A BILL FOR

1 An Act relating to the process and fees associated with
2 the registration and title of vessels, snowmobiles, and
3 all-terrain vehicles.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 321G.29, subsection 6, Code 2019, is amended to read as follows:

6. A dealer transferring ownership of a snowmobile under this chapter shall assign the title to the new owner, or in the case of a new snowmobile, assign the certificate of origin. Within fifteen thirty days the dealer shall forward all moneys and applications to the county recorder.

Sec. 2. Section 321I.31, subsection 6, Code 2019, is amended to read as follows:

6. A dealer transferring ownership of an all-terrain vehicle under this chapter shall assign the title to the new owner, or in the case of a new all-terrain vehicle, assign the certificate of origin. Within fifteen thirty days the dealer shall forward all moneys and applications to the county recorder.

Sec. 3. Section 462A.5, subsection 1, unnumbered paragraph 1, Code 2019, is amended to read as follows:

The owner of each vessel required to be numbered by this state shall initially register it every three years with the commission through the county recorder of the county in which the owner resides, or, if the owner is a nonresident, the owner shall register it in the county in which such vessel is principally used. Both residents and nonresidents shall subsequently renew registration every three years with any county recorder. The commission shall develop and maintain an electronic system for the registration of vessels pursuant to this chapter. The commission shall establish forms and procedures as necessary for the registration of all vessels.

Sec. 4. Section 462A.5, subsection 3, paragraph c, Code 2019, is amended to read as follows:

c. If a timely application for renewal is made, the applicant shall receive the same registration number allocated to the applicant for the previous registration period. If the application for registration for the three-year registration period is not made before May 1 of the last calendar year...
of the registration period, the applicant shall be charged a penalty of five dollars.

Sec. 5. Section 462A.5, subsection 4, paragraphs a, b, c, and d, Code 2019, are amended to read as follows:

a. If a person, after registering a vessel, moves from the address shown on the registration certificate, the person shall, within ten days, notify the county recorder in writing of the old and new address. If appropriate, the county recorder shall forward all past records of the vessel to the recorder of the county in which the owner resides.

b. If the name of a person, who has registered a vessel, is changed, the person shall, within ten days, notify the county recorder of the former and new name.

c. No fee shall be paid to the county recorder for making the changes mentioned in this subsection, unless the owner requests a new registration certificate showing the change, in which case a fee of one dollar plus a writing fee shall be paid to the recorder.

d. If a registration certificate is lost, mutilated or becomes illegible, the owner shall immediately make application for and obtain a duplicate registration certificate by furnishing information satisfactory to the county recorder. A fee of one dollar plus a writing fee shall be paid to the county recorder for a duplicate registration certificate.

Sec. 6. Section 462A.43, Code 2019, is amended to read as follows:

462A.43 Transfer of ownership.

Upon the transfer of ownership of any vessel, the owner, except as otherwise provided by this chapter, shall complete the following:

1. Provide the purchaser or transferee with either the title of the vessel assigned in the purchaser’s or transferee’s name or, if there is no title, the registration certificate with the form on the back of the registration certificate and shall deliver it to the purchaser or transferee at the time of delivering the
vessel completely filled in. Once a vessel has been titled, a person shall not sell or transfer ownership without assigning and delivering the title to the purchaser or transferee. If a vessel has an expired registration at the time of transfer, the transferee shall pay all applicable fees for the current registration period, the appropriate writing fee, and a penalty of five dollars, and a transfer of number shall be awarded in the same manner as provided for in an original registration. All penalties collected pursuant to this section shall be forwarded by the commission to the treasurer of state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

Sec. 7. Section 462A.52, subsection 1, Code 2019, is amended to read as follows:

1. Within ten days after the end of each month, a county recorder shall remit to the commission all fees collected by the recorder during the previous month. Before May 10 of the registration period beginning May 1 of that year, a county recorder shall remit to the commission all unused license blanks for the previous registration period through a process determined by the department. All fees collected for the registration of vessels shall be forwarded by the commission to the treasurer of the state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

Sec. 8. Section 462A.77, subsections 4, 5, and 6, Code 2019, are amended to read as follows:

4. Every owner of a vessel subject to titling under this chapter shall apply to the county recorder for issuance of a certificate of title for the vessel within thirty days after acquisition. The application shall be on forms the department prescribes, and accompanied by the required
fee. The application shall be signed and sworn to before a notarial officer as provided in chapter 9B or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant’s knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the vessel or the fair market value if no sale immediately preceded the transfer, and any additional information the department requires. If the application is made for a vessel last previously registered or titled in another state or foreign country, it shall contain this information and any other information the department requires.

