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HSB 600

NATURAL RESOURCES

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02447

SENATE/HOUSE FILE
(PROPOSED DEPARTMENT OF NATURAL
RESOURCES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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

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

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1 Section 1. Section 462A.2, Code 2001, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 16A. "Lanyard" means a cord, rope, or
4 wire which connects an operator to a motorboat or motorized
5 vessel and is designed to stop the motor when disconnected.

6 NEW SUBSECTION. 27A. "Personal watercraft" means a
7 vessel, less than sixteen feet in length, which is propelled
8 by a water jet pump or similar machinery as its primary source
9 of motor propulsion and is designed to be operated by a person
10 sitting, standing, or kneeling on the vessel rather than being
11 operated by a person sitting, standing, or kneeling inside the
12 vessel.

13 Sec. 2. Section 462A.2, subsection 19, Code 2001, is
14 amended to read as follows:

15 19. "Motorboat" means any vessel propelled by an inboard,
16 inboard-outdrive, or outboard engine, whether or not such
17 engine is the principal source of propulsion. "Motorboat"
18 includes a personal watercraft.

19 Sec. 3. Section 462A.6A, subsection 4, Code 2001, is
20 amended to read as follows:

21 4. A sailboard. ~~However, the registration decal shall be~~
22 ~~attached to the bottom surface of the bow.~~

23 Sec. 4. Section 462A.9, subsection 6, Code Supplement
24 2001, is amended to read as follows:

25 6. a. Every The owner or operator of each vessel shall
26 provide that the vessel carry at least one life preserver,
27 life belt, ring buoy, or other device, of the sort as
28 prescribed by the rules of the commission, for each passenger,
29 so placed as to be readily accessible. This does not apply to
30 a vessel which is a racing shell used in the sport of sculling
31 or to a sailboard while used for windsurfing.

32 b. A person shall not operate a personal watercraft unless
33 each person aboard is wearing an approved personal flotation
34 device as prescribed by the rules of the commission.

35 Sec. 5. NEW SECTION. 462A.9A WATERCRAFT SAFETY COURSES

1 -- CERTIFICATION REQUIRED -- PERSONAL WATERCRAFT PROPER
2 OPERATION DECAL.

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

25 2. The owner of each personal watercraft registered in the
26 state shall affix a proper operation decal on the watercraft
27 in a location that is clearly visible to a person sitting in
28 the position of the operator. The department shall provide
29 proper operation decals to county recorders. County recorders
30 shall provide a proper operation decal to each owner of a
31 personal watercraft when the watercraft is registered and
32 assigned an identification number. If the proper operation
33 decal is lost, mutilated, or becomes illegible, the owner
34 shall obtain a new decal as soon as possible from a county
35 recorder or the department.

1 Sec. 6. Section 462A.12, subsection 1, Code Supplement
2 2001, is amended to read as follows:

3 1. No A person shall not operate any vessel, or manipulate
4 any water skis, surfboard, or similar device in a careless,
5 reckless, or negligent manner so as to endanger the life,
6 limb, or property of any person. A person shall not operate a
7 personal watercraft in a manner that causes the personal
8 watercraft to become airborne while the personal watercraft
9 crosses the wake of another vessel within one hundred feet of
10 the other vessel.

11 Sec. 7. Section 462A.12, subsection 6, Code Supplement
12 2001, is amended by striking the subsection and inserting in
13 lieu thereof the following:

14 6. An owner or operator of any vessel propelled by a motor
15 of more than ten horsepower, including an owner of a boat
16 livery, shall not permit any person under twelve years of age
17 to operate the vessel unless accompanied in or on the same
18 vessel by a responsible person of at least eighteen years of
19 age. However, commencing January 1, 2005, a person who is
20 twelve years of age or older but less than eighteen years of
21 age shall not operate any vessel propelled by a motor of more
22 than ten horsepower unless the person has successfully
23 completed an approved watercraft safety course and has a
24 watercraft safety certificate in immediate possession or is
25 accompanied in or on the same vessel by a responsible person
26 of at least eighteen years of age. Watercraft safety
27 certificates from an approved course in another state or
28 foreign nation meet the requirements of this section. A
29 person required to have a watercraft safety certificate shall
30 carry and shall exhibit the certificate upon request of an
31 officer of the department. A violation of this subsection is
32 a simple misdemeanor as provided in section 462A.13.

33 Sec. 8. Section 462A.12, Code Supplement 2001, is amended
34 by adding the following new subsections:

35 NEW SUBSECTION. 12. A person operating a personal

1 watercraft equipped by the manufacturer with a lanyard-type
2 engine cutoff switch shall attach the lanyard to the person's
3 body, clothing, or personal flotation device as appropriate
4 for the specific personal watercraft.

