

SENATE FILE 2214
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2120)
(SUCCESSOR TO SF 2048)

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, increasing the registration
3 period of vessels to three years, regulating the operation of
4 certain vessels by minors, providing for increased inspections
5 of certain vessels, providing for pilot and engineer licensing
6 fees, and appropriating the moneys collected to the state fish
7 and game protection fund.

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

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SF 2214
WAYS & MEANS

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

3 The owner of each vessel required to be numbered by this
4 state shall register it every ~~two~~ three years with the county
5 recorder of the county in which the owner resides, or, if the
6 owner is a nonresident, the owner shall register it in the
7 county in which such vessel is principally used. The
8 commission shall have supervisory responsibility over the
9 registration of all vessels and shall provide each county
10 recorder with registration forms and certificates and shall
11 allocate identification numbers to each county.

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

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

16 a. For vessels of any length without motor or sail, ~~five~~
17 eight dollars.

18 b. For motorboats or sailboats less than ~~twelve~~ sixteen
19 feet in length, ~~eight~~ fifteen dollars.

20 c. For motorboats or sailboats ~~twelve~~ sixteen feet or
21 more, but less than ~~fifteen~~ twenty-six feet in length, ~~ten~~
22 twenty-five dollars.

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

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

27 ~~f. d.~~ d. For motorboats or sailboats ~~twenty-five~~ twenty-six
28 feet ~~in length~~ or more, ~~twenty-eight~~ but less than forty feet
29 in length, forty dollars.

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

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

33 Every registration certificate and number issued becomes
34 delinquent at midnight April 30 of ~~odd-numbered years~~ the last
35 calendar year of the registration period unless terminated or

1 discontinued in accordance with this chapter. After January
2 1, 2005 in-odd-numbered-years, an unregistered vessel and a
3 renewal of registration may be registered for the two-year
4 three-year registration period beginning May 1 of that year.
5 After When unregistered vessels are registered after January 1
6 in-even-numbered-years, of the year succeeding the beginning
7 of the three-year registration period such unregistered
8 vessels may be registered for the remainder of the current
9 registration period at fifty-percent a prorated amount of the
10 appropriate registration fee.

11 If a timely application for renewal is made, the applicant
12 shall receive the same registration number allocated to the
13 applicant for the previous registration period. If the
14 application for registration for the biennium three-year
15 registration period is not made before May 1 of each-odd-
16 numbered the last calendar year of the registration period,
17 the applicant shall be charged a penalty of five dollars.

18 Sec. 3. Section 462A.5, subsection 6, Code 2003, is
19 amended to read as follows:

20 6. The owner of each vessel which has a valid marine
21 document issued by the bureau of customs of the United States
22 government or any federal agency successor thereto shall
23 register it every two three years with the county recorder in
24 the same manner prescribed for undocumented vessels and shall
25 cause the registration validation decal to be placed on the
26 vessel in the manner prescribed by the rules of the
27 commission. When the vessel bears the identification required
28 in the documentation, it is exempt from the placement of the
29 identification numbers as required on undocumented vessels.
30 The fee for such registration is twenty-five dollars plus a
31 writing fee.

32 Sec. 4. Section 462A.12, subsection 6, Code Supplement
33 2003, is amended to read as follows:

34 6. An owner or operator of a vessel propelled by a motor
35 of more than ten horsepower shall not permit any person under

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

20 Sec. 5. Section 462A.20, Code 2003, is amended to read as
21 follows:

22 462A.20 BOAT INSPECTION.

23 Any-person-having, A vessel either for hire or offered for
24 hire upon any waters of this state under the jurisdiction of
25 the commission, ~~any vessel, either for hire or offered for~~
26 ~~hire, must have such vessel and all its appurtenances annually~~
27 may be inspected at any time by representatives of the
28 commission or by any peace officer who is trained in
29 enforcing, and who in the regular course of duty enforces,
30 boating and navigation laws.

31 ~~Every such owner shall file in the office of the~~
32 ~~commission, an application for inspection of such vessels on a~~
33 ~~blank furnished by the commission for that purpose.~~

34 Officers appointed by the commission or any peace officer
35 who is trained in enforcing, and who in the regular course of

1 duty enforces, boating and navigation laws shall have the
2 power and authority to determine whether such vessel is safe
3 for the transportation of passengers or cargo and upon what
4 waters it may be used. They may determine and designate the
5 number of passengers or cargo, including crew, that may be
6 carried and determine whether the machinery, equipment, and
7 all appurtenances are such as to make ~~said-vessels~~ the vessel
8 seaworthy, where used, and such other matters as are
9 pertinent.

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

16 Private vessels may also be inspected to determine their
17 seaworthiness at any time by representatives of the commission
18 or by any peace officer who is trained in enforcing, and who
19 in the regular course of duty enforces, boating and navigation
20 laws.

