

Sen. Roll Review 5/20/77 Do Pass for 5622 4/24

APR 18 1977

Place On Calendar

HOUSE FILE 544

By COMMITTEE ON NATURAL RESOURCES

(Formerly Study Bill 216)

Passed House, Date 5-6-77 (p.1972) Passed Senate, Date 5-1-78 (p.1168)

Vote: Ayes 73 Nays 6 Vote: Ayes 39 Nays 4

Approved June 26, 1978

Repassed House for Senate amendment 6460
5-11-78 (p.2467)
73-3

A BILL FOR

- 1 An Act relating to snowmobiles.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3

HOUSE FILE 544

S-5694

- 1 Amend House File 544 as passed by the House as
- 2 follows:
- 3 1. Page 2, line 16, by striking the words
- 4 "~~September~~ January" and inserting in lieu thereof
- 5 the word "September".
- 6 2. Page 2, line 19, by inserting after the word
- 7 "first." the words "Any snowmobile registered between
- 8 January first and September first of even-numbered
- 9 years shall be registered for a fee of six dollars
- 10 for the remainder of the registration period."
- 11 3. Page 2, line 20, by striking the words
- 12 "~~September~~ January in odd-numbered" and inserting
- 13 in lieu thereof the words "September in even-numbered".
- 14 4. Page 2, by striking lines 22 through 27 and
- 15 inserting in lieu thereof the following: "remainder
- 16 of the current registration period and for the
- 17 subsequent registration period in one transaction.
- 18 The fee shall be ~~three~~ six dollars for the remainder
- 19 of the current period, in addition to the registration
- 20 fee of six ~~twelve~~ dollars for the subsequent year
- 21 biennium beginning January 1 first,".
- 22 5. Page 2, line 32, by striking the word "the"
- 23 and inserting in lieu thereof the word "the".
- 24 6. Page 3, by striking lines 3 through 5.
- 25 7. Page 5, by striking lines 4 through 11 and
- 26 inserting in lieu thereof the words "effective
- 27 September 1, 1979."
- 28 8. By renumbering the sections and correcting
- 29 internal references to conform with this amendment.

S-5694 FILED Adopted 5/1 (p.1168) BY IRVIN L. BERGMAN
APRIL 27, 1978

1 Section 1. Section three hundred twenty-one G point two
2 (321G.2), unnumbered paragraph two (2), Code 1977, is amended
3 to read as follows:

4 The director of transportation may adopt rules not
5 inconsistent herewith regulating the use of snowmobiles on
6 streets and highways, ~~except that cities.~~ Cities may regulate
7 ~~their use on~~ designate streets under the jurisdiction of
8 cities within their respective corporate limits which may
9 be used for snowmobiling.

10 Sec. 2. Section three hundred twenty-one G point four
11 (321G.4), Code 1977, is amended to read as follows:

12 321G.4 COUNTY RECORDER. The owner of each snowmobile
13 required to be numbered shall register it every year two years
14 with the county recorder of the county in which the owner
15 resides or, if the owner is a nonresident, he shall register
16 it in the county in which such snowmobile is principally
17 used. The commission shall have supervisory responsibility
18 over the registration of all snowmobiles and shall provide
19 each county recorder with registration forms and certificates
20 and shall allocate identification numbers to each county.

21 The owner of such snowmobile shall file an application
22 for registration with the appropriate county recorder on forms
23 provided by the commission. The application shall be com-
24 pleted and signed by the owner of the snowmobile and shall
25 be accompanied by a fee of six twelve dollars and a writing
26 fee of fifty cents. Proof of payment of Iowa sales or use
27 tax must accompany all applications for registration. Upon
28 receipt of the application in approved form accompanied by
29 the required fees, the county recorder shall enter the same
30 upon his records and shall issue to the applicant a pocket-
31 size registration certificate. The certificate shall be
32 executed in triplicate, one copy to be delivered to the owner,
33 one copy to the commission, and one copy to be retained on
34 file by the county recorder. The registration certificate
35 shall bear the number awarded to such snowmobile and the name

1 and address of the owner. The registration certificate shall
 2 be carried either in the snowmobile or on the person of the
 3 operator of such machine when in use. The operator of a
 4 snowmobile shall exhibit the registration certificate to any
 5 peace officer upon request or to the owner or operator of
 6 another snowmobile or to the owner of any other personal or
 7 real property when involved in a collision or accident of
 8 any nature with a snowmobile or the property of another person.

