

House File 389 - Enrolled

House File 389

AN ACT

RELATING TO THE PROCESS AND FEES ASSOCIATED WITH THE
REGISTRATION AND TITLE OF VESSELS, SNOWMOBILES, AND
ALL-TERRAIN VEHICLES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321G.29, subsection 6, Code 2019, is amended to read as follows:

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~~ thirty days the dealer shall forward all moneys and applications to the county recorder.

Sec. 2. Section 321I.31, subsection 6, Code 2019, is amended to read as follows:

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

Sec. 3. Section 462A.5, subsection 1, unnumbered paragraph 1, Code 2019, is amended to read as follows:

The owner of each vessel required to be numbered by this state shall initially register it ~~every three years~~ with the commission through the county recorder of the county in which the owner resides, or, if the owner is a nonresident, the

owner shall register it in the county in which such vessel is principally used. Both residents and nonresidents shall subsequently renew registration every three years with any county recorder. The commission shall develop and maintain an electronic system for the registration of vessels pursuant to [this chapter](#). The commission shall establish forms and procedures as necessary for the registration of all vessels.

Sec. 4. Section 462A.5, subsection 3, paragraph c, Code 2019, is amended to read as follows:

~~c. If a timely~~ an application for renewal is made, ~~the applicant shall receive the same registration number allocated to the applicant for the previous registration period. If the application for registration for the three-year registration period is not made before May 1~~ July 1 of the last calendar year of the registration period, the applicant shall be charged a penalty of five dollars.

Sec. 5. Section 462A.5, subsection 4, paragraphs a, b, c, and d, Code 2019, are amended to read as follows:

a. If a person, after registering a vessel, moves from the address shown on the registration certificate, the person shall, within ten days, notify ~~the~~ any county recorder ~~in writing of the old and new address. If appropriate, the county recorder shall forward all past records of the vessel to the recorder of the county in which the owner resides.~~

b. If the name of a person, who has registered a vessel, is changed, the person shall, within ten days, notify ~~the~~ any county recorder of the former and new name.

c. No fee shall be paid to ~~the~~ any county recorder for making the changes mentioned in [this subsection](#), unless the owner requests a new registration certificate showing the change, in which case a fee of one dollar plus a writing fee shall be paid to the recorder.

d. If a registration certificate is lost, mutilated or becomes illegible, the owner shall immediately make application for and obtain a duplicate registration certificate by furnishing information satisfactory to ~~the~~ any county recorder. A fee of one dollar plus a writing fee shall be paid to the county recorder for a duplicate registration certificate.

Sec. 6. Section 462A.43, Code 2019, is amended to read as

follows:

462A.43 Transfer of ownership.

Upon the transfer of ownership of any vessel, the owner, ~~except as otherwise provided by this chapter,~~ shall complete shall, at the time of delivering the vessel, provide the purchaser or transferee with either the title of the vessel assigned in the purchaser's or transferee's name or, if there is no title, the registration certificate with the form on the back of the registration certificate and shall deliver it to the purchaser or transferee at the time of delivering the vessel completely filled in. Once a vessel has been titled, a person shall not sell or transfer ownership without assigning and delivering the title to the purchaser or transferee. If a vessel has an expired registration at the time of transfer, the transferee shall pay all applicable fees for the current registration period, the appropriate writing fee, and a penalty of five dollars, ~~and a transfer of number shall be awarded in the same manner as provided for in an original registration.~~ All penalties collected pursuant to ~~this section~~ shall be forwarded by the commission to the treasurer of state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

Sec. 7. Section 462A.52, subsection 1, Code 2019, is amended to read as follows:

1. ~~Within ten days after the end of each month, a A county recorder shall remit to the commission all fees collected by the recorder during the previous month. Before May 10 of the registration period beginning May 1 of that year, a county recorder shall remit to the commission all unused license blanks for the previous registration period through a process determined by the department.~~ All fees collected for the registration of vessels shall be forwarded by the commission to the treasurer of the state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

Sec. 8. Section 462A.77, subsections 4, 5, and 6, Code 2019,

are amended to read as follows:

4. Every owner of a vessel subject to titling under this chapter shall apply to the county recorder for issuance of a certificate of title for the vessel within thirty days after acquisition. The application shall be on forms the department prescribes, and accompanied by the required fee. The application shall be signed and ~~sworn to before a notarial officer as provided in chapter 9B~~ or 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 vessel 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 vessel last previously registered or titled in another state or foreign country, it shall contain this information and any other information the department requires.

5. If a dealer buys or acquires a used vessel for resale, ~~the dealer shall report the acquisition to the county recorder on the forms the department provides, or~~ the dealer may apply for and obtain a certificate of title as provided in this chapter. ~~If a dealer buys or acquires a used unnumbered vessel, the dealer shall apply for a certificate of title in the dealer's name within fifteen days.~~ If a dealer buys or acquires a new vessel for resale, the dealer may apply for a certificate of title in the dealer's name.

6. Every dealer transferring a vessel requiring titling under [this chapter](#) shall assign the title to the new owner, or in the case of a new vessel assign the certificate of origin. Within ~~fifteen~~ thirty days the dealer shall forward all moneys and applications to the county recorder.

Sec. 9. Section 462A.78, subsection 2, Code 2019, is amended to read as follows:

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~~ with any county recorder. The applicant shall furnish information the department requires concerning the original certificate and the circumstances of its loss, mutilation, or destruction. Mutilated or illegible certificates shall be returned to the department with the application for a duplicate.

LINDA UPMEYER
Speaker of the House

CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 389, Eighty-eighth General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2019

KIM REYNOLDS
Governor