

FEB 13 1974

HOUSE FILE 1199

Place On Calendar  
*See County Govt. 3/5, Pass 3/11*

By COMMITTEE ON COUNTY GOVERNMENT  
(Committee on County Government)

Passed House, Date 3-1-74 (746) Passed Senate, Date 4-1-74 (1103)

Vote: Ayes 82 Nays 1 Vote: Ayes 43 Nays 0

Approved 5-27-74

*Passed House as amended by Senate and further amended by House to cover 78-8* *Repassed Senate as further amended by House 5-3-74*  
5-2-74 (2360) - **A BILL FOR**

- 1 An Act relating to the transfer of snowmobile registrations.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 Section 1. Section three hundred twenty-one G point six
- 4 (321G.6), unnumbered paragraph five (5), Code 1973, is amended
- 5 to read as follows:
- 6 ~~Registrations may be transferred when a snowmobile is sold~~
- 7 ~~by filing an application for such transfer with the county~~
- 8 ~~recorder of the county wherein the snowmobile is registered.~~
- 9 ~~The county recorder shall collect a transfer fee of one dollar~~
- 10 ~~and an additional twenty-five cents as a writing fee. Upon~~
- 11 ~~the transfer of ownership of any snowmobile, the owner shall~~
- 12 ~~complete the form on the back of the registration certificate~~
- 13 ~~and shall deliver it to the purchaser or transferee at the time~~
- 14 ~~of delivering the snowmobile. The purchaser or transferee shall,~~
- 15 ~~within five days, file a new application form with the county~~
- 16 ~~recorder with a fee of one dollar and the appropriate writing~~
- 17 ~~fee, and a transfer of number shall be awarded in the same~~
- 18 ~~manner as provided for in any original registration.~~

EXPLANATION

20 The snowmobile law as presently written requires a transfer  
21 to be made in the county recorder's office where the snowmobile  
22 was originally registered. This procedure imposes a hardship on  
23 the snowmobile purchaser since he may have bought the snowmobile  
24 from a party who lives two hundred miles away. This bill allows  
25 county recorders to transfer snowmobiles in the same manner in

1 which boats are transferred which has worked to the benefit  
2 of the purchasers.

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HOUSE FILE 1199

H-2872

1 Amend the Senate amendment to House File 1199 as  
2 follows:

3 1. Line 16, by striking the word "paragraph" and  
4 inserting in lieu thereof the word "paragraphs".

5 2. By inserting after line 29 the following:

6 NEW PARAGRAPH. On the roadway or shoulder when  
7 necessary to cross a bridge or culvert, or avoid an  
8 obstruction which makes it impossible to travel on  
9 the portion of the highway not intended for motor  
10 vehicles, if the snowmobile is brought to a complete  
11 stop before entering onto the roadway or shoulder  
12 and the driver yields the right-of-way to any ap-  
13 proaching vehicle on the roadway.

14 Sec. 4. Section three hundred twenty-one G point  
15 nine (321G.9), Code 1973, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. A snowmobile shall not be operated  
18 within the right-of-way of any public highway between  
19 the hours of sunset and sunrise except on the right-  
20 hand side of such right-of-way and in the same direc-  
21 tion as the motor vehicular traffic on the nearest  
22 lane of travelled portion of such right-of-way.

23 3. Line 30, by striking the number "4" and in-  
24 serting in lieu thereof the number "5".

25 4. Line 40, by striking the number "5" and insert-  
26 ing in lieu thereof the number "6".

27 5. Line 49, by striking the number "6" and insert-  
28 ing in lieu thereof the number "7".

29 6. Line 63, by striking the number "7" and insert-  
30 ing in lieu thereof the number "8".

31 7. By inserting after line 103 the following:

32 Sec. 8. Section three hundred twenty-one G point  
33 one (321G.1), Code 1973, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. "Safety certificate" means a snow-  
36 mobile safety certificate issued by the state con-  
37 servation commission to qualified applicants who are  
38 twelve years of age or more.

39 Sec. 9. Section three hundred twenty-one G point  
40 two (321G.2), subsections one (1) and two (2), Code  
41 1973, are amended to read as follows:

42 1. Registration of snowmobiles~~7~~.

43 2. Use of snowmobiles insofar as game and fish  
44 resources are affected~~7~~-and.

