

House File 2481 - Introduced

HOUSE FILE 2481
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 631)

A BILL FOR

1 An Act relating to various conservation and recreation
2 activities under the purview of the department of natural
3 resources, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.1, Code 2009, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 5A. "*Designated snowmobile trail*" means
4 a snowmobile riding trail on any public land, private land,
5 or public ice that has been designated by the department,
6 a political subdivision, or a controlling authority for
7 snowmobile use.

8 NEW SUBSECTION. 5B. "*Direct supervision*" means to provide
9 supervision of another person while maintaining visual and
10 verbal contact at all times.

11 Sec. 2. Section 321G.1, subsection 19, Code 2009, is amended
12 to read as follows:

13 19. "*Safety Education certificate*" means a snowmobile
14 ~~safety~~ education certificate, approved by the commission, which
15 is issued to a qualified applicant who is twelve years of age
16 or older.

17 Sec. 3. Section 321G.2, subsection 1, paragraphs c, e, and
18 f, Code Supplement 2009, are amended to read as follows:

19 c. Use of snowmobiles on designated snowmobile trails
20 and public lands under the jurisdiction of the commission.

21 e. Establishment of a program of grants, subgrants,
22 and contracts to be administered by the department for the
23 development, maintenance, signing, and operation of designated
24 snowmobile trails and the operation of grooming equipment by
25 political subdivisions and incorporated private organizations.

26 f. Issuance of ~~safety~~ education certificates.

27 Sec. 4. Section 321G.2, subsection 1, Code Supplement 2009,
28 is amended by adding the following new paragraph:

29 NEW PARAGRAPH. 1. Maintenance, signing, and operation of
30 designated snowmobile trails.

31 Sec. 5. Section 321G.3, subsection 2, Code 2009, is amended
32 by striking the subsection.

33 Sec. 6. Section 321G.3, subsection 3, Code 2009, is amended
34 to read as follows:

35 ~~3.~~ 2. A violation of subsection 1 ~~or~~ 2 is punishable as

1 a scheduled violation under section 805.8B, subsection 2,
2 paragraph "a". When the scheduled fine is paid, the violator
3 shall submit proof to the department that a valid registration
4 or user permit has been obtained by providing a copy of the
5 registration or user permit to the department within thirty
6 days of the date the fine is paid. A person who violates this
7 subsection is guilty of a simple misdemeanor.

8 Sec. 7. Section 321G.4, subsection 2, Code 2009, is amended
9 to read as follows:

10 2. The owner of the snowmobile shall file an application
11 for registration with the department through a the county
12 recorder of the county of residence in the manner established
13 by the commission. The application shall be completed by the
14 owner and shall be accompanied by a fee of fifteen dollars and
15 a writing fee as provided in section 321G.27. A snowmobile
16 shall not be registered by the county recorder until the
17 county recorder is presented with receipts, bills of sale,
18 or other satisfactory evidence that the sales or use tax has
19 been paid for the purchase of the snowmobile or that the
20 owner is exempt from paying the tax. A snowmobile that has
21 an expired registration certificate from another state may be
22 registered in this state upon proper application, payment of
23 all applicable registration and writing fees, and payment of a
24 penalty of five dollars.

25 Sec. 8. Section 321G.6, subsection 3, Code 2009, is amended
26 to read as follows:

27 3. Duplicate registrations may be issued ~~upon application~~
28 ~~to the~~ by a county recorder and or a license agent upon the
29 payment of a five dollar fee plus a writing fee as provided in
30 section 321G.27.

31 Sec. 9. Section 321G.7, subsection 1, Code 2009, is amended
32 to read as follows:

33 1. A county recorder or license agent shall remit to the
34 commission the snowmobile fees collected by the recorder
35 or license agent in the manner and time prescribed by the

1 department.

2 Sec. 10. Section 321G.8, subsection 1, Code 2009, is amended
3 to read as follows:

4 1. Snowmobiles owned and used by the United States,
5 ~~another~~ this state, or a political subdivision of
6 ~~another~~ this state.

7 Sec. 11. Section 321G.9, subsection 6, Code 2009, is amended
8 by striking the subsection.

9 Sec. 12. Section 321G.12, Code 2009, is amended to read as
10 follows:

11 **321G.12 ~~Headlamp — tail lamp~~ Headlight — taillight —**
12 **brakes.**

13 Every snowmobile shall be equipped with at least one
14 ~~headlamp~~ headlight and one ~~tail lamp~~ taillight. Every
15 snowmobile shall be equipped with brakes.

16 Sec. 13. Section 321G.17, Code 2009, is amended to read as
17 follows:

18 **321G.17 Violation of stop signal.**

19 A person, ~~after having~~ who has received a visual or audible
20 signal from a peace officer to come to a stop, shall not
21 operate a snowmobile in willful or wanton disregard of the
22 signal, ~~or~~ interfere with or endanger the officer or any other
23 person or vehicle, ~~or~~ increase speed, or attempt to flee or
24 elude the officer.

25 Sec. 14. Section 321G.20, Code 2009, is amended to read as
26 follows:

27 **321G.20 Minors under ~~twelve sixteen~~ — supervision**
28 **requirements.**

29 1. An owner or operator of a snowmobile shall not permit
30 a person under twelve years of age to operate and a person
31 less than twelve years of age shall not operate, a snowmobile
32 on a designated snowmobile trail, public land, or public
33 ice except when accompanied on the same snowmobile by a
34 responsible person of at least eighteen years of age who is
35 experienced in snowmobile operation and who possesses a valid

1 driver's license, as defined in section 321.1, or a ~~safety~~ an
2 education certificate issued under this chapter.

3 2. While operating a snowmobile on a designated snowmobile
4 trail, public land, or public ice, a person twelve to fifteen
5 years of age and possessing a valid education certificate
6 must be under the direct supervision of a parent, guardian,
7 or another adult authorized by the parent or guardian, who is
8 experienced in snowmobile operation, and who possesses a valid
9 driver's license, as defined in section 321.1, or an education
10 certificate issued under this chapter.

11 3. A person under sixteen years of age shall not operate a
12 snowmobile on or across a public highway unless the person has
13 in the person's possession an education certificate issued to
14 the person pursuant to this chapter.

15 Sec. 15. Section 321G.21, subsections 1 through 5, Code
16 Supplement 2009, are amended to read as follows:

17 1. A manufacturer, distributor, or dealer owning a
18 snowmobile required to be registered under this chapter
19 may operate the snowmobile for purposes of transporting,
20 testing, demonstrating, or selling it without the snowmobile
21 being registered, except that a special ~~identification~~
22 ~~number~~ registration decal issued to the owner as provided
23 in this chapter shall be displayed on the snowmobile in the
24 manner prescribed by rules of the commission. The special
25 ~~identification number~~ registration decal shall not be used
26 on a snowmobile offered for hire or for any work or service
27 performed by a manufacturer, distributor, or dealer.

28 2. Every manufacturer, distributor, or dealer shall
29 register with the department by making application to the
30 commission, upon forms prescribed by the commission, for
31 a special registration certificate ~~containing a general~~
32 ~~identification number and for one or more duplicate special~~
33 registration certificates and decal. The applicant shall pay
34 a registration fee of ~~fifteen~~ forty-five dollars and submit
35 reasonable proof of the applicant's status as a bona fide

1 manufacturer, distributor, or dealer as may be required by the
2 commission.

