CHAPTER 321G

SNOWMOBILES

321G.1 Definitions.
321G.2 Rules.
321G.3 Registration and user permit required — penalties.
321G.4 Registration — fee.
321G.4A User permit — fee.
321G.4B Nonresident requirements — penalties.
321G.5 Display of registration and user permit decals.
321G.6 Registration — renewal.
321G.7 Fees remitted to commission — appropriation.
321G.8 Exempt vehicles.
321G.9 Operation on roadways and highways.
321G.10 Accident reports.
321G.11 Mufflers required.
321G.12 Headlight — taillight — brakes.
321G.13 Unlawful operation.
321G.14 Penalty.
321G.15 Operation pending registration.
321G.16 Special events.
321G.17 Violation of stop signal.
321G.18 Negligence.
321G.19 Rented snowmobiles.
321G.20 Operation by persons under sixteen.
321G.21 Manufacturer, distributor, or dealer — special registration.
321G.22 Limitation of liability by public bodies and adjoining owners.
321G.22A Recreational riding area — limitation of liability of prior landowners. Repealed by 2004 Acts, ch 1132, §96.
321G.23 Course of instruction.
321G.24 Education certificate — fee.
321G.25 Stopping and inspecting — warnings.
321G.26 Termination of use.
321G.27 Writing fees.
321G.28 Consistent local laws — special local rules.
321G.29 Owner's certificate of title — in general.
321G.30 Fees — duplicates.
321G.31 Transfer or repossession by operation of law.
321G.32 Security interest — perfection and titles — fee.
321G.33 Vehicle identification number.
321G.34 Repeat offender — records, enforcement, and penalties.

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. *"Document"* means a snowmobile certificate of title, registration certificate or registration renewal, user permit, or duplicate special registration certificate issued by the county recorder's office.

11. *"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.

12. *"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.

13. *"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.

14. *"Measurable snow"* means one-tenth of one inch of snow.

15. *"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.

16. *"Nonresident"* means a person who is not a resident of this state.

17. *"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.

18. *"Operator"* means a person who operates or is in actual physical control of a snowmobile.

19. *"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.

20. *"Person"* means an individual, partnership, firm, corporation, association, and the state, its agencies, and political subdivisions.

21. *"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.

22. *"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.

23. *"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.

24. *"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.

25. *"Resident"* means as defined in section 483A.1A.

26. *"Roadway"* means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

27. *"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.

28. *"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.

29. *"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.

30. *"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; 2014 Acts, ch 1141, §63

NEW subsection 10 and former subsections 10 – 29 renumbered as 11 – 30

321G.2 Rules.

1. The commission may adopt rules for the following purposes:

a. Registration and titling of snowmobiles.

b. Use of snowmobiles as far as game and fish resources or habitats are affected.

c. Use of snowmobiles on designated snowmobile trails and public lands under the jurisdiction of the commission.

d. Use of snowmobiles on any waters of the state under the jurisdiction of the commission, while the waters are frozen.

e. Establishment of a program of grants, subgrants, and contracts to be administered by the department for the development, maintenance, signing, and operation of designated snowmobile trails and the operation of grooming equipment by political subdivisions and incorporated private organizations.

f. Issuance of education certificates.

g. Issuance of competition registrations and the participation of snowmobiles so registered in special events.

h. Issuance of annual user permits and establishment of administrative fees for issuance of the permits.

i. Establishment of a certified education course for the operation of snowmobile grooming equipment.

j. Establishment of a certified education course for the safe use and operation of snowmobiles.

k. Certification of volunteer snowmobile education instructors.

l. Maintenance, signing, and operation of designated snowmobile trails.

2. The director of transportation may adopt rules not inconsistent with this chapter regulating the use of snowmobiles on streets and highways. Cities may designate streets under the jurisdiction of cities within their respective corporate limits which may be used for snowmobiling.

3. In adopting the rules, consideration shall be given to the need to protect the environment and the public health, safety, and welfare; to protect private property, public parks, and other public lands; to protect wildlife and wildlife habitat; and to promote uniformity of rules relating to the use, operation, and equipment of snowmobiles. The rules shall be in conformance with chapter 17A.

[C71, 73, 75, 77, 79, 81, §321G.2]

86 Acts, ch 1031, §1; 89 Acts, ch 244, §4; 2002 Acts, ch 1027, §2; 2004 Acts, ch 1132, §3; 2007 Acts, ch 141, §3; 2009 Acts, ch 144, §1, 2; 2012 Acts, ch 1100, §4, 5

Referred to in **§321G.23**, **§321G.24**

321G.3 Registration and user permit required — penalties.

1. Each snowmobile used by a resident on public land, public ice, or a designated snowmobile trail of this state shall be currently registered in this state pursuant to section 321G.4. A resident shall not operate, maintain, or give permission for the operation or maintenance of a snowmobile on public land, public ice, or a designated snowmobile trail unless the snowmobile is registered in accordance with this chapter. The owner of a snowmobile must also obtain a user permit in accordance with section 321G.4A.

2. A violation of subsection 1 is punishable as a scheduled violation under section 805.8B, subsection 2, paragraph *"a"*. When the scheduled fine is paid, the violator shall submit proof to the department that a valid registration and user permit have been obtained by providing a copy of the registration and user permit to the department within thirty days of the date the fine is paid. A person who violates this subsection is guilty of a simple misdemeanor.

[C71, 73, 75, 77, 79, 81, §321G.3]

86 Acts, ch 1031, §2; 89 Acts, ch 244, §5; 2002 Acts, ch 1027, §3; 2004 Acts, ch 1132, §4; 2005 Acts, ch 138, §2; 2007 Acts, ch 141, §4; 2012 Acts, ch 1100, §6; 2014 Acts, ch 1141, §53

Subsection 1 amended

321G.4 Registration — fee.