45 Sec. 10. Section three hundred twenty-one G point  
46 two (321G.2), Code 1973, is amended by adding the  
47 following new subsections after subsection three (3):

48 NEW SUBSECTION. Establishment of a course of in-  
49 struction for the safe use and operation of a snow-  
50 mobile.

51 NEW SUBSECTION. Issuance of safety certificates.  
52 Sec. 11. Section three hundred twenty-one G point  
53 nine (321G.9), subsection six (6), Code 1973, is  
54 amended to read as follows:

55 6. A snowmobile shall not be operated on or  
56 across a public highway by a person under sixteen  
57 years of age who does not have in his possession a  
58 safety certificate issued to him pursuant to this Act.

59 Sec. 12. Chapter three hundred twenty-one G (321G),  
60 Code 1973, is amended by adding the following new  
61 section:

62 NEW SECTION. COURSE OF INSTRUCTION.

63 1. The commission shall provide, by rules adopted  
64 pursuant to section three hundred twenty-one G point  
65 two (321G.2) of the Code, for the establishment of a  
66 course of instruction to be conducted throughout the  
67 state for the safe use and operation of snowmobiles.  
68 The curriculum shall include instruction in the safe  
69 use, operation, and equipping of snowmobiles consistent  
70 with the provisions of this chapter and rules adopted  
71 by the commission and the commissioner of public  
72 safety and such other matters as the commission deems  
73 pertinent for a qualified snowmobile operator.

74 2. The commission may certify any experienced,  
75 qualified operator to be an instructor of a class  
76 established under subsection one (1) of this section.  
77 Each instructor shall be at least eighteen years of  
78 age.

79 3. Upon completion of the course of instruction,  
80 the commission shall provide for the administration  
81 of a written test to any student who wishes to qualify  
82 for a safety certificate.

83 4. The commission shall provide safety material  
84 relating to the operation of snowmobiles for the use  
85 of private or public elementary and secondary schools  
86 in this state.

87 Sec. 13. Chapter three hundred twenty-one G  
88 (321G), Code 1973, is amended by adding the following  
89 new section:

90 NEW SECTION. SAFETY CERTIFICATE.

91 1. Effective July 1, 1975, no person who is twelve  
92 years of age or more and less than sixteen years of  
93 age shall operate a snowmobile in this state without  
94 obtaining a valid safety certificate issued by the  
95 commission and having such certificate in his posses-  
96 sion, or unless he is accompanied on the same machine  
97 by a responsible person of at least eighteen years of  
98 age who is experienced in snowmobile operation.

99 2. Upon application and payment of a fee of two  
100 dollars, a qualified applicant shall be issued a

House 5  
April 16, 1974

101 safety certificate which shall be valid until such  
102 person reaches his seventeenth birthday unless the  
103 certificate is suspended or revoked for a violation  
104 of a provision of this chapter or the rules of the  
105 commission or the commissioner of public safety be-  
106 fore that date. The application shall be made on  
107 forms issued by the commission and shall contain such  
108 information as the commission may reasonably require.

109 3. Any person who is required to have a safety  
110 certificate under this Act and who has completed a  
111 course of instruction established under section  
112 twelve (12) of this Act including the successful  
113 passage of an examination which includes a written  
114 test relating to such course of instruction, shall  
115 be considered qualified to apply for a safety  
116 certificate. The commission may waive the require-  
117 ment of completing such course of instruction if such  
118 person successfully passes a written test based on  
119 such course of instruction.

120 4. The permit fees collected under this section  
121 shall be credited to the state conservation fund and  
122 shall be used for safety and educational programs.

123 5. A valid snowmobile safety certificate or license  
124 issued to a nonresident by a governmental authority of  
125 another state shall be considered a valid certificate  
126 or license in this state if the permit or license  
127 requirements of such governmental authority, excluding  
128 fees, are substantially the same as the requirements  
129 of this Act as determined by the commission.

H—2872 Filed *adopted 5/2*  
April 15, 1974

By BRANSTAD of Winnebago  
FREEMAN of Buena Vista  
MIDDLESWART of Warren  
McELROY of Fremont  
HUSAK of Tama  
COCHRAN of Webster  
MILLER of Calhoun  
KRAUSE of Palo Alto  
READINGER of Polk  
RAPP of Black Hawk

H—2906

1 Amend the Senate amendment to House File 1199 as  
2 follows:  
3 1. By inserting after line 6 the following:  
4 Sec. \_\_\_\_\_. Section three hundred twenty-one G point  
5 two (321G.2), Code 1973, is amended by adding after  
6 subsection three (3) the following new subsection:  
7 NEW SUBSECTION. Use of snowmobiles on any waters  
8 of the state under the jurisdiction of the commission.  
9 2. By renumbering the sections to conform to  
10 this amendment.

