned area designated by regulatory buoys.

571—37.45(462A) Deer Creek Lake, Plymouth County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.46(462A) Des Moines River. Vessel operation on the Des Moines River from its confluence with the Mississippi River in Lee County to the northerly meander lines of both the East and West Branches shall be governed by this departmental rule as well as all applicable state laws and regulations. Areas may be specifically designated for swimming, wading, and restricted speed areas.

571—37.47(462A) Dickinson County lakes. All vessels shall be operated at a speed not greater than 5 miles per hour within 300 feet of shore on all lakes in Dickinson County. No vessels, except

authorized emergency vessels, shall be operated at speeds greater than 25 miles per hour at any time between one-half hour after sunset and sunrise on all lakes located in Dickinson County.

37.47(1) *East Okoboji Lake.* No motorboat shall be operated at a speed greater than 5 miles per hour within the three zoned areas designated by regulatory buoys on East Okoboji Lake.

a. Zone 1 shall be a line 150 yards east from the north end of the railroad trestle bridge at Clair Wilson State Park south to the shoreline of East Okoboji.

b. Zone 2 shall be the area which is 300 feet north of the area commonly known as the Narrows on East Okoboji and extends to a southern boundary of a buoy line from the point at 16486 255th Avenue east to the state property adjacent to 16313 256th Avenue on the east side of East Okoboji.

c. Zone 3 shall be the area 50 feet east of the bridge between East Okoboji and Upper Gar on the East Okoboji side running in a northwesterly direction toward the end of the island from Gingles Point then west toward the shoreline.

37.47(2) *West Okoboji Lake.* No motorboat shall be operated at a speed greater than 5 miles per hour within the six zoned areas designated by regulatory buoys on West Okoboji Lake.

a. Zone 1 shall be a line from the east side of Givens Point to the south end of Arnolds Park City Beach on West Okoboji.

b. Zone 2 shall be the area commonly known as Okoboji Harbor at the northwest corner of West Okoboji.

c. Zone 3 shall be the area commonly known as the canals in the city of Wahpeton including Turtle Lake.

d. Zone 4 shall be the area commonly known as Lazy Lagoon located in the Triboji Area on West Okoboji.

e. Zone 5 shall be the area commonly known as Little Millers Bay. The zone shall start at Pinkies Point and extend southeasterly (160 degrees) approximately 370 yards until bisecting the southern shoreline of Little Millers Bay.

f. Zone 6 shall be the area commonly known as Little Emmerson Bay. The zone shall start at Breezy Point and extend southwesterly (235 degrees) approximately 330 yards until bisecting the west shoreline of Little Emmerson Bay.

37.47(3) *Spirit Lake, Dickinson County.* Operation of vessels in the area commonly known as Templar Park Lagoon is restricted to a speed not greater than 5 miles per hour. Areas may be specifically designated for swimming by the use of regulatory buoys.

37.47(4) *Upper Gar Lake, Dickinson County.* Operation of vessels on Upper Gar Lake is restricted to a speed not greater than 5 miles per hour between the Henshaw Bridge at the north end of Upper Gar and south end of East Lake and the Old Sawmill Bridge at the south end of Upper Gar and the north end of Minnewashta.

571—37.48(462A) Five Island Lake, Palo Alto County. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.49(462A) Fogle Lake, Ringgold County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.50(462A) George Wyth Lake, Black Hawk County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.51(462A) Green Valley Lake, Union County.

37.51(1) No inboard boats, jet skis, or jet-powered boats are permitted. All boats must maintain a speed not greater than 5 miles per hour on the entire lake between the hours of sunset and 10:30 p.m. and between 4 a.m. and 10 a.m. No boating is permitted on the lake between 10:30 p.m. and 4 a.m. No boat shall be operated within 100 feet of shore at speeds greater than 5 miles per hour.

37.51(2) A portion of the west arm of Green Valley Lake shall be designated as a ski zone and shall be marked by controlled area buoys as designated by Iowa's uniform waterway marking system.

