

REPRINTED

FILED MAR 12 1997

SENATE FILE **429**
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SF 32)

Passed Senate, Date 3/25/97 (p. 788) Passed House, Date _____
Vote: Ayes 46 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation, regulation, and equipment of
2 watercraft, and subjecting violators to a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 429

1 Section 1. Section 462A.2, Code 1997, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 12A. "Lanyard" means a cord, rope, or
4 wire which connects an operator to a motorboat or motorized
5 vessel and is designed to stop the motor when disconnected.

6 NEW SUBSECTION. 22A. "Personal watercraft" means a
7 vessel, less than sixteen feet in length, which is propelled
8 by a water jet pump or similar machinery as its primary source
9 of motor propulsion and is designed to be operated by a person
10 sitting, standing, or kneeling on the vessel rather than being
11 operated by a person sitting or standing inside the vessel.

12 Sec. 2. Section 462A.9, subsection 6, Code 1997, is
13 amended by adding the following new paragraphs:

14 NEW PARAGRAPH. a. A person shall not operate a personal
15 watercraft unless each person aboard is wearing an approved
16 personal flotation device as prescribed by rule of the
17 commission.

18 NEW PARAGRAPH. b. A person who is twelve years of age or
19 younger shall not be aboard a personal watercraft without
20 wearing an approved personal flotation device as prescribed by
21 rule of the commission.

22 Sec. 3. Section 462A.10, Code 1997, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 3. The owner of a boat livery shall not
25 permit any of the owner's personal watercraft to be operated
26 for hire by a person who is under eighteen years of age.

27 Sec. 4. Section 462A.12, subsection 1, Code 1997, is
28 amended to read as follows:

29 1. No A person shall not operate any vessel, or manipulate
30 any water skis, surfboard, or similar device in a careless,
31 reckless or negligent manner so as to endanger the life, limb,
32 or property of any person. A person shall not operate a
33 personal watercraft, in a manner so that the personal
34 watercraft becomes airborne or completely leaves the water
35 while the personal watercraft crosses the wake of another

1 vessel within one hundred feet of the other vessel.

2 Sec. 5. Section 462A.12, subsection 6, Code 1997, is
3 amended to read as follows:

4 6. ~~No~~ An owner or operator of any vessel propelled by a
5 motor of more than six horsepower shall not permit any person
6 under twelve years of age to operate ~~such the~~ vessel except
7 when unless accompanied by a responsible person of at least
8 eighteen years of age ~~who-is-experienced-in-motorboat~~
9 operation. An owner or operator of a personal watercraft,
10 other than an owner of a personal watercraft livery, shall not
11 permit any person under sixteen years of age to operate a
12 personal watercraft unless accompanied by a responsible person
13 of at least eighteen years of age.

14 Sec. 6. Section 462A.12, Code 1997, is amended by adding
15 the following new subsections:

16 NEW SUBSECTION. 12. A person operating a personal
17 watercraft equipped by the manufacturer with a lanyard-type
18 engine cutoff switch shall attach the lanyard to the person's
19 body, clothing, or personal flotation device as appropriate
20 for the specific personal watercraft.

21 NEW SUBSECTION. 13. A person shall not operate a personal
22 watercraft at any time between sunset and eight a.m.

23 NEW SUBSECTION. 14. A person shall not chase or harass
24 wild animals while operating a personal watercraft.

25 NEW SUBSECTION. 15. A person shall not operate a vessel
26 if its capacity would be exceeded by those persons in the
27 vessel and those persons being towed on water skis, a
28 surfboard, or similar device.

29 Sec. 7. Section 462A.15, Code 1997, is amended to read as
30 follows:

31 462A.15 WATER SKIS AND SURFBOARDS.

32 1. ~~No~~ A person shall not operate a vessel on any waters of
33 this state under the jurisdiction of the commission for towing
34 a person or persons on water skis, surfboard or similar device
35 unless there is in such vessel a responsible person, in

1 addition to the operator, in a position to observe the
2 progress of the person or persons being towed.

