

MAR 1 1974

HOUSE FILE 1359

Place On Calendar
Sen. Natural Resources 4/29, Pass 4/30

By COMMITTEE ON NATURAL RESOURCES

Passed House, Date 4-8-74 (1564) Passed Senate, Date 4-16-74 (1792)

Vote: Ayes 67 Nays 21 Vote: Ayes 93 Nays 0

Approved 5-27-74

Motion to reconsider filed 4-8 (1563) prevailed 4-23 Repealed Senate as amended by House
Repassed House 4-23-74 (1792) 5-4-74 (2068)

88-1

A BILL FOR

41-4

1 An Act to impose an annual registration fee upon vessels.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section one hundred six point four (106.4),
2 Code 1973, is amended to read as follows:

3 106.4 OPERATION OF UNNUMBERED ~~MOTORBOATS~~ VESSELS PRO-
4 HIBITED. Every undocumented ~~motorboat~~ vessel on the waters
5 of this state under the jurisdiction of the state conserva-
6 tion commission and waters specifically delegated to local
7 authorities shall be numbered. No person shall operate, main-
8 tain or give permission for the operation or maintenance of
9 any such vessel on such waters unless the vessel is numbered
10 in accordance with this chapter or in accordance with appli-
11 cable federal laws or in accordance with a federally approved
12 numbering system of another state and unless the certificate
13 of number awarded to such vessel is in full force and effect
14 and the identifying number set forth in the certificate of
15 number is displayed on each side of the bow of such vessel.

16 Sec. 2. Section one hundred six point five (106.5), Code
17 1973, is amended to read as follows:

18 106.5 REGISTRATION AND IDENTIFICATION NUMBER.

19 1. The owner of each ~~motorboat~~ vessel required to be
20 numbered by this state shall register it every ~~two-years~~ year
21 with the county recorder of the county in which the owner
22 resides, or, if the owner is a nonresident, he shall register
23 it in the county in which such ~~motorboat~~ vessel is princi-
24 pally used. The commission shall have supervisory responsi-
25 bility over the registration of all ~~motorboats~~ vessels and
26 shall provide each county recorder with registration forms
27 and certificates and shall allocate identification numbers
28 to each county.

29 The owner of such ~~motorboat~~ vessel shall file an appli-
30 cation for registration with the appropriate county recorder
31 on forms provided by the commission. The application shall
32 be completed and signed by the owner of the ~~motorboat~~ vessel
33 and shall be accompanied by a fee of four dollars for each
34 motorboat having a rating of more than six horsepower or sail-
35 boat, two dollars for each motorboat having a rating of six

1 horsepower or less or any other vessel without sail or motor,
2 and a writing fee of fifty cents. Upon receipt of the appli-
3 cation in approved form accompanied by the required fees,
4 the county recorder shall enter the same upon the records
5 of his office and shall issue to the applicant a pocket-size
6 registration certificate. The certificate shall be executed
7 in triplicate, one copy to be delivered to the owner, one
8 copy to the commission, and one copy to be retained on file
9 by the county recorder. The registration certificate shall
10 bear thereon the number awarded to such motorboat vessel,
11 the passenger capacity of such vessel and the name and ad-
12 dress of the owner. The registration certificate shall be
13 carried either in the motorboat vessel or on the person of
14 the operator of such vessel when in use.

15 The owner shall cause the identification number to be
16 painted on or attached to each side of the bow of the motor-
17 boat vessel in such size and manner as may be prescribed by
18 the rules and regulations of the commission and shall be
19 maintained in a legible condition at all times.

20 No number, other than the number awarded to a vessel un-
21 der the provisions of this chapter or granted reciprocity
22 pursuant to this chapter, shall be painted, attached or
23 otherwise displayed on either side of the bow of such ves-
24 sel.

25 The owner of each vessel must display and maintain, in
26 a legible manner and in a prominent spot on the exterior of
27 such vessel, other than the bow, the passenger capacity of
28 the vessel which must conform with the passenger capacity
29 designated on the registration certificate.

30 ~~2.--The owner of any vessel already covered by a number~~
31 ~~in full force and effect, which has been awarded to it pur-~~
32 ~~suant to then operating federal law, shall not be required~~
33 ~~to register such vessel under the provisions of this chapter~~
34 ~~for one year from the date of approval of such numbering sys-~~
35 ~~tem by the United States coast guard unless such number ex-~~

1 ~~pires-prior-to-that-time.~~

2 3 2. When an agency of the United States government shall
3 have in force an over-all system of identification numbering
4 for ~~meterbeats~~ vessels, the numbering system prescribed by
5 the commission pursuant to this chapter, shall be in conform-
6 ity therewith.

