

JAN 8 1996  
TRANSPORTATION

HOUSE FILE *2004*  
BY O'BRIEN

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act requiring transfer to the special conservation fund of  
2 proceeds of excise taxes on sale of all-terrain vehicle and  
3 snowmobile fuel.

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

*HF 2004*

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1 Section 1. Section 321G.7, unnumbered paragraph 2, Code  
2 1995, is amended to read as follows:

3 The department shall remit the fees to the treasurer of  
4 state, who shall place the money in a special conservation  
5 fund. The special conservation fund shall include moneys  
6 transferred pursuant to section 452A.83. The money is  
7 appropriated to the department for the all-terrain vehicle and  
8 snowmobile programs of the state. All-terrain vehicle fees  
9 shall be used only for all-terrain vehicle programs and  
10 snowmobile fees shall be used only for snowmobile programs.  
11 Joint programs shall be supported from both types of fees on a  
12 usage basis. The all-terrain vehicle and snowmobile programs  
13 shall include grants, subgrants, contracts, or cost-sharing of  
14 all-terrain vehicle and snowmobile programs with political  
15 subdivisions or incorporated private organizations or both in  
16 accordance with rules adopted by the commission. All all-  
17 terrain vehicle programs using cost-sharing, grants,  
18 subgrants, or contracts shall establish and implement a safety  
19 instruction program either singly or in cooperation with other  
20 all-terrain vehicle programs. At least fifty percent of the  
21 special fund shall be available for political subdivisions or  
22 incorporated private organizations or both. Moneys from the  
23 special fund not used by the political subdivisions or  
24 incorporated private organizations or both shall remain in the  
25 all-terrain vehicle or snowmobile accounts. The department  
26 may use funds from these accounts for the administration of  
27 the all-terrain vehicle and snowmobile programs.

28 Sec. 2. Section 452A.79, Code 1995, is amended by adding  
29 the following new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. All moneys derived from the  
31 excise tax on the sale of motor fuel used in all-terrain  
32 vehicles and snowmobiles shall be deposited in the special  
33 conservation fund established under section 321G.7.

34 Sec. 3. NEW SECTION. 452A.83 TRANSFER TO SPECIAL  
35 CONSERVATION FUND.

1 The treasurer of state shall transfer from the motor fuel  
2 tax fund to the special conservation fund established under  
3 section 321G.7, that portion of the moneys collected under  
4 this chapter which are attributable to motor fuel used in all-  
5 terrain vehicles and snowmobiles, computed as follows:

6 1. Determine annually, during the first full business week  
7 in April, the total number of all-terrain vehicles and  
8 snowmobiles which are registered in the state.

9 2. Multiply the product of the total number of registered  
10 all-terrain vehicles and snowmobiles and eighty-eight and  
11 seven-tenths gallons times the amount of the excise tax  
12 charged per gallon of motor fuel to obtain the total amount of  
13 excise tax paid on all-terrain vehicle and snowmobile fuel.

14 3. Subtract from the total amount of excise tax paid on  
15 all-terrain vehicle and snowmobile fuel an amount which  
16 represents three percent of the total tax paid on all-terrain  
17 vehicle and snowmobile fuel, for payment of the administrative  
18 costs, which shall be allocated to the department of natural  
19 resources for administration of all-terrain vehicle and  
20 snowmobile programs.

21 EXPLANATION

22 This bill requires that revenue generated from the  
23 imposition of the excise tax on the motor fuel used by all-  
24 terrain vehicles and snowmobiles be deposited in the special  
25 conservation fund. The special conservation fund is used by  
26 the department of natural resources for all-terrain vehicle  
27 and snowmobile programs. All-terrain vehicle and snowmobile  
28 programs are currently funded through all-terrain vehicle and  
29 snowmobile registration fees. The funds that are generated by  
30 the excise tax on all-terrain vehicle and snowmobile motor  
31 fuel are currently being deposited in the motor fuel tax fund.  
32 A formula for calculation of the amount of revenue  
33 attributable to motor fuel consumption by all-terrain vehicles  
34 and snowmobiles is also contained in the bill.

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