3 2. A person shall not operate a personal watercraft on
4 waters of this state under the jurisdiction of the commission
5 for towing a person unless, in addition to the operator, an
6 observer is on board to monitor the progress of those being
7 towed.

8 ~~2.~~ 3. The provisions of subsections 1 and 2 of this
9 section do not apply to a performer engaged in a professional
10 exhibition or a person or persons engaged in a professional
11 exhibition or a person or persons engaged in an activity
12 authorized under section 462A.16.

13 Sec. 8. Section 462A.26, subsection 3, paragraph a,
14 subparagraph (2), Code 1997, is amended to read as follows:

15 (2) Motorboats or personal watercraft shall maintain a
16 minimum passing or meeting distance of fifty one hundred feet
17 when both boats vessels are traveling at speeds greater than
18 five miles per hour except as otherwise authorized under a
19 special events permit issued by the department.

20 EXPLANATION

21 This bill includes the following requirements and
22 restrictions regarding the operation of various types of
23 vessels:

24 1. A personal watercraft is defined as a vessel, under 16
25 feet in length, which is propelled by a water jet pump or
26 similar machinery and is designed to be operated by a person
27 sitting, standing, or kneeling on the vessel.

28 2. The operator of a personal watercraft is required to
29 wear an approved personal flotation device.

30 3. All persons who are 12 years of age or younger are
31 required to wear an approved personal flotation device while
32 aboard any personal watercraft.

33 4. A person must be at least 18 years of age to operate a
34 personal watercraft for hire from a boat livery.

35 5. An owner or operator of a personal watercraft, other

1 than the owner of a personal watercraft livery, shall not
2 allow a person under sixteen years of age to operate a
3 personal watercraft unless accompanied by a responsible person
4 of at least 18 years of age.

5 6. Personal watercraft shall not be operated in a manner
6 which will cause the personal watercraft to become airborne by
7 crossing the wake of another vessel within 100 feet of the
8 other vessel.

9 7. Lanyard is defined as a cord, rope, or wire, which
10 connects an operator with a motorized vessel and is designed
11 to stop the motor when disconnected.

12 8. A person operating a personal watercraft equipped by
13 the manufacturer with a lanyard-type engine cutoff is required
14 to attach the lanyard to the operator's body, clothing, or
15 personal flotation device as appropriate.

16 9. A person shall not operate a personal watercraft at any
17 time after sunset and before eight a.m. of the following day.