7 4 3. Every registration certificate and number issued
8 hereunder shall become delinquent at midnight April 30 ~~1969~~
9 1975, and every ~~two-years~~ year thereafter unless sooner
10 terminated or discontinued in accordance with the provisions
11 of this chapter. After the first day of January in ~~odd-num-~~
12 ~~bered-years~~ any unregistered vessels and renewals of regis-
13 trations may be so registered for the subsequent biennium
14 year beginning May 4 first. ~~After-the-first-day-of-January~~
15 ~~in-even-numbered-years-any-unregistered-vessels-may-be~~
16 ~~registered-for-the-remainder-of-the-current-biennium-and-such~~
17 ~~registration-shall-be-at-the-rate-of-two-dollars-and-a-writing~~
18 ~~fee-of-fifty-cents.~~ All registrations shall become delinquent
19 as hereinabove stated. Registration certificates and numbers
20 may be renewed upon application of the owner in the same
21 manner as provided for in securing the original registration.

22 If a timely application for renewal is made, the appli-
23 cant shall receive the same registration number allocated
24 to him for the previous registration period. If the appli-
25 cation for registration for the biennium year is not made
26 before May 4 first of each ~~odd-numbered~~ year, the applicant
27 shall be charged a penalty of one dollar for each six months,
28 or any portion thereof, he is delinquent. Provided, however,
29 that if the registration is not renewed for two consecutive
30 registration periods, the number of said delinquent regis-
31 tration may be assigned to another applicant, and upon ap-
32 plication for registration by said delinquent registrant,
33 he shall be assigned a new registration number and shall not
34 be charged any penalties. The county recorder shall with-
35 hold the registration of any vessel if the owner of such

1 vessel has failed to register it under this chapter for any
2 previous registration period for which the registration should
3 have been made until the fee for any previous registration
4 period is paid.

5 5 4. Whenever any person, after registering a vessel,
6 moves from the address shown on the registration certificate,
7 he shall, within ten days, notify the county recorder in writ-
8 ing of his old and new address. If appropriate, the county
9 recorder shall forward all past records of such vessel to
10 the recorder of the county in which the owner resides.

11 Whenever the name of any person, who has registered a ves-
12 sel, is thereafter changed by marriage or otherwise, he shall,
13 within ten days, notify the county recorder of such former
14 and new name.

15 No fee shall be paid to the county recorder for making
16 the aforementioned changes, unless the owner requests a new
17 registration certificate showing the change, in which case
18 a fee of one dollar plus a twenty-five-cent writing fee shall
19 be paid to the recorder.

20 If a registration certificate is lost, mutilated or be-
21 comes illegible, the owner shall immediately make applica-
22 tion for and obtain a duplicate registration certificate by
23 furnishing information satisfactory to the county recorder.

24 A fee of one dollar plus a twenty-five-cent writing fee
25 shall be paid to the county recorder for a duplicate regis-
26 tration certificate.

27 If a vessel, registered under the provisions of this chap-
28 ter, is destroyed or abandoned, such destruction or abandon-
29 ment shall be reported to the county recorder and the regis-
30 tration certificate shall be forwarded to the office of the
31 county recorder within ten days after such destruction or
32 abandonment.

33 6 5. All records of the commission and the county re-
34 corder, other than those declared by law to be confidential
35 for the use of the commission and the county recorder, shall be

1 open to public inspection during office hours.

2 Sec. 3. Section one hundred six point twenty-three
3 (106.23), subsection four (4), Code 1973, is amended to read
4 as follows:

5 4. The commission is hereby authorized to suspend or re-
6 voke the certificate of registration of a meterbeat vessel
7 registered under the provisions of this chapter when:

8 a. It is satisfied that such registration certificate
9 was fraudulently or erroneously obtained.

10 b. It determines that a registered meterbeat vessel is
11 unsafe to be operated on waters of the state under the juris-
12 diction of the commission.

13 c. A registered meterbeat vessel has been abandoned or
14 wrecked.

15 d. Identification numbers are knowingly displayed on a
16 meterbeat vessel other than the one to which assigned.

