

APR 26 2005
WAYS & MEANS CALENDAR

HOUSE FILE 879
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 725)
(SUCCESSOR TO HSB 267)

Passed House, Date 4-28-05 Passed Senate, Date 5-5-05
Vote: Ayes 96 Nays 2 Vote: Ayes 49 Nays 0
Approved 5/23/05

A BILL FOR

1 An Act relating to the regulation of snowmobiles and establishing
2 fees.

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

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HF 879

1 Section 1. Section 321G.1, subsection 18, Code 2005, is
2 amended to read as follows:

3 18. "Snowmobile" means a motorized vehicle weighing less
4 than one thousand pounds which uses sled-type runners or skis,
5 endless belt-type tread with a width of forty-eight inches or
6 less, or any combination of runners, skis, or tread, and is
7 designed for travel on snow or ice. "Snowmobile" does not
8 include an all-terrain vehicle, as defined in section 321I.1,
9 which has been altered or equipped with runners, skis, belt-
10 type tracks, or treads.

11 Sec. 2. Section 321G.3, subsection 1, Code 2005, is
12 amended to read as follows:

13 1. Each snowmobile used on public land or ice of this
14 state shall be currently registered and numbered. A person
15 shall not operate, maintain, or give permission for the
16 operation or maintenance of a snowmobile on public land or ice
17 unless the snowmobile is numbered in accordance with this
18 chapter, or applicable federal laws, or an-approved-numbering
19 system-of-another-state, and-unless the snowmobile displays a
20 current annual user permit for the snowmobile. If the
21 snowmobile is required to be registered in this state, the
22 identifying number set forth in the registration is shall be
23 displayed as prescribed by rules of the commission.

24 Sec. 3. Section 321G.4, Code 2005, is amended to read as
25 follows:

26 321G.4 REGISTRATION WITH-COUNTY-RECORDER -- FEE.

27 1. The owner of each snowmobile required to be numbered
28 shall register it annually with the department through the
29 county recorder of the county in which the owner resides or,
30 if the owner is a nonresident, the owner shall register it in
31 the county in which the snowmobile is principally used. The
32 department shall develop and maintain an electronic system for
33 the registration of snowmobiles pursuant to this chapter. The
34 commission-has-supervisory-responsibility-over department
35 shall establish forms and procedures as necessary for the

1 registration of snowmobiles and shall provide each county
2 recorder with registration forms and certificates and shall
3 allocate registration numbers to each county.

4 2. The owner of the snowmobile shall file an application
5 for registration with the department through the appropriate
6 county recorder on forms provided in the manner established by
7 the commission. The application shall be completed and signed
8 by the owner and shall be accompanied by a fee of fifteen
9 dollars and a writing fee. A snowmobile shall not be
10 registered by the county recorder until the county recorder is
11 presented with receipts, bills of sale, or other satisfactory
12 evidence that the sales or use tax has been paid for the
13 purchase of the snowmobile or that the owner is exempt from
14 paying the tax. A snowmobile that has an expired registration
15 certificate from another state may be registered in this state
16 upon proper application, payment of all applicable
17 registration and writing fees, and payment of a penalty of
18 five dollars.

19 3. Upon receipt of the application in approved form
20 accompanied by the required fees, the county recorder shall
21 enter it upon the records register the snowmobile with the
22 department and shall issue to the applicant a registration
23 certificate. ~~The certificate shall be executed in triplicate,~~
24 ~~one copy to be delivered to the owner, one copy to the~~
25 ~~commission, and one copy to be retained on file by the county~~
26 ~~recorder.~~ The registration certificate shall bear the number
27 awarded to the snowmobile and the name and address of the
28 owner. The registration certificate shall be carried either
29 in the snowmobile or on the person of the operator of the
30 snowmobile when in use. The operator of a snowmobile shall
31 exhibit the registration certificate to a peace officer upon
32 request, to a person injured in an accident involving a
33 snowmobile, to the owner or operator of another snowmobile or
34 the owner of personal or real property when the snowmobile is
35 involved in a collision or accident of any nature with another

1 snowmobile or the property of another person, or to the
2 property owner or tenant when the snowmobile is being operated
3 on private property without permission from the property owner
4 or tenant.