This designated area shall be referred to as the "ski zone." Waterskiing and general boating are permitted in the designated ski zone between 10 a.m. and sunset. All boats must maintain a speed not greater than 5 miles per hour when outside the ski zone. No one shall be permitted in the water in the ski zone except those persons engaged in waterskiing or similar activity. All boats in the ski zone not engaged in waterskiing or similar activity shall keep out of the general traffic pattern of the boats pulling skiers.

571—37.52(462A) Iowa River.

37.52(1) *Iowa River, Iowa Falls, Hardin County.*

a. All vessels operated in a designated zone between the River Street Bridge and the dock at Dougan's Landing shall be operated at a speed not greater than 5 miles per hour.

b. The city of Iowa Falls shall designate and maintain the 5-mile-per-hour speed zone with marker buoys approved by the commission.

c. All vessels operated in a designated zone beginning at the west property boundary and ending at the east property boundary of the Scenic City Empress Boat Club property located at 1113 Union Street shall be operated at a no-wake speed. The zone shall not extend more than 75 feet into the Iowa River channel.

d. The Scenic City Empress Boat Club shall designate and maintain the no-wake zone with marker buoys approved by the commission.

37.52(2) *Iowa River, Iowa City, Johnson County.* No person shall operate any vessel towing persons on water skis, surfboards, or similar devices on the Iowa River in the area bounded by the Coralville Mill Dam and the Burlington Street Dam, except during regattas, races, marine parades, tournaments, or exhibitions authorized by the commission to be held in such area.

571—37.53(462A) Ingham Lake, Emmet County. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.54(462A) Lake Cornelia, Wright County. All vessels shall be operated at a speed not greater than 5 miles per hour in the boat harbor and at the boat harbor entrance within the zoned area extending 300 feet from two points on shore and 100 feet in width, equidistant from either side of the harbor entrance. The Wright County conservation board shall designate the boat harbor entrance and the public swimming area with uniform marker buoys approved by the commission.

571—37.55(462A) Lake Icaria, Adams County. All vessels shall be operated at a speed not greater than 5 miles per hour when within 50 feet of another vessel which is not underway or is operating at a speed not greater than 5 miles per hour.

37.55(1) No vessel, except authorized emergency vessels, shall be permitted in areas specifically designated for swimming and wading that are plainly marked by the use of buoys or signs.

37.55(2) No motorboats, except authorized emergency vessels, shall be operated in marked bay areas at a speed greater than the limit designated by buoys or signs marking said bay.

37.55(3) No motorboats, except authorized emergency vessels, shall be operated in restricted speed areas between the nearest shore and a line designated by uniform marker buoys or signs at a speed greater than the limit designated on the buoys or signs marking the area. Such zoned areas shall be not less than 50 feet nor more than 400 feet from shore.

571—37.56(462A) Lake Iowa, Iowa County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.57(462A) Lake Macbride, Johnson County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour only from September 8 through May 20 of each year. A motorboat with a power unit exceeding 10 horsepower shall not be permitted the remainder of the year.

571—37.58(462A) Lake Manawa, Pottawattamie County. No motorboat shall be operated at a speed greater than 5 miles per hour within the zoned areas 300 feet from shore around Lake Manawa in Pottawattamie County.

571—37.59(462A) Lake Odessa, Louisa County. Areas may be designated restricted speed areas. All motorboats, except authorized emergency vessels, shall be operated at a speed not greater than 5 miles per hour year-round on two portions of Lake Odessa known as 1) the Sand Run Chute, lying south of the main lake to a point 100 yards south of the Sand Run Chute boat ramp, and 2) the lateral ditch, between the main lake and Bebee Pond, and on the channel between Yankee Chute and Beaver Pond.

571—37.60(462A) Lake of Three Fires, Taylor County. Unrestricted-horsepower vessels may operate at a speed not greater than 5 miles per hour.

571—37.61(462A) Lake Panorama (Raccoon River), Guthrie County.