17 Sec. 4. Section one hundred six point thirty-five (106.35),
18 Code 1973, is amended to read as follows:

19 106.35. SPECIAL CERTIFICATE FOR MANUFACTURER OR DEALER.

20 A manufacturer or dealer owning any meterbeat vessel required
21 to be registered under the provisions of this chapter may
22 operate the same for purposes of transporting, testing,
23 demonstrating, or selling the same without registering each
24 such meterbeat vessel, provided that any such meterbeat vessel
25 displays thereon a special certificate issued to such owner
26 as provided in this chapter. This special certificate may
27 not be used for any meterbeat vessel offered for hire or for
28 any work or service meterbeats vessels owned by a manufacturer
29 or dealer.

30 Sec. 5. Section one hundred six point forty (106.40),
31 Code 1973, is amended to read as follows:

32 106.40 RECORD OF USE. Every manufacturer or dealer shall
33 keep a written record of the meterbeats vessels upon which
34 such special certificates are used, which record shall be
35 open to inspection by any law enforcement officer or any of-

1 ficer or employee of the commission.

2 Sec. 6. Section one hundred six point forty-two (106.42),
3 Code 1973, is amended to read as follows:

4 106.42 LIST OF USED BOATS ON HAND FURNISHED. Dealers
5 using special certificates under the provisions of this chap-
6 ter shall, before May 5 fifth of each year, furnish the com-
7 mission with a list of all used ~~motorboats~~ vessels held by
8 them for sale or trade, and upon which the registration fee
9 for the current year has not been paid, giving the previous
10 registration number, name of previous owner at the time such
11 ~~motorboat~~ vessel was transferred to the dealer, and such other
12 information as the commission may require.

13 Sec. 7. Section one hundred six point forty-three (106.43),
14 Code 1973, is amended to read as follows:

15 106.43 TRANSFER OF OWNERSHIP. Upon the transfer of owner-
16 ship of any ~~motorboat~~ vessel, the owner, except as otherwise
17 provided by this chapter, shall complete the form on the back
18 of the registration certificate and shall deliver it to the
19 purchaser or transferee at the time of delivering the ~~motor-~~
20 ~~boat~~ vessel.

21 Sec. 8. Section one hundred six point forty-five (106.45),
22 Code 1973, is amended to read as follows:

23 106.45 TRANSFER BY DEALER. When the purchaser or trans-
24 feree of a ~~motorboat~~ vessel is a dealer who holds the same
25 for resale and operates the ~~motorboat~~ vessel only for pur-
26 poses incident to a resale and displays thereon his special
27 dealers' certificate, or does not operate such ~~motorboat~~ ves-
28 sel or permit it to be operated, such transferee shall not
29 be required to obtain a new registration certificate but upon
30 transferring his title or interest to another person he shall
31 sign the reverse side of the registration certificate of such
32 ~~motorboat~~ vessel indicating the name and address of the new
33 purchaser.

34 Sec. 9. Section one hundred six point forty-six (106.46),
35 Code 1973, is amended to read as follows:

1 106.46 PURCHASE OF REGISTERED BOAT VESSEL BY DEALER.
2 Whenever a dealer purchases or otherwise acquires a meter-
3 boat vessel registered in this state, he shall issue a signed
4 receipt to the previous owner, indicating the date of purchase
5 or acquisition, the name and address of such previous owner,
6 and the registration number of the meterboat vessel purchased
7 or acquired. The original receipt shall be delivered to the
8 previous owner and one copy shall be mailed or delivered by
9 the dealer to the county recorder of the county in which the
10 meterboat vessel is registered, and one copy shall be delivered
11 to the commission within forty-eight hours.

12 Sec. 10. Section one hundred six point forty-eight
13 (106.48), Code 1973, is amended to read as follows:

14 106.48 SALES BY DEALER. Upon the sale of a meterboat
15 vessel by a manufacturer or dealer, the purchaser shall within
16 five days make application for registration and he may operate
17 the meterboat vessel without its individual identification
18 number thereon for a period of not more than ten days after
19 the purchase date, provided that during such period the
20 meterboat vessel shall have attached thereto, in accordance
21 with the provisions of this chapter, a pasteboard card bearing
22 the words "registration applied for" and the special
23 certificate number of the dealer from whom the meterboat
24 vessel was purchased together with the date of purchase plainly
25 stamped or stenciled thereon.