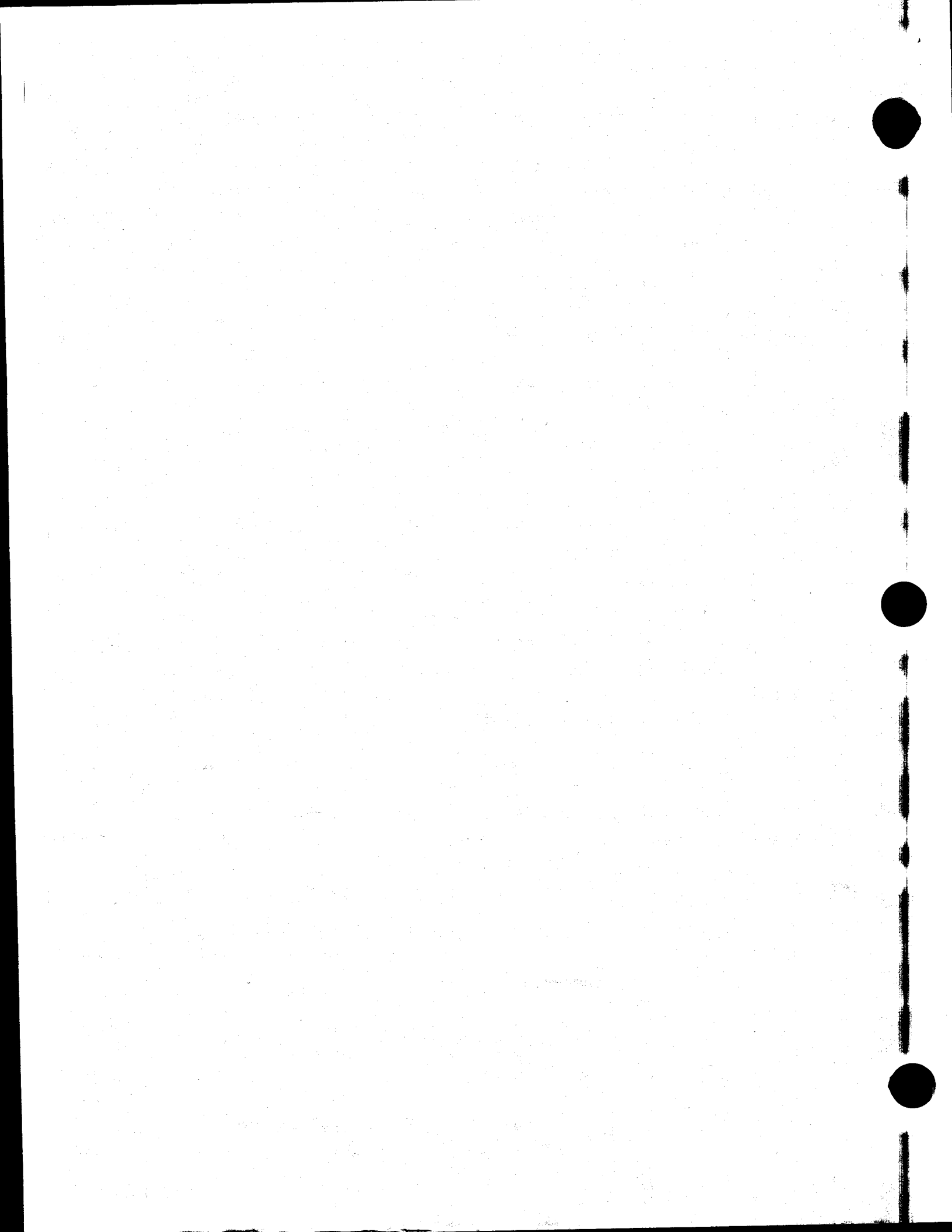
18 10. A person shall not chase or harass wild animals while
19 operating a personal watercraft.

20 11. A person shall not operate a vessel while its capacity
21 is exceeded. A person being towed on a water ski, surfboard,
22 or similar device is included as part of the capacity of the
23 vessel.

24 12. An operator of a personal watercraft shall not tow
25 another person without an observer to monitor the progress of
26 those being towed.

27 13. Motorboats or personal watercraft shall maintain a
28 minimum passing or meeting distance of 100 feet when both
29 vessels are traveling at speeds of more than five miles per
30 hour, except as otherwise authorized under a special events
31 permit issued by the department.

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SENATE FILE 429

S-3124

1 Amend Senate File 429 as follows:

2 1. Page 1, by inserting after line 11 the
3 following:

4 "Sec. ____ . Section 462A.6A, subsection 4, Code
5 1997, is amended to read as follows:

6 4. A sailboard. ~~However, the registration decal~~
7 ~~shall be attached to the bottom surface of the bow."~~

By TOM FLYNN

S-3124 FILED MARCH 13, 1997

Adopted 3/25/97 (p. 783)