37.61(1) Areas may be designated as restricted speed, direction, swimming and no boating areas.

37.61(2) Areas may be designated with operation restrictions pursuant to Iowa Code sections 462A.17A and 462A.17B.

571—37.62(462A) Little Wall Lake. No motorboat shall be operated at a speed greater than 5 miles per hour within the zoned area designated by regulatory buoys on Little Wall Lake in Hamilton County. The zoned area will not exceed approximately 20 acres in the northeast portion of the lake identified by a line from a point on the high-water mark approximately 296.6 feet west of the southeast corner of the southwest quarter of Section 10, Township 86 North, Range 24 West; thence northwest to the high-water mark which is 775 feet south and 319 feet west of the northeast corner of the northwest quarter of the southwest quarter of Section 10, Township 86 North, Range 24 West.

571—37.63(462A) Little River Lake, Decatur County. Vessels operating within a designated area beginning at the dam and extending north approximately to the mouth of "Bait Shop Bay" shall be operated at a speed no greater than 5 miles per hour. The Decatur County conservation board shall designate the speed zone with marker buoys approved by the commission.

571—37.64(462A) Loch Ayr, Ringgold County. Motorboats are restricted to not greater than 100 horsepower. A motorboat shall not be operated within 100 feet of shore at a speed greater than 5 miles per hour.

571—37.65(462A) Lost Island Lake, Palo Alto and Clay Counties. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.66(462A) Maquoketa River (Lake Delhi), Delaware County. Water recreation activity restrictions shall be obeyed, including restrictions within posted areas that are marked with approved buoys, on the impoundment of the Maquoketa River in Delaware County, extending westerly and northerly from the line between Sections 29 and 30 in Delhi Township in said county, to the line between Sections 10 and 15 in Milo Township in said county which impoundment is sometimes known and referred to as Hartwick Lake or Lake Delhi. No motorboat shall be operated at speeds greater than 10 miles per hour at any time between the hours from one hour after sunset to one hour before sunrise.

571—37.67(462A) Meadow Lake, Adair County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

MISSISSIPPI RIVER

571—37.68(462A) Mississippi River lock and dam safety zone. A safety zone is hereby established in Iowa waters above and below all navigation lock and dam structures on the Mississippi River between the Iowa-Minnesota border and the Iowa-Missouri border. The established zone shall be 600 feet upstream and 150 feet downstream from the roller gate or tainter gate section of the structure.

37.68(1) The safety zone does not include the area directly above and below the navigation lock structure.

37.68(2) The safety zone does not include the area directly above and below the solid fill portion of the dam and structure.

37.68(3) The safety zone shall be recognized by the state of Iowa only when plainly marked as follows:

a. Upstream signs worded—Restricted area keep 600 feet from dam.

b. Downstream signs worded—Restricted area keep 150 feet from dam.

c. Flashing red lights will be used to make the outer limits of the restricted areas.

37.68(4) No boat or vessel of any type, except authorized vessels, shall enter the established safety zones recognized by the state of Iowa as described in this rule.

ALLAMAKEE COUNTY

571—37.69(462A) Mississippi River, Lansing, Allamakee County. All vessels, except commercial barge traffic, shall be operated at a speed not greater than 5 miles per hour within an area extending 300 feet from shore and beginning at a point 800 feet north of river mile marker 662.2 and proceeding to Lansing City Marina Dike. The Friends of Pool 9 shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by commission.

571—37.70(462A) Harpers Slough, Harpers Ferry, Allamakee County. All vessels operated in Harpers Slough between a point 200 feet above the state ramp and 200 feet out from the west shore and extending 550 feet downstream from a point known as Sandy Point Road Dead-End shall operate at a speed not greater than 5 miles per hour. The city of Harpers Ferry will designate the 5-mile-per-hour speed zone with buoys approved by the commission.