5 NEW SUBSECTION. 13. A person shall not operate a personal
6 watercraft at any time between sunset and eight a.m.

7 NEW SUBSECTION. 14. A person shall not chase or harass
8 wild animals while operating a personal watercraft.

9 EXPLANATION

10 This bill includes the following requirements and
11 restrictions regarding the operation of various types of
12 vessels:

13 1. "Personal watercraft" is defined as a vessel, under 16
14 feet in length, which is propelled by a water jet pump or
15 similar machinery and is designed to be operated by a person
16 sitting, standing, or kneeling on the vessel. "Motorboat" is
17 also defined to include personal watercraft.

18 2. The operator of a personal watercraft is required to
19 wear an approved personal flotation device.

20 3. The department of natural resources shall establish a
21 watercraft safety course no later than January 15, 2003, which
22 shall include personal watercraft curriculum. A watercraft
23 safety certificate shall be issued without fee upon successful
24 completion of the course. A \$5 fee shall be charged for a
25 duplicate certificate. However, the department may recognize
26 and approve other watercraft safety courses such as those
27 provided by the United States power squadron, the United
28 States coast guard auxiliary, or others. A fee may be charged
29 for these courses.

30 4. The department is required to make proper operation
31 decals for all personal watercraft and the owner is
32 responsible for affixing the decal on the vessel where it is
33 clearly visible to the operator. The county recorders are
34 responsible for distributing the decals when the watercraft is
35 registered.

1 5. A person under 12 years of age shall not operate a
2 vessel propelled by a motor of more than 10 horsepower unless
3 accompanied by a responsible person of at least 18 years of
4 age. However, commencing January 1, 2005, a person who is at
5 least 12 years of age but less than 18 years of age shall not
6 operate a vessel which is propelled by a motor of more than 10
7 horsepower unless accompanied by a responsible person of at
8 least 18 years of age or unless the person under 18 years of
9 age has successfully completed an approved watercraft safety
10 course and has a watercraft safety certificate in the person's
11 immediate possession.

12 6. The owner or operator of each vessel shall provide that
13 the vessel carry at least one life preserver, life belt, ring
14 buoy, or other device as prescribed by rules of the commission
15 for each passenger, which is placed to be easily accessible.
16 This requirement does not apply to a racing shell or sailboard
17 used for wind surfing.

18 7. The registration and capacity numbers are no longer
19 required to be displayed on the bottom surface of a sailboat
20 bow.

21 8. Personal watercraft shall not be operated in a manner
22 which will cause the personal watercraft to become airborne
23 while crossing the wake of another vessel within 100 feet of
24 the other vessel.

25 9. "Lanyard" is defined as a cord, rope, or wire, which
26 connects an operator with a motorized vessel and is designed
27 to stop the motor when disconnected.

28 10. A person operating a personal watercraft equipped by
29 the manufacturer with a lanyard-type engine cutoff is required
30 to attach the lanyard to the operator's body, clothing, or
31 personal flotation device as appropriate.

32 11. A person shall not operate a personal watercraft at
33 any time after sunset and before eight a.m. of the following
34 day.

35 12. A person shall not chase or harass wild animals while

1 operating a personal watercraft.

2 Violations of Code section 462A.9 is punishable as a
3 scheduled fine of \$20. Violations of Code section 462A.12
4 relating to watercraft safety certification, safe watercraft
5 operation, hours of operation, and harassment of wild animals
6 are punishable by a scheduled fine of \$25.

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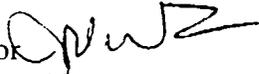


ASB 600

STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

To: General Assembly
From: Jeffrey R. Vonk, Director 
Iowa Department of Natural Resources
Date: December 31, 2001
Re: Watercraft Safety

This bill request is to establish a watercraft safety course.

The purpose of this bill request is to promote safety training and safe operation of watercraft by establishing a watercraft safety course, raising the age limit for the operation of motor boats, and establishing greater safety requirements for the operation of personal watercraft. This proposal has been developed over the past several years in response to citizen concerns and watercraft safety, age of boat operators, and problems associated with the operation of personal watercraft.

