

JAN 28 2002

NATURAL RESOURCES

HOUSE FILE 2124
BY FALLON

(P. 1140)

Passed House, Date 4-3-02 Passed Senate, Date _____
Vote: Ayes 93 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation and regulation of watercraft,
2 establishing watercraft safety courses, and subjecting
3 violators to a penalty.

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

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HF 2124

1 Section 1. NEW SECTION. 462A.9A WATERCRAFT SAFETY
2 COURSES -- CERTIFICATION REQUIRED.

3 The department shall establish a watercraft safety course
4 approved by the commission not later than January 15, 2003.
5 The watercraft safety course shall be administered by the
6 department. A person who is twelve years of age or older may
7 enroll in an approved watercraft safety course, but a person
8 who is twelve years of age and who has successfully completed
9 the course shall only be issued a certificate of completion
10 which becomes valid on the person's thirteenth birthday. The
11 department may use other organizations and volunteers for
12 assistance in designing and implementing the watercraft safety
13 course. The watercraft safety course shall include all
14 watercraft including personal watercraft in its curriculum.
15 Each person who successfully completes an approved watercraft
16 safety course shall be issued a watercraft safety certificate.
17 The department's initial watercraft safety certificate shall
18 be issued without a fee. The department may recognize and
19 approve other watercraft safety courses, such as those
20 provided by the United States power squadron, the United
21 States coast guard auxiliary, or others. A fee may be
22 associated with taking any such course. A duplicate
23 watercraft safety certificate shall be issued upon request
24 upon payment of a fee of five dollars.

25 Sec. 2. Section 462A.12, subsection 6, Code Supplement
26 2001, is amended by striking the subsection and inserting in
27 lieu thereof the following:

28 6. An owner or operator of any vessel propelled by a motor
29 of more than ten horsepower, including an owner of a boat
30 livery, shall not permit any person under thirteen years of
31 age to operate the vessel unless accompanied in or on the same
32 vessel by a responsible person of at least eighteen years of
33 age. However, commencing January 1, 2005, a person who is
34 thirteen years of age or older but less than eighteen years of
35 age shall not operate any vessel propelled by a motor of more

1 than ten horsepower unless the person has successfully
2 completed an approved watercraft safety course and has a
3 watercraft safety certificate in immediate possession or is
4 accompanied in or on the same vessel by a responsible person
5 of at least eighteen years of age. Watercraft safety
6 certificates from an approved course in another state or
7 foreign nation meet the requirements of this section. A
8 person required to have a watercraft safety certificate shall
9 carry and shall exhibit the certificate upon request of an
10 officer of the department.

11 EXPLANATION

12 This bill provides that the department of natural resources
13 shall establish a watercraft safety course no later than
14 January 15, 2003, which shall include personal watercraft
15 curriculum. A watercraft safety certificate shall be issued
16 without fee upon successful completion of the course. A \$5
17 fee shall be charged for a duplicate certificate. However,
18 the department may recognize and approve other watercraft
19 safety courses such as those provided by the United States
20 power squadron, the United States coast guard auxiliary, or
21 others. A fee may be charged for these courses.

22 A person under 13 years of age shall not operate a vessel
23 propelled by a motor of more than 10 horsepower unless
24 accompanied by a responsible person of at least 18 years of
25 age. However, commencing January 1, 2005, a person who is at
26 least 13 years of age but less than 18 years of age shall not
27 operate a vessel which is propelled by a motor of more than 10
28 horsepower unless accompanied by a responsible person of at
29 least 18 years of age or unless the person under 18 years of
30 age has successfully completed an approved watercraft safety
31 course and has a watercraft safety certificate in the person's
32 immediate possession.

33 Violations of Code section 462A.12, relating to watercraft
34 safety certification and safe watercraft operation, are
35 punishable by a scheduled fine of \$25.