

321G.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*All-terrain vehicle*” means the same as defined in section 321I.1.
2. “*‘A’ scale*” means the physical scale marked “A” graduated in decibels on a sound level meter which meets the requirements of the American national standards institute, incorporated, publication S1.4-1961, general purpose sound level meters.
3. “*Commission*” means the natural resource commission of the department.
4. “*Dealer*” means a person engaged in the business of buying, selling, or exchanging snowmobiles required to be registered under this chapter and who has an established place of business for that purpose in this state.
5. “*Department*” means the department of natural resources.
6. “*Designated snowmobile trail*” means a snowmobile riding trail on any public land, private land, or public ice that has been designated by the department, a political subdivision, or a controlling authority for snowmobile use.
7. “*Direct supervision*” means to provide supervision of another person while maintaining visual and verbal contact at all times.
8. “*Director*” means the director of the department.
9. “*Distributor*” means a person, resident or nonresident, who sells or distributes snowmobiles to snowmobile dealers in this state or who maintains distributor representatives.
10. “*Education certificate*” means a snowmobile education certificate, approved by the commission, which is issued to a qualified applicant who is twelve years of age or older.
11. “*Established place of business*” means the place actually occupied either continuously or at regular periods by a dealer or manufacturer where the books and records are kept and the dealer’s or manufacturer’s business is primarily transacted.
12. “*Manufacturer*” means a person engaged in the business of constructing or assembling snowmobiles required to be registered under this chapter and who has an established place of business for that purpose in this state.
13. “*Measurable snow*” means one-tenth of one inch of snow.
14. “*Nonambulatory person*” means an individual with paralysis of the lower half of the body with the involvement of both legs, usually caused by disease of or injury to the spinal cord, or caused by the loss of both legs or the loss of a part of both legs.
15. “*Nonresident*” means a person who is not a resident of this state.
16. “*Operate*” means to ride in or on, other than as a passenger, use, or control the operation of a snowmobile in any manner, whether or not the snowmobile is moving.
17. “*Operator*” means a person who operates or is in actual physical control of a snowmobile.
18. “*Owner*” means a person, other than a lienholder, having the property right in or title to a snowmobile. The term includes a person entitled to the use or possession of a snowmobile subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.
19. “*Person*” means an individual, partnership, firm, corporation, association, and the state, its agencies, and political subdivisions.
20. “*Public ice*” means any frozen, navigable waters within the territorial limits of this state and the frozen marginal river areas adjacent to this state, other than farm ponds, that are under the jurisdiction of the commission.
21. “*Public land*” means land owned by the federal government, the state, or political subdivisions of the state and land acquired or developed for public recreation pursuant to section 321G.7.
22. “*Public water*” means any navigable waters within the territorial limits of this state and the marginal river areas adjacent to this state, other than farm ponds, that are under the jurisdiction of the commission.
23. “*Railroad right-of-way*” means the full width of property owned, leased, or subject to easement for railroad purposes and is not limited to those areas on which tracks are located.
24. “*Resident*” means as defined in section 483A.1A.

25. “*Roadway*” means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

26. “*Snowmobile*” means a motorized vehicle weighing less than one thousand pounds which uses sled-type runners or skis, endless belt-type tread with a width of forty-eight inches or less, or any combination of runners, skis, or tread, and is designed for travel on snow or ice. “*Snowmobile*” does not include an all-terrain vehicle, as defined in section 321I.1, which has been altered or equipped with runners, skis, belt-type tracks, or treads.

27. “*Special event*” means an organized race, exhibition, or demonstration of limited duration which is conducted on public land, public ice, or a designated snowmobile trail under the jurisdiction of the commission according to a prearranged schedule and in which general public interest is manifested.

28. “*Street*” or “*highway*” means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular travel, except in public areas in which the boundary shall be thirty-three feet each side of the center line of the roadway.

29. “*Water skipping*” means the operation of a snowmobile on the surface of water by utilizing the skis, track, and bottom surface area of the snowmobile for flotation while the snowmobile is in motion.

[C71, 73, 75, 77, 79, 81, §321G.1; 81 Acts, ch 113, §2]

86 Acts, ch 1245, §1877, 1883; 89 Acts, ch 244, §1 – 3; 91 Acts, ch 236, §1; 95 Acts, ch 177, §1; 97 Acts, ch 148, §8, 9; 99 Acts, ch 113, §1; 2002 Acts, ch 1027, §1; 2004 Acts, ch 1132, §1, 2; 2005 Acts, ch 138, §1; 2007 Acts, ch 141, §2; 2012 Acts, ch 1100, §1 – 3

Referred to in §321.23, 321I.1, 322D.1

[T] NEW subsections 6 and 7 and former subsections 6 and 7 renumbered as 8 and 9

[T] Former subsection 19 amended and renumbered as 10

[T] Former subsections 8 – 11 renumbered as 11 – 14

[T] NEW subsection 15 and former subsections 12 – 15 renumbered as 16 – 19

[T] NEW subsection 20 and former subsection 16 renumbered as 21

[T] NEW subsection 22 and former subsection 17 renumbered as 23

[T] NEW subsection 24 and former subsection 18 renumbered as 25

[T] Former subsection 20 renumbered as 26

[T] Former subsection 21 amended and renumbered as 27

[T] Former subsection 22 renumbered as 28

[T] NEW subsection 29