CLAYTON COUNTY

571—37.71(462A) Mississippi River, Clayton, Clayton County. All vessels, except commercial barge traffic, shall be operated at a speed no greater than 5 miles per hour within an area extending 150 feet from shore and beginning at a point 1,012 feet north of Mississippi River Day Marker 624.7R and extending south to a point 1,012 feet south of the same marker (624.7R). The city of Clayton shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by the commission.

571—37.72(462A) Mississippi River, Guttenberg river mile 616, Clayton County. All vessels operated between the ice dike and Bussey Lake access shall be operated at a speed not greater than 5 miles per hour. The city will designate the 5-mile-per-hour speed zone with buoys approved by the commission.

571—37.73(462A) Mississippi River, Johnson Slough, Clayton County. All vessels shall be operated at a speed not greater than 5 miles per hour within the area of river mile markers 627 and 629.8, in a backwater known as Johnson Slough and designated by marker buoys approved by the commission.

571—37.74(462A) Mississippi River, Marquette, Clayton County. All vessels, except commercial barge traffic, shall be operated at a speed not greater than 5 miles per hour within the area of river mile

markers 634.5 and 634.9 and designated by buoys or other approved uniform waterway markers. The city of Marquette will designate and maintain the 5-mile-per-hour speed zone with buoys approved by the commission.

571—37.75(462A) Mississippi River, McGregor, Clayton County. All vessels, except commercial barge traffic, shall be operated at a speed not greater than 5 miles per hour within the area of river mile markers 634 and 633.4 and designated by buoys or other approved uniform waterway markers. The city of McGregor will designate the 5-mile-per-hour speed zone with buoys approved by the commission.

CLINTON COUNTY

571—37.76(462A) Mississippi River, Joyce Slough Area, Clinton County. The Joyce Slough Area, a portion of the Mississippi River within the city of Clinton, is hereby zoned to be a harbor area and vessels traveling therein shall not travel at speeds in excess of 5 miles per hour.

571—37.77(462A) Mississippi River, Swan Slough, Camanche, Clinton County. A restricted speed zone of not greater than 5 miles per hour is hereby established in all or part of the main channel of Swan Slough (Mississippi River mile 510.2 to 511.3), as designated by buoys.

DES MOINES COUNTY

571—37.78(462A) Mississippi River, Des Moines County, city of Burlington. All vessels shall be operated at a speed no greater than 5 miles per hour within the area designated by marker buoys or other approved uniform waterway markers beginning at the north city boat ramp and public dock and extending downstream to the south city boat ramp and public dock. The zoned area shall extend no farther than 150 feet from the shore and approximately 150 feet west of the west edge of the barge channel. The city of Burlington shall designate the 5-mile-per-hour speed zone with buoys approved by the commission.

DUBUQUE COUNTY

571—37.79(462A) Mississippi River, Dubuque, Dubuque County.

37.79(1) All vessels shall be limited to no more than 5 miles per hour in Lake Peosta Cut south and east of the Hawthorn Street municipal boat launching ramp.

37.79(2) A restricted speed zone of no more than 5 miles per hour is established in the vicinity of Chaplain Schmitt Memorial Island in proximity to the Schmitt Island municipal launching ramp and in waters adjacent to the southerly shoreline in the area of the Dubuque Yacht Basin.

37.79(3) A restricted speed zone of 5 miles per hour for the northern portion of Shawondassee Slough. Marker buoys shall be placed at a point approximately 750 feet upstream from the existing speed zone.

571—37.80(462A) Mississippi River, Massey Slough, Dubuque County. The operation of vessels in Massey Slough of the Mississippi River at Massey Station, Dubuque County, extending from a northerly to southerly direction from the upper end to the lower end of the slough, encompassing the water in Section 14, Township 88N, Range 3E of the 5th P.M., tract number NFIA-26M, is restricted as follows: all boats underway must maintain a speed of less than 5 miles per hour in said waters.

571—37.81(462A) Catfish Creek, Mines of Spain State Recreation Area, Dubuque County. All vessels shall be operated at a speed not greater than 5 miles per hour within the area beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek and designated by uniform marker buoys approved by the commission.