H—2906 Filed *adopted as amended by*  
April 17, 1974 *H. 2921 5/2*

By HANSEN of O'Brien  
MILLER of Cerro Gordo

H-2914

1 Amend the Senate amendment to House File 1199, as  
2 passed by the House as follows:  
3 1. Page 3, by inserting after line 10 the follow-  
4 ing new section:  
5 Sec. \_\_\_\_\_. Chapter three hundred twenty-one G  
6 (321G), Code 1973, is amended by adding the following  
7 new section:  
8 NEW SECTION. If any person under the legal age  
9 operates a snowmobile, the commission shall suspend  
10 the registration of the snowmobile which such person  
11 operated for a period of thirty days for the first  
12 violation and if a subsequent violation occurs within  
13 twelve months, the registration of the snowmobile  
14 shall be suspended for a period of ninety days. It  
15 is prima facie evidence of consent if the owner of  
16 the snowmobile is the operator's parent, guardian,  
17 or person having legal custody of the operator.  
18 2. Page 5, line 5, by inserting after the word  
19 "operations" the words "and providing penalties".

H-2914 Filed *n.d. 5/2*  
April 17, 1974

By PATCHETT of Johnson  
KISER of Scott

H-2913

1 Amend the Senate amendment to House File 1199, as  
2 passed by the House, page 3, by inserting after line  
3 10 the following new section:  
4 Sec. \_\_\_\_\_. Section three hundred twenty-one G  
5 point twenty (321G.20), Code 1973, is repealed.

H-2913 Filed *n.d. 5/2*  
April 17, 1974

By PATCHETT of Johnson

H-2917

1 Amend the Senate amendment to House File 1199 by  
2 inserting after line 62 the following new section:  
3 Sec. \_\_\_\_\_. Section three hundred twenty-one G  
4 point twenty (321G.20), Code 1973, is repealed.

H-2917 Filed *Withdrawn 5/2*  
April 18, 1974

By PATCHETT of Johnson

H-2936

1 Amend the Senate Amendment to House File  
2 1199 as follows:  
3 1. By striking lines thirty (30) through  
4 thirty-nine (39).  
5 2. By renumbering sections to conform  
6 with this amendment.

H-2936 Filed *Withdrawn 5/2*  
April 19, 1974

By MONROE of Des Moines

HOUSE FILE 1199

H-2904

1 Amend the Senate amendment to House File 1199 as  
2 follows:

3 1. Line 16, by striking the word "paragraph" and  
4 inserting in lieu thereof the word "paragraphs".

5 2. By inserting after line 29 the following:

6 NEW PARAGRAPH. On the roadway or shoulder when  
7 necessary to cross a bridge or culvert, or avoid an  
8 obstruction which makes it impossible to travel on  
9 the portion of the highway not intended for motor  
10 vehicles, if the snowmobile is brought to a complete  
11 stop before entering onto the roadway or shoulder  
12 and the driver yields the right-of-way to any ap-  
13 proaching vehicle on the roadway.

14 Sec. 4. Section three hundred twenty-one G point  
15 nine (321G.9), Code 1973, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. A snowmobile shall not be operated  
18 within the right-of-way of any public highway between  
19 the hours of sunset and sunrise except on the right-  
20 hand side of such right-of-way and in the same direc-  
21 tion as the motor vehicular traffic on the nearest  
22 lane of travelled portion of such right-of-way.

23 3. Line 30, by striking the number "4" and in-  
24 serting in lieu thereof the number "5".

25 4. Line 40, by striking the number "5" and insert-  
26 ing in lieu thereof the number "6".

27 5. Line 49, by striking the number "6" and insert-  
28 ing in lieu thereof the number "7".

29 6. Line 63, by striking the number "7" and insert-  
30 ing in lieu thereof the number "8".

31 7. By inserting after line 103 the following:

32 Sec. 8. Section three hundred twenty-one G point  
33 one (321G.1), Code 1973, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. "Safety certificate" means a snow-  
36 mobile safety certificate issued by the state con-  
37 servation commission to qualified applicants who are  
38 sixteen years of age or more.