5 4. If a snowmobile is placed in storage, the owner shall
6 return the current registration certificate to the county
7 recorder with an affidavit stating that the snowmobile is
8 placed in storage and the effective date of storage. The
9 county recorder shall notify the ~~commission~~ department of each
10 snowmobile placed in storage. When the owner of a stored
11 snowmobile desires to renew the registration, the owner shall
12 make application ~~to~~ through the county recorder and pay the
13 registration and writing fees without penalty. A refund of
14 the registration fee shall not be allowed for a stored
15 snowmobile.

16 5. Notwithstanding subsections 1 and 2, a snowmobile that
17 is more than thirty years old may be registered for a one-time
18 fee of twenty-five dollars, which shall exempt the owner from
19 annual registration and fee requirements for that snowmobile.
20 However, if ownership of such a snowmobile is transferred, the
21 new owner shall register the snowmobile and pay the one-time
22 fee as required under this subsection.

23 Sec. 4. NEW SECTION. 321G.4A NONRESIDENT USER PERMITS.

24 1. A nonresident wishing to operate a snowmobile, other
25 than a snowmobile registered pursuant to this chapter, on
26 public land or ice of this state shall first obtain a user
27 permit from the department. A user permit shall be issued for
28 the snowmobile specified at the time of application and is not
29 transferable. A user permit shall be valid for the calendar
30 year specified in the permit.

31 2. User permits may be issued by a county recorder or a
32 license agent pursuant to rules adopted by the commission.
33 The fee for a user permit shall be fifteen dollars plus an
34 administrative fee established by the commission. A county
35 recorder shall retain a writing fee of one dollar from the

1 sale of each user permit issued by the county recorder's
2 office. The writing fees retained by the county recorder
3 shall be deposited in the general fund of the county. A
4 license agent designated by the director pursuant to section
5 483A.11 shall retain a writing fee of one dollar from the sale
6 of each permit issued by the agent.

7 Sec. 5. Section 321G.6, subsection 1, Code 2005, is
8 amended to read as follows:

9 1. Every snowmobile registration certificate and number
10 issued expires at midnight December 31 unless sooner
11 terminated or discontinued in accordance with this chapter.
12 After the first day of September each year, an unregistered
13 snowmobile may be registered ~~or~~ and a registration may be
14 renewed in one transaction. The fee is five dollars for the
15 remainder of the current year, in addition to the registration
16 fee of fifteen dollars for the subsequent year beginning
17 January 1, and a writing fee.

18 Sec. 6. Section 321G.6, Code 2005, is amended by adding
19 the following new subsection:

20 NEW SUBSECTION. 6. The department shall develop and
21 maintain an electronic system for residents to renew
22 snowmobile registrations pursuant to this section. A county
23 recorder or license agent may issue snowmobile registration
24 renewals electronically pursuant to rules adopted by the
25 commission. The fee for a registration renewal issued using
26 an electronic system is fifteen dollars plus an administrative
27 fee established by the commission. A county recorder shall
28 retain a writing fee of one dollar and twenty-five cents for
29 each registration renewal issued by the county recorder's
30 office. The writing fees retained by the county recorder
31 shall be deposited in the general fund of the county. A
32 license agent designated by the director pursuant to section
33 483A.11 shall retain a writing fee of one dollar for each
34 registration renewal issued.