9 Sec. 3. Section three hundred twenty-one G point six
 10 (321G.6), unnumbered paragraphs one (1), two (2) and three
 11 (3), Code 1977, are amended to read as follows:

12 Every registration certificate and number issued shall
 13 expire at midnight December 31 thirty-first, and every two
 14 years thereafter unless sooner terminated or discontinued
 15 in accordance with the provisions of this chapter. After
 16 the first day of ~~September~~ January each even-numbered year,
 17 any unregistered snowmobile and renewals of registration may
 18 be so registered for the subsequent year biennium beginning
 19 January 4 first.

20 After the first day of ~~September~~ January in odd-numbered
 21 years any unregistered snowmobile may be registered for the
 22 remainder of the current ~~registration-period-and-for-the~~
 23 ~~subsequent-registration-period-in-one-transaction.--The-fee~~
 24 ~~shall-be-three~~ biennium for a fee of six dollars ~~for-the~~
 25 ~~remainder-of-the-current-period,-in-addition-to-the~~
 26 ~~registration-fee-of-six-dollars-for-the-subsequent-year~~
 27 ~~beginning-January-4,~~ and a writing fee of fifty cents.
 28 Registration certificates and numbers may be renewed upon
 29 application of the owner in the same manner as provided for
 30 in securing the original registration. The snowmobile
 31 registration fee shall be in lieu of personal property tax
 32 for the ~~calendar~~ each year of said registration.

33 If the application for registration for the subsequent
 34 year biennium is not made before January 4 first of each even-
 35 numbered year, the applicant shall be charged a penalty of

1 one dollar for each six months' delinquency, or any portion
2 thereof.

3 Sec. 4. Section three hundred twenty-one G point nine
4 (321G.9), subsection three (3), Code 1977, is amended by
5 striking paragraph "b".

6 Sec. 5. Section three hundred twenty-one G point nine
7 (321G.9), subsection four (4), paragraph b, Code 1977, is
8 amended to read as follows:

9 b. On that portion of county roadways that have not been
10 plowed during the snow season and or not maintained or utilized
11 for the operation of conventional two-wheel drive motor
12 vehicles.

13 Sec. 6. Section three hundred twenty-one G point nine
14 (321G.9), subsection six (6), Code 1977, is amended by adding
15 the following new paragraph:

16 NEW PARAGRAPH. Any person twelve through fifteen years
17 of age and possessing a valid safety certificate must be
18 accompanied by and under the direct supervision of a
19 responsible person of at least eighteen years of age who is
20 experienced in snowmobile operation and who possesses a valid
21 operator's or chauffeur's license, instruction permit,
22 restricted license or temporary permit issued under chapter
23 three hundred twenty-one (321) of the Code or a safety
24 certificate issued under this chapter.

25 Sec. 7. Section three hundred twenty-one G point nine
26 (321G.9), subsection seven (7), Code 1977, is amended to read
27 as follows:

28 7. A snowmobile shall not be operated within the right
29 of way of any public primary highway between the hours of
30 sunset and sunrise except on the right-hand side of such right
31 of way and in the same direction as the motor vehicular traffic
32 on the nearest lane of traveled portion of such right of way.

33 Sec. 8. Section three hundred twenty-one G point twenty
34 (321G.20), Code 1977, is amended to read as follows:

35 321G.20 MINORS UNDER TWELVE. No owner or operator of

1 any snowmobile having-an-engine-rating-of-three-hundred-cubic
2 centimeters-or-more shall permit any person under twelve years
3 of age to operate nor shall any person less than twelve years
4 of age operate, the snowmobile except when accompanied on
5 the same snowmobile by a responsible person of at least
6 eighteen years of age who is experienced in snowmobile
7 operation and who possesses a valid operator's or chauffeurs
8 license, instruction permit, restricted license, or temporary
9 permit issued under chapter three hundred twenty-one (321)
10 of the Code or a safety certificate issued under this chapter.

