

structure does not exceed sixty-seven feet six inches in length excluding the hitch or any overhang, and where the overall length of the mobile home or the factory-built structure and the power unit does not exceed eighty-five feet.

Approved May 4, 1981

CHAPTER 113
SNOWMOBILE REGISTRATION AND OPERATION

S. F. 526

AN ACT relating to the registration and operation of snowmobiles.

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

Section 1. Chapter 321G, Code 1981, is amended by adding the following new sections:

NEW SECTION. INSPECTION. A peace officer may stop and inspect a snowmobile operated, parked, or stored on public streets, highways, public lands, or frozen waters of the state to determine if the snowmobile is registered, numbered, or equipped as required by this chapter and commission rules. The officer shall not inspect an area that is not essential to determine compliance with the requirements. If the officer determines that the snowmobile is not in compliance, the officer may issue a warning memorandum to the operator and forward a copy to the commission. The warning memorandum shall indicate the items found not in compliance and shall direct the owner or operator of the snowmobile to have the snowmobile in compliance and return a copy of the warning memorandum with the proof of compliance to the commission within fourteen days. If the proof of compliance is not provided within fourteen days, the owner or operator is in violation of this chapter.

NEW SECTION. TERMINATION OF USE. A person who receives a warning memorandum for a snowmobile shall stop using the snowmobile as soon as possible and shall not operate it on public streets, highways, public lands, or frozen waters of the state until the snowmobile is in compliance.

NEW SECTION. AMOUNT OF WRITING FEES. The county recorder shall collect a writing fee of one dollar for snowmobile registrations. When two or more transactions for one snowmobile take place during the registration process the transactions shall be considered as a single registration.

NEW SECTION. RULES AND LOCAL ORDINANCES.

1. The provisions of this chapter and other applicable laws of this state shall govern the operation, equipment, numbering, and all other matters relating to a snowmobile whenever the snowmobile is operated or maintained in this state. However, nothing in this chapter shall be construed to prevent the adoption of an ordinance or local law relating to the operation of or

equipment of snowmobiles. The ordinances or local laws shall be operative only so long as they are not inconsistent with the provisions of this chapter or the rules and regulations adopted by the commission.

2. A subdivision of this state, after public notice by publication in a newspaper having a general circulation in the subdivision, may make formal application to the commission for special rules concerning the operation of snowmobiles within the territorial limits of the subdivision and shall provide the commission with the reasons the special rules are necessary.

3. The commission, upon application by local authorities and in conformity with this chapter, may make special rules concerning the operation of snowmobiles within the territorial limits of a subdivision of this state.

Sec. 2. Section 321G.1, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. "Measurable snow" means one-tenth of one inch of snow.

Sec. 3. Section 321G.4, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The owner of ~~such~~ the snowmobile shall file an application for registration with the appropriate county recorder on forms provided by the commission. The application shall be completed and signed by the owner of the snowmobile and shall be accompanied by a fee of twelve dollars and a writing fee ~~of one dollar~~. Proof of payment of Iowa sales or use tax must accompany all applications for registration. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall enter the same upon the ~~recorder's~~ records and shall issue to the applicant a pocket-size registration certificate. The certificate shall be executed in triplicate, one copy to be delivered to the owner, one copy to the commission, and one copy to be retained on file by the county recorder. The registration certificate shall bear the number awarded to the snowmobile and the name and address of the owner. The registration certificate shall be carried either in the snowmobile or on the person of the operator of the machine when in use. The operator of a snowmobile shall exhibit the registration certificate to any a peace officer upon request or to the owner or operator of another snowmobile or ~~to~~ the owner of ~~any other~~ personal or real property when the snowmobile is involved in a collision or accident of any nature with a another snowmobile or the property of another person.

Sec. 4. Section 321G.6, unnumbered paragraphs 2 and 3, Code 1981, are amended to read as follows:

After the first day of September in even-numbered years ~~any~~ an unregistered snowmobile may be registered for the remainder of the current registration period and for the subsequent registration period in one transaction. The fee shall be ~~six~~ three dollars for the remainder of the current period, in addition to the registration fee of twelve dollars for the subsequent biennium beginning January 1, and a writing fee ~~of fifty cents~~. Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided ~~for~~ in securing the original registration. The snowmobile registration fee ~~shall be~~ is in lieu of personal property tax for each year of ~~said~~ the registration.

If the application for registration for the subsequent biennium is not made before January 1 of each ~~even-numbered~~ odd-numbered year, the applicant shall be charged a penalty of ~~one-dollar~~ two dollars for each six months' delinquency, or any portion ~~thereof~~ of six months.

