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SENATE FILE 332
BY FREEMAN

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, and providing an effective
4 date.

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

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SF 332

NAT. RES. & ENVIRONMENT

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.6A, subsection 4, Code 2001, is
14 amended to read as follows:

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

17 Sec. 3. Section 462A.9, subsection 6, Code 2001, is
18 amended to read as follows:

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

26 b. A person shall not operate a personal watercraft unless
27 each person aboard is wearing an approved personal flotation
28 device as prescribed by rule of the commission.

29 Sec. 4. Section 462A.9, Code 2001, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 6A. The owner of each personal watercraft
32 registered in the state shall affix a proper operation decal
33 on the vessel in a location that is clearly visible to a
34 person sitting in the position of the operator. The
35 department shall provide proper operation decals to county

1 recorders. County recorders shall provide a proper operation
2 decal to each owner of a personal watercraft when the
3 watercraft is registered and assigned an identification
4 number. If the proper operation decal is lost, mutilated, or
5 becomes illegible, the owner shall obtain a new decal as soon
6 as possible from a county recorder or the department.

7 Sec. 5. NEW SECTION. 462A.9A WATERCRAFT SAFETY COURSES
8 -- CERTIFICATION REQUIRED.

9 The department shall establish a watercraft safety course
10 approved by the commission not later than January 15, 2002.
11 The watercraft safety course shall be administered by the
12 department. A person who is eleven years of age or older may
13 enroll in an approved watercraft safety course, but a person
14 who is eleven years of age and who has successfully completed
15 the course shall only be issued a certificate of completion
16 which becomes valid on the person's twelfth birthday. The
17 department may use other organizations and volunteers for
18 assistance in designing and implementing the watercraft safety
19 course. The watercraft safety course shall include all
20 watercraft including personal watercraft in its curriculum and
21 shall be taught in at least twelve counties commencing no
22 later than January 15, 2002. Not later than January 15, 2004,
23 the watercraft safety course shall be taught in at least one-
24 half of the counties in this state. Each person who
25 successfully completes an approved watercraft safety course
26 shall be issued a watercraft safety certificate. The initial
27 watercraft safety certificate shall be issued without a fee.
28 A duplicate watercraft safety certificate shall be issued upon
29 request upon payment of a fee of five dollars.

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

32 1. No A person shall not operate any vessel, or manipulate
33 any water skis, surfboard, or similar device in a careless,
34 reckless, or negligent manner so as to endanger the life,
35 limb, or property of any person. A person shall not operate a

1 personal watercraft in a manner that causes the personal
2 watercraft to become airborne while the personal watercraft
3 crosses the wake of another vessel within one hundred feet of
4 the other vessel.

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

8 6. a. An owner or operator of any vessel propelled by a
9 motor of more than ten horsepower, including an owner of a
10 boat livery, shall not permit any person under twelve years of
11 age to operate the vessel unless accompanied in or on the same
12 vessel by a responsible person of at least eighteen years of
13 age. However, commencing July 1, 2004, a person who is twelve
14 years of age or older but less than eighteen years of age
15 shall not operate any vessel propelled by a motor of more than
16 ten horsepower unless the person has successfully completed an
17 approved watercraft safety course and has a watercraft safety
18 certificate in immediate possession or is accompanied in or on
19 the same vessel by a responsible person of at least eighteen
20 years of age. Watercraft safety certificates from an approved
21 course in another state or foreign nation will meet the
22 requirements of this section. A person required to have a
23 watercraft safety certificate shall carry and shall exhibit
24 the certificate upon request of an officer of the department.
25 A person who is eleven years of age or older may take and
26 successfully complete a water safety course, but the
27 certificate of completion shall not be valid until the
28 person's twelfth birthday.

29 b. After July 1, 2002, an owner or operator of a personal
30 watercraft, including an owner of a boat livery, shall not
31 permit any person who is under twelve years of age to operate
32 a personal watercraft unless accompanied on the same vessel by
33 a responsible person of at least eighteen years of age. A
34 person who is twelve years of age or older but less than
35 eighteen years of age shall not operate a personal watercraft

1 unless the person has successfully completed an approved
2 watercraft safety course and has a water safety certificate in
3 immediate possession or is accompanied on the same vessel by a
4 responsible person of at least eighteen years of age.