39 Sec. 9. Section three hundred twenty-one G point  
40 two (321G.2), subsections one (1) and two (2), Code  
41 1973, are amended to read as follows:

42 1. Registration of snowmobiles~~7~~.

43 2. Use of snowmobiles insofar as game and fish  
44 resources are affected~~7~~-and.

45 Sec. 10. Section three hundred twenty-one G point  
46 two (321G.2), Code 1973, is amended by adding the  
47 following new subsections after subsection three (3):

48 NEW SUBSECTION. Establishment of a course of in-  
49 struction for the safe use and operation of a snow-  
50 mobile.

51            NEW SUBSECTION. Issuance of safety certificates.  
52            Sec. 11. Section three hundred twenty-one G point  
53 nine (321G.9), subsection six (6), Code 1973, is  
54 amended to read as follows:

55            6. A snowmobile shall not be operated ~~on-or~~  
56 ~~across-a-public-highway~~ by a person under sixteen  
57 years of age.

58            Sec. 12. Chapter three hundred twenty-one G (321G),  
59 Code 1973, is amended by adding the following new  
60 section:

61            NEW SECTION. COURSE OF INSTRUCTION.

62            1. The commission shall provide, by rules adopted  
63 pursuant to section three hundred twenty-one G point  
64 two (321G.2) of the Code, for the establishment of a  
65 course of instruction to be conducted throughout the  
66 state for the safe use and operation of snowmobiles.  
67 The curriculum shall include instruction in the safe  
68 use, operation, and equipping of snowmobiles consistent  
69 with the provisions of this chapter and rules adopted  
70 by the commission and the commissioner of public  
71 safety and such other matters as the commission deems  
72 pertinent for a qualified snowmobile operator.

73            2. The commission may certify any experienced,  
74 qualified operator to be an instructor of a class  
75 established under subsection one (1) of this section.  
76 Each instructor shall be at least eighteen years of  
77 age.

78            3. Upon completion of the course of instruction,  
79 the commission shall provide for the administration  
80 of a written test to any student who wishes to qualify  
81 for a safety certificate.

82            4. The commission shall provide safety material  
83 relating to the operation of snowmobiles for the use  
84 of private or public elementary and secondary schools  
85 in this state.

86            Sec. 13. Chapter three hundred twenty-one G  
87 (321G), Code 1973, is amended by adding the following  
88 new section:

89            NEW SECTION. SAFETY CERTIFICATE.

90            1. Effective July 1, 1975, a person shall not  
91 operate a snowmobile in this state without obtaining  
92 a valid safety certificate issued by the commission  
93 and having such certificate in his possession.

94            2. Upon application and payment of a fee of two  
95 dollars, a qualified applicant shall be issued a  
96 safety certificate which shall be valid unless the  
97 certificate is suspended or revoked for a violation  
98 of a provision of this chapter or the rules of the  
99 commission or the commissioner of public safety. The  
100 application shall be made on forms issued by the com-

101 mission and shall contain such information as the  
102 commission may reasonably require.  
103 3. Any person who is required to have a safety  
104 certificate under this Act and who has completed a  
105 course of instruction established under section  
106 twelve (12) of this Act including the successful  
107 passage of an examination which includes a written  
108 test relating to such course of instruction, shall  
109 be considered qualified to apply for a safety  
110 certificate. The commission may waive the require-  
111 ment of completing such course of instruction if such  
112 person successfully passes a written test based on  
113 such course of instruction.  
114 4. The permit fees collected under this section  
115 shall be credited to the state conservation fund and  
116 shall be used for safety and educational programs.  
117 5. A valid snowmobile safety certificate or license  
118 issued to a nonresident by a governmental authority of  
119 another state shall be considered a valid certificate  
120 or license in this state if the permit or license  
121 requirements of such governmental authority, excluding  
122 fees, are substantially the same as the requirements  
123 of this Act as determined by the commission.

H—2904 Filed - *Withdrawn 5/2*  
April 17, 1974

By PATCHETT of Johnson

HOUSE FILE 1199

H—2905

1 Amend the Senate Amendment to House File 1199  
2 by inserting after line 107 the following:  
3 "Sec. 7. Section three hundred twenty-one G  
4 point 9 (321G.9), subsection three (3), paragraph  
5 a, Code 1973, is amended to read as follows:  
6 a. On the roadway portion of a highway and  
7 adjacent shoulder, or at least five fifteen feet on  
8 either side of the roadway, except as provided in  
9 subsection 4 of this section, and".

