

House File 2014 - Introduced

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BY WILLS

A BILL FOR

1 An Act relating to rafting safety regulations and including
2 penalties.

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

1 Section 1. NEW SECTION. 462A.26A Rafting safety regulations
2 — special event permits.

3 1. *Definitions.* As used in this section, unless the context
4 otherwise requires:

5 a. *"Making way"* means vessel movement attributed to
6 intentional guided motion.

7 b. *"Rafting"* means the anchoring, tying, fastening,
8 linking, or joining of any combination of three or more vessels
9 together.

10 c. *"Shoreline"* means the zone of contact of a body of water
11 with land other than an island unless the island is located
12 within three hundred yards of the shoreline.

13 d. *"Underway"* means not anchored or moored to a fixed
14 object.

15 e. *"Vessel"* means every type of watercraft used or capable
16 of being used as a means of transportation or habitation on the
17 water.

18 2. *Regulations for rafting.*

19 a. (1) Rafting of three to ten vessels shall be conducted
20 at least one hundred yards from the shoreline of a public body
21 of water. Such vessels shall be located at least two hundred
22 yards from any other vessel or group of vessels that are tied
23 or anchored together.

24 (2) Rafting of eleven or more vessels shall be conducted at
25 least three hundred yards from the shoreline of a public body
26 of water.

27 (3) Two vessels may be tied or anchored together within
28 one hundred yards of the shoreline of a public body of water,
29 but such vessels must be located at least fifty yards from any
30 other vessel or any other group of vessels tied or anchored
31 together.

32 (4) In the event of a violation of this paragraph "a", a
33 peace officer may order all vessels within three hundred yards
34 of the shoreline of a public body of water to disperse if the
35 peace officer is unable to determine which vessels were in the

1 area first.

2 *b.* (1) Notwithstanding paragraph "a", the commission, by
3 rules adopted pursuant to chapter 17A, may designate areas on a
4 public body of water where rafting or anchoring is prohibited
5 within three hundred yards from the shoreline and to a point as
6 described by signage installed by the department. All vessels
7 in such a designated area shall be underway and making way at
8 no wake speed or greater.

9 (2) The department shall place signs in such designated
10 areas where rafting or anchoring is prohibited that state "NO
11 RAFTING OR ANCHORING — \$500.00 FINE".

12 3. *Special event permit.*

13 *a.* Notwithstanding subsection 2, the commission may, by
14 rules adopted pursuant to chapter 17A, provide for the issuance
15 of a special event permit that allows rafting or anchoring in
16 an area where rafting or anchoring is otherwise prohibited.

17 *b.* The rules shall provide that issuance of a special event
18 permit is conditioned on an assurance by the permit applicant
19 that the applicant will take reasonable care to ensure that
20 persons or boaters in the vicinity of the event will not be
21 subjected to unreasonably loud or disturbing noise, that event
22 participants will not engage in any disorderly conduct, and
23 that any islands used during the event will be cleaned up after
24 the event ends.

25 *c.* The commission may deny a special event permit
26 application if the applicant was previously issued a special
27 event permit and the event resulted in a serious complaint from
28 a person or boater in the vicinity of the event or a response to
29 the event by a peace officer.

30 *d.* The rules shall require that an application for a special
31 event permit be received by the commission in writing at least
32 forty-five days before the event and be accompanied by an
33 application fee of fifty dollars.

34 Sec. 2. Section 805.8B, subsection 1, Code 2016, is amended
35 by adding the following new paragraph:

1 NEW PARAGRAPH. *f.* For rafting safety violations under
2 section 462A.26A, the scheduled fine is five hundred dollars.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill prohibits the rafting of vessels within specified
7 distances from the shoreline of a public body of water.
8 "Rafting" is defined to mean the anchoring, tying, fastening,
9 linking, or joining of any combination of three or more vessels
10 together.

11 The bill allows rafting near the shoreline of a public
12 body of water under the following circumstances: rafting of
13 three to 10 vessels shall be conducted at least 100 yards
14 from the shoreline and such vessels shall be located at least
15 200 yards from any other vessel or group of vessels that are
16 tied or anchored together, and rafting of 11 or more vessels
17 shall be conducted at least 300 yards from the shoreline. The
18 bill also provides that two vessels may be tied or anchored
19 together within 100 yards of the shoreline, but such vessels
20 must be located at least 50 yards from any other vessel or any
21 other group of vessels tied or anchored together. If these
22 provisions are violated, a peace officer may order all vessels
23 within 300 yards of the shoreline to disperse if the peace
24 officer is unable to determine which vessels were in the area
25 first.

26 The bill allows the natural resource commission, by rules
27 adopted pursuant to Code chapter 17A, to designate areas within
28 300 feet of the shoreline of a public body of water within
29 which rafting or anchoring is prohibited. The department
30 of natural resources shall post signage to that effect
31 which states that there is a \$500 fine for violation of the
32 prohibition.

33 The bill also allows the commission to issue a special
34 event permit allowing rafting or anchoring in prohibited areas
35 if the applicant gives assurance that the applicant will

1 take reasonable care that persons or boaters in the vicinity
2 of the event will not be subjected to unreasonably loud or
3 disturbing noise, that event participants will not engage in
4 any disorderly conduct, and that any islands used during the
5 event will be cleaned up after the event ends. An application
6 for a permit may be denied if the applicant has previously
7 been issued a permit for an event which resulted in a serious
8 complaint from a person or boater in the vicinity of the event
9 or a response to the event from a peace officer.

10 The application for a special event permit must be submitted
11 in writing, as prescribed by rule, at least 45 days prior to
12 the event and accompanied by an application fee of \$50.

13 A violation of the provisions of the bill is punishable with
14 a scheduled fine of \$500.