21 Sec. 6. Section 462A.22, Code 2003, is amended to read as
22 follows:

23 462A.22 ENGINEER OR PILOT LICENSE AND FEES.

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

35 2. Any person desiring a pilot's or engineer's license

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

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

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

32 Sec. 7. Section 462A.39, Code 2003, is amended to read as
33 follows:

34 462A.39 EXPIRATION DATE.

35 Each special certificate issued hereunder shall expire at

1 midnight on April 30 of each-odd-numbered the last calendar
2 year of the registration period, and a new special certificate
3 for the ensuing biennium registration period may be obtained
4 upon application to the commission and payment of the fee
5 provided by law.

6 Sec. 8. Section 462A.52, Code 2003, is amended to read as
7 follows:

8 462A.52 FEES REMITTED TO COMMISSION.

9 1. Within ten days after the end of each month, a county
10 recorder shall remit to the commission all fees collected by
11 the recorder during the previous month. Before May 10 ~~in-odd-~~
12 numbered-years of the registration period beginning May 1 of
13 that year, a county recorder shall remit to the commission all
14 unused license blanks for the previous biennium registration
15 period. All fees collected for the registration of vessels
16 shall be forwarded by the commission to the treasurer of the
17 state, who shall place the money in ~~a-special-conservation the~~
18 state fish and game protection fund. The money so collected
19 is appropriated to the commission solely for the
20 administration and enforcement of navigation laws and water
21 safety.

22 2. Notwithstanding subsection 1, any increase in revenues
23 received on or after July 1, 2004, but on or before June 30,
24 2010, pursuant to this section as a result of fee increases
25 pursuant to this Act, shall be used by the commission only for
26 the administration and enforcement of programs to control
27 aquatic invasive species, for programs to monitor and improve
28 the water quality of the state's public lakes, and for the
29 administration and enforcement of navigation laws and water
30 safety upon the inland waters of this state.

31 Sec. 9. Section 462A.66, Code 2003, is amended to read as
32 follows:

33 462A.66 INSPECTION AUTHORITY.

34 An officer of the commission or any peace officer who is
35 trained in enforcing, and who in the regular course of duty

1 enforces, boating and navigation laws may stop and inspect a
2 vessel being launched, being operated, or being moored on the
3 waters of this state under the jurisdiction of the commission
4 to determine whether the vessel is properly registered,
5 numbered, and equipped as provided under this chapter and
6 rules of the commission. An officer may board a vessel in the
7 course of an inspection if the operator is unable to supply
8 visual evidence that the vessel is properly registered and
9 equipped as required by this chapter and rules of the
10 commission. The inspection shall not include an inspection of
11 an area that is not essential to determine compliance with the
12 provisions of this chapter and rules of the commission.

13 Sec. 10. Section 462A.21, Code 2003, is repealed.

14 EXPLANATION

15 This bill relates to various water navigation regulations.
16 The bill changes the registration period for a vessel from
17 two years to three years for vessels registered after January
18 1, 2005. The bill provides that every registration
19 certificate and number issued becomes delinquent at midnight
20 on April 30 of the last calendar year of the registration
21 period and that if an application for the three-year
22 registration period is not made before May 1 of the last
23 calendar year of the registration period, the applicant shall
24 be charged a penalty of \$5. The bill also provides that an
25 unregistered vessel that is registered after January 1 of the
26 year succeeding the beginning of the three-year registration
27 period may be registered for the remainder of the current
28 registration period at a prorated amount of the appropriate
29 registration fee. The bill also changes the registration
30 period for a vessel with a valid marine document issued by the
31 bureau of customs of the United States government or any
32 federal agency successor thereto or for a special certificate
33 from two to three years.

34 Code section 462A.5 is amended by increasing the
35 registration fees for vessels, creating a new registration

1 category for motorboats or sailboats 26 feet or more but less
2 than 40 feet in length, with a registration fee of \$40, and
3 creating a new category for motorboats or sailboats 40 feet in
4 length or more, with a registration fee of \$75. The bill also
5 provides that there is a separate registration fee for all
6 personal watercraft of \$25.