3 3. The commission, upon granting an application,
4 shall issue to the applicant a special registration
5 certificate ~~containing~~ and decal. The special registration
6 certificate shall contain the applicant's name, and address,
7 the and general identification number; ~~assigned to~~
8 ~~the applicant,~~ the word "manufacturer", "dealer", or
9 "distributor"; and other information the commission
10 prescribes. ~~The manufacturer, distributor, or dealer shall~~
11 ~~have the assigned number printed upon or attached to a~~
12 ~~removable sign or signs which may be temporarily but firmly~~
13 ~~mounted or attached to the snowmobile being used. The display~~
14 ~~shall meet the requirements of this chapter and the rules of~~
15 ~~the commission.~~

16 4. The commission shall also issue duplicate special
17 registration certificates and decals which shall have displayed
18 thereon the general identification number assigned to the
19 applicant. ~~Each duplicate registration certificate so issued~~
20 ~~shall contain a number or symbol identifying it from every~~
21 ~~other duplicate special registration certificate bearing~~
22 ~~the same general identification number.~~ The fee for each
23 additional duplicate special registration certificate and
24 decal shall be ~~two~~ five dollars.

25 5. Each special registration certificate issued
26 ~~hereunder~~ under this section shall be for a period of three
27 years and shall expire on December 31 of each the renewal year,
28 ~~and a.~~ A new special registration certificate for the ensuing
29 ~~twelve months~~ three-year renewal period may be obtained upon
30 application to the commission and payment of the fee provided
31 by law.

32 Sec. 16. Section 321G.23, Code 2009, is amended to read as
33 follows:

34 **321G.23 Course of instruction.**

35 1. The commission shall provide, by rules adopted pursuant

1 to section 321G.2, for the establishment of certified courses
2 of instruction to be conducted throughout the state for the
3 safe use and operation of snowmobiles. The curriculum shall
4 include instruction in the lawful and safe use, operation, and
5 equipping of snowmobiles consistent with this chapter and rules
6 adopted by the commission and the director of transportation
7 and other matters the commission deems pertinent for a
8 qualified snowmobile operator. The commission may establish
9 a fee for the course which shall not exceed the actual cost
10 of instruction minus moneys received by the department from
11 safety education certificate fees under section 321G.24.

12 2. The commission may certify any experienced, qualified
13 operator to be an instructor of a class established under
14 subsection 1. Each instructor shall be at least eighteen years
15 of age.

16 3. Upon completion of the course of instruction, the
17 commission shall provide for the administration of a written
18 test to any student who wishes to qualify for a ~~safety~~ an
19 education certificate.

20 4. The commission shall provide safety education material
21 relating to the operation of snowmobiles for the use of
22 nonpublic or public elementary and secondary schools in this
23 state.

24 5. The department may develop requirements and standards
25 for online education offerings. Only vendors who have entered
26 into a memorandum of understanding with the department
27 shall be permitted to offer an online course that results
28 in the issuance of an education certificate approved by the
29 commission. Vendors may charge for their courses and collect
30 the education certificate fee required under section 321G.24,
31 subsection 2, on behalf of the department as agreed to in the
32 memorandum of understanding.

33 Sec. 17. Section 321G.24, Code Supplement 2009, is amended
34 to read as follows:

35 **321G.24 Safety Education certificate — fee.**

1 1. A person under eighteen years of age shall not operate a
2 snowmobile on public land or public ice or land purchased with
3 snowmobile registration funds in this state without obtaining a
4 valid ~~safety~~ education certificate issued by the department and
5 having the certificate in the person's possession, unless the
6 person is accompanied on the same snowmobile by a responsible
7 person of at least eighteen years of age who is experienced in
8 snowmobile operation and possesses a valid driver's license, as
9 defined in section 321.1, or a ~~safety~~ an education certificate
10 issued under this chapter.

11 2. Upon ~~application~~ successful completion of the course and
12 payment of a fee of five dollars, a qualified applicant
13 shall be issued a ~~safety~~ an education certificate which is
14 valid until the certificate is suspended or revoked by the
15 director for a violation of a provision of this chapter or a
16 rule adopted pursuant to this chapter. ~~The application shall~~
17 ~~be made on forms issued by the commission and shall contain~~
18 ~~information as the commission may reasonably require.~~

19 3. Any person who is required to have a ~~safety~~ an
20 education certificate under this chapter and who has completed
21 a course of instruction established under section 321G.2,
22 subsection 1, paragraph "j", including the successful passage
23 of an examination which includes a written test relating to
24 such course of instruction, shall be considered qualified to
25 receive a ~~safety~~ an education certificate.

26 4. The ~~permit~~ certificate fees collected under this section
27 shall be credited to the special snowmobile fund created under
28 section 321G.7 and shall be used for safety and educational
29 programs.

30 5. A valid snowmobile ~~safety~~ or education certificate or
31 license issued to a nonresident by a governmental authority
32 of another state shall be considered a valid certificate
33 or license in this state if the ~~permit~~ certification or
34 ~~license~~ licensing requirements of the governmental authority,
35 ~~excluding fees,~~ are substantially the same as the requirements

1 of this chapter as determined by the commission.

2 Sec. 18. Section 321G.29, subsection 8, Code 2009, is
3 amended to read as follows:

4 8. Once titled, a person shall not sell or transfer
5 ownership of a snowmobile without delivering to the purchaser
6 or transferee a certificate of title with an assignment on it
7 showing title in the ~~purchaser or transferee~~ purchaser's or
8 transferee's name. A person shall not purchase or otherwise
9 acquire a snowmobile without obtaining a certificate of title
10 for it in that person's name.

11 Sec. 19. Section 321G.31, subsection 1, Code 2009, is
12 amended to read as follows:

13 1. If ownership of a snowmobile is transferred by
14 operation of law, such as by inheritance, order in bankruptcy,
15 insolvency, replevin, or execution sale, the transferee, within
16 thirty days after acquiring the right to possession of the
17 snowmobile, shall mail or deliver to the county recorder of
18 the transferee's county of residence satisfactory proof of
19 ownership as the county recorder requires, together with an
20 application for a new certificate of title, and the required
21 fee.

22 Sec. 20. Section 321G.33, subsections 1 and 3, Code 2009,
23 are amended to read as follows:

24 1. The department may assign a distinguishing number to
25 a snowmobile when the serial number on the snowmobile is
26 destroyed or obliterated and issue to the owner a special
27 ~~plate~~ decal bearing the distinguishing number which shall be
28 affixed to the snowmobile in a position to be determined by
29 the department. The snowmobile shall be registered and titled
30 under the distinguishing number in lieu of the former serial
31 number. Every snowmobile shall have a vehicle identification
32 number assigned and affixed as required by the department.

33 3. A person shall not destroy, remove, alter, cover, or
34 deface the manufacturer's vehicle identification number, the
35 ~~plate~~ or decal bearing it, or any vehicle identification number

1 the department assigns to a snowmobile without the department's
2 permission.

3 Sec. 21. Section 321I.1, subsection 1, paragraph b, Code
4 Supplement 2009, is amended to read as follows:

5 b. Off-road motorcycles shall be considered all-terrain
6 vehicles for the purpose of registration. Off-road motorcycles
7 shall also be considered all-terrain vehicles for the
8 purpose of titling if a title has not previously been
9 issued pursuant to chapter 321. An operator of an off-road
10 motorcycle is subject to provisions governing the operation
11 of all-terrain vehicles in this chapter, but is exempt from
12 the safety education instruction and certification program
13 requirements of sections 321I.25 and 321I.26.