REPRINTED

FEB 20 2002
Place On Calendar

HOUSE FILE 2447
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 600)

Passed House, Date ^(P.744) 3-12-02 Passed Senate, Date ^(P.1186) 4/12/02
Vote: Ayes 90 Nays 4 Vote: Ayes 39 Nays 5
Approved April 26, 2002

A BILL FOR

1 An Act relating to the operation and regulation of personal
2 watercraft or motorboats, and to watercraft safety courses and
3 certificates, and subjecting violators to a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2447

H-8089

- 1 Amend House File 2447 as follows:
- 2 1. Page 1, by striking lines 10 through 15.
- 3 2. Page 1, lines 19 through 21, by striking the
- 4 words "of any vessel propelled by a motor of more than
- 5 ten horsepower, including an owner of a boat livery,".
- 6 3. Page 1, line 22, by striking the words "or
- 7 motorboat".
- 8 4. Page 1, line 23, by striking the words "or
- 9 motorboat".
- 10 5. Page 1, lines 27 and 28, by striking the words
- 11 "or motorboat propelled by a motor of more than ten
- 12 horsepower".
- 13 6. Title page, line 2, by striking the words "or
- 14 motorboats".
- 15 7. By renumbering sections.

By BAUDLER of Adair

H-8089 FILED FEBRUARY 25, 2002

adopted
3/12/02 (P.744)

HF 2447

1 Section 1. Section 462A.2, Code 2001, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 27A. "Personal watercraft" means a
4 vessel, less than sixteen feet in length, which is propelled
5 by a water jet pump or similar machinery as its primary source
6 of motor propulsion and is designed to be operated by a person
7 sitting, standing, or kneeling on the vessel rather than being
8 operated by a person sitting, standing, or kneeling inside the
9 vessel.

10 Sec. 2. Section 462A.2, subsection 19, Code 2001, is
11 amended to read as follows:

12 19. "Motorboat" means any vessel propelled by an inboard,
13 inboard-outdrive, or outboard engine, whether or not such
14 engine is the principal source of propulsion. "Motorboat"
15 includes a personal watercraft.

16 Sec. 3. Section 462A.12, subsection 6, Code Supplement
17 2001, is amended by striking the subsection and inserting in
18 lieu thereof the following:

19 6. An owner or operator of any vessel propelled by a motor
20 of more than ten horsepower, including an owner of a boat
21 livery, shall not permit any person under twelve years of age
22 to operate the personal watercraft or motorboat unless
23 accompanied in or on the same personal watercraft or motorboat
24 by a responsible person of at least eighteen years of age.
25 However, commencing January 1, 2003, a person who is twelve
26 years of age or older but less than eighteen years of age
27 shall not operate any personal watercraft or motorboat
28 propelled by a motor of more than ten horsepower unless the
29 person has successfully completed a department-approved
30 watercraft safety course. A person required to have a
31 watercraft safety certificate shall carry and shall exhibit or
32 make available the certificate upon request of an officer of
33 the department. A violation of this subsection is a simple
34 misdemeanor as provided in section 462A.13. However, a person
35 charged with violating this subsection shall not be convicted

1 if the person produces in court, within a reasonable time, a
2 department-approved certificate. The cost of a department
3 certificate, or any duplicate, shall not exceed five dollars.

4 Sec. 4. Section 462A.12, Code Supplement 2001, is amended
5 by adding the following new subsections:

6 NEW SUBSECTION. 12. A person shall not operate a personal
7 watercraft at any time between one-half hour after sunset and
8 eight a.m.

9 NEW SUBSECTION. 13. A person shall not chase or harass
10 animals while operating a personal watercraft or motorboat.

11 EXPLANATION

12 This bill includes the following requirements and
13 restrictions regarding the operation of various types of
14 vessels:

15 1. "Personal watercraft" is defined as a vessel, under 16
16 feet in length, which is propelled by a water jet pump or
17 similar machinery and is designed to be operated by a person
18 sitting, standing, or kneeling on the vessel. "Motorboat" is
19 also defined to include personal watercraft.

20 2. The owner or operator of any vessel operated by a motor
21 of more than 10 horsepower, including an owner of a boat
22 livery, shall not permit any person under 12 years of age to
23 operate a personal watercraft or motorboat unless accompanied
24 in or on the same personal watercraft or motorboat by a
25 responsible person of at least 18 years of age. However,
26 commencing January 1, 2003, a person who is 12 years of age or
27 older but less than 18 years of age shall not operate any
28 personal watercraft or motorboat propelled by a motor of more
29 than 10 horsepower unless the person has successfully
30 completed a department-approved watercraft safety course. A
31 person required to have a watercraft safety certificate shall
32 carry and exhibit the certificate upon request of an officer
33 of the department. A person charged with violating the water
34 safety certificate requirements shall not be convicted if the
35 person produces in court, within a reasonable time, a

1 department-approved certificate. The cost of a certificate
2 shall not exceed \$5.

3 3. A person shall not operate a personal watercraft at any
4 time between one-half hour after sunset and before eight a.m.