H—2905 Filed - *Withdrawn 5/2*  
April 17, 1974

By AVENSON of Fayette

H—2918

1 Amend the Senate amendment to House File 1199 as  
2 follows:

3 1. By inserting after line 103 the following new  
4 section:

5 Sec. \_\_\_\_\_. Chapter three hundred twenty-one G  
6 (321G), Code 1973, is amended by adding the following  
7 new section:

8 NEW SECTION. If any person under the legal age  
9 operates a snowmobile, the commission shall suspend  
10 the registration of the snowmobile which such person  
11 operated for a period of thirty days for the first  
12 violation and if a subsequent violation occurs within  
13 twelve months, the registration of the snowmobile  
14 shall be suspended for a period of ninety days. It  
15 is prima facie evidence of consent if the owner of  
16 the snowmobile is the operator's parent, guardian,  
17 or person having legal custody of the operator.

18 2. Line 107, by inserting after the word  
19 "operations" the words "and providing penalties".

H—2918 Filed - *Last 5/2*  
April 18, 1974

By PATCHETT of Johnson  
KISER of Scott

H—2921

1 Amend the Hansen and Miller amendment, H-2906 to  
2 House File 1199, on page 1, as follows:

3 1. Line 8, by inserting after the word "commission"  
4 the words ", while such waters are frozen".

H—2921 Filed - *Adopted 5/2*  
April 18, 1974

By HANSEN of O'Brien  
MILLER of Cerro Gordo

SENATE AMENDMENT TO HOUSE FILE 1199

1 Amend House File 1199, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting after line 18 the following:

4 All registrations must be valid for the current  
5 registration period prior to the transfer of any  
6 registration, including assignment to a dealer.

7 Sec. 2. Section three hundred twenty-one G  
8 point nine (321G.9), subsection four (4), paragraph  
9 b, Code 1973, is amended to read as follows:

10 b. On that portion of county ~~roads~~ roadways  
11 that have not been plowed during the snow season and  
12 not maintained or utilized for the operation of con-  
13 ventional motor vehicles.

14 Sec. 3. Section three hundred twenty-one G  
15 point nine (321G.9), subsection four (4), Code 1973,  
16 is amended by adding the following new paragraph:

17 NEW PARAGRAPH. On the roadways of that portion  
18 of county highways designated by the county board of  
19 supervisors for such use during a specified period.  
20 The county board of supervisors shall evaluate the  
21 traffic conditions on all county highways and  
22 designate roadways on which snowmobiles may be  
23 operated for the specified period without unduly  
24 interfering with or constituting an undue hazard to  
25 conventional motor vehicle traffic. Signs warning of  
26 the operation of snowmobiles on the roadway shall be  
27 placed and maintained on the portions of highway thus  
28 designated during the period specified for such  
29 operation.

30 Sec. 4. Section three hundred twenty-one G point  
31 eleven (321G.11), Code 1973, is amended by adding the  
32 following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. A snowmobile manu-  
34 factured after July 1, 1975, which is sold, offered  
35 for sale or used in this state, except in an author-  
36 ized special event, shall have a muffler system that  
37 limits engine noise to not more than seventy-eight  
38 decibels as measured on the "A" scale at a distance  
39 of fifty feet.

40 Sec. 5. Section three hundred twenty-one G  
41 point thirteen (321G.13), subsection four (4),  
42 Code 1973, is amended to read as follows:

43 4. Without a lighted headlight and taillight  
44 ~~when-required-for-safety~~ from sunset to sunrise and  
45 at such other times when conditions provide in-  
46 sufficient lighting to render clearly discernible  
47 persons and vehicles at a distance of five hundred  
48 feet ahead.

49 Sec. 6. Section three hundred twenty-one G  
50 point thirteen (321G.13), Code 1973, is amended by

51 adding the following new subsections:

52 NEW SUBSECTION. On any public road or street  
53 without a bright colored pennant or flag displayed at  
54 least sixty inches above the ground. Said pennant  
55 or flag shall be a minimum of six inches by nine  
56 inches, shall be orange and shall provide a fluorescent  
57 effect.

58 NEW SUBSECTION. No person shall operate or ride  
59 in any snowmobile with any firearm in his possession  
60 unless it is unloaded and enclosed in a carrying  
61 case, or any bow unless it is unstrung or enclosed  
62 in a carrying case.