35 Sec. 7. Section 321G.7, unnumbered paragraph 2, Code 2005,

1 is amended to read as follows:

2 The department shall remit the fees, including user permit
3 fees collected pursuant to section 321G.4A, to the treasurer
4 of state, who shall place the money in a special snowmobile
5 fund. The money is appropriated to the department for the
6 snowmobile programs of the state. The programs shall include
7 grants, subgrants, contracts, or cost-sharing of snowmobile
8 programs with political subdivisions or incorporated private
9 organizations or both in accordance with rules adopted by the
10 commission. Snowmobile fees may be used to support snowmobile
11 programs on a usage basis. At least fifty percent of the
12 special fund shall be available for political subdivisions or
13 incorporated private organizations or both. Moneys from the
14 special fund not used by the political subdivisions or
15 incorporated private organizations or both shall remain in the
16 fund and may be used by the department for the administration
17 of the snowmobile programs. Notwithstanding section 8.33,
18 moneys in the special fund shall not revert to the general
19 fund of the state at the end of a fiscal year.

20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys in the special fund shall remain in the
22 fund.

23 Sec. 8. Section 321G.8, subsection 3, Code 2005, is
24 amended by striking the subsection.

25 Sec. 9. Section 321G.13, subsection 1, paragraph g, Code
26 2005, is amended by striking the paragraph and inserting in
27 lieu thereof the following:

28 g. In any park, wildlife area, preserve, refuge, game
29 management area, or any portion of a meandered stream, or any
30 portion of the bed of a nonmeandered stream which has been
31 identified as a navigable stream or river by rule adopted by
32 the department and which is covered by water, except on
33 designated snowmobile trails.

34 This paragraph does not prohibit the use of ford crossings
35 of public or private roads or any other ford crossing when

1 used for agricultural purposes; the operation of construction
2 vehicles engaged in lawful construction, repair, or
3 maintenance in a streambed; or the operation of snowmobiles on
4 ice.

5 Sec. 10. Section 331.602, subsection 16, Code 2005, is
6 amended to read as follows:

7 16. Issue snowmobile **registrations** and all-terrain vehicle
8 registrations and user permits as provided in sections 321G.4,
9 321G.4A, 321G.6, 321G.21, 321I.4, 321I.5, 321I.7, and 321I.22.

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EXPLANATION

11 This bill makes numerous changes to provisions relating to
12 the ownership and use of snowmobiles, as regulated by the
13 department of natural resources.

14 The bill amends the definition of snowmobile in Code
15 section 321G.1 to exclude all-terrain vehicles which have been
16 altered or equipped with skis, belt-type tracks, or treads.
17 The amended definition also specifies that an endless belt-
18 type tread on a snowmobile may not be wider than 48 inches.

19 The bill amends Code section 321G.4 to provide for
20 electronic registration of snowmobiles through county
21 recorders and to allow lifetime registration of snowmobiles
22 that are more than 30 years old for a one-time fee of \$25.

23 The bill amends Code section 321G.8 and creates new Code
24 section 321G.4A, which requires a nonresident to obtain a user
25 permit to operate a snowmobile in this state. The permit
26 applies only to the snowmobile for which it is issued, is not
27 transferable, and is valid for the calendar year. The
28 scheduled fine of \$20 that currently applies to registration
29 violations also applies to user permit violations. A user
30 permit may be obtained from a county recorder or license
31 depositary for a fee of \$15, plus an administrative fee
32 established by the natural resource commission and a \$1
33 writing fee to be retained by the recorder or depositary.
34 User permit fees are to be deposited in the special snowmobile
35 fund along with snowmobile registration fees.

1 The bill makes a corrective amendment to Code section
2 321G.6 to allow for registration of a snowmobile for the
3 remainder of the year plus the following year in one
4 transaction, upon payment of a combined fee of \$20 plus a
5 writing fee.

6 Code section 321G.6 is also amended to require the
7 department to develop and maintain an electronic system for
8 renewal of snowmobile registrations by license agents.
9 Electronic registration renewals could be issued by county
10 recorders or license agents for the annual fee of \$15, plus an
11 administrative fee to be established by the natural resource
12 commission and a writing fee of \$1.25 for a county recorder or
13 \$1 for a license agent.