SENATE FILE 429

S-3232

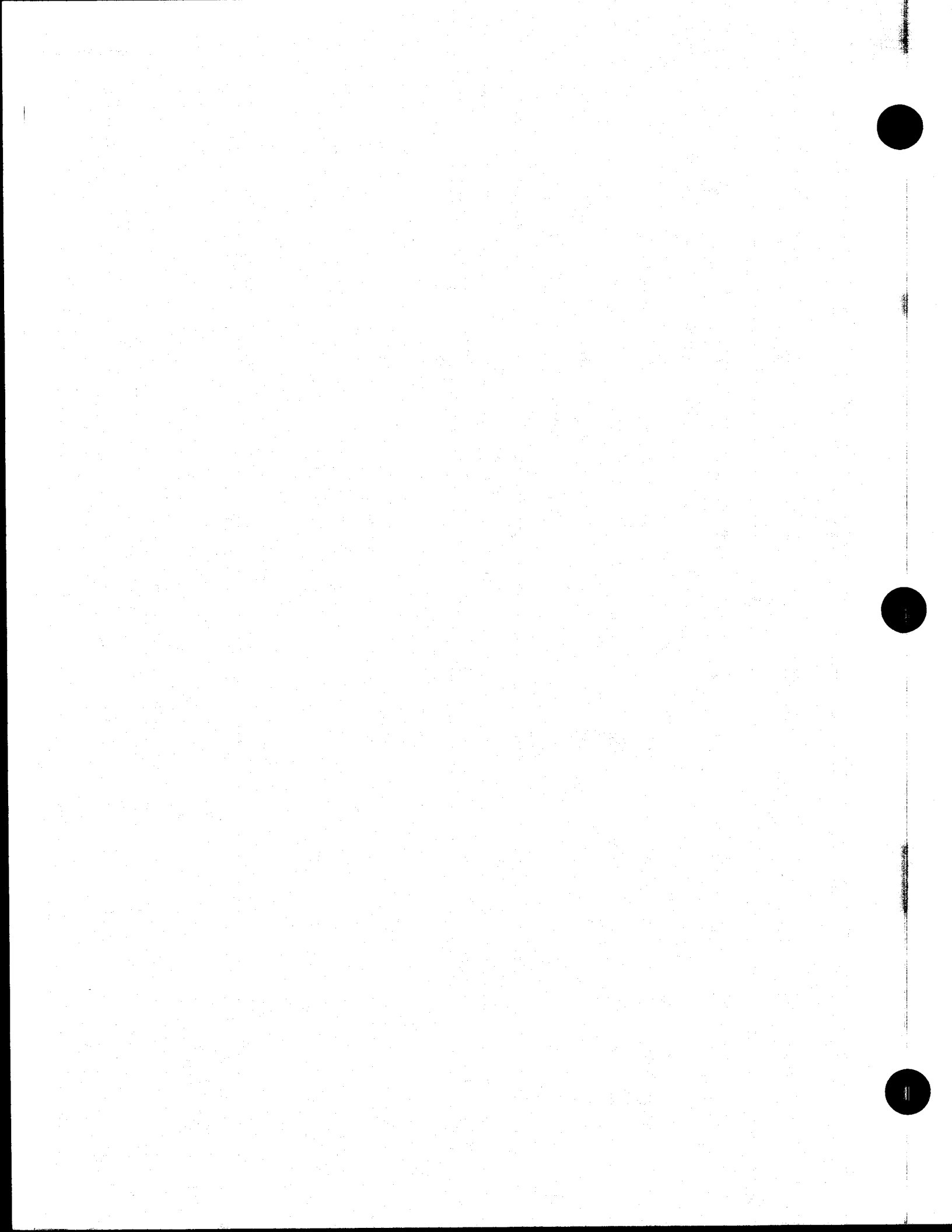
1 Amend Senate File 429 as follows:

2 1. Page 1, line 34, by striking the words "or
3 completely leaves the water".

By BILL FINK

S-3232 FILED MARCH 25, 1997

ADOPTED *(p. 788)*



H-3
H. 4-1-97 Amend/Do Pass
w/ H. 1494
H. 4/10/97 Unfinished Business
Calendar
H. 4/29/97 Referred Nat. Res.