14 Sec. 22. Section 321I.1, subsection 16, paragraph b, Code
15 Supplement 2009, is amended to read as follows:

16 b. An owner of an off-road utility vehicle may register
17 or title an off-road utility vehicle in order to legally
18 operate the off-road vehicle on public ice, a designated
19 riding area, or a designated riding trail. The operator of an
20 off-road utility vehicle is subject to provisions governing the
21 operation of all-terrain vehicles in section 321.234A and this
22 chapter, but is exempt from the safety education instruction
23 and certification program requirements of sections 321I.25 and
24 321I.26. An operator of an off-road utility vehicle shall not
25 operate the vehicle on a designated riding area or designated
26 riding trail unless the department has posted signage
27 indicating the riding area or trail is open to the operation
28 of off-road utility vehicles. Off-road utility vehicles are
29 exempt from the dealer registration and titling requirements
30 of this chapter. A motorized vehicle that was previously
31 titled or is currently titled under chapter 321 shall not be
32 registered or operated as an off-road utility vehicle.

33 Sec. 23. Section 321I.1, subsection 25, Code Supplement
34 2009, is amended to read as follows:

35 25. ~~Safety~~ Education certificate means an all-terrain

1 vehicle ~~safety~~ safety education certificate, approved by the
2 commission, which is issued to a qualified applicant who is
3 twelve years of age or older.

4 Sec. 24. Section 321I.2, subsection 1, paragraph f, Code
5 Supplement 2009, is amended to read as follows:

6 f. Issuance of safety education certificates.

7 Sec. 25. Section 321I.3, subsection 2, Code 2009, is amended
8 by striking the subsection.

9 Sec. 26. Section 321I.3, subsection 3, Code 2009, is amended
10 to read as follows:

11 ~~3-~~ 2. A violation of subsection 1 ~~or~~ 2 is punishable as
12 a scheduled violation under section 805.8B, subsection 2A,
13 paragraph "a". When the scheduled fine is paid, the violator
14 shall submit proof to the department that a valid registration
15 or user permit has been obtained by providing a copy of the
16 registration or user permit to the department within thirty
17 days of the date the fine is paid. A person who violates this
18 subsection is guilty of a simple misdemeanor.

19 Sec. 27. Section 321I.4, subsection 2, Code 2009, is amended
20 to read as follows:

21 2. The owner of the all-terrain vehicle shall file an
22 application for registration with the department through
23 a the county recorder of the county of residence in the
24 manner established by the commission. The application shall
25 be completed by the owner and shall be accompanied by a fee
26 of fifteen dollars and a writing fee as provided in section
27 321I.29. An all-terrain vehicle shall not be registered by the
28 county recorder until the county recorder is presented with
29 receipts, bills of sale, or other satisfactory evidence that
30 the sales or use tax has been paid for the purchase of the
31 all-terrain vehicle or that the owner is exempt from paying the
32 tax. An all-terrain vehicle that has an expired registration
33 certificate from another state may be registered in this state
34 upon proper application, payment of all applicable registration
35 and writing fees, and payment of a penalty of five dollars.

1 Sec. 28. Section 321I.7, subsections 3 and 4, Code 2009, are
2 amended to read as follows:

3 3. Duplicate registrations may be issued ~~upon application~~
4 ~~to the~~ by a county recorder or a license agent and the payment
5 of a five dollar fee plus a writing fee as provided in section
6 321I.29.

7 4. A motorcycle, as defined in section 321.1, subsection
8 40, paragraph "a", may be registered as an all-terrain vehicle
9 as provided in this section. A motorcycle registered as an
10 all-terrain vehicle may participate in all programs established
11 for all-terrain vehicles under this chapter except for the
12 safety education instruction and certification program.

13 Sec. 29. Section 321I.8, Code 2009, is amended to read as
14 follows:

15 **321I.8 Fees remitted to commission — appropriation.**

16 1. A county recorder or license agent shall remit to the
17 commission the all-terrain vehicle fees collected by the
18 recorder or license agent in the manner and time prescribed by
19 the department.

20 2. The department shall remit the fees, including user
21 fees collected pursuant to section 321I.5, to the treasurer
22 of state, who shall place the money in a special all-terrain
23 vehicle fund. The money is appropriated to the department for
24 the all-terrain vehicle programs of the state. The programs
25 shall include grants, subgrants, contracts, or cost-sharing
26 of all-terrain vehicle programs with political subdivisions
27 or incorporated private organizations or both in accordance
28 with rules adopted by the commission. All-terrain vehicle fees
29 may be used for the establishment, maintenance, and operation
30 of all-terrain vehicle recreational riding areas through the
31 awarding of grants administered by the department. All-terrain
32 vehicle recreational riding areas established, maintained, or
33 operated by the use of such grants shall not be operated for
34 profit. All programs using cost-sharing, grants, subgrants,
35 or contracts shall establish and implement a safety an

1 education instruction program either singly or in cooperation
2 with other all-terrain vehicle programs. All-terrain vehicle
3 fees may be used to support all-terrain vehicle programs on
4 a usage basis. At least fifty percent of the special fund
5 shall be available for political subdivisions or incorporated
6 private organizations or both. Moneys from the special fund
7 not used by the political subdivisions or incorporated private
8 organizations or both shall remain in the fund and may be used
9 by the department for the administration of the all-terrain
10 vehicle programs. Notwithstanding section 8.33, moneys in the
11 special fund shall not revert to the general fund of the state
12 at the end of a fiscal year. Notwithstanding section 12C.7,
13 subsection 2, interest or earnings on moneys in the special
14 fund shall remain in the fund.

15 Sec. 30. Section 321I.9, subsection 1, Code 2009, is amended
16 to read as follows:

17 1. All-terrain vehicles owned and used by the United
18 States, ~~another~~ this state, or a political subdivision of
19 ~~another~~ this state.

20 Sec. 31. Section 321I.13, Code 2009, is amended to read as
21 follows:

22 **321I.13 ~~Headlamp — tail lamp~~ Headlight — taillight —**
23 **brakes.**

24 Every all-terrain vehicle operated during the hours of
25 darkness shall display a lighted ~~headlamp~~ headlight and ~~tail~~
26 ~~lamp~~ taillight. Every all-terrain vehicle shall be equipped
27 with brakes.

28 Sec. 32. Section 321I.17, Code 2009, is amended to read as
29 follows:

30 **321I.17 Special events.**

31 The department may authorize the holding of organized
32 special events as defined in this chapter within this state.
33 The department shall adopt rules relating to the conduct of
34 special events held under department permits and designating
35 the equipment and facilities necessary for the safe operation

1 of all-terrain vehicles ~~or~~, off-road motorcycles, and off-road
2 utility vehicles and for the safety of operators, participants,
3 and observers in the special events. ~~A special event for~~
4 ~~all-terrain vehicles may include motorcycles upon payment of~~
5 ~~an entrance fee set by the organizer of the special event. The~~
6 ~~department may require that part of the motorcycle entrance~~
7 ~~fee be credited to pay costs of all-terrain vehicle programs~~
8 ~~authorized pursuant to section 321I.8. At least thirty~~
9 days before the scheduled date of a special event in this
10 state, an application shall be filed with the department for
11 authorization to conduct the special event. The application
12 shall set forth the date, time, and location of the proposed
13 special event and any other information the department
14 requires. The special event shall not be conducted without
15 written authorization of the department. ~~Copies of the rules~~
16 ~~shall be furnished by the department to any person making an~~
17 ~~application.~~

18 Sec. 33. Section 321I.18, Code 2009, is amended to read as
19 follows:

20 **321I.18 Violation of stop signal.**

21 A person, ~~after having~~ who has received a visual or audible
22 signal from a peace officer to come to a stop, shall not
23 operate an all-terrain vehicle in willful or wanton disregard
24 of the signal, ~~or~~ interfere with or endanger the officer or any
25 other person or vehicle, ~~or~~ increase speed, or attempt to flee
26 or elude the officer.