1. The owner of each snowmobile required to be registered shall register it annually

with the department through a county recorder. The department shall develop and maintain an electronic system for the registration of snowmobiles pursuant to this chapter. The department shall establish forms and procedures as necessary for the registration of snowmobiles.

2. The owner of the snowmobile shall file an application for registration with the department through the county recorder of the county of residence in the manner established by the commission. The application shall be completed by the owner and shall be accompanied by a fee of fifteen dollars and a writing fee as provided in section 321G.27. A snowmobile shall not be registered by the county recorder until the county recorder is presented with receipts, bills of sale, or other satisfactory evidence that the sales or use tax has been paid for the purchase of the snowmobile or that the owner is exempt from paying the tax. A snowmobile that has an expired registration certificate from another state may be registered in this state upon proper application, payment of all applicable registration and writing fees, and payment of a penalty of five dollars.

3. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall issue to the applicant a registration certificate and registration decal. The registration decal shall be displayed on the snowmobile as provided in section 321G.5. The registration certificate shall be carried either in the snowmobile or on the person of the operator of the snowmobile when in use. The operator of a snowmobile shall exhibit the registration certificate to a peace officer upon request, to a person injured in an accident involving a snowmobile, to the owner or operator of another snowmobile or the owner of personal or real property when the snowmobile is involved in a collision or accident of any nature with another snowmobile or the property of another person, or to the property owner or tenant when the snowmobile is being operated on private property without permission from the property owner or tenant.

4. Notwithstanding subsections 1 and 2, a snowmobile manufactured prior to 1984 may be registered as an antique snowmobile for a one-time fee of twenty-five dollars, which shall exempt the owner from annual registration and fee requirements for that snowmobile. However, if ownership of an antique snowmobile is transferred, the new owner shall register the snowmobile and pay the one-time fee as required under this subsection. A snowmobile may be registered under this section with only a signed bill of sale as evidence of ownership.

[C71, 73, 75, 77, 79, 81, §321G.4; 81 Acts, ch 113, §3]

86 Acts, ch 1235, §1; 89 Acts, ch 244, §6; 99 Acts, ch 113, §2; 99 Acts, ch 114, §21; 2003 Acts, ch 44, §60; 2004 Acts, ch 1132, §5, 97; 2005 Acts, ch 138, §3; 2007 Acts, ch 141, §5; 2012 Acts, ch 1100, §7; 2014 Acts, ch 1141, §54

Subsections 2 and 4 amended

321G.4A User permit — fee.

1. A person wishing to operate a snowmobile on public land, public ice, or a designated snowmobile trail of this state shall obtain a user permit from the department. A user permit shall be issued for use on only one snowmobile and is not transferable. A user permit shall be valid for the calendar year or time period specified in the permit.

2. A county recorder or a license agent designated by the director pursuant to section 483A.11 may issue user permits. The fee for a user permit shall be fifteen dollars plus an administrative fee established by the commission. A county recorder or a license agent shall retain a writing fee from the sale of each user permit as provided in section 321G.27.

2005 Acts, ch 138, §4; 2007 Acts, ch 141, §6; 2012 Acts, ch 1100, §8

Referred to in **§321G.3**, **§321G.4B**, **§321G.7**, **§331.602**, **§331.605**

321G.4B Nonresident requirements — penalties.

1. A nonresident wishing to operate a snowmobile on public land, public ice, or a designated snowmobile trail of this state shall obtain a user permit in accordance with section 321G.4A. In addition to obtaining a user permit, a nonresident shall display a current registration decal or other evidence of registration or numbering required by the owner's state of residence unless the owner resides in a state that does not register or number snowmobiles.

2. A violation of subsection 1 is punishable as a scheduled violation under section 805.8B, subsection 2, paragraph *"a"*. When the scheduled fine is paid, the violator shall submit proof to the department that a user permit has been obtained and provide evidence of registration or numbering as required by the owner's state of residence, if applicable, to the department within thirty days of the date the fine is paid. A person who violates this section is guilty of a simple misdemeanor.

2014 Acts, ch 1141, §55
NEW section

321G.5 Display of registration and user permit decals.

The owner of a snowmobile shall display the registration decal and user permit decal on the snowmobile in the manner prescribed by the rules of the commission.

[C71, 73, 75, 77, 79, 81, §321G.5]

86 Acts, ch 1031, §3; 89 Acts, ch 244, §7; 2002 Acts, ch 1027, §4; 2004 Acts, ch 1132, §6; 2007 Acts, ch 141, §7; 2012 Acts, ch 1100, §9
Referred to in **§321G.4**, **§805.8B(2)(e)**
For applicable scheduled fine, see §805.8B, subsection 2, paragraph e

321G.6 Registration — renewal.

1. Every snowmobile registration certificate and registration decal issued expires at midnight December 31 unless sooner terminated or discontinued in accordance with this chapter or rules of the commission. After the first day of September each year, an unregistered snowmobile may be registered and a registration may be renewed in one transaction. The fee is five dollars for the remainder of the current year, in addition to the registration fee of fifteen dollars for the subsequent year beginning January 1, and a writing fee as provided in section 321G.27.

2. An expired registration may be renewed for the same fee as if the owner is securing the original registration plus a penalty of five dollars and a writing fee as provided in section 321G.27.

3. Duplicate registrations may be issued by a county recorder or a license agent upon the payment of a five dollar fee plus a writing fee as provided in section 321G.27.