SENATE FILE 429
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT
S. P. ... Do Pass w/ H 8067
H. 3/26/98 Unfinished Bus. Calendar
(SUCCESSOR TO SF 32)

(AS AMENDED AND PASSED BY THE SENATE MARCH 25, 1997)

- New Language by the Senate
- * - Language Stricken by the Senate

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

- 1 An Act relating to the operation, regulation, and equipment of
- 2 watercraft, and subjecting violators to a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 429

H-1466

- 1 Amend Senate File 429, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 26, by striking the words "eight
- 4 a.m." and inserting the following: "sunrise."

By BRUNKHORST of Bremer

H-1466 FILED MARCH 31, 1997

SENATE FILE 429

H-1494

- 1 Amend Senate File 429, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 30, by striking the word
- 4 "eighteen" and inserting the following: "sixteen".

By COMMITTEE ON NATURAL RESOURCES
KLEMME of Plymouth, Chairperson

H-1494 FILED APRIL 1, 1997

S.F. 429

1 Section 1. Section 462A.2, Code 1997, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 12A. "Lanyard" means a cord, rope, or
4 wire which connects an operator to a motorboat or motorized
5 vessel and is designed to stop the motor when disconnected.

6 NEW SUBSECTION. 22A. "Personal watercraft" means a
7 vessel, less than sixteen feet in length, which is propelled
8 by a water jet pump or similar machinery as its primary source
9 of motor propulsion and is designed to be operated by a person
10 sitting, standing, or kneeling on the vessel rather than being
11 operated by a person sitting or standing inside the vessel.

12 Sec. 2. Section 462A.6A, subsection 4, Code 1997, is
13 amended to read as follows:

14 4. A sailboard. However, the registration decal shall be
15 attached to the bottom surface of the bow.

16 Sec. 3. Section 462A.9, subsection 6, Code 1997, is
17 amended by adding the following new paragraphs:

18 NEW PARAGRAPH. a. A person shall not operate a personal
19 watercraft unless each person aboard is wearing an approved
20 personal flotation device as prescribed by rule of the
21 commission.

22 NEW PARAGRAPH. b. A person who is twelve years of age or
23 younger shall not be aboard a personal watercraft without
24 wearing an approved personal flotation device as prescribed by
25 rule of the commission.

26 Sec. 4. Section 462A.10, Code 1997, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 3. The owner of a boat livery shall not
29 permit any of the owner's personal watercraft to be operated
30 for hire by a person who is under eighteen years of age.

31 Sec. 5. Section 462A.12, subsection 1, Code 1997, is
32 amended to read as follows:

33 1. No A person shall not operate any vessel, or manipulate
34 any water skis, surfboard, or similar device in a careless,
35 reckless or negligent manner so as to endanger the life, limb,

1 or property of any person. A person shall not operate a
2 personal watercraft, in a manner so that the personal
*3 watercraft becomes airborne while the personal watercraft
4 crosses the wake of another vessel within one hundred feet of
5 the other vessel.

6 Sec. 6. Section 462A.12, subsection 6, Code 1997, is
7 amended to read as follows:

8 6. ~~No~~ An owner or operator of any vessel propelled by a
9 motor of more than six horsepower shall not permit any person
10 under twelve years of age to operate ~~such the~~ vessel ~~except~~
11 ~~when unless~~ accompanied by a responsible person of at least
12 eighteen years of age ~~who-is-experienced-in-motorboat~~
13 ~~operation.~~ An owner or operator of a personal watercraft,
14 other than an owner of a personal watercraft livery, shall not
15 permit any person under sixteen years of age to operate a
16 personal watercraft unless accompanied by a responsible person
17 of at least eighteen years of age.

18 Sec. 7. Section 462A.12, Code 1997, is amended by adding
19 the following new subsections:

20 NEW SUBSECTION. 12. A person operating a personal
21 watercraft equipped by the manufacturer with a lanyard-type
22 engine cutoff switch shall attach the lanyard to the person's
23 body, clothing, or personal flotation device as appropriate
24 for the specific personal watercraft.

