

# House Amendment 1278

## Amendment Text

PAG LIN

1 1 Amend [Senate File 407](#), as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 2, by inserting after line 30 the  
1 4 following:  
1 5 "Sec. \_\_\_\_ Section [321G.29](#), subsections 1 and 3  
1 6 through 9, Code 1999, are amended to read as follows:  
1 7 1. The owner of a snowmobile acquired on or after  
1 8 January 1, 1998, or an all-terrain vehicle acquired on  
1 9 or after January 1, 2000, other than a snowmobile or  
1 10 all-terrain vehicle used exclusively as a farm  
1 11 implement, shall apply to the county recorder of the  
1 12 county in which the owner resides for a certificate of  
1 13 title for the snowmobile or all-terrain vehicle. The  
1 14 owner of a snowmobile or all-terrain vehicle used  
1 15 exclusively as a farm implement may obtain a  
1 16 certificate of title.  
1 17 3. An owner of a snowmobile or all-terrain vehicle  
1 18 shall apply to the county recorder for issuance of a  
1 19 certificate of title within thirty days after  
1 20 acquisition. The application shall be on forms the  
1 21 department prescribes and accompanied by the required  
1 22 fee. The application shall be signed and sworn to  
1 23 before a notary public or other person who administers  
1 24 oaths, or shall include a certification signed in  
1 25 writing containing substantially the representation  
1 26 that statements made are true and correct to the best  
1 27 of the applicant's knowledge, information, and belief,  
1 28 under penalty of perjury. The application shall  
1 29 contain the date of sale and gross price of the  
1 30 snowmobile or all-terrain vehicle or the fair market  
1 31 value if no sale immediately preceded the transfer and  
1 32 any additional information the department requires.  
1 33 If the application is made for a snowmobile or all-  
1 34 terrain vehicle last previously registered or titled  
1 35 in another state or foreign country, the application  
1 36 shall contain this information and any other  
1 37 information the department requires.  
1 38 4. If a dealer buys or acquires a snowmobile or  
1 39 all-terrain vehicle for resale, the dealer shall  
1 40 report the acquisition to the county recorder on forms  
1 41 provided by the department and may apply for and  
1 42 obtain a certificate of title as provided in this  
1 43 chapter. If a dealer buys or acquires a used  
1 44 snowmobile or all-terrain vehicle, the dealer may  
1 45 apply for a certificate of title in the dealer's name  
1 46 within fifteen days. If a dealer buys or acquires a  
1 47 new snowmobile or all-terrain vehicle for resale, the  
1 48 dealer may apply for a certificate of title in the  
1 49 dealer's name.  
1 50 5. A manufacturer or dealer shall not transfer  
2 1 ownership of a new snowmobile or new all-terrain  
2 2 vehicle without supplying the transferee with the  
2 3 manufacturer's or importer's certificate of origin  
2 4 signed by the manufacturer's or importer's authorized  
2 5 agent. The certificate shall contain information the  
2 6 department requires. The department may adopt rules  
2 7 providing for the issuance of a certificate of origin

2 8 for a snowmobile or all-terrain vehicle by the  
2 9 department upon good cause shown by the owner.  
2 10 6. A dealer transferring ownership of a snowmobile  
2 11 or all-terrain vehicle under this chapter shall assign  
2 12 the title to the new owner, or in the case of a new  
2 13 snowmobile or new all-terrain vehicle, assign the  
2 14 certificate of origin. Within fifteen days the dealer  
2 15 shall forward all moneys and applications to the  
2 16 county recorder.

2 17 7. The county recorder shall maintain a record of  
2 18 any certificate of title which the county recorder  
2 19 issues and shall keep each certificate of title on  
2 20 record until the certificate of title has been  
2 21 inactive for five years. When issuing a title for a  
2 22 new snowmobile or new all-terrain vehicle, the county  
2 23 recorder shall obtain and keep on file the certificate  
2 24 of origin.

2 25 8. Once titled, a person shall not sell or  
2 26 transfer ownership of a snowmobile or all-terrain  
2 27 vehicle without delivering to the purchaser or  
2 28 transferee a certificate of title with an assignment  
2 29 on it showing title in the purchaser or transferee. A  
2 30 person shall not purchase or otherwise acquire a  
2 31 snowmobile or all-terrain vehicle without obtaining a  
2 32 certificate of title for it in that person's name.

2 33 9. The county recorder shall transmit a copy of  
2 34 the certificate of title to the department, which  
2 35 shall be the central repository of title information  
2 36 for snowmobiles and all-terrain vehicles.

2 37 Sec. \_\_\_\_\_. Section [321G.31](#), Code 1999, is amended  
2 38 to read as follows:

2 39 321G.31 TRANSFER OR REPOSSESSION OF SNOWMOBILE OR  
2 40 ALL-TERRAIN VEHICLE BY OPERATION OF LAW.

2 41 1. If ownership of a snowmobile or all-terrain  
2 42 vehicle is transferred by operation of law, such as by  
2 43 inheritance, order in bankruptcy, insolvency,  
2 44 replevin, or execution sale, the transferee, within  
2 45 thirty days after acquiring the right to possession of  
2 46 the snowmobile or all-terrain vehicle, shall mail or  
2 47 deliver to the county recorder satisfactory proof of  
2 48 ownership as the county recorder requires, together  
2 49 with an application for a new certificate of title,  
2 50 and the required fee.

3 1 2. If a lienholder repossesses a snowmobile or  
3 2 all-terrain vehicle by operation of law and holds it  
3 3 for resale, the lienholder shall secure a new  
3 4 certificate of title and shall pay the required fee.

3 5 Sec. \_\_\_\_\_. Section [321G.32](#), subsection 1,  
3 6 unnumbered paragraph 1, Code 1999, is amended to read  
3 7 as follows:

3 8 A security interest created in this state in a  
3 9 snowmobile or all-terrain vehicle is not perfected  
3 10 until the security interest is noted on the  
3 11 certificate of title."

3 12 #2. Title page, line 1, by inserting after the  
3 13 words "relating to" the following: "title  
3 14 certificates for and".

3 15  
3 16  
3 17

3 18 COMMITTEE ON [TRANSPORTATION](#)

3 19 WELTER of Jones, Chairperson

3 20 [SF 407.301](#) 78

3 21 nh/cf