26 Sec. 11. Section one hundred six point fifty-one (106.51),
27 Code 1973, is amended to read as follows:

28 106.51 COUNTY RECORDER--DUTIES. The county recorder shall
29 be responsible for all fees and penalties for the issuance
30 of meterboat vessel registrations. All unused registration
31 certificates shall be surrendered to the commission upon de-
32 mand.

33 Sec. 12. Section one hundred six point fifty-five (106.55),
34 Code 1973, is amended to read as follows:

35 106.55 SALES OR USE TAX TO BE PAID BEFORE REGISTRATION.

1 No motorboat vessel shall be registered by the county re-
 2 corder until there has been presented to the recorder re-
 3 ceipts, bills of sale, or other satisfactory evidence that
 4 the sales or use tax has been paid for the purchase of said
 5 boat the vessel. If the owner of the motorboat vessel is
 6 unable to present satisfactory evidence that the sales or
 7 use tax has been paid, the county recorder shall collect said
 8 the tax. On or before the tenth day of each month, the county
 9 recorder shall remit to the department of revenue the amount
 10 of the taxes so collected during the preceding month, together
 11 with an itemized statement on forms furnished by the depart-
 12 ment of revenue showing the name of each taxpayer, the make
 13 and purchase price of each motorboat vessel and motor, the
 14 amount of tax paid, and such other information as the
 15 department of revenue shall require.

EXPLANATION

16
 17 This bill provides for the annual registration of all ves-
 18 sels. The fee for the registration of motorboats having a
 19 rating of more than six horsepower and all sailboats is four
 20 dollars annually and the fee for motorboats having a rating
 21 of six horsepower or less and all other types of vessels is
 22 two dollars annually. Under present law, motorboats are
 23 registered biennially for a fee of four dollars. The writ-
 24 ing fee of fifty cents remains unchanged.

25

H-2433

- 1 Amend House File 1359 as follows:
- 2 1. Page 4, by striking all after the period in
- 3 line 34 and all of line 35.
- 4 2. Page 5, by striking all of lines 1 through 4.

H-2433 Filed - *adopted 4/6*
 March 11, 1974

By WYCKOFF of Benton

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LSB 4010
 tj/jw/3

H-2435

- 1 Amend House File 1359 as follows:
2 1. Page 2, line 34, by striking the words
3 "having a rating of more than six horsepower".
4 2. Page 2, line 35, by striking the words "each
5 motorboat having a rating of six".
6 3. Page 3, line 1, by striking the words
7 "horsepower or less or".

H-2435 Filed *Adopted 4/8*
March 11, 1974

By WYCKOFF of Benton

H-2472

- 1 Amend House File 1359 as follows:
2 1. Page 2, by striking lines 34 and 35 and insert-
3 ing in lieu thereof the following:
4 "vessel having a length of more than fourteen feet,
5 two dollars for each vessel having a length of fourteen
6 feet or less,".
7 2. Page 3, by striking line 1.

H-2472 Filed *Withdrawn 4/8*
March 13, 1974

By KISER of Scott

CORRECTED EXPLANATION

This bill provides for the annual registration of all vessels. The fee for the registration of vessels having a length of more than fourteen feet is four dollars annually and the fee for vessels having a length of fourteen feet or less is two dollars annually. Under present law, motorboats are registered biennially for a fee of four dollars. The writing fee of fifty cents remains unchanged.

H-2564

- 1 Amend House File 1359 as follows:
2 1. Page 2, line 34, by striking the words "having
3 a rating of more than six horsepower".
4 2. Page 2, line 35, by striking the words "each
5 motorboat having a rating of six".
6 3. Page 3, line 1, by striking the words "horse-
7 power or less or".
8 4. Page 4, line 34, by striking everything after
9 the period.
10 5. Page 4, by striking line 35.
11 6. Page 5, by striking lines 1 through 4,
12 inclusive.