4. A county recorder or a license agent designated by the director pursuant to section 483A.11 may issue snowmobile registration renewals electronically pursuant to rules adopted by the commission. The fee for a registration renewal issued using an electronic system is fifteen dollars plus an administrative fee established by the commission and a writing fee as provided in section 321G.27.

[C71, 73, 75, 77, 79, 81, S81, §321G.6; 81 Acts, ch 113, §4, 5]

86 Acts, ch 1031, §4; 86 Acts, ch 1235, §2; 89 Acts, ch 244, §8 – 11; 91 Acts, ch 236, §2; 97 Acts, ch 148, §6, 9; 99 Acts, ch 113, §3; 2000 Acts, ch 1019, §1; 2002 Acts, ch 1027, §5; 2004 Acts, ch 1132, §7; 2005 Acts, ch 138, §5, 6; 2007 Acts, ch 141, §8; 2012 Acts, ch 1100, §10
Referred to in **§331.602**

321G.7 Fees remitted to commission — appropriation.

1. A county recorder or license agent shall remit to the commission the snowmobile fees collected by the recorder or license agent in the manner and time prescribed by the department.

2. The department shall remit the fees, including user permit fees collected pursuant to section 321G.4A, to the treasurer of state, who shall place the money in a special snowmobile fund. The money is appropriated to the department for the snowmobile programs of the state. The programs shall include grants, subgrants, contracts, or cost-sharing of snowmobile programs with political subdivisions or incorporated private organizations or both in accordance with rules adopted by the commission. Snowmobile fees may be used to support snowmobile programs on a usage basis. At least fifty percent of the special fund shall be available for political subdivisions or incorporated private organizations or both. Moneys from the special fund not used by the political subdivisions or incorporated private organizations or both shall remain in the fund and may be used by the department for the administration of the snowmobile programs. Notwithstanding section 8.33, moneys in

the special fund shall not revert to the general fund of the state at the end of a fiscal year. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the special fund shall remain in the fund.

[C71, 73, 75, 77, 79, 81, S81, §321G.7; 81 Acts, ch 113, §6]

89 Acts, ch 102, §2; 89 Acts, ch 244, §12; 2004 Acts, ch 1132, §8; 2005 Acts, ch 138, §7; 2007 Acts, ch 141, §9; 2012 Acts, ch 1100, §11

Referred to in **§321G.1**, **§321G.24**, **§321G.30**, **§321G.32**, **§331.427**

321G.8 Exempt vehicles.

Registration and user permits shall not be required for the following described snowmobiles:

1. Snowmobiles owned by the United States, this state, or another state, or by a governmental subdivision thereof, and used for enforcement, search and rescue, or official research and studies, but not for recreational or commercial purposes.

2. Snowmobiles used exclusively as farm implements.

[C71, 73, 75, 77, 79, 81, §321G.8]

89 Acts, ch 244, §13; 2002 Acts, ch 1027, §6; 2004 Acts, ch 1132, §9; 2005 Acts, ch 138, §8; 2007 Acts, ch 141, §10; 2012 Acts, ch 1100, §12, 13

321G.9 Operation on roadways and highways.

A person shall not operate a snowmobile upon roadways or highways, as defined in section 321.1, except as provided in this chapter.

1. A snowmobile shall not be operated at any time within the right-of-way of any interstate highway or freeway within this state except when using an underpass located on an interstate highway or freeway if all of the following apply:

a. The underpass has been abandoned and is no longer being used by motor vehicles or trains.

b. Use of the underpass is the only alternative to the use of a traveled roadway.

c. Notwithstanding the provisions of chapter 321, use of the underpass does not conflict with any rules or regulations adopted by a federal governmental entity or this state or a political subdivision of this state.

2. A snowmobile may make a direct crossing of a street or highway provided all of the following occur:

a. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

b. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

c. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

d. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.

3. A snowmobile shall not be operated on public highways under any of the following conditions:

a. On the roadway portion of a highway and adjacent shoulder, or at least five feet on either side of the roadway, except as provided in subsection 4.

b. On limited access highways and approaches.

c. For racing any moving object.

d. Abreast with one or more other snowmobiles on a city highway.

4. A registered snowmobile may be operated under the following conditions:

a. Upon city highways which have not been plowed during the snow season or on such highways as designated by the governing body of a municipality.

b. On that portion of county roadways that have not been plowed during the snow season or not maintained or utilized for the operation of conventional two-wheel drive motor vehicles.

c. On highways in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

d. On the roadways of that portion of county highways designated by the county board of supervisors for such use during a specified period. The county board of supervisors shall evaluate the traffic conditions on all county highways and designate roadways on which snowmobiles may be operated for the specified period without unduly interfering with or constituting an undue hazard to conventional motor vehicle traffic. Signs warning of the operation of snowmobiles on the roadway shall be placed and maintained on the portions of highway thus designated during the period specified for the operation.

e. On the roadway or shoulder when necessary to cross a bridge or culvert, or avoid an obstruction which makes it impossible to travel on the portion of the highway not intended for motor vehicles, if the snowmobile is brought to a complete stop before entering onto the roadway or shoulder and the driver yields the right-of-way to any approaching vehicle on the roadway.

f. Snowmobiles shall not be operated on all-terrain vehicle trails except where designated by the controlling authority and the primary all-terrain vehicle trail sponsor.

5. The headlight and taillight shall be lighted during the operation on a public highway at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet or rain provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

6. A snowmobile shall not be operated within the right-of-way of a primary highway between the hours of sunset and sunrise except on the right-hand side of the right-of-way and in the same direction as the motor vehicular traffic on the nearest lane of traveled portion of the right-of-way.

