

SENATE FILE 2048  
BY JOHNSON

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

**A BILL FOR**

1 An Act relating to the regulation of vessels by increasing  
2 certain vessel registration fees, regulating the operation of  
3 certain vessels by minors, providing for increased inspections  
4 of certain vessels, providing for pilot and engineer licensing  
5 fees, and appropriating the moneys collected to the state fish  
6 and game protection fund.

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

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SF 2048  
NAT. RES. & ENVIRONMENT

1 Section 1. Section 462A.5, subsection 3, Code 2003, is  
2 amended to read as follows:

3 3. The registration fees for vessels subject to this  
4 chapter are as follows:

5 a. For vessels of any length without motor or sail, five  
6 eight dollars.

7 b. For motorboats or sailboats less than twelve sixteen  
8 feet in length, eight fifteen dollars.

9 c. For motorboats or sailboats twelve sixteen feet or  
10 more, but less than fifteen twenty-six feet in length, ten  
11 twenty-five dollars.

12 ~~d. For motorboats or sailboats fifteen feet or more, but~~  
13 ~~less than eighteen feet in length, twelve dollars.~~

14 ~~e. For motorboats or sailboats eighteen feet or more, but~~  
15 ~~less than twenty-five feet in length, eighteen dollars.~~

16 f. d. For motorboats or sailboats twenty-five twenty-six  
17 feet in length or more, twenty-eight but less than forty feet  
18 in length, forty dollars.

19 e. For motor boats or sailboats forty feet in length or  
20 more, seventy-five dollars.

21 f. For all personal watercraft, twenty-five dollars.

22 Every registration certificate and number issued becomes  
23 delinquent at midnight April 30 of odd-numbered years unless  
24 terminated or discontinued in accordance with this chapter.  
25 After January 1 in odd-numbered years, an unregistered vessel  
26 and a renewal of registration may be registered for the two-  
27 year registration period beginning May 1 of that year. After  
28 January 1 in even-numbered years, unregistered vessels may be  
29 registered for the remainder of the current registration  
30 period at fifty percent of the appropriate registration fee.

31 If a timely application for renewal is made, the applicant  
32 shall receive the same registration number allocated to the  
33 applicant for the previous registration period. If the  
34 application for registration for the biennium is not made  
35 before May 1 of each odd-numbered year, the applicant shall be

1 charged a penalty of five dollars.

2 Sec. 2. Section 462A.12, subsection 6, Code Supplement  
3 2003, is amended to read as follows:

4 6. An owner or operator of a vessel propelled by a motor  
5 of more than ten horsepower shall not permit any person under  
6 twelve years of age to operate the personal-watercraft vessel  
7 unless accompanied in or on the same personal-watercraft  
8 vessel by a responsible person of at least eighteen years of  
9 age who is experienced in motorboat operation. ~~Commencing~~  
10 ~~January-17-2003,-a~~ A person who is twelve years of age or  
11 older but less than eighteen years of age shall not operate  
12 any personal-watercraft vessel propelled by a motor of more  
13 than ten horsepower unless the person has successfully  
14 completed a department-approved watercraft safety course and  
15 obtained a watercraft safety certificate. A person required  
16 to have a watercraft safety certificate shall carry and shall  
17 exhibit or make available the certificate upon request of an  
18 officer of the department. A violation of this subsection is  
19 a simple misdemeanor as provided in section 462A.13. However,  
20 a person charged with violating this subsection shall not be  
21 convicted if the person produces in court, within a reasonable  
22 time, a department-approved certificate. The cost of a  
23 department certificate, or any duplicate, shall not exceed  
24 five dollars.

25 Sec. 3. Section 462A.20, Code 2003, is amended to read as  
26 follows:

27 462A.20 BOAT INSPECTION.

28 ~~Any-person-having,~~ A vessel either for hire or offered for  
29 hire upon any waters of this state under the jurisdiction of  
30 the commission, ~~any vessel, either for hire or offered for~~  
31 ~~hire, must have such vessel and all its appurtenances annually~~  
32 may be inspected at any time by representatives of the  
33 commission or by any peace officer.