63 Sec. 7. Section three hundred twenty-one G  
64 point twenty-one (321G.21), Code 1973, is amended  
65 by adding the following new subsections:

66 NEW SUBSECTION. Dealers using special certifi-  
67 cates under the provisions of this chapter shall,  
68 before January tenth of each year, furnish the  
69 commission with a list of all used snowmobiles held  
70 by them for sale or trade, and upon which the regis-  
71 tration fee for the current year has not been paid,  
72 giving the previous registration number, name of  
73 previous owner at the time such snowmobile was  
74 transferred to the dealer, and such other informa-  
75 tion as the commission may require.

76 NEW SUBSECTION. When the purchaser or trans-  
77 feree of a snowmobile is a dealer who holds the same  
78 for resale and operates the snowmobile only for  
79 purposes incidental to a resale and displays thereon  
80 his special dealer's certificate, or does not operate  
81 such snowmobile or permit it to be operated, such  
82 transferee shall not be required to obtain a new  
83 registration certificate but upon transferring his  
84 title or interest to another person he shall sign the  
85 reverse side of the registration certificate of such  
86 snowmobile indicating the name and address of the  
87 new purchaser.

88 NEW SUBSECTION. Whenever a dealer purchases or  
89 otherwise acquires a snowmobile registered in this  
90 state, he shall issue a signed receipt to the pre-  
91 vious owner, indicating the date of purchase or  
92 acquisition, the name and address of such previous  
93 owner, and the registration number of the snowmobile  
94 purchased or acquired. The original receipt shall  
95 be delivered to the previous owner and one copy shall  
96 be mailed or delivered by the dealer to the county  
97 recorder of the county in which the snowmobile is  
98 registered, and one copy shall be delivered to the  
99 commission within forty-eight hours.

100 NEW SUBSECTION. Nothing in this section shall  
101 prohibit a dealer from obtaining a new registration  
102 and transfer of registration in the same manner as  
103 other purchasers.

104 2. Amend the title, page 1, line 1, by striking the  
105 words "the transfer of snowmobile registrations" and  
106 inserting in lieu thereof the words "snowmobile  
107 registrations and operations".

S-2441

1 Amend House File 1199, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting after line 18 the follow-  
4 ing:

5 All registrations must be valid for the current  
6 registration period prior to the transfer of any  
7 registration, including assignment to a dealer.

8 Sec. 2. Section three hundred twenty-one G point  
9 nine (321G.9), subsection four (4), paragraph b, Code  
10 1973, is amended to read as follows:

11 b. On that portion of county ~~roads~~ roadways that  
12 have not been plowed during the snow season and not  
13 maintained or utilized for the operation of conventional  
14 motor vehicles.

15 Sec. 3. Section three hundred twenty-one G point  
16 nine (321G.9), subsection four (4), Code 1973, is  
17 amended by adding the following new paragraph:

18 NEW PARAGRAPH. On the roadways of that portion of  
19 county highways designated by the county board of  
20 supervisors for such use during a specified period.  
21 The county board of supervisors shall evaluate the  
22 traffic conditions on all county highways and  
23 designate roadways on which snowmobiles may be  
24 operated for the specified period without unduly  
25 interfering with or constituting an undue hazard to

Page 2

1 conventional motor vehicle traffic. Signs warning of  
2 the operation of snowmobiles on the roadway shall be  
3 placed and maintained on the portions of highway thus  
4 designated during the period specified for such  
5 operation.

6 Sec. 4. Section three hundred twenty-one G point  
7 eleven (321G.11), Code 1973, is amended by adding the  
8 following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. A snowmobile manufactured  
10 after July 1, 1975, which is sold, offered for sale or  
11 used in this state, except in an authorized special  
12 event, shall have a muffler system that limits engine  
13 noise to not more than seventy-eight decibels as  
14 measured on the "A" scale at a distance of fifty feet.

15 Sec. 5. Section three hundred twenty-one G point  
16 thirteen (321G.13), subsection four (4), Code 1973, is  
17 amended to read as follows:

18 4. Without a lighted headlight and taillight ~~when~~  
19 required-for-safety from sunset to sunrise and at such  
20 other times when conditions provide insufficient light-  
21 ing to render clearly discernible persons and vehicles  
22 at a distance of five hundred feet ahead.

