

Senate Study Bill 1197 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON SWEENEY)

A BILL FOR

- 1 An Act creating boat permits for boat liveries, and including
- 2 retroactive applicability provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **462A.10A Boat liveries —**
2 **permits.**

3 1. This section shall only apply to boat liveries that
4 provide watercraft for use on lakes operated by the United States
5 army corps of engineers that are located on the Des Moines river
6 and to the waters of those lakes. For purposes of this section,
7 "boat livery" includes boat clubs and similar operations.

8 2. a. An owner of a boat livery shall not rent, lease, or
9 otherwise allow the use of any watercraft in waters regulated
10 under this section without sufficient boat permits issued
11 pursuant to this section.

12 b. To obtain a boat permit, an owner of a boat livery shall
13 submit an application to the department that shall include the
14 number of permits the owner is requesting to be issued and any
15 other information the department deems relevant.

16 c. Each boat permit issued to an owner of a boat livery
17 authorizes the owner to allow the use of one watercraft in waters
18 regulated under this section at any given time.

19 3. a. A three-member committee shall be created consisting
20 of a member of the senate chosen by the president of the senate,
21 a member of the house of representatives chosen by the speaker
22 of the house of representatives, and a member of the department
23 appointed by the director.

24 b. The committee created pursuant to this subsection shall,
25 by unanimous consent, determine the number of boat permits to
26 be issued to each applicant and recommend to the commission any
27 rules the committee deems necessary for the safety of rental
28 watercraft users and other watercraft users in the lakes. The
29 permits issued shall be valid for two years.

30 c. The committee shall meet annually before April 1 of each
31 year to review the number of boat permits currently in use, new
32 permit requests, and existing rules. Additional meetings may be
33 called without limitation at the discretion of the committee.

34 d. Any boat permit issued under this subsection may be
35 revoked at the discretion of the committee.

1 e. Section 4A.5 does not apply to the committee created
2 pursuant to this subsection.

3 4. The commission shall adopt and the department shall
4 enforce rules pursuant to this section and decisions made by the
5 committee.

6 5. A watercraft registered in a different state but used
7 in waters regulated under this section shall be subject to the
8 requirements of this section.

9 Sec. 2. RETROACTIVE APPLICABILITY. This Act applies
10 retroactively to the rental, lease, or other allowance of use by
11 the owner of a boat livery of any watercraft on lakes operated by
12 the United States army corps of engineers that are located on the
13 Des Moines river on and after January 1, 2025.

14 EXPLANATION

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

17 This bill creates boat permits for boat liveries providing
18 watercraft for use on lakes operated by the United States army
19 corps of engineers that are located on the Des Moines river.
20 The bill prohibits an owner of a boat livery from renting,
21 leasing, or otherwise allowing the use of any watercraft without
22 a sufficient number of boat permits.

23 The bill provides that to obtain boat permits, the owner must
24 submit an application to the department of natural resources
25 (DNR) that will include the number of permits the owner requests
26 to be issued and other information deemed relevant by DNR. The
27 bill explains that each permit issued authorizes the owner to
28 allow the use of one watercraft at any given time.

29 The bill creates a committee that determines the number of
30 permits to be allocated and then allocates those permits to
31 applicants. The committee may also recommend rules for the
32 safety of rental boat users and other boaters on the lakes.
33 The permits issued are valid for two years, though they may be
34 revoked at the discretion of the committee.

35 The bill requires the committee to meet annually to review

1 the number of permits in use, new permit requests, and existing
2 rules; however, the committee may choose to call additional
3 meetings at the committee's discretion.

4 The bill requires the natural resource commission to adopt and
5 DNR to enforce rules pursuant to the bill and decisions made by
6 the committee.

7 The bill expounds that watercraft registered in a different
8 state, but used in waters regulated under the bill, are subject
9 to the requirements of this section.

10 The bill applies retroactively to the rental, lease, or other
11 allowance of use by the owner of a boat livery of any watercraft
12 on the specified lakes on and after January 1, 2025.

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