[C71, 73, 75, 77, 79, 81, §321G.9]

89 Acts, ch 244, §14 – 21; 90 Acts, ch 1230, §80; 92 Acts, ch 1168, §1; 98 Acts, ch 1073, §9; 2004 Acts, ch 1132, §10 – 15; 2012 Acts, ch 1100, §14

For applicable scheduled fines, see §805.8B, subsection 2, paragraph b

321G.10 Accident reports.

If a snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand five hundred dollars or more, either the operator or someone acting for the operator shall immediately notify the county sheriff or another law enforcement agency in the state. If the accident occurred on public land, public ice, or a designated snowmobile trail under the jurisdiction of the commission, the operator shall file with the commission a report of the accident, within seventy-two hours, containing information as the commission may require. All other accidents shall be reported as required under section 321.266.

[C71, 73, 75, 77, 79, 81, §321G.10; 81 Acts, ch 113, §7]

89 Acts, ch 244, §22; 2004 Acts, ch 1132, §16; 2010 Acts, ch 1157, §2; 2011 Acts, ch 38, §21; 2012 Acts, ch 1100, §15

321G.11 Mufflers required.

1. The exhaust of every internal combustion engine used in any snowmobile shall be effectively muffled by equipment constructed and used to muffle all snowmobile noise in a reasonable manner in accordance with rules adopted by the commission.

2. The commission may adopt rules with respect to the inspection of snowmobiles and testing of snowmobile mufflers.

3. A separate placard shall be affixed, permanently and conspicuously, to any new snowmobile sold or offered for sale in this state that does not meet the muffler requirements as stated above. The placard shall designate each snowmobile which does not meet the muffler requirements.

4. A snowmobile manufactured after July 1, 1975, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine

noise to not more than seventy-eight decibels as measured on the "A" scale at a distance of fifty feet.

[C71, 73, 75, 77, 79, 81, §321G.11]

89 Acts, ch 244, §23; 2004 Acts, ch 1132, §17; 2009 Acts, ch 144, §3

Referred to in **§805.8B(2)(b)**

For applicable scheduled fines, see §805.8B, subsection 2, paragraph b

321G.12 Headlight — taillight — brakes.

Every snowmobile shall be equipped with at least one headlight and one taillight. Every snowmobile shall be equipped with brakes.

[C71, 73, 75, 77, 79, 81, §321G.12]

89 Acts, ch 244, §24; 98 Acts, ch 1080, §8; 2004 Acts, ch 1132, §18; 2012 Acts, ch 1100, §16

Referred to in **§805.8B(2)(c)**

For applicable scheduled fines, see §805.8B, subsection 2, paragraph c

321G.13 Unlawful operation.

1. A person shall not drive or operate a snowmobile:

a. At a rate of speed greater than reasonable or proper under all existing circumstances.

b. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

c. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.

d. Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

e. In any tree nursery or planting in a manner which damages or destroys growing stock.

f. On any public land, public ice, or designated snowmobile trail, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.

g. (1) In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered stream which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated snowmobile trails.

(2) This paragraph "*g*" does not prohibit the use of ford crossings of public or private roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of snowmobiles on ice.

h. Upon an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officer or railroad employee in the lawful discharge of the officer's or employee's duties or to an employee of a utility with authority to enter upon the railroad right-of-way in the lawful performance of the employee's duties.

i. Upon the surface of any public water in a maneuver known as water skipping. This paragraph "*i*" does not apply to operation on rivers or streams between November 1 and April 1.

2. A person shall not operate or ride a snowmobile with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding a snowmobile.

3. A person shall not drive or operate a snowmobile on public land or a designated snowmobile trail without a measurable snow cover.

[C71, 73, 75, 77, 79, 81, §321G.13; 81 Acts, ch 113, §8]

89 Acts, ch 244, §25, 26; 91 Acts, ch 236, §3; 99 Acts, ch 97, §1; 2002 Acts, ch 1001, §2; 2002 Acts, ch 1027, §7, 8; 2004 Acts, ch 1132, §19 – 22; 2005 Acts, ch 138, §9; 2007 Acts, ch 22, §69; 2010 Acts, ch 1061, §180; 2012 Acts, ch 1100, §17 – 19

Referred to in **§805.8B(2)(b)**

For applicable scheduled fines, see §805.8B, subsection 2, paragraph b

321G.14 Penalty.

A person who violates this chapter or a rule of the commission or director of transportation is guilty of a simple misdemeanor.

Chapter 232 shall have no application in the prosecution of offenses which are committed in violation of this chapter and which constitute simple misdemeanors.

[C71, 73, 75, 77, 79, 81, §321G.14]

2004 Acts, ch 1132, §23

321G.15 Operation pending registration.

The commission shall furnish snowmobile dealers with pasteboard cards bearing the words "registration applied for" and space for the date of purchase. An unregistered snowmobile sold by a dealer shall bear one of these cards which entitles the purchaser to operate it for forty-five days immediately following the purchase. The purchaser of a registered snowmobile may operate it for forty-five days immediately following the purchase, without having completed a transfer of registration. A snowmobile dealer shall make application and pay all registration and title fees if applicable on behalf of the purchaser of a snowmobile.

[C73, 75, 77, 79, 81, §321G.15]

86 Acts, ch 1245, §1877; 89 Acts, ch 244, §27; 97 Acts, ch 148, §5, 9; 98 Acts, ch 1076, §1; 2004 Acts, ch 1132, §24; 2007 Acts, ch 141, §11

321G.16 Special events.