23 Sec. 6. Section three hundred twenty-one G point  
24 thirteen (321G.13), Code 1973, is amended by adding  
25 the following new subsections:

1 NEW SUBSECTION. On any public road or street with-  
2 out a ~~bright colored pennant~~ or flag displayed at  
3 least ~~sixty inches~~ above the ground. Said pennant or  
4 flag shall be a minimum of six inches by nine inches,  
5 shall be orange and shall provide a fluorescent effect.

6 NEW SUBSECTION. No person shall operate or ride in  
7 any snowmobile with any firearm in his possession un-  
8 less it is unloaded and enclosed in a carrying case,  
9 or any bow unless it is unstrung or enclosed in a  
10 carrying case.

11 Sec. 7. Section three hundred twenty-one G point  
12 twenty-one (321G.21), Code 1973, is amended by adding  
13 the following new subsections:

14 NEW SUBSECTION. Dealers using special certificates  
15 under the provisions of this chapter shall, before  
16 January tenth of each year, furnish the commission  
17 with a list of all used snowmobiles held by them for  
18 sale or trade, and upon which the registration fee for  
19 the current year has not been paid, giving the  
20 previous registration number, name of previous owner  
21 at the time such snowmobile was transferred to the  
22 dealer, and such other information as the commission  
23 may require.

24 NEW SUBSECTION. When the purchaser or transferee  
25 of a snowmobile is a dealer who holds the same for re-

1 sale and operates the snowmobile only for purposes  
2 incidental to a resale and displays thereon his  
3 special dealer's certificate, or does not operate  
4 such snowmobile or permit it to be operated, such  
5 transferee shall not be required to obtain a new  
6 registration certificate but upon transferring his  
7 title or interest to another person he shall sign the  
8 reverse side of the registration certificate of such  
9 snowmobile indicating the name and address of the new  
10 purchaser.

11 NEW SUBSECTION. Whenever a dealer purchases or  
12 otherwise acquires a snowmobile registered in this  
13 state, he shall issue a signed receipt to the previous  
14 owner, indicating the date of purchase or acquisition,  
15 the name and address of such previous owner, and the  
16 registration number of the snowmobile purchased or  
17 acquired. The original receipt shall be delivered to  
18 the previous owner and one copy shall be mailed or  
19 delivered by the dealer to the county recorder of the  
20 county in which the snowmobile is registered, and one  
21 copy shall be delivered to the commission within  
22 forty-eight hours.

23 NEW SUBSECTION. Nothing in this section shall pro-  
24 hibit a dealer from obtaining a new registration and  
25 transfer of registration in the same manner as other

1 purchasers.

2 2. Amend the title, page 1, line 1, by striking  
3 the words "the transfer of snowmobile registrations"  
4 and inserting in lieu thereof the words "snowmobile  
5 registrations and operations".

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 1199

- 1 Amend the Senate amendment to House File 1199 as follows:  
2 1. By inserting after line 6 the following section:  
3 Sec. \_\_\_\_\_. Section three hundred twenty-one G point two  
4 (321G.2), Code 1973, is amended by adding after subsection  
5 three (3) the following new subsection:  
6 NEW SUBSECTION. Use of snowmobiles on any waters of the  
7 state under the jurisdiction of the commission, while such  
8 waters are frozen.  
9 2. Line 16, by striking the word "paragraph" and insert-  
10 ing in lieu thereof the word "paragraphs".  
11 3. By inserting after line 29 the following:  
12 NEW PARAGRAPH. On the roadway or shoulder when necessary  
13 to cross a bridge or culvert, or avoid an obstruction which  
14 makes it impossible to travel on the portion of the highway  
15 not intended for motor vehicles, if the snowmobile is brought  
16 to a complete stop before entering onto the roadway or  
17 shoulder and the driver yields the right-of-way to any  
18 approaching vehicle on the roadway.  
19 Sec. \_\_\_\_\_. Section three hundred twenty-one G point nine  
20 (321G.9), Code 1973, is amended by adding the following  
21 new subsection:  
22 NEW SUBSECTION. A snowmobile shall not be operated within  
23 the right-of-way of any public highway between the hours  
24 of sunset and sunrise except on the right-hand side of such  
25 right-of-way and in the same direction as the motor vehicular