571—37.82(462A) Mississippi River, Mud Lake, Dubuque County. All vessels shall be operated at a speed not greater than 5 miles per hour within the area of river mile markers 587.6 to 589.3, in a backwater known as Mud Lake and designated by marker buoys approved by the commission.

JACKSON COUNTY

571—37.83(462A) Mississippi River, Bellevue, Jackson County. All vessels shall be operated at a speed not greater than 5 miles per hour within the area designated by buoys or other approved uniform waterway markers beginning at the mouth of Mill Creek and extending upstream 900 feet, and extending 200 feet perpendicular from shore. The area shall be designated by a minimum of four approved buoys to be uniformly placed along the 900-foot length of the zone parallel to the shore. The city of Bellevue will designate the 5-mile-per-hour speed zone with buoys approved by the commission.

571—37.84(462A) Green Island, Jackson County. All motorboats except authorized emergency vessels shall be operated at a speed no greater than 5 miles per hour year around on boat channels adjacent to the interior channel 4 levee at the Green Island State Wildlife area. Both channels begin at the Green Island county road parking lot and proceed north 7,920 feet along each side of the channel 4 levee to an intersection with the Snag Slough complex.

571—37.85(462A) Mississippi River, City of Sabula, Jackson County. No motorboat shall operate at a speed to exceed 5 miles per hour within the four zoned areas designated by buoys or other approved uniform waterway markers. The city of Sabula shall designate the speed zones with uniform waterway markers (buoys) approved by the commission.

37.85(1) Zone 1 shall extend 200 feet from shore and begin at a point 250 feet upstream of the north Sabula city boat ramp and ending at a point downstream where Bank Street intersects the river bank.

37.85(2) Zone 2 shall extend 200 feet from shore and extend 100 feet upstream and 100 feet downstream from the entrance to the Island City Harbor.

37.85(3) Zone 3 shall extend 200 feet into South Sabula Lake from the county boat ramp and 100 feet to the west of the ramp and 600 feet to the east of the ramp.

37.85(4) Zone 4 shall extend 200 feet in all directions beginning at the center of the "cut" into Lower Sabula Lake.

571—37.86(462A) Mississippi River, Spruce Creek County Park, Jackson County. No motorboat shall operate at a speed to exceed 5 miles per hour within the area designated by buoys or other approved uniform waterway markers, beginning at the entrance of Spruce Creek harbor and extending southeast 550 feet and extending east 150 feet from shore. The Jackson County conservation board will designate the speed zone with uniform waterway markers (buoys) approved by the commission.

571—37.87(462A) Otter Creek Lake, Tama County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.88(462A) Raccoon River Regional Park Lake, Polk County. All vessels shall be operated at a speed not greater than 5 miles per hour. Areas may be specifically designated for swimming by the use of regulatory buoys. A 40-acre body of water located in the southeast corner, and separate from the main lake, shall be designated for nonmotorized and electric motors only. The city of West Des Moines will designate the area with regulatory buoys and signs.

571—37.89(462A) Rathbun Lake, Appanoose County. Areas may be specifically designated for swimming and wading, restricted speed, "no anchoring," and "no boating" areas.

571—37.90(462A) Red Rock Lake, Marion County. Areas may be specifically designated for swimming and wading, restricted speed, and "no anchoring" areas.

571—37.91(462A) Shell Rock River (Greene Impoundment), Floyd County. No motorboat shall be operated at a speed exceeding 5 miles per hour in the two zoned areas of the Greene Impoundment designated by buoys or other approved uniform waterway markers. The first zoned area extends from the dam in the city of Greene, upstream approximately one-quarter mile to the north boundary of the city park in which the lower boat ramp is located. The second zoned area extends from the county bridge over the Shell Rock River on the north side of section 28 of Union Township in Floyd County, downstream approximately one-quarter mile to the south boundary of Gates Bridge County Park. The city of Greene and Floyd County shall designate their respective speed zones with uniform waterway markers (buoys) approved by the commission.