14 The bill amends Code section 321G.13 by expanding the
15 description of the types of public areas that are off-limits
16 for snowmobile operators.

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Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 879 - Snowmobile Registration (LSB 2757 HZ)

Analyst: Debra Kozel (Phone: (515) 281-6767) (deb.kozel@legis.state.ia.us)

Fiscal Note Version – New

Description

House File 879 makes the following changes to the snowmobile registration process in the Department of Natural Resources (DNR):

1. Implements an electronic registration and renewal system for snowmobiles.
2. Allows a one-time registration fee of \$25.00 for a snowmobile that is more than 30 years old.
3. Requires a non-resident to obtain a user permit fee when operating a snowmobile in Iowa for an annual fee of \$15.00.
4. Allows that an unregistered snowmobile can be registered for a cost of \$20.00 after September 1 of each year. This includes a \$5.00 registration fee for the remainder of the current year and \$15.00 for the following year. The snowmobile owner saves \$10.00 on the current year registration.
5. Consolidates existing law related to snowmobiles under Chapter 321G, Code of Iowa.

Background

The registration fees for snowmobiles changed from a biennial fee of \$25.00 to an annual fee of \$15.00 beginning in FY 2005. This Bill implements procedures to increase the efficiency of snowmobile registration.

Assumptions

1. It is estimated there are 35,000 resident operators of snowmobiles and 200 non-resident operators of snowmobiles in Iowa.
2. It is estimated that registration revenues will increase by \$50,000 in FY 2006 and \$75,000 in FY 2007. The increased funding will leverage additional National Recreational Trail federal funds that require a 20.0% State match.
3. It is estimated expenditures related to the program will decrease by \$25,000 per year with the implementation of an electronic registration system.

Correctional Impact

The correctional impact of HF 879 is expected to be minimal.

Fiscal Impact

The fiscal impact of HF 879 is an increase in revenue to the Snowmobile Registration Fund of \$75,000 for FY 2006 and \$100,000 for FY 2007.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Natural Resources

/s/ Holly M. Lyons

April 26, 2005

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

*Luban Sh
Zupke
Frevert*

Succeeded By
SF 0879

HSB 267

NATURAL RESOURCES

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES BILL
BY CHAIRPERSON FREEMAN)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the regulation of snowmobiles, establishing
2 fees, and providing penalties.

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

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1 Section 1. Section 321G.1, subsection 18, Code 2005, is
2 amended to read as follows:

3 18. "Snowmobile" means a motorized vehicle weighing less
4 than one thousand pounds which uses sled-type runners or skis,
5 endless belt-type tread with a width of forty-eight inches or
6 less, or any combination of runners, skis, or tread, and is
7 designed for travel on snow or ice. "Snowmobile" does not
8 include an all-terrain vehicle, as defined in section 321I.1,
9 which has been altered or equipped with runners, skis, belt-
10 type tracks, or treads.

11 Sec. 2. Section 321G.3, subsection 1, Code 2005, is
12 amended to read as follows:

13 1. Each snowmobile used on public land or ice of this
14 state shall be currently registered and numbered. A person
15 shall not operate, maintain, or give permission for the
16 operation or maintenance of a snowmobile on public land or ice
17 unless the snowmobile is numbered in accordance with this
18 chapter, or applicable federal laws, or an-approved-numbering
19 system-of-another-state,--and-unless the snowmobile displays a
20 current annual user permit for the snowmobile. If the
21 snowmobile is required to be registered in this state, the
22 identifying number set forth in the registration is shall be
23 displayed as prescribed by rules of the commission.

24 Sec. 3. Section 321G.4, Code 2005, is amended to read as
25 follows:

26 321G.4 REGISTRATION WITH-COUNTY-RECORDER -- FEE.