The department may authorize the holding of organized special events as defined in this chapter within this state. The department shall adopt rules relating to the conduct of special events held under department permits and designating the equipment and facilities necessary for safe operation of snowmobiles or for the safety of operators, participants, and observers in the special events. At least thirty days before the scheduled date of a special event in this state, an application shall be filed with the department for authorization to conduct the special event. The application shall set forth the date, time, and location of the proposed special event and any other information the department requires. The special event shall not be conducted without written authorization of the department. Copies of the rules shall be furnished by the department to any person making an application.

[C73, 75, 77, 79, 81, §321G.16]

89 Acts, ch 244, §28; 91 Acts, ch 236, §4; 2004 Acts, ch 1132, §25

321G.17 Violation of stop signal.

A person who has received a visual or audible signal from a peace officer to come to a stop, shall not operate a snowmobile in willful or wanton disregard of the signal, interfere with or endanger the officer or any other person or vehicle, increase speed, or attempt to flee or elude the officer.

[C73, 75, 77, 79, 81, §321G.17]

89 Acts, ch 244, §29; 2004 Acts, ch 1132, §26; 2012 Acts, ch 1100, §20

Referred to in **§805.8B(2)(f)**

For applicable scheduled fine, see §805.8B, subsection 2, paragraph f

321G.18 Negligence.

The owner and operator of a snowmobile are liable for any injury or damage occasioned by the negligent operation of the snowmobile. The owner of a snowmobile shall be liable for any such injury or damage only if the owner was the operator of the snowmobile at the time the injury or damage occurred or if the operator had the owner's consent to operate the snowmobile at the time the injury or damage occurred.

[C73, 75, 77, 79, 81, §321G.18]

89 Acts, ch 244, §30; 98 Acts, ch 1074, §26; 2000 Acts, ch 1133, §14; 2004 Acts, ch 1132, §27

321G.19 Rented snowmobiles.

1. The owner of a rented snowmobile shall keep a record of the name and address of each

person renting the snowmobile, its registration certificate, the departure date and time, and the expected time of return. The records shall be preserved for six months.

2. The owner of a snowmobile operated for hire shall not permit the use or operation of a rented snowmobile unless it has been provided with all equipment required by this chapter or rules of the commission or the director of transportation, properly installed and in good working order.

[C73, 75, 77, 79, 81, §321G.19]

89 Acts, ch 244, §31; 2003 Acts, ch 44, §61; 2004 Acts, ch 1132, §28; 2007 Acts, ch 141, §12

Referred to in **§805.8B(2)(d)**

For applicable scheduled fines, see §805.8B, subsection 2, paragraph d

321G.20 Operation by persons under sixteen.

A person under sixteen years of age shall not operate a snowmobile on a designated snowmobile trail, public land, or public ice unless the operation is under the direct supervision of a parent, legal guardian, or another person of at least eighteen years of age authorized by the parent or guardian, who is experienced in snowmobile operation and who possesses a valid driver's license, as defined in section 321.1, or an education certificate issued under this chapter.

[C73, 75, 77, 79, 81, §321G.20]

89 Acts, ch 244, §32; 90 Acts, ch 1230, §81; 98 Acts, ch 1073, §9; 2004 Acts, ch 1132, §29; 2012 Acts, ch 1100, §21; 2013 Acts, ch 90, §85; 2014 Acts, ch 1141, §56

For applicable scheduled fine, see §805.8B, subsection 2, paragraph g

Section stricken and rewritten

321G.21 Manufacturer, distributor, or dealer — special registration.

1. A manufacturer, distributor, or dealer owning a snowmobile required to be registered under this chapter may operate the snowmobile for purposes of transporting, testing, demonstrating, or selling it without the snowmobile being registered, except that a special registration decal issued to the owner as provided in this chapter shall be displayed on the snowmobile in the manner prescribed by rules of the commission. The special registration decal shall not be used on a snowmobile offered for hire or for any work or service performed by a manufacturer, distributor, or dealer.

2. Every manufacturer, distributor, or dealer shall register with the department by making application to the commission, upon forms prescribed by the commission, for a special registration certificate and decal. The applicant shall pay a registration fee of forty-five dollars and submit reasonable proof of the applicant's status as a bona fide manufacturer, distributor, or dealer as may be required by the commission.

3. The commission, upon granting an application, shall issue to the applicant a special registration certificate and decal. The special registration certificate shall contain the applicant's name, address, and general identification number; the word "manufacturer", "dealer", or "distributor"; and other information the commission prescribes.

4. The commission shall also issue duplicate special registration certificates and decals which shall have displayed thereon the general identification number assigned to the applicant. A county recorder may issue duplicate special registration certificates and decals electronically pursuant to rules adopted by the commission. The fee for each additional duplicate special registration certificate and decal shall be five dollars, plus a writing fee.

5. Each special registration certificate issued under this section shall be for a period of three years and shall expire on December 31 of the renewal year. A new special registration certificate for the three-year renewal period may be obtained upon application to the commission and payment of the fee provided by law. A county recorder may issue special registration certificate renewals electronically pursuant to rules adopted by the commission.

6. If a manufacturer, distributor, or dealer has an established place of business in more than one location, the manufacturer, distributor, or dealer shall secure a separate and distinct special registration certificate and general identification number for each place of business.

7. A dealer shall make application and pay all registration and title fees if applicable on behalf of the purchaser of a snowmobile. If the registration has expired while in the dealer's

possession, the purchaser may renew the registration for the same fee and writing fee as if the purchaser is securing the original registration.

8. Nothing in this section shall prohibit a dealer from obtaining a new registration and transfer of registration in the same manner as other purchasers.