11 Sec. 9. Section three hundred twenty-one G point twenty-
12 four (321G.24), subsection one (1), Code 1977, is amended
13 to read as follows:

14 1. Effective July 1, ~~1975~~ 1977, no person who is ~~twelve~~
15 ~~years-of-age-or-more-and-less-than-sixteen-years-of-age~~ born
16 after July 1, 1965 shall operate a snowmobile in this state
17 without obtaining a valid safety certificate issued by the
18 commission and having such certificate in his possession,
19 or unless he is accompanied on the same machine by a
20 responsible person of at least eighteen years of age who is
21 experienced in snowmobile operation and possesses a valid
22 operator's or chauffeur's license, instruction permit,
23 restricted license or temporary permit issued under chapter
24 three hundred twenty-one (321) of the Code or a safety
25 certificate issued under this chapter.

26 Sec. 10. Section three hundred twenty-one G point twenty-
27 four (321G.24), subsection two (2), Code 1977, is amended
28 to read as follows:

29 2. Upon application and payment of a fee of ~~two~~ three
30 dollars, a qualified applicant shall be issued a safety
31 certificate which shall be valid until such person reaches
32 his seventeenth birthday unless the certificate is suspended
33 or revoked for a violation of a provision of this chapter
34 or the rules of the commission or the director of
35 transportation before that date. The application shall be

1 made on forms issued by the commission and shall contain such
2 information as the commission may reasonably require.

3 Sec. 11. Sections two (2) and three (3) of this Act are
4 effective September 1, 1977. Notwithstanding section three
5 (3) of this Act, each 1977 snowmobile registration certificate
6 issued before September 1, 1977 shall expire on January 31,
7 1978. Any snowmobile registered on or after September 1,
8 1977 and before January 1, 1978 shall be registered upon
9 payment of a registration fee of six dollars and a writing
10 fee of fifty cents, which registration shall expire on December
11 31, 1977.

12 Sec. 12. Sections one (1), four (4) through eight (8),
13 and ten (10) of this Act are effective January 1, 1978.

14 EXPLANATION

15 Section 1 of the bill provides that the department of
16 transportation may adopt rules regulating the use of
17 snowmobiles and that cities may designate streets for
18 snowmobile use.

19 Sections 2 and 3 change the registration period to two
20 years beginning January 1 in even-numbered years. Section
21 2 also requires an operator to exhibit the registration
22 certificate upon a request by a peace officer or upon the
23 occurrence of an accident.

24 Section 4 removes the prohibition of snowmobile operation
25 on limited access highways.

26 Section 5 allows snowmobiles to be operated on roads which
27 are not plowed or maintained for two-wheel drive vehicles.

28 Section 6 requires a snowmobile operator twelve to fifteen
29 years of age to be accompanied by a person eighteen years
30 of age having a motor vehicle license or safety certificate.

31 Section 7 changes the application of nighttime operation
32 requirements from public highways to primary highways.

33 Section 8 prohibits snowmobile operation by a person under
34 twelve years of age unless the child is accompanied on that
35 machine by a person at least eighteen years of age having

1 a motor vehicle license or safety certificate.

2 Section 9 requires that every person born after July 1,
3 1965 must have a motor vehicle liense or a safety certificate
4 to operate a snowmobile.

5 Section 10 increases the fee for the safety certificate
6 from two to three dollars.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE AMENDMENT TO
HOUSE FILE 544

H-6460

- 1 Amend House File 544 as passed by the House as
- 2 follows:
- 3 1. Page 2, line 16, by striking the words
- 4 "~~September~~ January" and inserting in lieu thereof
- 5 the word "September".
- 6 2. Page 2, line 19, by inserting after the word
- 7 "first." the words "Any snowmobile registered between
- 8 January first and September first of even-numbered
- 9 years shall be registered for a fee of six dollars
- 10 for the remainder of the registration period."
- 11 3. Page 2, line 20, by striking the words
- 12 "September January in odd-numbered" and inserting
- 13 in lieu thereof the words "September in even-numbered".
- 14 4. Page 2, by striking lines 22 through 27 and
- 15 inserting in lieu thereof the following: "remainder
- 16 of the current registration period and for the
- 17 subsequent registration period in one transaction.
- 18 The fee shall be ~~three~~ six dollars for the remainder
- 19 of the current period, in addition to the registration
- 20 fee of ~~six~~ twelve dollars for the subsequent year
- 21 biennium beginning January 1 first,".
- 22 5. Page 2, line 32, by striking the word "the"
- 23 and inserting in lieu thereof the word "~~the~~".
- 24 6. Page 3, by striking lines 3 through 5.
- 25 7. Page 5, by striking lines 4 through 11 and
- 26 inserting in lieu thereof the words "effective
- 27 September 1, 1979."
- 28 8. By renumbering the sections and correcting
- 29 internal references to conform with this amendment.