571—37.92(462A) Saylorville Lake, Polk County. Areas may be specifically designated for swimming, wading, and restricted speed.

571—37.93(462A) Silver Lake, Delaware County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.94(462A) Snyder Bend Lake, Woodbury County. All vessels shall be operated at a speed not greater than 5 miles per hour within the zoned area 400 yards from the boat ramp south to the regulatory sign and buoys. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.95(462A) Storm Lake, Buena Vista County. Areas may be specifically designated for swimming by the use of regulatory buoys.

571—37.96(462A) Thayer Lake, Union County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.97(462A) Three Mile Lake, Union County. Motorboats not to exceed 200 horsepower shall be permitted on Three Mile Lake. All vessels shall be operated at a speed not greater than 5 miles per hour when within 50 feet of another vessel that is not underway or is operating at a speed not greater than 5 miles per hour.

37.97(1) No vessel, except authorized emergency vessels, shall be permitted in areas specifically designated for swimming and wading which are plainly marked by use of regulatory buoys. The Union County conservation board shall designate and maintain a swimming area(s) by the use of regulatory buoys approved by the commission.

37.97(2) No motorboats, except authorized emergency vessels, shall be operated in marked bay areas at a speed greater than the limit designated by buoys or signs marking said bay. No motorboats, except authorized emergency vessels, shall be operated other than at a speed not greater than 5 miles per hour above a line of buoys placed across the lake at the point where County Road H33 intersects the lake.

37.97(3) No motorboats, except authorized emergency vessels, shall be operated in restricted speed areas between the nearest shore and a line designated by regulatory buoys or signs at a speed greater than the limit designated on the buoys or signs marking the area. Such zoned areas shall be not less than 50 feet nor more than 400 feet from shore.

571—37.98(462A) Wapsipinicon River in Pinicon Ridge Park, Linn County. No motorboat shall be operated at a speed greater than 5 miles per hour within the zoned area designated by regulatory buoys or signs on the off-channel waters of the Wapsipinicon River above the dam at Central City, Linn County. The zoned area will be the off-channel waters created in and adjacent to the developed

recreation areas of the Pinicon Ridge Park on the west and south bank of the Wapsipinicon River above the dam at Central City, Linn County.

571—37.99(462A) Williamson Pond, Lucas County. Unrestricted-horsepower vessels may be operated at a speed not greater than 5 miles per hour.

571—37.100(462A) Artificial marshes. A motorboat equipped with any power unit mounted or carried aboard the vessel may be operated on the following listed artificial marshes under the jurisdiction of the department at a speed not greater than 5 miles per hour between January 1 and August 31 and with no speed restrictions between September 1 and December 31:

Bays Branch, Guthrie County
Big Marsh, Butler County
Brown's Slough, Lucas County
Cardinal Marsh, Winneshiek County
Dudgeon Lake, Benton County
Elk Creek Marsh, Worth County
Green Island, Jackson County
Hendrickson Marsh, Story County
Hooper Pond, Warren County
North Colyn, Lucas County
Otter Creek Marsh, Tama County
Princeton Area, Scott County
Riverton, Fremont County
Round Pond, Johnson County
South Colyn, Lucas County
Sweet Marsh, Bremer County
Walnut Creek Marsh, Ringgold County
Willow Slough, Mills County
Woodpecker Marsh, Wayne County
Coal Creek Marsh, Warren County—restricted to boats with electric motors not to exceed 5 miles per hour.

571—37.101(462A) Natural marshes. There shall be no horsepower limitations on vessels operated on natural marshes, except Shimon Marsh Wetland Complex, Pocahontas County, which is restricted to nonmotorized vessels only.