9. The commission may adopt rules consistent with this chapter establishing minimum requirements for dealers. In adopting such rules, the commission shall consider the need to protect persons, property, and the environment and to promote uniformity of practices relating to the sale and use of snowmobiles. The commission may also adopt rules providing for the suspension or revocation of a dealer's special registration certificate issued pursuant to this section.

[C73, 75, 77, 79, 81, §321G.21]

89 Acts, ch 244, §33; 2002 Acts, ch 1027, §9; 2004 Acts, ch 1132, §30; 2007 Acts, ch 141, §13 – 17; 2009 Acts, ch 144, §4; 2012 Acts, ch 1100, §22

Referred to in **§331.602**, **§805.8B(2)(h)**

For applicable scheduled fine, see §805.8B, subsection 2, paragraph h

321G.22 Limitation of liability by public bodies and adjoining owners.

The state, its political subdivisions, and the owners or tenants of property adjoining public lands or the right-of-way of a public highway and their agents and employees owe no duty of care to keep the public lands, ditches, or land contiguous to a highway or roadway under the control of the state or a political subdivision safe for entry or use by persons operating a snowmobile, or to give any warning of a dangerous condition, use, structure, or activity on the premises to persons entering for such purposes, except in the case of willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity. The state, its political subdivisions, and the owners or tenants of property adjoining public lands or the right-of-way of a public highway and their agents and employees are not liable for actions taken to allow or facilitate the use of public lands, ditches, or land contiguous to a highway or roadway except in the case of a willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.

This section does not create a duty of care or ground of liability on behalf of the state, its political subdivisions, or the owners or tenants of property adjoining public lands or the right-of-way of a public highway and their agents and employees for injury to persons or property in the operation of snowmobiles in a ditch or on land contiguous to a highway or roadway under the control of the state or a political subdivision. The state, its political subdivisions, and the owners or tenants of property adjoining public lands or the right-of-way of a public highway and their agents and employees are not liable for the operation of a snowmobile in violation of this chapter.

[C73, 75, 77, 79, 81, §321G.22]

86 Acts, ch 1070, §1; 89 Acts, ch 244, §34; 2004 Acts, ch 1132, §31

321G.22A Recreational riding area — limitation of liability of prior landowners. Repealed by 2004 Acts, ch 1132, §96. See §321I.24.

321G.23 Course of instruction.

1. The commission shall provide, by rules adopted pursuant to section 321G.2, for the establishment of certified courses of instruction to be conducted throughout the state for the safe use and operation of snowmobiles. The curriculum shall include instruction in the lawful and safe use, operation, and equipping of snowmobiles consistent with this chapter and rules adopted by the commission and the director of transportation and other matters the commission deems pertinent for a qualified snowmobile operator. The commission may establish a fee for the course which shall not exceed the actual cost of instruction minus moneys received by the department from education certificate fees under section 321G.24.

2. The commission may certify any experienced, qualified operator to be an instructor of a class established under subsection 1. Each instructor shall be at least eighteen years of age.

3. Upon completion of the course of instruction, the commission shall provide for the administration of a written test to any student who wishes to qualify for an education certificate.

4. The commission shall provide education material relating to the operation of snowmobiles for the use of nonpublic or public elementary and secondary schools in this state.

5. The department may develop requirements and standards for online education offerings. Only vendors who have entered into a memorandum of understanding with the department shall be permitted to offer an online course that results in the issuance of an education certificate approved by the commission. Vendors may charge for their courses and collect the education certificate fee required under section 321G.24, subsection 2, on behalf of the department as agreed to in the memorandum of understanding.

[C75, 77, 79, 81, §321G.23]

89 Acts, ch 244, §35; 2004 Acts, ch 1132, §32; 2007 Acts, ch 141, §18; 2012 Acts, ch 1100, §23

321G.24 Education certificate — fee.

1. A person twelve through seventeen years of age shall not operate a snowmobile on public land, public ice, a designated snowmobile trail, or land purchased with snowmobile registration funds in this state without obtaining an education certificate approved by the department and having the certificate in the person's possession, unless the person is accompanied on the same snowmobile by a responsible person of at least eighteen years of age who is experienced in snowmobile operation and possesses a valid driver's license, as defined in section 321.1, or an education certificate issued under this chapter.

2. Upon successful completion of the course and payment of a fee of five dollars, a qualified applicant shall be issued an education certificate which is valid until the certificate is suspended or revoked by the director for a violation of a provision of this chapter or a rule adopted pursuant to this chapter.

3. Any person who is required to have an education certificate under this chapter and who has completed a course of instruction established under section 321G.2, subsection 1, paragraph "*j*", including the successful passage of an examination which includes a written test relating to such course of instruction, shall be considered qualified to receive an education certificate.

4. The certificate fees collected under this section shall be credited to the special snowmobile fund created under section 321G.7 and shall be used for safety and educational programs.

5. A valid snowmobile safety or education certificate or license issued by a governmental authority of another state shall be considered a valid certificate or license in this state if the certification or licensing requirements of the governmental authority are substantially the same as the requirements of this chapter as determined by the commission.

[C75, 77, 79, 81, §321G.24; 81 Acts, ch 113, §9]

89 Acts, ch 244, §36; 90 Acts, ch 1230, §82; 91 Acts, ch 236, §5; 98 Acts, ch 1073, §9; 2004 Acts, ch 1132, §33; 2007 Acts, ch 141, §19; 2009 Acts, ch 144, §5; 2012 Acts, ch 1100, §24; 2014 Acts, ch 1141, §57

For applicable scheduled fine, see §805.8B, subsection 2, paragraph g

Subsection 1 amended

321G.25 Stopping and inspecting — warnings.

A peace officer may stop and inspect a snowmobile operated, parked, or stored on public streets, highways, public lands, public ice, or designated snowmobile trails 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.

