

Sec. 12. Section 328.33, Code 2001, is amended to read as follows:
328.33 RECORDS REQUIRED.

~~Every~~ A manufacturer, transporter, or dealer shall keep a written record of the aircraft ~~upon which such special certificates are used in the manufacturer's, transporter's, or dealer's inventory~~, which records shall be open to inspection of any ~~police~~ peace officer, or any officer or employee of the department.

Sec. 13. Section 328.35, subsection 1, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. An aircraft in the inventory of a manufacturer, transporter, or dealer who has a special certificate issued by the department and the special certificate is in effect.

Sec. 14. Section 328.37, Code 2001, is amended to read as follows:
328.37 OPERATIONS UNLAWFUL WITHOUT CERTIFICATE.

Except as provided in section 328.35, it is unlawful for a person to operate, or cause or authorize to be operated, a civil aircraft, airport, or landing area in this state, unless there has been issued for the aircraft or to the airport or landing area an appropriate certificate of registration ~~or special certificate~~ by the department and the certificate is in effect.

Sec. 15. Section 328.31, Code 2001, is repealed.

Approved April 12, 2002

CHAPTER 1113

DOCUMENTS AND RECORDS FILED WITH COUNTY RECORDER — SNOWMOBILE AND ALL-TERRAIN VEHICLE TITLES — REGISTRATION OF VESSELS

H.F. 2365

AN ACT relating to county recorders, including certain documents indexed and recorded with the county recorder and a method for issuing certificates of title for snowmobiles and all-terrain vehicles, and registration certificates for certain watercraft, for which ownership has not been conclusively established.

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

Section 1. Section 10A.108, subsection 5, Code 2001, is amended to read as follows:

5. The recorder shall endorse on each notice of lien the day and time received and shall preserve the notice. The recorder shall index the notice ~~in the index book~~ and shall record the lien in the manner provided for recording real estate mortgages. The lien shall be effective from the time of the indexing.

Sec. 2. Section 124C.4, subsection 3, Code 2001, is amended to read as follows:

3. Each notice of lien shall be endorsed with the day, hour, and minute when the notice was received, and the notice shall be preserved, indexed ~~in the index book~~, and recorded in the manner provided for recording real estate mortgages. The lien shall be effective from the time of its indexing. The department shall pay a recording fee as provided by section 331.604 for the recording of the lien or for its satisfaction.

Sec. 3. Section 321G.29, Code 2001, is amended by adding the following new subsection:
NEW SUBSECTION. 10. If the county recorder is not satisfied as to the ownership of the snowmobile or all-terrain vehicle or that there are no undisclosed security interests in the snowmobile or all-terrain vehicle, the county recorder may issue a certificate of title for the snowmobile or all-terrain vehicle, but, as a condition of such issuance, may require the applicant to file with the department a bond in the form prescribed by the department and executed by the applicant, and also executed by a person authorized to conduct a surety business in this state. The form and amount of the bond shall be established by rule of the department. The bond shall be conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the snowmobile or all-terrain vehicle or person acquiring any security interest in the snowmobile or all-terrain vehicle, and their respective successors in interest, against any expense, loss, or damage, including reasonable attorney fees, by reason of the issuance of the certificate of title of the snowmobile or all-terrain vehicle or on account of any defect in or undisclosed security interest upon the right, title, and interest of the applicant in and to the snowmobile or all-terrain vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond shall be returned at the end of three years or prior thereto if the snowmobile or all-terrain vehicle is no longer registered in this state and the certificate of title is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

Sec. 4. **NEW SECTION.** 331.606A DOCUMENT CONTENT — PROHIBITION OF INCLUDING SOCIAL SECURITY NUMBER.

The preparer of a document shall not include an individual's federal social security number in a document that is prepared for recording in the office of county recorder. This section does not apply to a preparer of a state or federal tax lien or a military separation or discharge record that is prepared for recording in the office of county recorder. If a military separation or discharge record is recorded in the office of the county recorder, the military separation or discharge record shall not be accessible through the internet.

Sec. 5. Section 331.602, subsection 4, Code Supplement 2001, is amended by striking the subsection.

Sec. 6. Section 354.16, subsection 2, paragraph c, Code 2001, is amended to read as follows:

c. A list for each lot within the plat of the proprietor's names, the area, expressed in acreage or square feet, the ~~book and page~~ document reference number of the recorded conveyance to the proprietors and the permanent real estate index number, where established.

Sec. 7. Section 424.11, unnumbered paragraph 4, Code 2001, is amended by striking the unnumbered paragraph.

Sec. 8. Section 424.11, unnumbered paragraph 5, Code 2001, is amended to read as follows:

The recorder shall endorse on each notice of lien the day, hour, and minute when received and preserve the notice, and shall immediately index the notice ~~in the index book~~ and record the lien in the manner provided for recording real estate mortgages, and the lien shall be effective from the time of its indexing.

Sec. 9. Section 462A.5, subsection 1, unnumbered paragraph 2, Code Supplement 2001, is amended to read as follows:

The owner of the vessel 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 vessel and shall be accompanied by the appropriate fee, and the writing fee specified in section 462A.53. Upon applying for registration, the owner shall display a bill

of sale, receipt, or other satisfactory proof of ownership as provided by the rules of the commission to the county recorder. If the county recorder is not satisfied as to the ownership of the vessel or that there are no undisclosed security interests in the vessel, the county recorder may register the vessel but shall, as a condition of issuing a registration certificate, require the applicant to follow the procedure provided in section 462A.5A. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall enter it upon the records of the recorder's office 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 vessel, the passenger capacity of the vessel, and the name and address of the owner. In the use of all vessels except nonpowered sailboats, nonpowered canoes, and commercial vessels, the registration certificate shall be carried either in the vessel or on the person of the operator of the vessel when in use. In the use of nonpowered sailboats, nonpowered canoes, or commercial vessels, the registration certificate may be kept on shore in accordance with rules adopted by the commission. The operator shall exhibit the certificate to a peace officer upon request or, when involved in a collision or accident of any nature with another vessel or other personal property, to the owner or operator of the other vessel or personal property.

Sec. 10. NEW SECTION. 462A.5A FILING BOND AS ASSURANCE OF OWNERSHIP.

An applicant for registration of a vessel for which the county recorder is not satisfied as to the ownership of the vessel as provided in section 462A.5, subsection 1, shall file with the department a bond in the form prescribed by the department and executed by the applicant, and also executed by a person authorized to conduct a surety business in this state. The form and amount of the bond shall be established by rule of the department. The bond shall be conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the vessel or person acquiring any security interest in the vessel, and their respective successors in interest, against any expense, loss, or damage, including reasonable attorney fees, by reason of the issuance of the registration certificate of the vessel or on account of any defect in or undisclosed security interest upon the right, title, and interest of the applicant in and to the vessel. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond shall be returned at the end of three years or prior thereto if the vessel is no longer registered in this state and the registration certificate is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

Approved April 12, 2002

CHAPTER 1114

SCHOOL FINANCE — WEIGHTING FOR LIMITED ENGLISH PROFICIENT STUDENTS

H.F. 2404

AN ACT relating to the amount of additional weighting provided for limited English proficient students.

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

Section 1. Section 280.4, subsection 3, Code 2001, is amended to read as follows:

3. In order to provide funds for the excess costs of instruction of limited English proficient