

CHAPTER 750
AIRCRAFT REGISTRATION
[Prior to 6/3/87, Transportation Department [820]—(04,C)Ch 2]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

761—750.1(328) Purpose. This chapter establishes the procedures for registration of civil aircraft pursuant to Iowa Code chapter 328.

This rule is intended to implement Iowa Code chapter 328.
[ARC 5943C, IAB 10/6/21, effective 11/10/21]

761—750.2(328) Definitions. The definitions in Iowa Code section 328.1 apply to this chapter of rules. In addition, the following definition is established for the purpose of Iowa Code section 328.21(8) and subrule 750.10(3):

“*Specified minimum level of aviation services to the general public*” means the use of aircraft that provide nonagricultural aviation services including aircraft rental, flight training, or passenger and cargo air carrier operations.

This rule is intended to implement Iowa Code sections 328.1 and 328.21(8).
[ARC 5943C, IAB 10/6/21, effective 11/10/21]

761—750.3(17A) Information and forms. Information, instructions and forms are available from the modal transportation bureau or on the department’s website at www.iowadot.gov. Application forms may also be obtained from aircraft dealers. The mailing address for aircraft registration is: Iowa Department of Transportation, Modal Transportation Bureau, Aircraft Registration, 800 Lincoln Way, Ames, Iowa 50010.

This rule is intended to implement Iowa Code section 17A.3.
[ARC 3301C, IAB 8/30/17, effective 10/4/17; ARC 5943C, IAB 10/6/21, effective 11/10/21]

761—750.4 to 750.8 Reserved.

761—750.9(328) Registration. When a used aircraft is registered in Iowa, the model year of the aircraft shall be used to determine the number of times the aircraft was previously registered, and a reduction of the registration fee shall be computed accordingly. “Model year,” except where otherwise specified, means the year of original manufacture or the year certified by the manufacturer. For the purpose of registration, the model year shall advance one year each January 1.

This rule is intended to implement Iowa Code section 328.21.

761—750.10(328) First registration procedure.

750.10(1) Registration requirement. A civil aircraft which has an FAA-assigned N number is subject to registration in Iowa unless it is exempt by statute.

750.10(2) Application.

a. The owner of an unregistered aircraft shall submit to the department an application for aircraft registration on a form prescribed by the department.

b. The owner shall submit with the application the registration fee and the required use tax or evidence of tax exemption.

c. The department shall review the application and may request additional information or documents from the owner.

d. Upon receipt of the completed application, registration fee, and use tax or evidence of tax exemption, the department shall issue to the applicant an aircraft registration certificate for the aircraft.

750.10(3) Fee. The aircraft registration fee shall be computed according to Iowa Code section 328.21.

This rule is intended to implement Iowa Code sections 328.20, 328.21, 328.25 to 328.27, 328.35, 328.37, 328.42, 328.44 to 328.46 and 328.56A.

761—750.11 to 750.14 Reserved.

761—750.15(328) Aircraft not airworthy. An aircraft that is not airworthy is not subject to registration fees if the owner submits with the registration application a written, signed explanation of the aircraft's condition and an estimate of the date when the aircraft will be airworthy. The department shall mark the record of the aircraft until the owner notifies the department that the aircraft is airworthy or until the aircraft is no longer subject to registration in Iowa.

This rule is intended to implement Iowa Code section 328.21.

[ARC 3301C, IAB 8/30/17, effective 10/4/17]

761—750.16 to 750.19 Reserved.

761—750.20(328) Renewal notice. Thirty days before the end of the registration year, the department shall send a renewal notice to the owner of each registered aircraft as shown on department records. The renewal notice shall state the registration fee due for the upcoming registration year and the descriptive data recorded for the aircraft.

This rule is intended to implement Iowa Code sections 328.20, 328.21, 328.26, 328.27, 328.37, and 328.56A.

761—750.21 to 750.28 Reserved.

761—750.29(328) Penalty on registration fees.

750.29(1) Amount of penalty. The penalty on the delinquent payment of a registration fee shall be computed on a monthly basis and is 5 percent per month.

750.29(2) Aircraft purchased. The penalty on the registration fee shall accrue from the first day of the month following 30 days from the date of purchase.

750.29(3) Aircraft moved into Iowa. The penalty on the registration fee shall accrue from the first day of the month following 30 days from the date the aircraft is moved into Iowa.

750.29(4) When delinquency extends beyond the current year. When the penalty on a delinquent registration fee extends beyond the current year, the penalty shall continue to accrue until paid. The penalty shall accrue only on the fee applicable at the time the delinquency accrued and shall not be applicable to subsequent registration fees which have not been paid.

750.29(5) Specific penalty date. When a specific penalty date is provided by statute or rule, the penalty shall accrue from that date, even if the day is a Saturday, Sunday or holiday.

This rule is intended to implement Iowa Code sections 328.50 to 328.52.

761—750.30(328) Application for special certificate. When applying to the department for a special certificate, the applicant must submit reasonable proof of bona fide status as a manufacturer, transporter or dealer. Manufacturer or dealer applicants must verify that no aircraft have been held in a dealer special certificate inventory for a period of more than three years.

This rule is intended to implement Iowa Code section 328.28 as amended by 2022 Iowa Acts, Senate File 2370, section 1, and section 328.29.

[ARC 5943C, IAB 10/6/21, effective 11/10/21; ARC 6616C, IAB 11/2/22, effective 12/7/22]

761—750.31(328) Lien. The department has the authority to record a lien against the federal aircraft title and sue to collect unpaid fees and penalties.

This rule is intended to implement Iowa Code sections 328.47 to 328.49.

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