27 Sec. 34. Section 321I.21, subsection 1, Code 2009, is
28 amended to read as follows:

29 1. The person is taking a prescribed safety education
30 training course and the operation is under the direct
31 supervision of a certified all-terrain vehicle safety
32 education instructor.

33 Sec. 35. Section 321I.22, subsections 1 through 5, Code
34 Supplement 2009, are amended to read as follows:

35 1. A manufacturer, distributor, or dealer owning an

1 all-terrain vehicle required to be registered under this
2 chapter may operate the all-terrain vehicle for purposes of
3 transporting, testing, demonstrating, or selling it without the
4 all-terrain vehicle being registered, except that a special
5 ~~identification number~~ registration decal issued to the owner as
6 provided in this chapter shall be displayed on the all-terrain
7 vehicle in the manner prescribed by rules of the commission.
8 The special ~~identification number~~ registration decal shall not
9 be used on an all-terrain vehicle offered for hire or for any
10 work or service performed by a manufacturer, distributor, or
11 dealer.

12 2. Every manufacturer, distributor, or dealer shall
13 register with the department by making application to the
14 commission, upon forms prescribed by the commission, for
15 a special registration certificate ~~containing a general~~
16 ~~identification number and for one or more duplicate special~~
17 registration certificates and decal. The applicant shall pay
18 a registration fee of ~~fifteen~~ forty-five dollars and submit
19 reasonable proof of the applicant's status as a bona fide
20 manufacturer, distributor, or dealer as may be required by the
21 commission.

22 3. The commission, upon granting an application,
23 shall issue to the applicant a special registration
24 certificate ~~containing~~ and decal. The special registration
25 certificate shall contain the applicant's name, and address,
26 ~~the and~~ general identification number; assigned to
27 ~~the applicant,~~ the word "manufacturer", "dealer", or
28 "distributor"; and other information the commission
29 prescribes. ~~The manufacturer, distributor, or dealer shall~~
30 ~~have the assigned number printed upon or attached to a~~
31 ~~removable sign or signs which may be temporarily but firmly~~
32 ~~mounted or attached to the all-terrain vehicle being used.~~ ~~The~~
33 ~~display shall meet the requirements of this chapter and the~~
34 ~~rules of the commission.~~

35 4. The commission shall also issue duplicate special

1 registration certificates and decals which shall have displayed
2 thereon the general identification number assigned to the
3 applicant. ~~Each duplicate registration certificate so issued~~
4 ~~shall contain a number or symbol identifying it from every~~
5 ~~other duplicate special registration certificate bearing~~
6 ~~the same general identification number.~~ The fee for each
7 additional duplicate special registration certificate and
8 decals shall be ~~two~~ five dollars.

9 5. Each special registration certificate issued
10 ~~hereunder~~ under this section shall be for a period of three
11 years and shall expire on December 31 of each the renewal year,
12 ~~and a.~~ A new special registration certificate for the ensuing
13 ~~twelve months~~ three-year renewal period may be obtained upon
14 application to the commission and payment of the fee provided
15 by law.

16 Sec. 36. Section 321I.25, Code 2009, is amended to read as
17 follows:

18 **321I.25 Course of instruction.**

19 1. The commission shall provide, by rules adopted pursuant
20 to section 321I.2, for the establishment of certified courses
21 of instruction to be conducted throughout the state for the
22 safe use and operation of all-terrain vehicles. The curriculum
23 shall include instruction in the lawful and safe use,
24 operation, and equipping of all-terrain vehicles consistent
25 with this chapter and rules adopted by the commission ~~and the~~
26 ~~director of transportation and other matters the commission~~
27 ~~deems pertinent for a qualified all-terrain vehicle operator.~~
28 The commission may establish a fee for the course which shall
29 not exceed the actual cost of instruction minus moneys received
30 by the department from safety education certificate fees under
31 section 321I.26.

32 2. The commission may certify any experienced, qualified
33 operator to be an instructor of a class established under
34 subsection 1. Each instructor shall be at least eighteen years
35 of age.

1 3. Upon completion of the course of instruction, the
2 commission shall provide for the administration of either a
3 written test or the demonstration of adequate riding skills
4 to any student who wishes to qualify for a ~~safety an~~
5 education certificate.

6 4. The commission shall provide safety education material
7 relating to the operation of all-terrain vehicles for the use
8 of nonpublic or public elementary and secondary schools in this
9 state.

10 5. The department may develop requirements and standards
11 for online education offerings. Only vendors who have entered
12 into a memorandum of understanding with the department
13 shall be permitted to offer an online course that results
14 in the issuance of an education certificate approved by the
15 commission. Vendors may charge for their courses and collect
16 the education certificate fee required under section 321I.26,
17 subsection 2, on behalf of the department as agreed to in the
18 memorandum of understanding.

19 Sec. 37. Section 321I.26, Code Supplement 2009, is amended
20 to read as follows:

21 **321I.26 Safety Education certificate — fee.**

22 1. A person twelve years of age or older but less than
23 eighteen years of age shall not operate an all-terrain vehicle
24 on public land or ice or land purchased with all-terrain
25 vehicle registration funds in this state without obtaining a
26 valid safety education certificate issued by the department and
27 having the certificate in the person's possession.

28 2. Upon ~~application~~ successful completion of the course and
29 payment of a fee of five dollars, a qualified applicant
30 shall be issued a ~~safety an~~ education certificate which is
31 valid until the certificate is suspended or revoked by the
32 director for a violation of a provision of this chapter or a
33 rule adopted pursuant to this chapter. ~~The application shall~~
34 ~~be made on forms issued by the commission and shall contain~~
35 ~~information as the commission may reasonably require.~~

1 3. Any person who is required to have a ~~safety~~ an
2 education certificate under this chapter and who has completed
3 a course of instruction established under section 321I.2,
4 subsection 1, paragraph "i", including the successful passage
5 of an examination which includes either a written test relating
6 to such course of instruction or the demonstration of adequate
7 riding skills, shall be considered qualified to receive a
8 ~~safety~~ an education certificate.

9 4. The ~~permit~~ certificate fees collected under this section
10 shall be credited to the special all-terrain vehicle fund and
11 shall be used for ~~safety~~ and educational programs.

12 5. A valid all-terrain vehicle ~~safety~~ or education
13 certificate or license issued to a nonresident by a
14 governmental authority of another state shall be considered
15 a valid certificate or license in this state if the
16 ~~permit~~ certification or ~~license~~ licensing requirements of the
17 governmental authority, ~~excluding fees~~, are substantially the
18 same as the requirements of this chapter as determined by the
19 commission.

