

Reprinted

FEB 20 1991

NATURAL RESOURCES AND
OUTDOOR RECREATION
Amended (3205) & Do Pass 4/16

HOUSE FILE 289
BY SCHRADER

Passed House, Date 4/3/91 (p 9-12) Passed Senate, Date 4/16/91 (P.1271)
Vote: Ayes 74 Nays 23 Vote: Ayes 49 Nays 0
Approved _____

A BILL FOR

1 An Act relating to the operation of snowmobiles, all-terrain
2 vehicles, and motorcycles in certain special events and
3 limiting safety certification to certain operators on public
4 lands and waters.

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

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HF 289

3574 Change Commission to Department

1 Section 1. Section 321G.16, Code 1991, is amended to read
2 as follows:

3 321G.16 SPECIAL EVENTS.

* 4 The commission may authorize the holding of organized
5 special events as defined in this chapter within this state.
* 6 The commission shall adopt ~~and may amend~~ rules relating to the
* 7 conduct of special events held under commission permits and
8 designating the equipment and facilities necessary for safe
9 operation of all-terrain vehicles and snowmobiles or for the
10 safety of operators, participants, and observers in the
11 special events. A special event for all-terrain vehicles may
12 include motorcycles upon payment of an entrance fee set by the
* 13 organizer of the special event. The commission may require
14 that part of the motorcycle entrance fee be credited to pay
15 costs of all-terrain vehicle programs authorized pursuant to
16 section 321G.7. At least thirty days before the scheduled
17 date of a special event in this state, an application shall be
* 18 filed with the commission for authorization to conduct the
19 special event. The application shall set forth the date,
20 time, and location of the proposed special event and any other
* 21 information the commission requires. The special event shall
22 not be conducted without written authorization of the
* 23 commission. Copies of the rules shall be furnished by the
* 24 commission to any person making an application.

25 Sec. 2. Section 321G.24, subsection 1, Code 1991, is
26 amended to read as follows:

357427 1. A person under eighteen years of age shall not operate
* 28 ~~an all-terrain vehicle or~~ a snowmobile in this state without
* 29 obtaining a valid safety certificate issued by the commission
30 and having the certificate in the person's possession, unless
31 the person is accompanied on the same snowmobile by a
32 responsible person of at least eighteen years of age who is
33 experienced in snowmobile operation and possesses a valid
34 motor vehicle license, as defined in section 321.1, or a
35 safety certificate issued under this chapter. A person under

1 eighteen years of age shall not operate an all-terrain vehicle
2 on public land in this state without obtaining a valid safety
3 certificate issued by the commission and having the
4 certificate in the person's possession.

5 EXPLANATION

6 This bill authorizes motorcycles to join all-terrain
7 vehicles in special events authorized by the natural resource
8 commission upon payment of an entrance fee. The entrance fee
9 may be credited by the commission to pay the costs of all-
10 terrain vehicle programs established by the department of
11 natural resources.

12 The bill also authorizes the operation of all-terrain
13 vehicles on private land by minors without obtaining a safety
14 certificate.

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HOUSE FILE 289

H-3205

1 Amend House File 289 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 321G.1, Code 1991, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 8A. "Nonambulatory person" means
7 an individual with paralysis of the lower half of the
8 body with the involvement of both legs, usually caused
9 by disease of or injury to the spinal cord, or caused
10 by the loss of both legs or the loss of a part of both
11 legs.

12 Sec. 2. Section 321G.6, Code 1991, is amended by
13 adding the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. A motorcycle, as defined
15 in section 321.1, subsection 3, paragraph "a", may be
16 registered as an all-terrain vehicle as provided in
17 this section. A motorcycle registered as an all-
18 terrain vehicle may participate in all programs
19 established for all-terrain vehicles under this
20 chapter except for the safety instruction and
21 certification program.

22 Sec. 3. Section 321G.13, subsection 11, Code 1991,
23 is amended to read as follows:

24 11. A person shall not operate or ride in an all-
25 terrain vehicle or snowmobile with a firearm in the
26 person's possession unless it is unloaded and enclosed
27 ~~in a carrying case, or any bow unless it is unstrung~~
28 ~~or enclosed in a carrying case.~~ However, a
29 nonambulatory person may carry an uncased and unloaded
30 firearm while operating or riding an all-terrain
31 vehicle or a snowmobile."

32 2. By numbering sections as required.