5 Watercraft safety certificates from an approved course in
6 another state or foreign nation will meet the requirements of
7 this section. A person required to have a watercraft safety
8 certificate shall carry and shall exhibit the certificate upon
9 request of an officer of the department.

10 Sec. 8. Section 462A.12, subsection 6, paragraph b, as
11 enacted in this Act, is amended by striking the paragraph.

12 Sec. 9. Section 462A.12, Code 2001, is amended by adding
13 the following new subsections:

14 NEW SUBSECTION. 12. A person operating a personal
15 watercraft equipped by the manufacturer with a lanyard-type
16 engine cutoff switch shall attach the lanyard to the person's
17 body, clothing, or personal flotation device as appropriate
18 for the specific personal watercraft.

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

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

23 Sec. 10. Section 805.8, subsection 3, paragraph b, Code
24 2001, is amended to read as follows:

25 b. For violations of registration, identification, and
26 record provisions under sections 462A.4 and 462A.10 and for
27 unused or improper or defective equipment under section
28 462A.9, subsections 2, 6, 6A, 7, 8, and 13, and section
29 462A.11 and for operation violations under sections 462A.26,
30 462A.31, and 462A.33, the scheduled fine is twenty dollars.

31 Sec. 11. EFFECTIVE DATE. Section 8 of this Act takes
32 effect July 1, 2004.

33 EXPLANATION

34 This bill includes the following requirements and
35 restrictions regarding the operation of various types of

1 vessels:

2 1. A personal watercraft is defined as a vessel, under 16
3 feet in length, which is propelled by a water jet pump or
4 similar machinery and is designed to be operated by a person
5 sitting, standing, or kneeling on the vessel.

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

8 3. This bill provides that the department make proper
9 operation decals for all personal watercraft and that the
10 owner is responsible for affixing the decal on the vessel
11 where it is clearly visible to the operator. The county
12 recorders are responsible for distributing the decals when the
13 watercraft is registered. A violation of this provision
14 relating to a registration decal is punishable by a scheduled
15 fine of \$20.

16 4. The department of natural resources shall establish a
17 watercraft safety course which shall include personal
18 watercraft curriculum and be taught in at least 12 counties
19 not later than January 15, 2002. Not later than January 15,
20 2004, the watercraft safety course shall be taught in at least
21 one-half of the counties. A watercraft safety certificate
22 shall be issued without fee upon successful completion of the
23 course. A five dollar fee shall be charged for a duplicate
24 certificate.

25 5. A person under 12 years of age shall not operate a
26 vessel propelled by a motor of more than 10 horsepower unless
27 accompanied by a responsible person of at least 18 years of
28 age. However, commencing July 1, 2004, a person who is at
29 least 12 years of age but less than 18 years of age shall not
30 operate a vessel which is propelled by a motor of more than 10
31 horsepower unless accompanied by a responsible person of at
32 least 18 years of age or unless the person under 18 years of
33 age has successfully completed an approved watercraft safety
34 course and has a watercraft safety certificate in immediate
35 possession.

1 6. After July 1, 2002, an owner or operator of a personal
2 watercraft, including the owner of a boat livery, shall not
3 permit a person under 12 years of age to operate a personal
4 watercraft unless accompanied by a responsible person of at
5 least 18 years of age or unless the person who is 12 years of
6 age or older or less than 18 years of age has successfully
7 completed an approved watercraft safety course and has a
8 watercraft safety certificate in immediate possession. This
9 provision is stricken effective July 1, 2004.

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

16 8. The registration and capacity numbers are no longer
17 required to be displayed on the bottom surface of a sailboat
18 bow.

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

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

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

30 12. A person shall not operate a personal watercraft at
31 any time after sunset and before eight a.m. of the following
32 day.

33 13. A person shall not chase or harass wild animals while
34 operating a personal watercraft.

35 A violation of operating requirements and restrictions in

1 sections 6, 7, and 9 of this bill is punishable by a scheduled
2 fine of \$25.

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