20 Sec. 38. Section 321I.31, subsection 8, Code 2009, is
21 amended to read as follows:

22 8. Once titled, a person shall not sell or transfer
23 ownership of an all-terrain vehicle without delivering to
24 the purchaser or transferee a certificate of title with
25 an assignment on it showing title in the ~~purchaser or~~
26 transferee purchaser's or transferee's name. A person shall
27 not purchase or otherwise acquire an all-terrain vehicle
28 without obtaining a certificate of title for it in that
29 person's name.

30 Sec. 39. Section 321I.33, subsection 1, Code 2009, is
31 amended to read as follows:

32 1. If ownership of an all-terrain vehicle is transferred by
33 operation of law, such as by inheritance, order in bankruptcy,
34 insolvency, replevin, or execution sale, the transferee,
35 within thirty days after acquiring the right to possession of

1 the all-terrain vehicle, shall mail or deliver to the county
2 recorder of the transferee's county of residence satisfactory
3 proof of ownership as the county recorder requires, together
4 with an application for a new certificate of title, and the
5 required fee.

6 Sec. 40. Section 321I.35, subsections 1 and 3, Code 2009,
7 are amended to read as follows:

8 1. The department may assign a distinguishing number to an
9 all-terrain vehicle when the serial number on the all-terrain
10 vehicle is destroyed or obliterated and issue to the owner a
11 special plate decal bearing the distinguishing number which
12 shall be affixed to the all-terrain vehicle in a position to be
13 determined by the department. The all-terrain vehicle shall be
14 registered and titled under the distinguishing number in lieu
15 of the former serial number. Every all-terrain vehicle shall
16 have a vehicle identification number assigned and affixed as
17 required by the department.

18 3. A person shall not destroy, remove, alter, cover, or
19 deface the manufacturer's vehicle identification number, the
20 plate or decal bearing it, or any vehicle identification number
21 the department assigns to an all-terrain vehicle without the
22 department's permission.

23 Sec. 41. Section 455A.13, Code 2009, is amended to read as
24 follows:

25 **455A.13 State nurseries.**

26 1. Notwithstanding section 17A.2, subsection 11,
27 paragraph "g", the department of natural resources shall adopt
28 administrative rules establishing a range of prices of plant
29 material grown at the state forest nurseries to cover all
30 expenses related to the growing of the plants.

31 ~~1.~~ 2. The department shall develop programs to encourage
32 the wise management and preservation of existing woodlands
33 and shall continue its efforts to encourage forestation and
34 reforestation on private and public lands in the state of Iowa
35 and in other states.

1 ~~2.~~ 3. The department shall encourage a cooperative
2 relationship between the state forest nurseries and private
3 nurseries in the state in order to achieve these goals.

4 Sec. 42. Section 461A.25, Code 2009, is amended to read as
5 follows:

6 **461A.25 Leases and easements.**

7 1. The commission may ~~recommend that the executive~~
8 ~~council~~ lease property under the commission's jurisdiction.
9 All leases shall reserve to the public of the state the
10 right to enter upon the property leased for any lawful
11 purpose. ~~The council may, if it approves the recommendation~~
12 ~~and the~~ If a lease to be entered into is for a period
13 of five years or less, upon approval by the commission, the
14 director shall execute the lease in on behalf of the state
15 and commission. ~~If the recommendation is for a lease is~~
16 for a period in excess of five years, with the exception of
17 agricultural lands specifically dealt with in Article I,
18 section 24 of the Constitution of the State of Iowa, the
19 ~~council~~ commission shall advertise for bids. ~~If a bid is~~
20 ~~accepted, the lease shall be let or executed by the council in~~
21 ~~accordance with the most desirable bid.~~ The commission may
22 accept bids and approve leases the commission determines to be
23 in the best interest of the state. ~~The lease~~ A lease shall
24 not be executed for a term longer than fifty years. Any such
25 leasehold interest, including any improvements placed on it,
26 shall be listed on the tax rolls as provided in chapters 428
27 and 443; assessed and valued as provided in chapter 441; taxes
28 shall be levied on it as provided in chapter 444 and collected
29 as provided in chapter 445; and the leasehold interest is
30 subject to tax sale, redemption, and apportionment of taxes
31 as provided in chapters 446, 447, and 448. The lessee shall
32 discharge and pay all taxes.

33 2. The commission shall adopt rules providing for granting
34 easements to political subdivisions and utility companies
35 on state land under the jurisdiction of the department.

1 An applicant for an easement shall provide the director
2 with information setting forth the need for the easement,
3 availability of alternatives, and measures proposed to prevent
4 or minimize adverse impacts on the affected property. An
5 easement shall be executed by the director, approved as to form
6 by the attorney general, and if granted for a term longer than
7 five years, approved by the commission.

8 3. For the purposes of this section, property under the
9 commission's jurisdiction does not include an area of the bed
10 of a lake or river occupied by a dock or other appurtenance or
11 means of access to a dock, including but not limited to boat
12 hoists and boat slips, or occupied by a boat ramp, constructed
13 or installed and maintained under littoral or riparian rights.

14 Sec. 43. Section 461C.2, subsection 5, Code 2009, is amended
15 to read as follows:

16 5. "*Recreational purpose*" means the following or any
17 combination thereof: Hunting, trapping, horseback riding,
18 fishing, swimming, boating, camping, picnicking, hiking,
19 pleasure driving, motorcycling, all-terrain vehicle
20 riding, nature study, water skiing, snowmobiling, other
21 summer and winter sports, and viewing or enjoying historical,
22 archaeological, scenic, or scientific sites while going to and
23 from or actually engaged therein.

24 Sec. 44. Section 462A.2, Code 2009, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 43A. "*Watercraft education certificate*"
27 means a certificate, approved by the commission, which is
28 issued to a qualified applicant who is twelve years of age or
29 older but less than eighteen years of age who has successfully
30 completed a watercraft education course approved by the
31 department.

32 Sec. 45. Section 462A.12, subsection 6, Code 2009, is
33 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

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

22 Sec. 46. NEW SECTION. **462A.12A Online watercraft education**
 23 **courses.**

24 1. The department shall develop requirements and standards
 25 for online watercraft education courses. Only vendors who have
 26 entered into a memorandum of understanding with the department
 27 shall be approved by the department to offer an online
 28 watercraft education course that upon successful completion is
 29 sufficient to result in the issuance of a watercraft education
 30 certificate to the person who completes the course.

31 2. A vendor approved to offer an online watercraft education
 32 course as provided in subsection 1 may charge a fee for the
 33 course as agreed to in the memorandum of understanding with
 34 the department and may also collect the watercraft education
 35 certificate fee on behalf of the department as agreed to in the

1 memorandum of understanding.

2 Sec. 47. Section 462A.36, Code 2009, is amended to read as
3 follows:

4 **462A.36 Fee for special certificate — minimum requirements**
5 **for issuance.**

6 1. Any manufacturer or dealer may, upon payment of a fee of
7 fifteen dollars, make application to the commission, upon such
8 forms as the commission prescribes, for a special certificate
9 containing a general distinguishing number and for one or more
10 duplicate special certificates. The applicant shall submit
11 such reasonable proof of the applicant's status as a bona fide
12 manufacturer or dealer as the commission may require.