27 1. The owner of each snowmobile required to be numbered
28 shall register it annually with the department through the
29 county recorder of the county in which the owner resides or,
30 if the owner is a nonresident, the owner shall register it in
31 the county in which the snowmobile is principally used. The
32 department shall develop and maintain an electronic system for
33 the registration of snowmobiles pursuant to this chapter. The
34 commission-has-supervisory-responsibility-over department
35 shall establish forms and procedures as necessary for the

1 registration of snowmobiles ~~and shall provide each county~~
2 recorder with registration forms and certificates and shall
3 allocate registration numbers to each county.

4 2. The owner of the snowmobile shall file an application
5 for registration with the department through the appropriate
6 county recorder ~~on forms provided~~ in the manner established by
7 the commission. The application shall be completed and signed
8 by the owner and shall be accompanied by a fee of fifteen
9 dollars and a writing fee. A snowmobile shall not be
10 registered by the county recorder until the county recorder is
11 presented with receipts, bills of sale, or other satisfactory
12 evidence that the sales or use tax has been paid for the
13 purchase of the snowmobile or that the owner is exempt from
14 paying the tax. A snowmobile that has an expired registration
15 certificate from another state may be registered in this state
16 upon proper application, payment of all applicable
17 registration and writing fees, and payment of a penalty of
18 five dollars.

19 3. Upon receipt of the application in approved form
20 accompanied by the required fees, the county recorder shall
21 ~~enter it upon the records~~ register the snowmobile with the
22 department and shall issue to the applicant a registration
23 certificate. ~~The certificate shall be executed in triplicate,~~
24 ~~one copy to be delivered to the owner, one copy to the~~
25 ~~commission, and one copy to be retained on file by the county~~
26 ~~recorder.~~ The registration certificate shall bear the number
27 awarded to the snowmobile and the name and address of the
28 owner. The registration certificate shall be carried either
29 in the snowmobile or on the person of the operator of the
30 snowmobile when in use. The operator of a snowmobile shall
31 exhibit the registration certificate to a peace officer upon
32 request, to a person injured in an accident involving a
33 snowmobile, to the owner or operator of another snowmobile or
34 the owner of personal or real property when the snowmobile is
35 involved in a collision or accident of any nature with another

1 snowmobile or the property of another person, or to the
2 property owner or tenant when the snowmobile is being operated
3 on private property without permission from the property owner
4 or tenant.

5 4. If a snowmobile is placed in storage, the owner shall
6 return the current registration certificate to the county
7 recorder with an affidavit stating that the snowmobile is
8 placed in storage and the effective date of storage. The
9 county recorder shall notify the commission department of each
10 snowmobile placed in storage. When the owner of a stored
11 snowmobile desires to renew the registration, the owner shall
12 make application to through the county recorder and pay the
13 registration and writing fees without penalty. A refund of
14 the registration fee shall not be allowed for a stored
15 snowmobile.

16 5. Notwithstanding subsections 1 and 2, a snowmobile that
17 is more than thirty years old may be registered for a one-time
18 fee of twenty-five dollars, which shall exempt the owner from
19 annual registration and fee requirements for that snowmobile.
20 However, if ownership of such a snowmobile is transferred, the
21 new owner shall register the snowmobile and pay the one-time
22 fee as required under this subsection.

23 Sec. 4. NEW SECTION. 321G.4A NONRESIDENT USER PERMITS.

24 1. A nonresident wishing to operate a snowmobile, other
25 than a snowmobile registered pursuant to this chapter, on
26 public land or ice of this state shall first obtain a user
27 permit from the department. A user permit shall be issued for
28 the snowmobile specified at the time of application and is not
29 transferable. A user permit shall be valid for the calendar
30 year specified in the permit.