571—37.102(462A) Waterway markers. Waterway markers used on the waters of this state shall be as follows:

37.102(1) *Aids to navigation.*

a. A red buoy or sign that indicates that side of the channel to be kept to the right side of the vessel when entering the channel from the main water body or when proceeding upstream.

b. A green buoy or sign that indicates that side of the channel to be kept to the left of a vessel when entering the channel from the main water body or when proceeding upstream.

c. Buoys or signs described in 37.102*"a"* and *"b"* above shall normally be used in pairs and only for the purpose of marking a clearly defined channel.

d. Red buoys and signs marking channels shall be identified with even numbers, and green buoys and signs marking channels shall be identified with odd numbers, the numbers increasing from the main water body or proceeding upstream.

e. Letters and numerals used with aids to navigation shall be white, in block characters of good proportion, and spaced in a manner which will provide maximum legibility. Such letters and numerals shall be at least six inches in height.

f. The shapes of aids to navigation shall be compatible with the shapes established by U.S. Coast Guard regulations for the equivalent U.S. Coast Guard aids to navigation. Where reflectorized materials are used, a red reflector will be used on a red buoy, and a green reflector on a green buoy.

37.102(2) *Regulatory markers.*

a. A diamond shape of international orange with white center indicates danger. The nature of the danger may be indicated by words or well-known abbreviations in black letters inside the diamond shape, or above or below it, or both, on white background.

b. A diamond shape of international orange with a cross of the same color within it against a white center without qualifying explanation indicates a zone from which all vessels are excluded.

c. A circle of international orange with white center indicates a control or restriction. The nature of the control or restriction shall be indicated by words, numerals, or well-known abbreviations in black letters inside the circle. Additional explanation may be given above or below it in black letters on white background.

d. A rectangular shape of international orange with white center indicates information, other than a danger, control or restriction, which may contribute to health, safety or well-being. The message will be presented within the rectangle in black letters.

e. Letters or numerals used with regulatory markers shall be black, in block characters of good proportion, spaced in a manner which will provide maximum legibility, and of a size which will provide the necessary degree of visibility.

571—37.103(462A) Authority to place markers.

37.103(1) No waterway marker shall be placed on, in, or near the waters of the state unless such placement is authorized by the agency or political subdivision of the state exercising jurisdiction, with respect to regulation of boating, over the area where placed, except that the provisions of this section shall not apply to private aids to navigation under the jurisdiction of the U.S. Coast Guard.

37.103(2) Such agency or political subdivision of the state will, prior to authorizing placement, obtain the necessary clearances of federal and state agencies exercising regulatory authority over the area concerned.

37.103(3) The agency or political subdivision of the state authorizing the placement of a waterway marker will inform the department of the following:

a. Exact location of the marker, expressed in distance and direction from one or more fixed objects whose precise location is known.

b. The description and purpose of the marker including its identifying number, if any.

571—37.104(462A) Maintenance of waterway markers.

37.104(1) Waterway markers will be maintained in proper condition or be replaced or removed.

37.104(2) Zoned areas shall extend not less than 50 feet nor more than 400 feet from shore.

37.104(3) Buoys delineating the restricted speed zone shall be placed no more than 400 feet apart through the length of the affected portion of the channel.

571—37.105(462A) Display of waterway markers.

37.105(1) A waterway marker may be displayed as a sign or a fixed support, as a buoy bearing a symbol on its surface, or as a sign mounted on a buoy.

37.105(2) When a buoy is used to carry a symbol on its surface, it will be white, with bands of international orange on the top, and at the bottom above the water line.

37.105(3) A buoy whose sole purpose is to carry a sign above it will be marked with three bands of international orange alternating with two bands of white, each band occupying approximately one-fifth of the total area of the buoy above the water line, except where the sign itself carries orange bands; however, nothing in these rules shall be construed to prohibit the mounting of a sign on a buoy which has been placed for a purpose other than that of carrying a sign.

37.105(4) When symbols are placed on signs, a suitable white background may be used outside the symbol.

571—37.106(462A) Specifications for waterway markers.

37.106(1) The size of a display area shall be as required by circumstances, except that no display area shall be smaller than 1 foot in height. The size shall increase in increments of 6 inches; provided, however, that this specification for increase in increments shall not apply to markers in existence prior to the adoption of this rule.