13 2. The commission may adopt rules consistent with this
14 chapter establishing minimum requirements for a dealer or
15 manufacturer to be issued a special certificate. In adopting
16 such rules the department shall consider the need to protect
17 persons, property, and the environment, and to promote uniform
18 practices relating to the sale and use of vessels. The
19 commission may also adopt rules providing for the suspension or
20 revocation of a dealer's or manufacturer's special certificate
21 issued pursuant to this section.

22 Sec. 48. Section 462A.38, Code 2009, is amended to read as
23 follows:

24 **462A.38 ~~Duplicates~~ Duplicate special certificates.**

25 The commission shall also issue duplicate special
26 certificates as applied for which shall have displayed
27 thereon the general distinguishing number assigned to the
28 applicant. ~~Each duplicate special certificate so issued shall~~
29 ~~contain a number or symbol identifying the same from every~~
30 ~~other duplicate special certificate bearing the same general~~
31 ~~distinguishing number.~~ The fee for each additional duplicate
32 special certificate shall be two dollars.

33 Sec. 49. Section 462A.39, Code 2009, is amended to read as
34 follows:

35 **462A.39 Expiration date.**

1 Each special certificate issued ~~hereunder~~ under this
2 chapter shall be for a period of three years and shall expire
3 at midnight on April 30 of the last calendar year of the
4 registration period, and a ~~new~~ special certificate may be
5 renewed for the ensuing registration another three-year period
6 ~~may be obtained~~ upon application to the commission and payment
7 of the fee provided by law.

8 Sec. 50. Section 462A.46, Code 2009, is amended to read as
9 follows:

10 **462A.46 Purchase of registered vessel by dealer.**

11 Whenever a dealer purchases or otherwise acquires a
12 vessel registered in this state, the dealer shall issue a
13 signed receipt to the previous owner, indicating the date of
14 purchase or acquisition, the name and address of such previous
15 owner, and the registration number of the vessel purchased
16 or acquired. ~~The original receipt shall be delivered to the~~
17 ~~previous owner and one copy shall be mailed or delivered by~~
18 ~~the dealer to the county recorder of the county in which the~~
19 ~~vessel is registered, and one copy shall be delivered to the~~
20 ~~commission within forty-eight hours.~~

21 Sec. 51. Section 462A.52, subsections 2 and 3, Code 2009,
22 are amended to read as follows:

23 2. Notwithstanding subsection 1, any increase in revenues
24 received on or after July 1, ~~2007~~ 2010, but on or before June
25 30, 2013, pursuant to this section as a result of fee increases
26 pursuant to 2005 Acts, ch. 137, shall be used by the commission
27 only for the administration and enforcement of programs to
28 control aquatic invasive species and for the administration and
29 enforcement of navigation laws and water safety ~~upon the inland~~
30 ~~waters of this state~~ and shall be used in addition to funds
31 already being expended by the commission each year for these
32 purposes. The commission shall not reduce the amount of other
33 funds being expended on an annual basis for these purposes
34 as of July 1, 2005, during the period of the appropriation
35 provided for in this subsection.

1 3. The commission shall submit a written report to the
2 general assembly by December 31, ~~2007~~ 2010, and by December 31
3 of each year thereafter through December 31, 2013, summarizing
4 the activities of the department in administering and enforcing
5 programs to control aquatic invasive species and administering
6 and enforcing navigation laws and water safety ~~upon the inland~~
7 ~~waters of the state~~. The report shall include information
8 concerning the amount of revenues collected pursuant to this
9 section as a result of fee increases pursuant to 2005 Acts,
10 ch. 137, and how the revenues were expended. The report shall
11 also include information concerning the amount and source of
12 all other funds expended by the commission during the year for
13 the purposes of administering and enforcing programs to control
14 aquatic invasive species and administering and enforcing
15 navigation laws and water safety ~~upon the inland waters of the~~
16 ~~state~~ and how the funds were expended.

17 Sec. 52. Section 481A.22, Code 2009, is amended to read as
18 follows:

19 **481A.22 Field and retriever meets or trials — permit**
20 **required.**

21 1. All officially sanctioned field meets or trials
22 and retriever meets or trials where the skill of dogs is
23 demonstrated in pointing, retrieving, trailing, or chasing any
24 game bird, game animal, or fur-bearing animal shall require a
25 field meet or trial permit. Except as otherwise provided by
26 law, it shall be unlawful to kill any wildlife in such events.

27 2. Notwithstanding the provisions of section 481A.21 it
28 shall be lawful to hold field meets or trials and retriever
29 meets or trials where dogs are permitted to work in exhibition
30 or contest whereby the skill of dogs is demonstrated by
31 retrieving dead or wounded game birds which have been
32 propagated by licensed game breeders within the state or
33 secured from lawful sources outside the state and lawfully
34 brought into the state. All such birds must be released on
35 the day of the meets or trials on premises where the meets

1 or trials are held.

2 3. a. ~~Such birds~~ Birds released pursuant to subsection
3 2 may be shot by official guns after having secured a permit as
4 herein provided.

5 b. Such permits may be issued by the director of the
6 department upon proper application and the payment of a fee of
7 two ~~twenty-five~~ dollars for each trial held with ~~twenty-five~~
8 or more participating dogs and a fee of eight dollars for each
9 trial held with less than twenty-five participating dogs.

10 4. A representative of the department shall attend all such
11 meets or trials and enforce the laws and regulations governing
12 same the meets or trials.

13 5. The person or persons designated by the committee in
14 charge to do the shooting for such meets or trials shall be
15 known as the official guns, and no other person shall be
16 permitted to kill or attempt to kill any of the birds released
17 for such meets or trials.

18 6. Before any birds are released under this section,
19 they ~~must~~ shall each have attached a tag provided by the
20 department and attached by a representative of the department
21 at a cost of not more than ten cents for each tag. All tags
22 ~~are to~~ shall remain attached to birds until prepared for
23 consumption.

24 7. It is unlawful for any person to hold, conduct, or to
25 participate in a field or retriever meet or trial before the
26 permit required by this section has been secured or for any
27 person to possess or remove from the meet or trial grounds any
28 birds which have not been tagged as herein required.

29 Sec. 53. NEW SECTION. 481A.41 Feeding or baiting of
30 wildlife prohibited.

31 1. As used in this section, unless the context otherwise
32 requires:

33 a. "Baited area" means any area where any feed is
34 intentionally placed, deposited, distributed, or scattered
35 so as to lure, attract, or entice wildlife to, on, or over a

1 specific location. An area shall remain a baited area for
2 thirty days following complete removal of all feed, except for
3 salt, minerals, or any other feed that will dissolve and leach
4 into the soil, in which case such area shall be considered a
5 permanently baited area until such time as all contaminated
6 soil is either removed or covered in such a manner that the
7 area no longer serves to artificially attract wildlife.

8 *b.* "Feed" means any grain, fruit, vegetable, nut, hay,
9 salt, mineral, or any other natural food material, commercial
10 products containing natural food materials or by-products of
11 such materials, or other food material that is capable of
12 luring, attracting, or enticing wildlife. Scents or lures used
13 to mask human odor or attract wildlife by the sense of smell
14 are not considered feed.

15 *c.* "Wildlife" means any wild bird or wild animal residing in
16 or migrating through the state of Iowa.

17 2. Except as provided in subsection 3, feeding or baiting
18 of wildlife is unlawful. A person shall not place, deposit,
19 distribute, or scatter feed for wildlife on any public or
20 private property, or knowingly allow another person to place,
21 deposit, distribute, or scatter feed for wildlife on private
22 property under the person's ownership or lease in the state.
23 It shall be unlawful to hunt, take, or attempt to take any
24 wildlife on or in a baited area.