[81 Acts, ch 113, §1]

89 Acts, ch 244, §37; 2004 Acts, ch 1132, §34; 2012 Acts, ch 1100, §25

321G.26 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, public ice, or designated snowmobile trails of the state until the snowmobile is in compliance.

[81 Acts, ch 113, §1]

89 Acts, ch 244, §38; 2004 Acts, ch 1132, §35; 2012 Acts, ch 1100, §26

321G.27 Writing fees.

1. *a.* The county recorder shall collect a writing fee of one dollar and twenty-five cents for a snowmobile registration or for renewal of a registration by the county recorder's office.

b. The county recorder shall retain a writing fee of one dollar and twenty-five cents from the sale of each user permit issued by the county recorder's office.

c. The county recorder shall collect a writing fee of one dollar and twenty-five cents for each duplicate special registration certificate issued by the county recorder's office.

d. Writing fees collected or retained by the county recorder under this chapter shall be deposited in the general fund of the county.

2. *a.* A license agent shall collect a writing fee of one dollar for a snowmobile registration or for renewal of a registration by the license agent.

b. A license agent shall retain a writing fee of one dollar from the sale of each user permit issued by the license agent.

[S81, §321G.27; 81 Acts, ch 113, §1]

89 Acts, ch 244, §39; 2004 Acts, ch 1132, §36; 2007 Acts, ch 141, §20; 2012 Acts, ch 1100, §27

Referred to in **§321G.4**, **§321G.4A**, **§321G.6**

321G.28 Consistent local laws — special local rules.

1. This chapter and other applicable laws of this state shall govern the operation, equipment, numbering, and all other matters relating to a snowmobile when the snowmobile is operated or maintained in this state. However, this chapter does not prevent the adoption of an ordinance or local law relating to the operation or equipment of snowmobiles. The ordinances or local laws are operative only so long as they are not inconsistent with this chapter or the rules 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.

[S81, §321G.28; 81 Acts, ch 113, §1]

89 Acts, ch 244, §40; 2004 Acts, ch 1132, §37

321G.29 Owner's certificate of title — in general.

1. The owner of a snowmobile acquired on or after January 1, 1998, other than a snowmobile used exclusively as a farm implement or a snowmobile more than thirty years old registered as provided in section 321G.4, subsection 4, shall apply to the county recorder of the county in which the owner resides for a certificate of title for the snowmobile. The owner of a snowmobile used exclusively as a farm implement may obtain a certificate of title. A person who owns a snowmobile that is not required to have a certificate of title may apply for and receive a certificate of title for the snowmobile and, subsequently, the snowmobile

shall be subject to the requirements of this chapter as if the snowmobile were required to be titled. All snowmobiles that are titled shall be registered.

2. A certificate of title shall contain the information and shall be issued on a form the department prescribes.

3. An owner of a snowmobile shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the snowmobile or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for a snowmobile last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

4. If a dealer buys or acquires a snowmobile for resale, the dealer may apply for and obtain a certificate of title as provided in this chapter. If a dealer buys or acquires a used snowmobile, the dealer may apply for a certificate of title in the dealer's name within thirty days. If a dealer buys or acquires a new snowmobile for resale, the dealer may apply for a certificate of title in the dealer's name.

5. A manufacturer or dealer shall not transfer ownership of a new snowmobile without supplying the transferee with the manufacturer's or importer's certificate of origin signed by the manufacturer's or importer's authorized agent. The certificate shall contain information the department requires. The department may adopt rules providing for the issuance of a certificate of origin for a snowmobile by the department upon good cause shown by the owner.

6. A dealer transferring ownership of a snowmobile under this chapter shall assign the title to the new owner, or in the case of a new snowmobile, assign the certificate of origin. Within fifteen days the dealer shall forward all moneys and applications to the county recorder.

7. The county recorder shall maintain an electronic record of any certificate of title which the county recorder issues until the certificate of title has been inactive for five years. When issuing a title for a new snowmobile, the county recorder shall obtain and keep the certificate of origin on file. When issuing a title and registration for a used snowmobile for which there is no title or registration, the county recorder shall obtain and keep on file the affidavit for the unregistered and untitled snowmobile.

8. Once titled, a person shall not sell or transfer ownership of a snowmobile without delivering to the purchaser or transferee a certificate of title with an assignment on it showing title in the purchaser's or transferee's name. A person shall not purchase or otherwise acquire a snowmobile without obtaining a certificate of title for it in that person's name.

9. If the county recorder is not satisfied as to the ownership of the snowmobile or that there are no undisclosed security interests in the snowmobile, the county recorder may issue a certificate of title for the snowmobile 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 person acquiring any security interest in the snowmobile, 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 on account of any defect in or undisclosed security interest upon the right, title, and interest of the applicant in and to the snowmobile. 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 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.

97 Acts, ch 148, §1, 9; 99 Acts, ch 113, §4; 2002 Acts, ch 1027, §10; 2002 Acts, ch 1113, §3; 2004 Acts, ch 1132, §38; 2007 Acts, ch 141, §21, 22; 2011 Acts, ch 34, §81; 2012 Acts, ch 1050, §42, 60; 2012 Acts, ch 1100, §28; 2013 Acts, ch 132, §54; 2014 Acts, ch 1141, §64

Subsection 7 amended

321G.30 Fees — duplicates.

1. The county recorder shall charge a ten dollar fee to issue a certificate of title, a transfer of title, a duplicate, or a corrected certificate of title.