5 4. A person shall not chase or harass animals while
6 operating a personal watercraft.

7 Violations of Code section 462A.12 relating to watercraft
8 safety certification, safe watercraft operation, hours of
9 operation, and harassment of animals are punishable by a
10 scheduled fine of \$25.

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HOUSE FILE 2447

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H-8179

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1 Amend House File 2447 as follows:

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2 1. Page 2, line 7, by striking the words "one-
3 half hour after sunset" and inserting the following:
4 "sundown".

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5 2. Page 2, line 8, by striking the words "eight
6 a.m." and inserting the following: "sunup".

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By BAUDLER of Adair

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H-8179 FILED MARCH 4, 2002

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adopted
3-12-02
(p. 744)

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HOUSE FILE 2447
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HSB 600)

(As Amended and Passed by the House March 12, 2002)

Passed House, Date _____ Passed Senate, ^(P. 1186) Date 4/12/02
Vote: Ayes _____ Nays _____ Vote: Ayes 39 Nays 5
Approved April 26, 2002

A BILL FOR

1 An Act relating to the operation and regulation of personal
* 2 watercraft, and to watercraft safety courses and
3 certificates, and subjecting violators to a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____
Deleted Language *

1 Section 1. Section 462A.2, Code 2001, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 27A. "Personal watercraft" means a
4 vessel, less than sixteen feet in length, which is propelled
5 by a water jet pump or similar machinery as its primary source
6 of motor propulsion and is designed to be operated by a person
7 sitting, standing, or kneeling on the vessel rather than being
8 operated by a person sitting, standing, or kneeling inside the
9 vessel.

*10 Sec. 2. Section 462A.12, subsection 6, Code Supplement
11 2001, is amended by striking the subsection and inserting in
12 lieu thereof the following:

*13 6. An owner or operator shall not permit any person under
*14 twelve years of age to operate the personal watercraft unless
*15 accompanied in or on the same personal watercraft by a
16 responsible person of at least eighteen years of age.
17 However, commencing January 1, 2003, a person who is twelve
18 years of age or older but less than eighteen years of age
*19 shall not operate any personal watercraft unless the person
20 has successfully completed a department-approved watercraft
21 safety course. A person required to have a watercraft safety
22 certificate shall carry and shall exhibit or make available
23 the certificate upon request of an officer of the department.
24 A violation of this subsection is a simple misdemeanor as
25 provided in section 462A.13. However, a person charged with
26 violating this subsection shall not be convicted if the person
27 produces in court, within a reasonable time, a department-
28 approved certificate. The cost of a department certificate,
29 or any duplicate, shall not exceed five dollars.

30 Sec. 3. Section 462A.12, Code Supplement 2001, is amended
31 by adding the following new subsections:

32 NEW SUBSECTION. 12. A person shall not operate a personal
33 watercraft at any time between sundown and sunup.

34 NEW SUBSECTION. 13. A person shall not chase or harass
35 animals while operating a personal watercraft or motorboat.

HOUSE FILE 2447

AN ACT

RELATING TO THE OPERATION AND REGULATION OF PERSONAL WATERCRAFT, AND TO WATERCRAFT SAFETY COURSES AND CERTIFICATES, AND SUBJECTING VIOLATORS TO A PENALTY.

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

Section 1. Section 462A.2, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 27A. "Personal watercraft" means a vessel, less than sixteen feet in length, which is propelled by a water jet pump or similar machinery as its primary source of motor propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than being operated by a person sitting, standing, or kneeling inside the vessel.

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

6. An owner or operator shall not permit any person under twelve years of age to operate the personal watercraft unless accompanied in or on the same personal watercraft by a responsible person of at least eighteen years of age. However, commencing January 1, 2003, a person who is twelve years of age or older but less than eighteen years of age shall not operate any personal watercraft unless the person has successfully completed a department-approved watercraft safety course. A person required to have a watercraft safety certificate shall carry and shall exhibit or make available the certificate upon request of an officer of the department. A violation of this subsection is a simple misdemeanor as provided in section 462A.13. However, a person charged with violating this subsection shall not be convicted if the person

produces in court, within a reasonable time, a department-approved certificate. The cost of a department certificate, or any duplicate, shall not exceed five dollars.

Sec. 3. Section 462A.12, Code Supplement 2001, is amended by adding the following new subsections:

NEW SUBSECTION. 12. A person shall not operate a personal watercraft at any time between sundown and sunup.

NEW SUBSECTION. 13. A person shall not chase or harass animals while operating a personal watercraft or motorboat.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2447, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/26, 2002

THOMAS J. VILSACK
Governor

H.F. 2447