25 3. The prohibitions contained in subsection 2 are not
26 applicable to the following:

27 *a.* Feed that is used to attract wildlife for viewing and
28 observation if the feed is placed within fifty yards of a
29 residence, dwelling, or other structure permanently inhabited
30 by a person. However, such an area shall be considered a
31 baited area for the purpose of hunting, taking, or attempting
32 to take wildlife in or on that area.

33 *b.* Feed that is present solely as a result of normal
34 agricultural, forest management, orchard management, wildlife
35 food planting, or other similar land management practices.

1 *c.* Feed that is placed for agricultural or livestock
2 purposes if one or more of the following conditions apply:

3 (1) The feed is placed for domestic livestock that are
4 present and actively consuming the feed on a regular basis.

5 (2) The feed is covered to deter wildlife from gaining
6 access to the feed, or the feed is stored in a manner
7 consistent with normal agricultural practices.

8 *d.* Feed that is placed for purposes such as including
9 but not limited to population control, capture and handling
10 of wildlife, or other specific purposes under written
11 authorization from the director or the director's designee,
12 or as otherwise provided by law. This section shall not
13 be construed to limit employees of agencies of the state,
14 the United States, or local animal control officers in the
15 performance of their official duties related to public health,
16 wildlife management, or wildlife removal.

17 *e.* Feed that is placed for the purpose of luring fur-bearing
18 animals for trapping as permitted by law.

19 *f.* Feed that is placed within the confines of a whitetail
20 deer hunting preserve that is licensed by the department
21 pursuant to chapter 484C.

22 4. During the twelve-month period beginning July 1,
23 2010, and ending June 30, 2011, peace officers shall issue
24 only warning citations for violations of this section. This
25 subsection is repealed July 1, 2011.

26 Sec. 54. Section 483A.1, subsection 2, paragraph *s*, Code
27 Supplement 2009, is amended by striking the paragraph.

28 Sec. 55. Section 805.8B, subsection 2, paragraphs *a* and *g*,
29 Code Supplement 2009, are amended to read as follows:

30 *a.* For registration or user permit violations under section
31 321G.3, ~~subsections~~ subsection 1 and ~~2~~, the scheduled fine is
32 fifty dollars.

33 *g.* For violations of section 321G.20 and for
34 ~~safety~~ education certificate violations under section
35 321G.24, subsection 1, the scheduled fine is fifty dollars.

1 Sec. 56. Section 805.8B, subsection 2A, paragraphs a and g,
2 Code Supplement 2009, are amended to read as follows:

3 a. For registration or user permit violations under section
4 321I.3, ~~subsections~~ subsection 1 and 2, the scheduled fine is
5 fifty dollars.

6 g. For violations of section 321I.21 and for
7 ~~safety education~~ certificate violations under section
8 321I.26, subsection 1, the scheduled fine is fifty dollars.

9 Sec. 57. Section 805.8B, subsection 6, paragraph c, Code
10 Supplement 2009, is amended to read as follows:

11 c. For violations of ~~section~~ sections 461A.35, 461A.42,
12 and 461A.44, the scheduled fine is fifty dollars.

13 Sec. 58. REPEAL. Sections 462A.40 and 462A.42, Code 2009,
14 are repealed.

15 Sec. 59. REPEAL. Chapter 568, Code 2009, is repealed.

16 EXPLANATION

17 This bill relates to various conservation and recreation
18 activities under the purview of the department of natural
19 resources, and makes penalties applicable.

20 SNOWMOBILE REGULATION. The bill makes numerous revisions
21 to Code chapter 321G, which provides for the regulation
22 of snowmobiles by the department. The bill specifies that
23 the natural resource commission may adopt rules for the
24 use of snowmobiles on designated snowmobile trails and for
25 maintenance, signing, and operation of the trails. The scope
26 of grant programs and contracts administered by the department
27 is expanded to include the signage of designated snowmobile
28 trails. "Designated snowmobile trail" is defined to mean a
29 snowmobile riding trail on any public land, private land, or
30 public ice that is designated by the department, a political
31 subdivision, or a controlling authority for snowmobile use.

32 The bill specifies that the original application for
33 registration of a snowmobile must be filed with the county
34 recorder of the owner's county of residence. If a transfer
35 of ownership occurs by operation of law, the application must

1 be filed in the transferee's county of residence. Duplicate
2 registrations and registration renewals may be accomplished
3 through a county recorder or a license agent and fees collected
4 by a county recorder or license agent are to be remitted
5 directly to the commission.

6 The bill revises the list of exemptions from snowmobile
7 registration requirements by removing snowmobiles owned by
8 another state or a political subdivision of another state
9 and by adding snowmobiles owned by this state or a political
10 subdivision of this state. Current provisions for the
11 issuance of registration certificates and registration decals
12 for snowmobiles owned by the state of Iowa or its political
13 subdivisions is stricken.

14 The bill makes a technical change requiring every snowmobile
15 to be equipped with a headlight and a taillight, rather than a
16 headlamp and a tail lamp.

17 The bill increases the fee for a special registration
18 certificate from \$15 to \$45 for snowmobile manufacturers,
19 distributors, and dealers and extends the registration
20 period from one year to three years. The bill provides
21 for the issuance of a special registration decal along with
22 the special registration certificate. The decal is to be
23 displayed on a snowmobile when it is being operated for
24 purposes of transporting, testing, demonstrating, or selling
25 the snowmobile. Duplicate registration certificates and decals
26 may be issued for a fee of \$5.

27 Pursuant to current law, a safety certificate is required
28 for operation of a snowmobile by a person under 16 years of
29 age, and a person 12 to 15 years of age must be under the direct
30 supervision of a parent, guardian, or another adult authorized
31 by the parent or guardian when operating a snowmobile. The
32 bill makes a terminology change by replacing the existing
33 "safety certificate" with an "education certificate" throughout
34 Code chapter 321G. In addition, the bill defines "direct
35 supervision" to mean providing supervision of another person

1 while maintaining visual and verbal contact at all times.

2 The bill authorizes the department to develop requirements
3 and standards for the provision of online education resulting
4 in the issuance of education certificates. A vendor must
5 enter into a memorandum of understanding with the department
6 to conduct such a course. Pursuant to the memorandum of
7 understanding, a vendor may charge a fee for the online course
8 and collect the education certificate fee on behalf of the
9 department.

10 The bill provides that when a serial number on a snowmobile
11 is destroyed or obliterated and the department assigns a
12 distinguishing number to the snowmobile, the department may
13 issue a special decal, rather than a plate, to be affixed to
14 the snowmobile and bearing the distinguishing number.

15 ALL-TERRAIN VEHICLE REGULATION. The bill makes numerous
16 revisions to Code chapter 321I, which provides for the
17 regulation of all-terrain vehicles by the department. The bill
18 specifies that the original application for registration of an
19 all-terrain vehicle must be filed with the county recorder of
20 the county of residence. If a transfer of ownership occurs
21 by operation of law, the application must be filed in the
22 transferee's county of residence. Duplicate registrations and
23 registration renewals may be accomplished through a county
24 recorder or a license agent, and fees collected by a county
25 recorder or license agent are to be remitted directly to the
26 commission. The bill revises the list of exemptions from
27 registration requirements by removing all-terrain vehicles
28 owned by another state or a political subdivision of another
29 state and by adding all-terrain vehicles owned by this state
30 or a political subdivision of this state. Current provisions
31 for the issuance of registration certificates and registration
32 decals for all-terrain vehicles owned by the state of Iowa or
33 its political subdivisions is stricken.