2. If a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the first lienholder or, if there is none, the owner named in the certificate, as shown by the county recorder's records, shall within thirty days obtain a duplicate by applying to the county recorder. The applicant shall furnish information the department requires concerning the original certificate and the circumstances of its loss, mutilation, or destruction.

3. The duplicate certificate of title shall be marked plainly "duplicate" across its face and mailed or delivered to the applicant.

4. If a lost or stolen original certificate of title for which a duplicate has been issued is recovered, the original shall be surrendered promptly to the county recorder for cancellation.

5. Five dollars of the certificate of title fees collected under this section shall be remitted by the county recorder to the treasurer of state for deposit in the special snowmobile fund created under section 321G.7. The remaining five dollars shall be retained by the county and deposited into the general fund of the county.

97 Acts, ch 148, §2, 9; 2004 Acts, ch 1132, §39; 2007 Acts, ch 141, §23

321G.31 Transfer or repossession by operation of law.

1. If ownership of a snowmobile is transferred by operation of law, such as by inheritance, order in bankruptcy, insolvency, replevin, or execution sale, the transferee, within thirty days after acquiring the right to possession of the snowmobile, shall mail or deliver to the county recorder of the transferee's county of residence satisfactory proof of ownership as the county recorder requires, together with an application for a new certificate of title, and the required fee.

2. If a lienholder repossesses a snowmobile by operation of law and holds it for resale, the lienholder shall secure a new certificate of title and shall pay the required fee.

97 Acts, ch 148, §3, 9; 99 Acts, ch 113, §5; 2004 Acts, ch 1132, §40; 2012 Acts, ch 1100, §29

321G.32 Security interest — perfection and titles — fee.

1. A security interest created in this state in a snowmobile is not perfected until the security interest is noted on the certificate of title.

a. To perfect the security interest, an application for security interest must be presented along with the original title. The county recorder shall note the security interest on the face of the title and in the electronic record maintained by the recorder's office.

b. The application fee for a security interest is ten dollars. Five dollars of the fee shall be credited to the special snowmobile fund created under section 321G.7. The remaining five dollars shall be retained by the county and deposited into the general fund of the county.

2. The certificate of title shall be presented to the county recorder when the application for security interest or for assignment of the security interest is presented and a new or endorsed certificate of title shall be issued to the secured party with the name and address of the secured party upon it.

3. When a security interest is discharged, the secured party shall note the cancellation of the security interest on the face of the certificate of title and send the title by first class mail to the office of the county recorder where the title was issued. If the title has been lost or destroyed, the secured party may discharge the security interest by sending a signed, notarized statement to the office of the county recorder where the title was issued. The county

recorder shall note the release of the security interest in the county records and attach the statement to the certificate of title as evidence of the release of the security interest.

97 Acts, ch 148, §4, 9; 99 Acts, ch 113, §6; 2004 Acts, ch 1132, §41, 42; 2007 Acts, ch 141, §24; 2014 Acts, ch 1141, §65

Subsection 1, paragraph a amended

321G.33 Vehicle identification number.

1. The department may assign a distinguishing number to a snowmobile when the serial number on the snowmobile is destroyed or obliterated and issue to the owner a special decal bearing the distinguishing number which shall be affixed to the snowmobile in a position to be determined by the department. The snowmobile shall be registered and titled under the distinguishing number in lieu of the former serial number. Every snowmobile shall have a vehicle identification number assigned and affixed as required by the department.

2. The commission shall adopt, by rule, the procedures for application and for issuance of a vehicle identification number for homebuilt snowmobiles.

3. A person shall not destroy, remove, alter, cover, or deface the manufacturer's vehicle identification number, the plate or decal bearing it, or any vehicle identification number the department assigns to a snowmobile without the department's permission.

4. A person other than a manufacturer who constructs or rebuilds a snowmobile for which there is no legible vehicle identification number shall submit to the department an affidavit which describes the snowmobile. In cooperation with the county recorder, the department shall assign a vehicle identification number to the snowmobile. The applicant shall permanently affix the vehicle identification number to the snowmobile in a manner that such alteration, removal, or replacement of the vehicle identification number would be obvious.

2002 Acts, ch 1027, §11; 2003 Acts, ch 44, §62; 2004 Acts, ch 1132, §43; 2012 Acts, ch 1100, §30

321G.34 Repeat offender — records, enforcement, and penalties.

1. The commission shall establish by rule a recordkeeping system and other administrative procedures necessary to administer this section.

2. A person who pleads guilty to or is convicted of a violation of any provision of this chapter while the person's registration privilege is suspended or revoked under administrative procedures is guilty of a simple misdemeanor if the person had no other violations within the previous three years which occurred while the person's registration privilege was suspended or revoked.

3. A person who pleads guilty to or is convicted of a violation of any provision of this chapter while the person's registration privilege is suspended or revoked under administrative procedures is guilty of a serious misdemeanor if the person had one other violation within the previous three years which occurred while the person's registration privilege was suspended or revoked.

4. A person who pleads guilty to or is convicted of a violation of any provision of this chapter while the person's registration privilege is suspended or revoked under administrative procedures is guilty of an aggravated misdemeanor if the person had two or more convictions within the previous three years which occurred while the person's registration privilege was suspended or revoked.

5. *a.* Upon the conviction of a person of any violation of this chapter or a rule adopted under this chapter, the court, as a part of the judgment, may suspend or revoke one or more snowmobile registration or user permit privileges of the person for any definite period.

b. The court shall revoke all of the person's snowmobile registrations or user permits and suspend the privilege of procuring a registration or user permit for a period of one year for any person who has been convicted twice within one year of trespassing while operating a snowmobile. A person shall not be issued a registration or user permit during the period of suspension or revocation.

2007 Acts, ch 141, §25