34 ~~Every such owner shall file in the office of the~~  
35 ~~commission, an application for inspection of such vessels on a~~

1 ~~blank-furnished-by-the-commission-for-that-purpose-~~

2 Officers appointed by the commission or any peace officer  
3 shall have the power and authority to determine whether such  
4 vessel is safe for the transportation of passengers or cargo  
5 and upon what waters it may be used. They may determine and  
6 designate the number of passengers or cargo, including crew,  
7 that may be carried and determine whether the machinery,  
8 equipment, and all appurtenances are such as to make said  
9 vessels the vessel seaworthy, where used, and such other  
10 matters as are pertinent.

11 ~~After-such-vessels-have-been-inspected-as-provided-herein,~~  
12 ~~a-current-inspection-seal-or-tag-shall-be-issued-by-the~~  
13 ~~commission-and-shall-be-kept-posted-in-a-conspicuous-place~~  
14 ~~upon-or-in-such-vessel---Any-inspection-seal-or-tag-shall-be~~  
15 ~~in-effect-only-for-the-calendar-year-for-which-the-inspection~~  
16 ~~seal-or-tag-is-issued-~~

17 Private vessels may also be inspected to determine their  
18 seaworthiness at any time by representatives of the commission  
19 or by any peace officer.

20 Sec. 4. Section 462A.22, Code 2003, is amended to read as  
21 follows:

22 462A.22 ENGINEER OR PILOT LICENSE AND FEES.

23 1. No A vessel shall not be operated for hire by a pilot  
24 or engineer upon the waters of this state under the  
25 jurisdiction of the commission unless the pilot or engineer  
26 first obtains an engineer's or pilot's license. A pilot's  
27 license is required for any person who has charge of the  
28 steering or directing of the vessel's course or who does the  
29 steering or directs the vessel's course. An engineer's  
30 license is required for all operators who have charge of or  
31 operate the equipment by which the boat is propelled. If one  
32 person acts in a dual or alternate capacity, the person shall  
33 first obtain both an engineer's and pilot's license.

34 2. Any person desiring a pilot's or engineer's license  
35 shall file an application with the commission upon forms

1 prepared and furnished by the commission. Such license may be  
2 issued by the commission only upon recommendation of an  
3 officer duly authorized by the commission. Before the officer  
4 recommends such a license, the officer shall investigate the  
5 competency of the applicant, the applicant's acquaintance with  
6 and experience in boat work, habits as to sobriety, mental and  
7 physical qualifications for the work, acquaintance with the  
8 waters for which application to operate upon is made,  
9 familiarity with the laws and regulations pertaining to the  
10 vessel operation and all other pertinent matters. Such  
11 license shall not be issued to anyone under eighteen years of  
12 age.

13 3. The annual fee for a pilot's license is ten dollars.  
14 The annual fee for an engineer's license is twenty dollars.  
15 All fees for the licensing of pilots and engineers shall be  
16 forwarded by the commission to the treasurer of state, who  
17 shall place the money in the state fish and game protection  
18 fund. The money so collected is appropriated to the  
19 commission solely for the administration and enforcement of  
20 programs to control aquatic invasive species, for programs to  
21 monitor and improve the water quality of the state's public  
22 lakes, and for the administration and enforcement of  
23 navigation laws and water safety upon the inland waters of  
24 this state for the fiscal period beginning July 1, 2004, and  
25 ending June 30, 2010. Beginning on July 1, 2010, the money so  
26 collected is appropriated to the commission solely for the  
27 administration and enforcement of navigation laws and water  
28 safety.

29 4. Engineer's and pilot's licenses shall be in effect only  
30 for the calendar year in which such the license is issued.

31 Sec. 5. Section 462A.52, Code 2003, is amended to read as  
32 follows:

33 462A.52 FEES REMITTED TO COMMISSION.

34 1. Within ten days after the end of each month, a county  
35 recorder shall remit to the commission all fees collected by

1 the recorder during the previous month. Before May 10 in odd-  
2 numbered years, a county recorder shall remit to the  
3 commission all unused license blanks for the previous  
4 biennium. All fees collected for the registration of vessels  
5 shall be forwarded by the commission to the treasurer of the  
6 state, who shall place the money in ~~a special conservation~~ the  
7 state fish and game protection fund. The money so collected  
8 is appropriated to the commission solely for the  
9 administration and enforcement of navigation laws and water  
10 safety.