By COMMITTEE ON NATURAL RESOURCES
AND OUTDOOR RECREATION
BLACK of Jasper, Chairperson

H-3205 FILED MARCH 14, 1991

Adopted 4/2 (p 990)

HOUSE FILE 289

H-3454

1 Amend House File 289, as follows:

2 1. Title page, line 2, by striking the words "in
3 certain special events".

By SPEAR of Lee

H-3454 FILED APRIL 2, 1991

ADOPTED BY UNANIMOUS CONSENT (*p 990*)

HOUSE FILE 289

H-3374

- 1 Amend House File 289 as follows:
- 2 1. Page 1, line 4, by striking the word
- 3 "commission" and inserting the following: "commission
- 4 department".
- 5 2. Page 1, line 6, by striking the word
- 6 "commission" and inserting the following: "commission
- 7 department".
- 8 3. Page 1, line 7, by striking the word
- 9 "commission" and inserting the following: "commission
- 10 department".
- 11 4. Page 1, line 13, by striking the word
- 12 "commission" and inserting the following:
- 13 "department".
- 14 5. Page 1, line 18, by striking the word
- 15 "commission" and inserting the following: "commission
- 16 department".
- 17 6. Page 1, line 21, by striking the word
- 18 "commission" and inserting the following: "commission
- 19 department".
- 20 7. Page 1, line 23, by striking the word
- 21 "commission" and inserting the following: "commission
- 22 department".
- 23 8. Page 1, line 24, by striking the word
- 24 "commission" and inserting the following: "commission
- 25 department".
- 26 9. Page 1, line 28, by inserting after the word
- 27 "snowmobile" the following: "on public land or land
- 28 purchased with snowmobile registration funds".
- 29 10. Page 1, line 29, by striking the word
- 30 "commission" and inserting the following: "commission
- 31 department".
- 32 11. Page 2, line 2, by inserting after the word
- 33 "land" the following: "or land purchased with all-
- 34 terrain vehicle registration funds".
- 35 12. Page 2, line 3, by striking the word
- 36 "commission" and inserting the word "department".

By SCHRADER of Marion

H-3374 FILED MARCH 27, 1991

Adopted 4/2

HOUSE FILE 289
BY SCHRADER

(As Amended and Passed by the House April 2, 1991)

Passed House, Date 4/2/91 (p. 992) Passed Senate, Date 4/12/91 (p. 1271)
Vote: Ayes 74 Nays 23 Vote: Ayes 49 Nays 0
Approved June 4, 1991

A BILL FOR

1 An Act relating to the operation of snowmobiles, all-terrain
2 vehicles, and motorcycles and limiting safety certification to
3 certain operators on public lands and waters.

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

Deleted Language *

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1 Section 1. Section 321G.1, Code 1991, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 8A. "Nonambulatory person" means an
4 individual with paralysis of the lower half of the body with
5 the involvement of both legs, usually caused by disease of or
6 injury to the spinal cord, or caused by the loss of both legs
7 or the loss of a part of both legs.

8 Sec. 2. Section 321G.6, Code 1991, is amended by adding
9 the following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. A motorcycle, as defined in
11 section 321.1, subsection 3, paragraph "a", may be registered
12 as an all-terrain vehicle as provided in this section. A
13 motorcycle registered as an all-terrain vehicle may
14 participate in all programs established for all-terrain
15 vehicles under this chapter except for the safety instruction
16 and certification program.

17 Sec. 3. Section 321G.13, subsection 11, Code 1991, is
18 amended to read as follows:

19 11. A person shall not operate or ride in an all-terrain
20 vehicle or snowmobile with a firearm in the person's
21 possession unless it is unloaded and enclosed in a carrying
22 case, or any bow unless it is unstrung or enclosed in a
23 carrying case. However, a nonambulatory person may carry an
24 uncased and unloaded firearm while operating or riding an all-
25 terrain vehicle or a snowmobile.

26 Sec. 4. Section 321G.16, Code 1991, is amended to read as
27 follows:

28 321G.16 SPECIAL EVENTS.