5. If a dealer buys or acquires a used vessel for resale, the dealer shall report the acquisition to the county recorder on the forms the department provides, or the dealer may apply for and obtain a certificate of title as provided in this chapter. If a dealer buys or acquires a used unnumbered vessel, the dealer shall apply for a certificate of title in the dealer’s name within fifteen days. If a dealer buys or acquires a new vessel for resale, the dealer may apply for a certificate of title in the dealer’s name.

6. Every dealer transferring a vessel requiring titling under this chapter shall assign the title to the new owner, or in the case of a new vessel assign the certificate of origin. Within fifteen thirty days the dealer shall forward all moneys and applications to the county recorder.

Sec. 9. Section 462A.78, subsection 2, Code 2019, is amended to read as follows:

2. If a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the first lienholder or, if there is none, the owner named in the certificate, as shown by the county recorder’s records, shall within thirty days obtain a duplicate by applying to the with any county recorder. The applicant shall furnish information the department requires
concerning the original certificate and the circumstances of its loss, mutilation, or destruction. Mutilated or illegible certificates shall be returned to the department with the application for a duplicate.

EXPLANATION

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

This bill modifies provisions relating to the registration and titling of vessels. The bill provides that a vessel shall initially be registered with the county recorder in the county in which the owner resides, but that registration may subsequently be renewed every three years with any county recorder. To receive the same vessel registration number, an applicant must apply for a registration renewal within 60 days of expiration of the registration, instead of the previous requirement that the application be submitted in a timely fashion. The bill changes the date after which a $5 penalty will be charged for failure to renew registration from May 1 of the last calendar year of the registration period to July 1 of the last calendar year of the registration period.

The bill removes the requirement that a registrant who moves notify the county recorder in writing of the registrant's old and new address. The registrant must simply inform any county recorder of the new address. The county recorder does not have to forward all past records of the vessel to the recorder of the county in which the owner now resides. The bill allows a registrant whose name has changed to inform any county recorder.

Under the bill, when a registration certificate is lost, mutilated, or becomes illegible, or when a certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the owner (or first lienholder) shall apply for and obtain a duplicate document in any county, rather than applying to the county recorder of original registration for registration.
1 certificates and current registration for certificates of
2 title.
3 The bill requires the owner to give the transferee either
4 the title of the vessel under the transferee's name or, if
5 there is no title, the registration certificate completely
6 filled in at the time of delivery upon a transfer of ownership.
7 Once a vessel is titled, a person must assign and deliver
8 title to a purchaser or transferee upon sale or transfer.
9 Contrary to current law, if the registration of a vessel is
10 expired at the time of transfer, a transfer of number does
11 not need to be awarded in the same manner as provided for in
12 an original registration. Current law also requires, unless
13 otherwise provided in Code chapter 462A, that an owner must
14 provide a purchaser or transferee of a vessel the registration
15 certificate for the vessel with the form on the back filled in
16 completely.
17 The bill requires the department to determine a process for
18 collecting fees and penalties from county recording offices
19 and removes the requirement that a county recorder shall remit
20 to the commission all unused license blanks for the previous
21 registration period.
22 The bill removes the requirement that an application for
23 a certificate of title must be sworn to before a notarial
24 officer.
25 Under the bill, a dealer who buys or acquires a used
26 vessel for resale no longer needs to report the acquisition
27 to the county recorder on the forms the department provides.
28 The dealer may apply for and obtain a certificate of title
29 as provided in Code chapter 462A. The bill removes the
30 requirement that the dealer apply for a certificate of title in
31 the dealer's name if the dealer acquires an unnumbered vessel.
32 A dealer who transfers ownership of a snowmobile, all-terrain
33 vehicle, or vessel will have 30 days to forward all moneys and
34 applications to the county recorder.