Sec. 5. Section 321G.6, unnumbered paragraph 5, Code 1981, is amended to read as follows:

Upon the transfer of ownership of ~~any~~ a snowmobile, the owner shall complete the form on the back of ~~the~~ a current registration certificate and shall deliver it to the purchaser or transferee at the time of delivering the snowmobile. The purchaser or transferee shall, within five days, file a new application form with the county recorder with a fee of one dollar and the ~~appropriate~~ writing fee, and a transfer of number shall be awarded in the same manner as provided ~~for~~ in ~~any~~ an original registration.

Sec. 6. Section 321G.7, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

321G.7 FEES REMITTED TO COMMISSION. Within ten days after the end of each month, each county recorder shall remit to the commission all snowmobile fees collected by the recorder during the previous month. Before January 10 of odd-numbered years, each recorder shall remit unused license forms from the previous biennium to the commission. Before January 10 of each year, each recorder shall summarize the transactions of the registration fees and penalties collected during the previous year.

The commission shall remit the fees to the treasurer of state, who shall place the money in a special conservation fund. The money is appropriated to the commission for the snowmobile program of the state. The program shall include cost-sharing of snowmobile facilities and programs with political subdivisions in accordance with rules adopted by the commission. At least fifty percent of the special fund shall be available for the political subdivisions. Money from the special fund not utilized by the political subdivisions shall be utilized in the snowmobile program of the state.

Sec. 7. Section 321G.10, Code 1981, is amended to read as follows:

321G.10 ACCIDENT REPORTS. ~~Whenever-any~~ If a snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to ~~fifty~~ two hundred dollars or more, either the operator or someone acting for ~~him~~ the operator shall immediately notify the county sheriff or another law enforcement agency in the state. The operator shall file with the commission a report of the accident, within forty-eight hours, containing ~~such~~ information as the commission may require.

Sec. 8. Section 321G.13, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. On public land without a measurable snow cover.

Sec. 9. Section 321G.24, subsection 2, Code 1981, is amended to read as follows:

2. Upon application and payment of a fee of three dollars, a qualified applicant shall be issued a safety certificate which ~~shall-be~~ is valid until ~~such--person--reaches--his--seventeenth--birthday--unless~~ the certificate is suspended or revoked for a violation of a provision of this chapter or ~~the rules~~ a rule of the commission or the director of transportation ~~before-that~~

date. The application shall be made on forms issued by the commission and shall contain such information as the commission may reasonably require.

Sec. 10. An amount equal to one-half of the snowmobile fees credited to the state conservation fund during the fiscal period, July 1, 1980 to June 30, 1981 shall be transferred by the state comptroller to the special conservation fund established by section 6 of this Act prior to reverting any unobligated funds to the general fund for the fiscal period ending June 30, 1981.

Sec. 11. This Act, being deemed of immediate importance, takes effect from and after its publication in the Ankeny Press-Citizen, a newspaper published in Ankeny, Iowa, and in The Dubuque Leader, a newspaper published in Dubuque, Iowa.

Approved May 18, 1981

I hereby certify that the foregoing Act, Senate File 526, was published in the Ankeny Press-Citizen, Ankeny, Iowa on May 28, 1981 and The Dubuque Leader, Dubuque, Iowa on June 26, 1981.

MARY JANE ODELL, *Secretary of State*

CHAPTER 114

MOTOR FUEL FRANCHISEE SUCCESSORS

H. F. 775

AN ACT providing for successors to the interest of a franchisee upon the death of the franchisee under a franchise relating to the distribution or retail sale of motor fuels and special fuels.

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

Section 1. Chapter 323, Code 1981, is amended by adding the following new section:

NEW SECTION. DEATH OF FRANCHISEE--SUCCESSOR--PENALTY.

1. It is unlawful to include in any distributor franchise or dealer franchise agreement a term which provides for the termination of the franchise by the franchiser upon the death of the franchisee if the franchisee, prior to his or her death, designates a successor-in-interest in a form prescribed by and delivered to the franchiser. For the purposes of this section, "successor-in-interest" is restricted to either a surviving spouse or adult child of the franchisee who, at the time of the franchisee's death, is able to meet reasonable qualifications then being required of distributors or dealers by the franchiser.

2. The successor-in-interest designated as provided in subsection 1 shall have twenty-one days after the death of the franchisee to give written notice of an election to assume and operate the franchise. The notification shall contain such information regarding business experience and credit worthiness