7 Code section 462A.12 is amended to provide that an owner or
8 operator of a vessel propelled by a motor of more than 10
9 horsepower shall not permit any person under 12 years of age
10 to operate the vessel unless accompanied in or on the same
11 vessel by a responsible person of at least 18 years of age who
12 is experienced in motorboat operation. The bill also provides
13 that a person who is 12 years of age or older but less than 18
14 years of age shall not operate any vessel propelled by a motor
15 of more than 10 horsepower unless the person has successfully
16 completed a department-approved watercraft safety course and
17 obtained a watercraft safety certificate. A person who is
18 required to have a watercraft safety certificate must carry
19 and exhibit or make the certificate available upon request of
20 an officer of the department. A violation of this provision
21 is a simple misdemeanor, except that a person charged with a
22 violation of this requirement shall not be convicted if the
23 person produces the certificate in court within a reasonable
24 time. The bill provides that the cost of the certificate
25 shall not exceed \$5. Previously these provisions only applied
26 to persons under 12 years of age or 12 to 18 years of age who
27 operated a personal watercraft.

28 Code section 462A.20 is amended to provide that a vessel,
29 either for hire or offered for hire, is subject to inspection
30 at any time rather than an annual mandatory inspection, by
31 representatives of the natural resource commission or by any
32 peace officer who is trained in enforcing, and who in the
33 regular course of duty enforces, boating and navigation laws.
34 The bill also eliminates the requirement that the owner of a
35 vessel file an application for inspection of such vessels with

1 the commission. The bill provides that an officer of the
2 commission or any peace officer who is trained in enforcing,
3 and who in the regular course of duty enforces, boating and
4 navigation laws has the power to determine whether a vessel
5 for hire is safe and upon what waters it may be used and the
6 power to determine the seaworthiness of any private vessel.
7 The bill eliminates the requirement that vessels that have
8 been inspected be issued a current inspection seal that must
9 be posted in a conspicuous place and is valid for the calendar
10 year in which the inspection occurred.

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

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

1 2010, only for the administration and enforcement of programs
2 to control aquatic invasive species, for programs to monitor
3 and improve the water quality of the state's public lakes and
4 for the administration and enforcement of navigation laws and
5 water safety upon the inland waters of this state.

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

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

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**Fiscal Services Division
Legislative Services Agency
Fiscal Note**

SF 2216 – Boat Registration Fees (LSB 5471 SZ)

Analyst: Debra Kozel (Phone: (515) 281-6767) (deb.kozel@legis.state.ia.us)

Fiscal Note Version - New

Description

Senate File 2216 changes the boat registration period from two years to three years and makes the following changes that impact the Fish and Wildlife Trust Fund:

- Increases the biennial registration fee for boats with no motor from \$5.00 (\$2.50 per year) to a triennial fee of \$12.00 (\$4.00 per year).
- Creates a triennial \$22.50 (\$7.50 per year) registration fee for boats with a motor that are less than 16 feet in length.
- Creates a triennial \$37.50 (\$12.50 per year) registration fee for boats with a motor that are 16 feet but less than 26 feet in length.
- Creates a triennial \$60.00 (\$20.00 per year) registration fee for boats with a motor that are 26 feet or more but less than 40 feet in length.
- Creates a triennial \$112.50 (\$37.50 per year) registration fee for boats with a motor that are 40 feet in length or longer.
- Creates a triennial \$37.50 (\$12.50 per year) registration fee for personal watercraft.
- Establishes an annual \$10.00 fee for a boat pilot license and an annual \$20.00 fee for a boat engineer.
- Defines the qualifications of a peace officer and allows a peace officer or representative of the Department of Natural Resources (DNR) to inspect boat for hire or offered for hire at any time.
- Requires boat operators that are between 12 and 17 years of age to complete the Watercraft Safety Course offered by the DNR.
- Specifies any operator of a vessel that has 10 or more horsepower, and is under the age of 12, must be accompanied by a responsible person 18 years or older.
- Specifies revenue received from the fee increase will be used for administration and enforcement of programs that control aquatic invasive species, monitor and improve water quality at the State's public lakes, and enforcement of navigation laws and water safety.

Assumptions

1. Triennial gross receipts from boat registration fee increases to the Fish and Wildlife Trust Fund are estimated to increase \$866,000 for FY 2005 and every third year thereafter.
2. Annual gross receipts from the sale of 85 boat pilot and 85 boat engineer licenses are estimated to be approximately \$2,500.
3. Estimated increase in expenditures for the mandatory Watercraft Safety Course is \$74,000 for FY 2005, \$101,000 for FY 2006, and \$99,000 for FY 2007.

Fiscal Impact

The estimated fiscal impact of SF 2216 is an increase in revenue of \$866,000 to the Fish and Wildlife Trust Fund for FY 2005 and every third year thereafter. The estimated annual increase for boat pilot and boat engineer licenses to the Fish and Wildlife Trust Fund is expected to be \$2,500. The estimated annual increase in expenditures to the Department of Natural

Resources for the Fish and Wildlife Trust Fund is \$74,000 for FY 2005, \$101,000 for FY 2006, and \$99,000 for FY 2007.

Source

Department of Natural Resources

Dennis C Prouty

March 3, 2004

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