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- 1 traffic on the nearest lane of travelled portion of such  
2 right-of-way.  
3 4. By inserting after line 103 the following:  
4 Sec. \_\_\_\_\_. Section three hundred twenty-one G point one  
5 (321G.1), Code 1973, is amended by adding the following new  
6 subsection:  
7 NEW SUBSECTION. "Safety certificate" means a snowmobile  
8 safety certificate issued by the state conservation commission  
9 to qualified applicants who are twelve years of age or more.  
10 Sec. \_\_\_\_\_. Section three hundred twenty-one G point two  
11 (321G.2), subsection one (1) and two (2), Code 1973, are  
12 amended to read as follows:  
13 1. Registration of snowmobiles.  
14 2. Use of snowmobiles insofar as game and fish resources  
15 are affected, and.  
16 Sec. \_\_\_\_\_. Section three hundred twenty-one G point two  
17 (321G.2), Code 1973, is amended by adding the following new  
18 subsections after subsection three (3):  
19 NEW SUBSECTION. Establishment of a course of instruction  
20 for the safe use and operation of a snowmobile.  
21 NEW SUBSECTION. Issuance of safety certificates.  
22 Sec. \_\_\_\_\_. Section three hundred twenty-one G point nine  
23 (321G.9), subsection six (6), Code 1973, is amended to read  
24 as follows:  
25 6. A snowmobile shall not be operated on or across a

1 public highway by a person under sixteen years of age who  
2 does not have in his possession a safety certificate issued  
3 to him pursuant to this Act.

4 Sec. \_\_\_\_\_. Chapter three hundred twenty-one G (321G), Code  
5 1973, is amended by adding the following new section:

6 NEW SECTION. COURSE OF INSTRUCTION.

7 1. The commission shall provide, by rules adopted pursuant  
8 to section three hundred twenty-one G point two (321G.2) of the  
9 Code, for the establishment of a course of instruction to be  
10 conducted throughout the state for the safe use and operation  
11 of snowmobiles. The curriculum shall include instruction in  
12 the safe use, operation, and equipping of snowmobiles consis-  
13 tent with the provisions of this chapter and rules adopted  
14 by the commission and the commissioner of public safety and  
15 such other matters as the commission deems pertinent for a  
16 qualified snowmobile operator.

17 2. The commission may certify any experienced, qualified  
18 operator to be an instructor of a class established under  
19 subsection one (1) of this section. Each instructor shall be  
20 at least eighteen years of age.

21 3. Upon completion of the course of instruction, the  
22 commission shall provide for the administration of a written  
23 test to any student who wishes to qualify for a safety  
24 certificate.

25 4. The commission shall provide safety material relating

1 to the operation of snowmobiles for the use of private or  
2 public elementary and secondary schools in this state.

3 Sec. \_\_\_\_\_. Chapter three hundred twenty-one G (321G),  
4 Code 1973, is amended by adding the following new section:

5 NEW SECTION. SAFETY CERTIFICATE.

6 1. Effective July 1, 1975, no person who is twelve years  
7 of age or more and less than sixteen years of age shall  
8 operate a snowmobile in this state without obtaining a valid  
9 safety certificate issued by the commission and having such  
10 certificate in his possession, or unless he is accompanied  
11 on the same machine by a responsible person of at least  
12 eighteen years of age who is experienced in snowmobile  
13 operation.

14 2. Upon application and payment of a fee of two dollars,  
15 a qualified applicant shall be issued a safety certificate  
16 which shall be valid until such person reaches his seventeenth  
17 birthday unless the certificate is suspended or revoked for  
18 a violation of a provision of this chapter or the rules of  
19 the commission or the commissioner of public safety before  
20 that date. The application shall be made on forms issued  
21 by the commission and shall contain such information as the  
22 commission may reasonably require.

23 3. Any person who is required to have a safety certificate  
24 under this Act and who has completed a course of instruction  
25 established under section twelve (12) of this Act including the

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1 successful passage of an examination which includes a written  
2 test relating to such course of instruction, shall be con-  
3 sidered qualified to apply for a safety certificate. The  
4 commission may waive the requirement of completing such  
5 course of instruction if such person successfully passes a  
6 written test based on such course of instruction.

7 4. The permit fees collected under this section shall be  
8 credited to the state conservation fund and shall be used for  
9 safety and educational programs.

10 5. A valid snowmobile safety certificate or license issued  
11 to a nonresident by a governmental authority of another state  
12 shall be considered a valid certificate or license in this  
13 state if the permit or license requirements of such govern-  
14 mental authority, excluding fees, are substantially the same  
15 as the requirements of this Act as determined by the commission.

16 5. By renumbering the sections to conform to this amendment.

Received from the House  
May 3, 1974

*Senate concurred 5/3*