34 The bill makes a technical change requiring every
35 all-terrain vehicle to be equipped with a headlight and a

1 taillight, rather than a headlamp and a tail lamp.

2 The bill provides for the inclusion of motorcycles and
3 off-road utility vehicles in special events and strikes a
4 requirement for the crediting of motorcycle entrance fees for
5 such events. Also, the requirement that the department furnish
6 a copy of the rules for a special event to an applicant for the
7 event is stricken in the bill.

8 The bill makes technical changes to clarify language
9 relating to a person who violates a stop signal from a peace
10 officer.

11 The bill increases the fee for a special registration
12 certificate from \$15 to \$45 for all-terrain vehicle
13 manufacturers, distributors, and dealers and extends the
14 registration period from one year to three years. The bill
15 provides for the issuance of a special registration decal
16 along with the special registration certificate. The decal
17 is to be displayed on an all-terrain vehicle when it is being
18 operated for purposes of transporting, testing, demonstrating,
19 or selling the vehicle. Duplicate registration certificates
20 and decals may be issued for a fee of \$5.

21 Pursuant to current law, a safety certificate is required
22 for operation of an all-terrain vehicle on public land or ice
23 by a person between 12 and 18 years of age. The bill replaces
24 the "safety certificate" with an "education certificate"
25 throughout Code chapter 321I. The bill authorizes the
26 department to develop requirements and standards for the
27 provision of online education resulting in the issuance of
28 education certificates. A vendor must enter into a memorandum
29 of understanding with the department to conduct such a course.
30 Pursuant to the memorandum of understanding, a vendor may
31 charge a fee for the online course and collect the education
32 certificate fee on behalf of the department.

33 The bill provides that when a serial number on an all-terrain
34 vehicle is destroyed or obliterated and the department assigns
35 a distinguishing number to the all-terrain vehicle, the

1 department may issue a special decal, rather than a plate,
2 to be affixed to the all-terrain vehicle and bearing the
3 distinguishing number.

4 STATE NURSERIES. Code section 455A.13 is amended to require
5 the department to continue to develop programs to encourage
6 the wise management and preservation of existing woodlands and
7 reforestation on private and public land both in Iowa and other
8 states.

9 LEASES OF PUBLIC PROPERTY. Code section 461A.25 is amended
10 to provide that the natural resource commission instead of the
11 executive council may approve leases of public property that
12 are in the best interest of the state. Leases that are for
13 a period in excess of five years must be advertised for bids
14 before approval by the commission.

15 PUBLIC USE OF PRIVATE LANDS AND WATERS. Code section
16 461C.2(5) is amended to include all-terrain vehicle riding
17 among the public recreational purposes to be encouraged on
18 private land in the state.

19 WATERCRAFT EDUCATION COURSES AND CERTIFICATES. Code section
20 462A.2 is amended to include a definition of "watercraft
21 education certificate" that is issued to a qualified applicant
22 12 to 17 years of age. Code section 462A.12(6) is amended to
23 change the nomenclature for the requirements that must be met
24 by a 12 to 17 year old to operate certain watercraft without an
25 adult in the watercraft. Such a person is required to complete
26 a department-approved watercraft education, instead of safety,
27 course and obtain a watercraft education, instead of safety,
28 certificate.

29 New Code section 462A.12A requires the department to
30 develop requirements and standards for vendors to offer online
31 watercraft education courses. Approved vendors may charge a
32 fee for the course as provided in a memorandum of understanding
33 with the department and must also collect the watercraft
34 education certificate fee on behalf of the department if the
35 course is offered independently of a required field day or

1 other curriculum requirements.

2 SPECIAL CERTIFICATES FOR WATERCRAFT DEALERS AND
3 MANUFACTURERS. Code section 462A.36 is amended to require the
4 natural resource commission to adopt rules establishing minimum
5 requirements for special certificates to be issued, suspended,
6 or revoked for vessel dealers or manufacturers, instead
7 of registrations, considering the need to protect persons,
8 property, and the environment, and to promote uniform practices
9 relating to the sale and use of vessels.

10 Code section 462A.38 is amended to delete a requirement that
11 duplicate special certificates issued contain unique numbers
12 or symbols.

13 Code section 462A.39 is amended to provide that each special
14 certificate is issued for three years, expires on April 30 of
15 the last calendar year of the registration period, and may be
16 renewed for another three-year period upon application and
17 payment of a fee.

18 Code section 462A.40, requiring manufacturers or dealers
19 to keep written records of the vessels upon which special
20 certificates are used, and Code section 462A.42, requiring
21 dealers to furnish a list to the commission each year of all
22 used vessels held by them and for which registration has not
23 been paid, are repealed.

24 Code section 462A.46 is amended to delete a requirement that
25 when a dealer purchases or acquires a registered vessel, the
26 dealer must mail or deliver a copy of the original receipt
27 issued to the county recorder of the county where the vessel
28 is registered and to the natural resource commission within 48
29 hours.

30 CONTROL OF AQUATIC INVASIVE SPECIES. Code section 462A.52
31 is amended to provide that the natural resource commission is
32 not limited to using increases in revenue received on or after
33 July 1, 2010, resulting from boat registration fee increases
34 enacted in 2005, for the administration and enforcement
35 of programs to control aquatic invasive species and to the

1 administration and enforcement of navigation laws and water
2 safety only upon the inland waters of the state.

3 WILDLIFE CONSERVATION. Code section 481A.22 is amended to
4 provide that permits allowing birds released at an officially
5 sanctioned field or retriever meet or trial to be shot by
6 designated persons, may be issued by the director of the
7 department of natural resources upon application and payment of
8 a fee based on the number of participating dogs.

9 New Code section 481A.41 prohibits the feeding or baiting
10 of wild birds or animals by intentionally placing, depositing,
11 distributing, or scattering feed to lure or attract such
12 wildlife to a specific location. The provision also prohibits
13 hunting, taking, or attempting to take wildlife in such
14 an area. There are a number of specific exceptions to the
15 prohibition against feeding or baiting wildlife. Peace
16 officers shall issue warning citations for a violation of the
17 new provision from July 1, 2010, through June 30, 2011.

18 FALCONRY LICENSE. Code section 483A.1(2)(s) allowing for
19 the sale of falconry licenses to nonresidents, is stricken.

20 ISLANDS AND ABANDONED RIVER CHANNELS. Code chapter 568
21 concerning the sale and disposal of abandoned channels of
22 navigable streams and unsurveyed or unplatted bars or islands
23 in the channels of navigable streams in Iowa, is repealed.

24 PUBLIC LANDS AND WATERS — PENALTIES. Code section
25 805.8B(6)(c) is amended to provide that a violation of Code
26 section 461A.35 prohibiting destructive acts on public lands
27 and waters, and Code section 461A.42 prohibiting the use of
28 firearms, explosives, weapons, and fireworks in state parks and
29 preserves with some exceptions, is punishable as a scheduled
30 violation with a fine of \$50. Currently, a person who violates
31 one of these Code sections is guilty of a simple misdemeanor.