

SENATE FILE 2181

BY HOLVECK

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

A BILL FOR

1 An Act relating to the operation of a vessel while a person is in
 2 the water and making a penalty applicable.

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

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SF 2181
 TRANSPORTATION

1 Section 1. Section 462A.12, subsection 11, Code Supplement
2 2003, is amended to read as follows:

3 11. A person shall not operate a vessel within fifty feet
4 of a diver's flag placed in accordance with the rules of the
5 commission adopted under chapter 17A, or within fifty feet of
6 a flag displayed when a person is in the water pursuant to
7 section 462A.15, subsection 2.

8 Sec. 2. Section 462A.15, Code 2003, is amended to read as
9 follows:

10 462A.15 WATER SKIS AND SURFBOARDS -- WARNING FLAG.

11 1. No person shall operate a vessel on any waters of this
12 state under the jurisdiction of the commission for towing a
13 person or persons on water skis, surfboard, or similar device
14 unless there is in such vessel a responsible person, in
15 addition to the operator, in a position to observe the
16 progress of the person or persons being towed.

17 2. This section subsection does not apply to a performer
18 engaged in a professional exhibition or a person or persons
19 engaged in a professional exhibition or a person or persons
20 engaged in an activity authorized under section 462A.16.

21 2. A person operating a vessel, other than a personal
22 watercraft, on any waters of this state under the jurisdiction
23 of the commission between sunrise and sunset shall display a
24 red or orange flag measuring at least twelve by twelve inches
25 whenever a person who has left the vessel is in the water.
26 The flag shall not be displayed when the person is being
27 towed, but shall be displayed when the person enters or
28 reenters the water. The flag shall be visible for three
29 hundred sixty degrees around the vessel when displayed. This
30 subsection does not apply to a vessel when it is moored or
31 anchored.

32 Sec. 3. Section 805.8B, subsection 1, paragraph c, Code
33 2003, is amended to read as follows:

34 c. For operating violations under sections 462A.12,
35 462A.15, ~~subsection 17~~-sections 462A.24, and 462A.34, the

1 scheduled fine is twenty-five dollars. However, a violation
2 of section 462A.12, subsection 2, is not a scheduled
3 violation.

4 EXPLANATION

5 This bill requires that a person operating a vessel on
6 public waters between sunrise and sunset must display a red or
7 orange flag when a person has left the boat and is in the
8 water. The flag shall not be displayed when the person is
9 being towed, but must be displayed when they reenter the
10 water. The flag must be at least 12 inches by 12 inches and
11 visible for 360 degrees around the vessel. The requirement
12 does not apply to a vessel that is moored or anchored or to a
13 personal watercraft.

14 The bill provides that a person operating a vessel shall
15 not bring the vessel within 50 feet of a flag displayed to
16 signal that a person is in the water.

17 A violation of the provisions in the bill is punishable as
18 a scheduled violation subject to a \$25 fine.

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