29 The commission department may authorize the holding of
30 organized special events as defined in this chapter within
31 this state. The commission department shall adopt and may
32 amend rules relating to the conduct of special events held
33 under commission department permits and designating the
34 equipment and facilities necessary for safe operation of all-
35 terrain vehicles and snowmobiles or for the safety of

1 operators, participants, and observers in the special events.
2 A special event for all-terrain vehicles may include
3 motorcycles upon payment of an entrance fee set by the
4 organizer of the special event. The department may require
5 that part of the motorcycle entrance fee be credited to pay
6 costs of all-terrain vehicle programs authorized pursuant to
7 section 321G.7. At least thirty days before the scheduled
8 date of a special event in this state, an application shall be
9 filed with the commission department for authorization to
10 conduct the special event. The application shall set forth
11 the date, time, and location of the proposed special event and
12 any other information the commission department requires. The
13 special event shall not be conducted without written
14 authorization of the commission department. Copies of the
15 rules shall be furnished by the commission department to any
16 person making an application.

17 Sec. 5. Section 321G.24, subsection 1, Code 1991, is
18 amended to read as follows:

19 1. A person under eighteen years of age shall not operate
20 an-all-terrain-vehicle-or a snowmobile on public land or land
21 purchased with snowmobile registration funds in this state
22 without obtaining a valid safety certificate issued by the
23 commission department and having the certificate in the
24 person's possession, unless the person is accompanied on the
25 same snowmobile by a responsible person of at least eighteen
26 years of age who is experienced in snowmobile operation and
27 possesses a valid motor vehicle license, as defined in section
28 321.1, or a safety certificate issued under this chapter. A
29 person under eighteen years of age shall not operate an all-
30 terrain vehicle on public land or land purchased with all-
31 terrain vehicle registration funds in this state without
32 obtaining a valid safety certificate issued by the department
33 and having the certificate in the person's possession.

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HOUSE FILE 289

AN ACT

RELATING TO THE OPERATION OF SNOWMOBILES, ALL-TERRAIN VEHICLES, AND MOTORCYCLES AND LIMITING SAFETY CERTIFICATION TO CERTAIN OPERATORS ON PUBLIC LANDS AND WATERS.

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

Section 1. Section 321G.1, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. "Nonambulatory person" means an individual with paralysis of the lower half of the body with the involvement of both legs, usually caused by disease of or injury to the spinal cord, or caused by the loss of both legs or the loss of a part of both legs.

Sec. 2. Section 321G.6, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A motorcycle, as defined in section 321.1, subsection 3, paragraph "a", may be registered as an all-terrain vehicle as provided in this section. A motorcycle registered as an all-terrain vehicle may participate in all programs established for all-terrain vehicles under this chapter except for the safety instruction and certification program.

Sec. 3. Section 321G.13, subsection 11, Code 1991, is amended to read as follows:

11. A person shall not operate or ride in an all-terrain vehicle or snowmobile with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case ~~or any bow unless it is unstrung or enclosed in a carrying case.~~ However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding an all-

terrain vehicle or a snowmobile.

Sec. 4. Section 321G.16, Code 1991, is amended to read as follows:

321G.16 SPECIAL EVENTS.

The commission department may authorize the holding of organized special events as defined in this chapter within this state. The commission department shall adopt and may amend rules relating to the conduct of special events held under commission department permits and designating the equipment and facilities necessary for safe operation of all-terrain vehicles and snowmobiles or for the safety of operators, participants, and observers in the special events. A special event for all-terrain vehicles may include motorcycles upon payment of an entrance fee set by the organizer of the special event. The department may require that part of the motorcycle entrance fee be credited to pay costs of all-terrain vehicle programs authorized pursuant to section 321G.7. At least thirty days before the scheduled date of a special event in this state, an application shall be filed with the commission department for authorization to conduct the special event. The application shall set forth the date, time, and location of the proposed special event and any other information the commission department requires. The special event shall not be conducted without written authorization of the commission department. Copies of the rules shall be furnished by the commission department to any person making an application.

Sec. 5. Section 321G.24, subsection 1, Code 1991, is amended to read as follows:

1. A person under eighteen years of age shall not operate ~~an all-terrain vehicle or a snowmobile on public land or land purchased with snowmobile registration funds~~ in this state without obtaining a valid safety certificate issued by the commission department and having the certificate in the person's possession, unless the person is accompanied on the

same snowmobile by a responsible person of at least eighteen years of age who is experienced in snowmobile operation and possesses a valid motor vehicle license, as defined in section 321.1, or a safety certificate issued under this chapter. A person under eighteen years of age shall not operate an all-terrain vehicle on public land or land purchased with all-terrain vehicle registration funds in this state without obtaining a valid safety certificate issued by the department and having the certificate in the person's possession.

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 289, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved June 4, 1991

TERRY E. BRANSTAD
Governor