H-2564 Filed *Withdrawn 4/8*
March 19, 1974

By KRAUSE of Palo Alto

H—2891

1 Amend House File 1359 by striking everything after
2 the enacting clause and inserting in lieu thereof the
3 following:

4 Section 1. Section one hundred six point five
5 (106.5), subsection one (1), unnumbered paragraph two
6 (2), Code 1973, is amended to read as follows:

7 The owner of such motorboat shall file an applica-
8 tion for registration with the appropriate county re-
9 corder on forms provided by the commission. The ap-
10 plication shall be completed and signed by the owner
11 of the motorboat and shall be accompanied by a fee of
12 ~~four~~ eight dollars and a writing fee of fifty cents.
13 Upon receipt of the application in approved form
14 accompanied by the required fees, the county recorder
15 shall enter the same upon the records of his office
16 and shall issue to the applicant a pocket-size regis-
17 tration certificate. The certificate shall be ex-
18 ecuted in triplicate, one copy to be delivered to the
19 owner, one copy to the commission, and one copy to be
20 retained on file by the county recorder. The regis-
21 tration certificate shall bear thereon the number
22 awarded to such motorboat, the passenger capacity of
23 such vessel and the name and address of the owner.
24 The registration certificate shall be carried either
25 in the motorboat or on the person of the operator
26 of such vessel when in use.

27 Sec. 2. Section one hundred six point five (106.5),
28 subsection four (4), unnumbered paragraph one (1),
29 Code 1973, is amended to read as follows:

30 Every registration certificate and number issued
31 hereunder shall become delinquent at midnight April
32 30, 1969, and every two years thereafter unless sooner
33 terminated or discontinued in accordance with the pro-
34 visions of this chapter. After the first day of
35 January in odd-numbered years any unregistered ves-
36 sels and renewals of registrations may be so regis-
37 tered for the subsequent biennium beginning May 1.
38 After the first day of January in even-numbered years
39 any unregistered vessels may be registered for the
40 remainder of the current biennium and such registra-
41 tion shall be at the rate of ~~two~~ four dollars and a
42 writing fee of fifty cents. All registrations shall
43 become delinquent as hereinabove stated. Registra-
44 tion certificates and numbers may be renewed upon
45 application of the owner in the same manner as pro-
46 vided for in securing the original registration.

H—2891 Filed *withdrown 4/23*
April 16, 1974

By HILL of Polk

CORRECTED EXPLANATION OF HOUSE FILE 1359

This bill increases the biennial motorboat registra-
tion fee from four to eight dollars and, likewise,
the fee for a motorboat being registered for the first
time during the second year of the biennium from two
dollars to four dollars.

H-2911

- 1 Amend House File 1359 as follows:
2 1. Page 2, line 20, by striking the words "two
3 years year" and inserting in lieu thereof the words
4 "two years".
5 2. Page 2, line 33, by striking the word "four"
6 and inserting in lieu thereof the words "four eight".
7 3. Page 2, line 35, by striking the word "two"
8 and inserting in lieu thereof the word "four".
9 4. Page 4, line 9, by striking the words "two
10 years year" and inserting in lieu thereof the words
11 "two years".
12 5. Page 4, lines 11 and 12, by striking the words
13 "odd-numbered-years" and inserting in lieu thereof
14 the words "odd-numbered years".
15 6. Page 4, lines 13 and 14, by striking the words
16 "biennium year" and inserting in lieu thereof the
17 word "biennium".
18 7. Page 4, line 18, by inserting before the word
19 "All" the following: After the first day of
20 January in even-numbered years any unregistered
21 motorboat or sailboat may be registered at the rate
22 of four dollars and any other unregistered vessel
23 without sail or motor may be registered at the rate
24 of two dollars for the remainder of the current
25 biennium, plus a writing fee of fifty cents for each
26 registration.
27 8. Page 4, line 25, by striking the words
28 "biennium year" and inserting in lieu thereof the
29 word "biennium".
30 9. Page 4, line 26, by striking the word "odd-
31 numbered" and inserting in lieu thereof the word
32 "odd-numbered".

H-2911 Filed - *Adopted 4/23*
April 17, 1974

By HILL of Polk
NORPEL of Jackson

H-2966

- 1 Amend the title to House File 1359 by striking
2 everything after the word "Act" and inserting in lieu
3 thereof the following: "relating to the registration
4 of vessels."

H-2966 Filed and adopted
April 23, 1974

By MONROE of Des Moines

S-2962

- 1 Amend House File 1359, as amended and passed by the
2 House, page 4, line 33, by inserting after the word
3 "year" the following:
4 or if, upon placing his vessel in storage, the
5 owner does not return a current registration certifi-
6 cate to the county recorder with a statement that the
7 vessel is placed in storage.

S-2962 Filed - *Withdrawn 5/4*
May 1, 1974

By MILLER of Des Moines