H-6460 FILED
RECEIVED FROM SENATE
MAY 2, 1978

Amended House File 544

HOUSE FILE 544

3-5622

1 Amend House File 544 as passed by the House as
2 follows:

3 1. Page 2, line 16, by striking the words
4 "~~September~~ January" and inserting in lieu thereof
5 the word "September".

6 2. Page 2, line 20, by striking the words
7 "~~September~~ January" and inserting in lieu thereof
8 the word "September".

9 3. Page 3, by striking lines 3 through 5.

10 4. Page 5, line 4, by striking the figure "1977"
11 and inserting in lieu thereof the figure "1979".

12 5. Page 5, line 5, by striking the figure "1977"
13 and inserting in lieu thereof the figure "1979".

14 6. Page 5, line 6, by striking the figure "1977"
15 and inserting in lieu thereof the figure "1979".

16 7. Page 5, line 7, by striking the figure "1978"
17 and inserting in lieu thereof the figure "1980".

18 8. Page 5, line 8, by striking the figure "1977"
19 and inserting in lieu thereof the figure "1979".

20 9. Page 5, line 8, by striking the figure "1978"
21 and inserting in lieu thereof the figure "1980".

22 10. Page 5, line 11, by striking the figure "1977"
23 and inserting in lieu thereof the figure "1979".

24 11. Page 5, line 13, by striking the figure "1978"
25 and inserting in lieu thereof the figure "1979".

26 12. By renumbering the sections and correcting
27 internal references to conform with this amendment.

S-5622 FILED *as/dl 5/1 (g. 1168)*

BY IRVIN L. BERGMAN

APRIL 21, 1978

AN ACT

RELATING TO SNOWMOBILES.

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

Section 1. Section three hundred twenty-one G point two (321G.2), unnumbered paragraph two (2), Code 1977, is amended to read as follows:

The director of transportation may adopt rules not inconsistent herewith regulating the use of snowmobiles on streets and highways, ~~except that cities.~~ Cities may regulate their use on designate streets under the jurisdiction of cities within their respective corporate limits which may be used for snowmobiling.

Sec. 2. Section three hundred twenty-one G point four (321G.4), Code 1977, is amended to read as follows:

321G.4 COUNTY RECORDER. The owner of each snowmobile required to be numbered shall register it every year two years with the county recorder of the county in which the owner resides or, if the owner is a nonresident, he shall register it in the county in which such snowmobile is principally used. The commission shall have supervisory responsibility over the registration of all snowmobiles and shall provide each county recorder with registration forms and certificates and shall allocate identification numbers to each county.

The owner of such snowmobile shall file an application for registration with the appropriate county recorder on forms provided by the commission. The application shall be completed and signed by the owner of the snowmobile and shall be accompanied by a fee of ~~six~~ twelve dollars and a writing fee of fifty cents. Proof of payment of Iowa sales or use tax must accompany all applications for registration. Upon receipt of the application in approved form accompanied by

the required fees, the county recorder shall enter the same upon his records and shall issue to the applicant a pocket-size registration certificate. The certificate shall be executed in triplicate, one copy to be delivered to the owner, one copy to the commission, and one copy to be retained on file by the county recorder. The registration certificate shall bear the number awarded to such snowmobile and the name and address of the owner. The registration certificate shall be carried either in the snowmobile or on the person of the operator of such machine when in use. The operator of a snowmobile shall exhibit the registration certificate to any peace officer upon request or to the owner or operator of another snowmobile or to the owner of any other personal or real property when involved in a collision or accident of any nature with a snowmobile or the property of another person.

Sec. 3. Section three hundred twenty-one G point six (321G.6), unnumbered paragraphs one (1), two (2) and three (3), Code 1977, are amended to read as follows:

Every registration certificate and number issued shall expire at midnight December ~~31~~ thirty-first, and every two years thereafter unless sooner terminated or discontinued in accordance with the provisions of this chapter. After the first day of September each even-numbered year, any unregistered snowmobile and renewals of registration may be so registered for the subsequent year biennium beginning January 1 ~~first~~. Any snowmobile registered between January first and September first of even-numbered years shall be registered for a fee of six dollars for the remainder of the registration period.