25 NEW SUBSECTION. 13. A person shall not operate a personal
26 watercraft at any time between sunset and eight a.m.

27 NEW SUBSECTION. 14. A person shall not chase or harass
28 wild animals while operating a personal watercraft.

29 NEW SUBSECTION. 15. A person shall not operate a vessel
30 if its capacity would be exceeded by those persons in the
31 vessel and those persons being towed on water skis, a
32 surfboard, or similar device.

33 Sec. 8. Section 462A.15, Code 1997, is amended to read as
34 follows:

35 462A.15 WATER SKIS AND SURFBOARDS.

1 1. No A person shall not operate a vessel on any waters of
2 this state under the jurisdiction of the commission for towing
3 a person or persons on water skis, surfboard or similar device
4 unless there is in such vessel a responsible person, in
5 addition to the operator, in a position to observe the
6 progress of the person or persons being towed.

7 2. A person shall not operate a personal watercraft on
8 waters of this state under the jurisdiction of the commission
9 for towing a person unless, in addition to the operator, an
10 observer is on board to monitor the progress of those being
11 towed.

12 2- 3. The provisions of subsections 1 and 2 of this
13 section do not apply to a performer engaged in a professional
14 exhibition or a person or persons engaged in a professional
15 exhibition or a person or persons engaged in an activity
16 authorized under section 462A.16.

17 Sec. 9. Section 462A.26, subsection 3, paragraph a,
18 subparagraph (2), Code 1997, is amended to read as follows:

19 (2) Motorboats or personal watercraft shall maintain a
20 minimum passing or meeting distance of fifty one hundred feet
21 when both boats vessels are traveling at speeds greater than
22 five miles per hour except as otherwise authorized under a
23 special events permit issued by the department.

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SENATE FILE 429

H-1763

1 Amend Senate File 429, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 25 the
4 following:

5 "Sec. ____ . NEW SECTION. 462A.9A WATERCRAFT
6 SAFETY COURSES -- CERTIFICATION REQUIRED.

7 1. The department shall establish a personal
8 watercraft safety course approved by the commission
9 not later than January 15, 1998. The personal
10 watercraft safety course shall be administered by the
11 department and shall be taught in at least twelve
12 counties commencing January 15, 1998. Each person who
13 successfully completes an approved personal watercraft
14 safety course shall be issued a personal watercraft
15 safety certificate.

16 2. Not later than January 15, 2000, the department
17 shall establish a watercraft safety course approved by
18 the commission. The watercraft safety course shall
19 include all watercraft including personal watercraft
20 in its curriculum and shall be taught in at least one-
21 half of the counties of this state. Each person who
22 successfully completes an approved personal watercraft
23 safety course shall be issued a watercraft safety
24 certificate."

25 2. Page 1, line 30, by striking the word
26 "eighteen" and inserting the following: "sixteen".

27 3. Page 2, by striking lines 6 through 17 and
28 inserting the following:

29 "Sec. ____ . Section 462A.12, subsection 6, Code
30 1997, is amended by striking the subsection and
31 inserting in lieu thereof the following:

32 6. a. An owner or operator of any vessel
33 propelled by a motor of more than six horsepower shall
34 not permit any person under twelve years of age to
35 operate the vessel unless accompanied by a responsible
36 person of at least eighteen years of age. However,
37 commencing May 18, 2000, a person who is twelve years
38 of age or older but less than sixteen years of age
39 shall not operate any vessel propelled by a motor of
40 more than six horsepower unless accompanied by a
41 responsible person of at least eighteen years of age
42 or unless the person under sixteen years of age has
43 successfully completed an approved watercraft safety
44 course.