11 2. Notwithstanding subsection 1, any increase in revenues  
12 received on or after July 1, 2004, but on or before June 30,  
13 2010, pursuant to this section as a result of fee increases  
14 pursuant to this Act, shall be used by the commission only for  
15 the administration and enforcement of programs to control  
16 aquatic invasive species, for programs to monitor and improve  
17 the water quality of the state's public lakes, and for the  
18 administration and enforcement of navigation laws and water  
19 safety upon the inland waters of this state.

20 Sec. 6. Section 462A.66, Code 2003, is amended to read as  
21 follows:

22 462A.66 INSPECTION AUTHORITY.

23 An officer of the commission or any peace officer may stop  
24 and inspect a vessel being launched, being operated, or being  
25 moored on the waters of this state under the jurisdiction of  
26 the commission to determine whether the vessel is properly  
27 registered, numbered, and equipped as provided under this  
28 chapter and rules of the commission. An officer may board a  
29 vessel in the course of an inspection if the operator is  
30 unable to supply visual evidence that the vessel is properly  
31 registered and equipped as required by this chapter and rules  
32 of the commission. The inspection shall not include an  
33 inspection of an area that is not essential to determine  
34 compliance with the provisions of this chapter and rules of  
35 the commission.



1 representatives of the natural resource commission or by any  
2 peace officer. The bill also eliminates the requirement that  
3 the owner of a vessel file an application for inspection of  
4 such vessels with the commission. The bill provides that an  
5 officer of the commission or any peace officer has the power  
6 to determine whether a vessel for hire is safe and upon what  
7 waters it may be used and the power to determine the  
8 seaworthiness of any private vessel. The bill eliminates the  
9 requirement that vessels that have been inspected be issued a  
10 current inspection seal that must be posted in a conspicuous  
11 place and is valid for the calendar year in which the  
12 inspection occurred.

13 Code section 462A.22 is amended to provide that the annual  
14 fee for vessels for hire is \$10 for a pilot's license and \$20  
15 for an engineer's license. The bill also provides that such  
16 fees shall be placed in the state fish and game protection  
17 fund and are appropriated solely for the administration and  
18 enforcement of programs to control aquatic invasive species,  
19 for programs to monitor and improve the water quality of the  
20 state's public lakes, and for the administration and  
21 enforcement of navigation laws and water safety upon the  
22 inland waters of this state for the fiscal period beginning  
23 July 1, 2004, and ending June 30, 2010. Beginning July 1,  
24 2010, such fees are to be used for the administration and  
25 enforcement of navigation laws and water safety.

26 Code section 462A.52 is amended to provide that fees  
27 collected by a county recorder for the registration of vessels  
28 shall be forwarded to the state treasurer to be placed in the  
29 state fish and game protection fund, instead of a special  
30 conservation fund. The bill provides that this money is  
31 appropriated to the commission solely for the administration  
32 and enforcement of navigation laws and water safety. The bill  
33 also provides that, notwithstanding these provisions, any  
34 increase in revenues received on or after July 1, 2004,  
35 pursuant to this Code section as a result of fee increases

1 pursuant to the bill, shall be used by the commission for the  
2 fiscal period beginning July 1, 2004, and ending June 30,  
3 2010, only for the administration and enforcement of programs  
4 to control aquatic invasive species, for programs to monitor  
5 and improve the water quality of the state's public lakes and  
6 for the administration and enforcement of navigation laws and  
7 water safety upon the inland waters of this state.

8 Code section 462A.66 is amended to provide that any peace  
9 officer as well as an officer of the natural resource  
10 commission may stop and inspect a vessel being launched,  
11 operated, or moored upon the waters of this state to determine  
12 whether the vessel is properly registered, numbered, and  
13 equipped and may board a vessel if the operator is unable to  
14 supply visual evidence that the vessel is properly registered  
15 and equipped so long as the inspection does not include an  
16 inspection of an area that is not essential to determine  
17 compliance with these provisions.

18 The bill repeals Code section 462A.21, which relates to  
19 inspections and annual fees for inspections of vessels  
20 operated for hire.

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