After the first day of September in even-numbered years any unregistered snowmobile may be registered for the remainder of the current registration period and for the subsequent registration period in one transaction. The fee shall be three ~~six~~ dollars for the remainder of the current period, in addition to the registration fee of ~~six~~ twelve dollars

for the subsequent ~~year~~ biennium beginning January 4 first, and a writing fee of fifty cents. Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided for in securing the original registration. The snowmobile registration fee shall be in lieu of personal property tax for ~~the calendar~~ each year of said registration.

If the application for registration for the subsequent ~~year~~ biennium is not made before January 4 first of each even-numbered year, the applicant shall be charged a penalty of one dollar for each six months' delinquency, or any portion thereof.

Sec. 4. Section three hundred twenty-one G point nine (321G.9), subsection four (4), paragraph b, Code 1977, is amended to read as follows:

b. On that portion of county roadways that have not been plowed during the snow season and or not maintained or utilized for the operation of conventional two-wheel drive motor vehicles.

Sec. 5. Section three hundred twenty-one G point nine (321G.9), subsection six (6), Code 1977, is amended by adding the following new paragraph:

NEW PARAGRAPH. Any person twelve through fifteen years of age and possessing a valid safety certificate must be accompanied by and under the direct supervision of a responsible person of at least eighteen years of age who is experienced in snowmobile operation and who possesses a valid operator's or chauffeur's license, instruction permit, restricted license or temporary permit issued under chapter three hundred twenty-one (321) of the Code or a safety certificate issued under this chapter.

Sec. 6. Section three hundred twenty-one G point nine (321G.9), subsection seven (7), Code 1977, is amended to read as follows:

7. A snowmobile shall not be operated within the right of way of any public primary highway between the hours of

sunset and sunrise except on the right-hand side of such right of way and in the same direction as the motor vehicular traffic on the nearest lane of traveled portion of such right of way.

Sec. 7. Section three hundred twenty-one G point twenty (321G.20), Code 1977, is amended to read as follows:

321G.20 MINORS UNDER TWELVE. No owner or operator of any snowmobile having-an-engine-rating-of-three-hundred-cubic-centimeters-or-more shall permit any person under twelve years of age to operate nor shall any person less than twelve years of age operate, the snowmobile except when accompanied on the same snowmobile by a responsible person of at least eighteen years of age who is experienced in snowmobile operation and who possesses a valid operator's or chauffeur's license, instruction permit, restricted license, or temporary permit issued under chapter three hundred twenty-one (321) of the Code or a safety certificate issued under this chapter.

Sec. 8. Section three hundred twenty-one G point twenty-four (321G.24), subsection one (1), Code 1977, is amended to read as follows:

1. Effective July 1, ~~1975~~ 1977, no person who is twelve years-of-age-or-more-and-less-than-sixteen-years-of-age born after July 1, 1965 shall operate a snowmobile in this state without obtaining a valid safety certificate issued by the commission and having such certificate in his possession, or unless he is accompanied on the same machine by a responsible person of at least eighteen years of age who is experienced in snowmobile operation and possesses a valid operator's or chauffeur's license, instruction permit, restricted license or temporary permit issued under chapter three hundred twenty-one (321) of the Code or a safety certificate issued under this chapter.

Sec. 9. Section three hundred twenty-one G point twenty-four (321G.24), subsection two (2), Code 1977, is amended to read as follows:

2. Upon application and payment of a fee of ~~two~~ three

dollars, a qualified applicant shall be issued a safety certificate which shall be valid until such person reaches his seventeenth birthday unless the certificate is suspended or revoked for a violation of a provision of this chapter or the rules of the commission or the director of transportation before that date. The application shall be made on forms issued by the commission and shall contain such information as the commission may reasonably require.

Sec. 10. Sections two (2) and three (3) of this Act are effective September 1, 1979.

Sec. 11. Sections one (1), four (4) through seven (7), and nine (9) of this Act are effective January 1, 1978.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 544, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 26, 1978

ROBERT D. RAY
Governor