45 b. After May 18, 1998, an owner or operator of a
46 personal watercraft shall not permit any person who is
47 under sixteen years of age to operate a personal
48 watercraft unless accompanied by a responsible person
49 of at least eighteen years of age or unless the person
50 under sixteen years of age has successfully completed

H-1763

-1-

H-1763

Page 2

1 an approved personal watercraft safety course."
2 4. Page 2, line 26, by striking the word "eight"
3 and inserting the following: "seven".
4 5. Page 3, by striking lines 18 through 23 and
5 inserting the following: "subparagraph (2), Code
6 1997, is amended by striking the subparagraph and
7 inserting in lieu thereof the following:
8 (2) Motorboats or personal watercraft shall
9 maintain a minimum passing or meeting distance of
10 fifty feet when both vessels are traveling at speeds
11 greater than five miles per hour in rivers or streams
12 of this state except the Mississippi and Missouri
13 rivers. The minimum passing or meeting distance of
14 one hundred feet shall be maintained by vessels
15 traveling at speeds over five miles per hour on the
16 Mississippi or Missouri rivers and other waters of the
17 state."

By DOLECHECK of Ringgold
BLODGETT of Cerro Gordo
RAYHONS of Hancock
BELL of Jasper

BRUNKHORST of Bremer
SUKUP of Franklin
MAY of Worth

H-1763 FILED APRIL 16, 1997

H-8067

1 Amend Senate File 429, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 25 the
4 following:

5 "Sec. ____ . NEW SECTION. 462A.9A WATERCRAFT
6 SAFETY COURSES -- CERTIFICATION REQUIRED.

7 1. The department shall establish a personal
8 watercraft safety course approved by the commission
9 not later than January 15, 1999. The personal
10 watercraft safety course shall be administered by the
11 department and shall be taught in at least twelve
12 counties commencing January 15, 1999. Each person who
13 successfully completes an approved personal watercraft
14 safety course shall be issued a personal watercraft
15 safety certificate.

16 2. Not later than January 15, 2001, the department
17 shall establish a watercraft safety course approved by
18 the commission. The watercraft safety course shall
19 include all watercraft including personal watercraft
20 in its curriculum and shall be taught in at least one-
21 half of the counties of this state. Each person who
22 successfully completes an approved personal watercraft
23 safety course shall be issued a watercraft safety
24 certificate."

25 2. Page 1, line 30, by striking the word
26 "eighteen" and inserting the following: "sixteen".

27 3. Page 2, by striking lines 6 through 17 and
28 inserting the following:

29 "Sec. ____ . Section 462A.12, subsection 6, Code
30 1997, is amended by striking the subsection and
31 inserting in lieu thereof the following:

32 6. a. An owner or operator of any vessel
33 propelled by a motor of more than six horsepower shall
34 not permit any person under twelve years of age to
35 operate the vessel unless accompanied by a responsible
36 person of at least eighteen years of age. However,
37 commencing May 18, 2001, a person who is twelve years
38 of age or older but less than sixteen years of age
39 shall not operate any vessel propelled by a motor of
40 more than six horsepower unless accompanied by a
41 responsible person of at least eighteen years of age
42 or unless the person under sixteen years of age has
43 successfully completed an approved watercraft safety
44 course.

45 b. After May 18, 1999, an owner or operator of a
46 personal watercraft shall not permit any person who is
47 under sixteen years of age to operate a personal
48 watercraft unless accompanied by a responsible person
49 of at least eighteen years of age or unless the person
50 under sixteen years of age has successfully completed

H-8067

H-8067

Page 2

1 an approved personal watercraft safety course."
2 4. Page 2, line 26, by striking the word "eight"
3 and inserting the following: "seven".
4 5. Page 3, by striking lines 18 through 23 and
5 inserting the following: "subparagraph (2), Code
6 1997, is amended by striking the subparagraph and
7 inserting in lieu thereof the following:
8 (2) Motorboats or personal watercraft shall
9 maintain a minimum passing or meeting distance of
10 fifty feet when both vessels are traveling at speeds
11 greater than five miles per hour in rivers or streams
12 of this state except the Mississippi and Missouri
13 rivers. The minimum passing or meeting distance of
14 one hundred feet shall be maintained by vessels
15 traveling at speeds over five miles per hour on the
16 Mississippi or Missouri rivers and other waters of the
17 state."