37.106(2) The thickness of the symbol outline shall be one-tenth of the height of the display area.

37.106(3) The outside width of the diamond, the inner diameter of the circle, and the average of the inside and outside widths of a square shall be two-thirds of the display area height.

37.106(4) The sides of the diamond shall slope at a 35-degree angle from the vertical on a plane surface. Appropriate adjustments for curvature may be made when applied to a cylindrical surface.

37.106(5) Waterway markers shall be made of materials which will retain, despite weather and other exposures, the characteristics essential to their basic significance, such as color, shape, legibility and position. Reflectorized materials may be used.

571—37.107(462A) Mooring buoys and race course markers. For all waters under the jurisdiction of the commission, the following apply:

37.107(1) Mooring buoys shall be white with a 2-inch blue reflectorized band clearly visible above the water, extend a minimum of 12 inches above the surface of the water, and have at least 1 square foot of surface visible from any direction.

37.107(2) Placement of mooring buoys shall be within 250 feet of shore, except under certain circumstances the commission may require them to be placed at a lesser distance. Requirements for mooring buoys may be waived by the director under special circumstances.

37.107(3) Permanent race course marker buoys shall be white with a ball of international orange of at least 12 inches in diameter, extend a minimum of 2 feet above the surface of the water, be at least 16 inches in diameter, and be lighted during periods of low visibility and during the hours of darkness.

37.107(4) Markers such as mooring buoys and race course markers will be processed in the same manner as waterway markers, and authorization for their placement will be obtained from the agency or political subdivision of the state exercising jurisdiction with respect to regulation of boating, and such agency or political subdivision will ensure that proper clearances for their placement are obtained from state and federal agencies exercising regulatory authority over the area concerned.

37.107(5) Such markers shall not be of a color, shape, configuration or marking which could result in their confusion with any federal or state aid to navigation or any state regulatory marker, and shall not be placed where they will obstruct navigation, cause confusion or constitute a hazard.

571—37.108(462A) Diver's flag.

37.108(1) A diver's flag shall, when displayed on the water, indicate the presence of a diver in the water in the immediate area.

37.108(2) Recognition of this flag by regulation will not be construed as conferring any rights or privileges on its users, and its presence in a water area will not be construed in itself as restricting the use of the water area so marked.

37.108(3) Operators of vessels will, however, exercise precaution commensurate with conditions indicated.

37.108(4) This flag shall be displayed only when diver activities are in progress, and its display in a water area when no diver activities are in progress in that area will constitute a violation of this rule and of Iowa Code chapter 462A.

DIVISION III
VESSEL OCCURRENCE REPORTING

571—37.109(462A) Accident report. In addition to provisions in Iowa Code section 462A.7, a written report is required in the case of loss of consciousness, disability in excess of 24 hours, and the disappearance of any person from onboard a vessel under circumstances that suggest any possibility of death or injury.

571—37.110(462A) Procedure. These reports shall be filed in writing within 48 hours of the accident with the department using forms provided by the department.

571—37.111(462A) Contents. The report shall include the information required in 33 CFR 173.57 (June 1, 2024).

These rules are intended to implement Iowa Code sections 321G.2, 321I.2, 462A.3, 462A.5, 462A.6A, 462A.7, 462A.9, 462A.11, 462A.12, 462A.13, 462A.15, 462A.16, 462A.17, 462A.19, 462A.20, 462A.24, 462A.26, 462A.31, 462A.32, 462A.36, and 456A.24.

ITEM 3. Rescind and reserve **571—Chapter 38**.

ITEM 4. Rescind and reserve **571—Chapter 39**.

ITEM 5. Rescind and reserve **571—Chapter 40**.

ITEM 6. Rescind and reserve **571—Chapter 41**.

ITEM 7. Rescind and reserve **571—Chapter 42**.

ITEM 8. Rescind and reserve **571—Chapter 43**.

ITEM 9. Rescind and reserve **571—Chapter 45**.