

Fink, Drake, Lundby

SSB 3031  
Natural Resources

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

⑤ 2250

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

2031

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

3021

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

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.

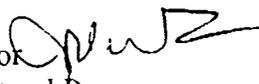
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# STATE OF IOWA

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

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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.

Substituted for by HF 2447

3/14/02 UNFINISHED BUSINESS CALENDAR

4.12.02  
(P. 1186)

FILED FEB 20 2002

**WITHDRAWN**  
4/12/02

SENATE FILE 2250  
BY COMMITTEE ON NATURAL  
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SSB 3031)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**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:

SF 2250

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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  
32 the certificate upon request of an officer of the department.  
33 A violation of this subsection is a simple misdemeanor as  
34 provided in section 462A.13. However, a person charged with  
35 violating this subsection shall not be convicted if the person

1 produces in court, within a reasonable time, a department-  
2 approved certificate. The cost of a department certificate,  
3 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 wild animals while operating a personal watercraft or  
11 motorboat.

12 EXPLANATION

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

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

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

1 person produces in court, within a reasonable time, a  
2 department-approved certificate. The cost of a certificate  
3 shall not exceed \$5.

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

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

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

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## SENATE FILE 2250

S-5152

- 1 Amend Senate File 2250 as follows:  
2 1. By striking page 1, line 10, through page 2,  
3 line 11, and inserting the following:  
4 "Sec. \_\_\_\_ . Section 462A.12, subsection 6, Code  
5 Supplement 2001, is amended by striking the subsection  
6 and inserting in lieu thereof the following:  
7 6. An owner or operator shall not permit any  
8 person under twelve years of age to operate the  
9 personal watercraft unless accompanied in or on the  
10 same personal watercraft by a responsible person of at  
11 least eighteen years of age. However, commencing  
12 January 1, 2003, a person who is twelve years of age  
13 or older but less than eighteen years of age shall not  
14 operate any personal watercraft unless the person has  
15 successfully completed a department-approved  
16 watercraft safety course. A person required to have a  
17 watercraft safety certificate shall carry and shall  
18 exhibit or make available the certificate upon request  
19 of an officer of the department. A violation of this  
20 subsection is a simple misdemeanor as provided in  
21 section 462A.13. However, a person charged with  
22 violating this subsection shall not be convicted if  
23 the person produces in court, within a reasonable  
24 time, a department-approved certificate. The cost of  
25 a department certificate, or any duplicate, shall not  
26 exceed five dollars.  
27 Sec. \_\_\_\_ . Section 462A.12, Code Supplement 2001,  
28 is amended by adding the following new subsections:  
29 NEW SUBSECTION. 12. A person shall not operate a  
30 personal watercraft at any time between sundown and  
31 sunup.  
32 NEW SUBSECTION. 13. A person shall not chase or  
33 harass animals while operating a personal watercraft  
34 or motorboat."  
35 2. Title page, line 2, by striking the words "or  
36 motorboats".  
37 3. By renumbering as necessary.

By BILL FINK  
MIKE SEXTON

S-5152 FILED MARCH 13, 2002

o/o

4/12/02

(P. 1186)

SENATE FILE 2250

S-5511

1 Amend Senate File 2250 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

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

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

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

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

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

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

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

45 2. Title page, line 2, by striking the words "or  
46 motorboats".

By BILL FINK

S-5511 FILED APRIL 12, 2002  
ADOPTED

(p.1186)