By COMMITTEE ON NATURAL RESOURCES
KLEMME of Plymouth, Chairperson

H-8067 FILED FEBRUARY 18, 1998

SENATE FILE 429

H-8081

1 Amend the Committee amendment, H-8067, to Senate
2 File 429, as amended, passed, and reprinted by the
3 Senate, as follows:
4 1. Page 1, line 34, by striking the word "twelve"
5 and inserting the following: "fourteen".
6 2. Page 1, line 37, by striking the word "twelve"
7 and inserting the following: "fourteen".

By MUNDIE of Webster

H-8081 FILED FEBRUARY 23, 1998

SENATE FILE 429

H-1605

1 Amend Senate File 429, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 17, by inserting after the word
4 "age" the following: "or unless the person has
5 successfully completed a course of instruction for the
6 safe use and operation of a personal watercraft
7 approved by the commission and has been issued a
8 personal watercraft safety certificate. The
9 department shall establish a curriculum for an
10 approved course of instruction for the safe use and
11 operation of a personal watercraft"

By SUKUP of Franklin
VAN FOSSEN of Scott
BRUNKHORST of Bremer

H-1605 FILED APRIL 8, 1997

SENATE FILE 429

H-1606

1 Amend Senate File 429, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by striking lines 13 through 17 and
4 inserting the following: "operation."

By SUKUP of Franklin
VAN FOSSEN of Scott
BRUNKHORST of Bremer

H-1606 FILED APRIL 8, 1997

SENATE FILE 429

H-1534

- 1 Amend Senate File 429, as amended, passed, and
 - 2 reprinted by the Senate, as follows:
 - 3 1. Page 3, line 20, by striking the words "fifty
 - 4 one hundred" and inserting the following: "fifty".
- By BLODGETT of Cerro Gordo

H-1534 FILED APRIL 2, 1997

SENATE FILE 429

H-1532

- 1 Amend the amendment, H-1466, to Senate File 429, as
 - 2 amended, passed, and reprinted by the Senate, as
 - 3 follows:
 - 4 1. Page 1, line 4, by striking the word
 - 5 "sunrise." and inserting the following: "seven a.m."
- By BLODGETT of Cerro Gordo

H-1532 FILED APRIL 2, 1997

SENATE FILE 429

H-1533

- 1 Amend Senate File 429, as amended, passed, and
 - 2 reprinted by the Senate, as follows:
 - 3 1. Page 2, line 15, by striking the word
 - 4 "sixteen" and inserting the following: "fourteen".
- By BLODGETT of Cerro Gordo
BRUNKHORST of Bremer

H-1533 FILED APRIL 2, 1997

SENATE FILE 429

H-1575

- 1 Amend Senate File 429, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "age" the following: "or unless the person has
- 5 successfully completed a course of instruction for the
- 6 safe use and operation of a personal watercraft
- 7 approved by the commission and has been issued a
- 8 personal watercraft safety certificate. The
- 9 department shall establish a curriculum for an
- 10 approved course of instruction for the safe use and
- 11 operation of a personal watercraft. The department
- 12 shall not enforce the age restriction relating to the
- 13 operation of a personal watercraft as provided in this
- 14 section until the commission determines that
- 15 sufficient courses of instruction in safe use and
- 16 operation of personal watercraft are available to
- 17 persons who wish to obtain a personal watercraft
- 18 safety certificate".

By BLODGETT of Cerro Gordo
MAY of Worth
SUKUP of Franklin

H-1575 FILED APRIL 7, 1997