31 2. User permits may be issued by a county recorder or a
32 license agent pursuant to rules adopted by the commission.
33 The fee for a user permit shall be fifteen dollars plus an
34 administrative fee established by the commission. A county
35 recorder shall retain a writing fee of one dollar from the

1 sale of each user permit issued by the county recorder's
2 office. The writing fees retained by the county recorder
3 shall be deposited in the general fund of the county. A
4 license agent designated by the director pursuant to section
5 483A.11 shall retain a writing fee of one dollar from the sale
6 of each permit issued by the agent.

7 Sec. 5. Section 321G.6, subsection 1, Code 2005, is
8 amended to read as follows:

9 1. Every snowmobile registration certificate and number
10 issued expires at midnight December 31 unless sooner
11 terminated or discontinued in accordance with this chapter.
12 After the first day of September each year, an unregistered
13 snowmobile may be registered or and a registration may be
14 renewed in one transaction. The fee is five dollars for the
15 remainder of the current year, in addition to the registration
16 fee of fifteen dollars for the subsequent year beginning
17 January 1, and a writing fee.

18 Sec. 6. Section 321G.6, Code 2005, is amended by adding
19 the following new subsection:

20 NEW SUBSECTION. 6. The department shall develop and
21 maintain an electronic system for residents to renew
22 snowmobile registrations pursuant to this section. A county
23 recorder or license agent may issue snowmobile registration
24 renewals electronically pursuant to rules adopted by the
25 commission. The fee for a registration renewal issued using
26 an electronic system is fifteen dollars plus an administrative
27 fee established by the commission. A county recorder or
28 license agent designated by the director pursuant to section
29 483A.11 shall retain a writing fee of one dollar for each
30 registration renewal issued. The writing fees retained by the
31 county recorder shall be deposited in the general fund of the
32 county.

33 Sec. 7. Section 321G.7, unnumbered paragraph 2, Code 2005,
34 is amended to read as follows:

35 The department shall remit the fees, including user permit

1 fees collected pursuant to section 321G.4A, to the treasurer
2 of state, who shall place the money in a special snowmobile
3 fund. The money is appropriated to the department for the
4 snowmobile programs of the state. The programs shall include
5 grants, subgrants, contracts, or cost-sharing of snowmobile
6 programs with political subdivisions or incorporated private
7 organizations or both in accordance with rules adopted by the
8 commission. Snowmobile fees may be used to support snowmobile
9 programs on a usage basis. At least fifty percent of the
10 special fund shall be available for political subdivisions or
11 incorporated private organizations or both. Moneys from the
12 special fund not used by the political subdivisions or
13 incorporated private organizations or both shall remain in the
14 fund and may be used by the department for the administration
15 of the snowmobile programs. Notwithstanding section 8.33,
16 moneys in the special fund shall not revert to the general
17 fund of the state at the end of a fiscal year.

18 Notwithstanding section 12C.7, subsection 2, interest or
19 earnings on moneys in the special fund shall remain in the
20 fund.

21 Sec. 8. Section 321G.8, subsection 3, Code 2005, is
22 amended by striking the subsection.

23 Sec. 9. Section 321G.13, subsection 1, paragraph g, Code
24 2005, is amended by striking the paragraph and inserting in
25 lieu thereof the following:

26 g. In any park, wildlife area, preserve, refuge, game
27 management area, or any portion of a meandered stream, or any
28 portion of the bed of a nonmeandered stream which has been
29 identified as a navigable stream or river by rule adopted by
30 the department and which is covered by water, except on
31 designated snowmobile trails.

32 This paragraph does not prohibit the use of ford crossings
33 of public or private roads or any other ford crossing when
34 used for agricultural purposes; the operation of construction
35 vehicles engaged in lawful construction, repair, or

1 maintenance in a streambed; or the operation of snowmobiles on
2 ice.

3 Sec. 10. Section 331.602, subsection 16, Code 2005, is
4 amended to read as follows:

5 16. Issue snowmobile ~~registrations~~ and all-terrain vehicle
6 registrations and user permits as provided in sections 321G.4,
7 321G.4A, 321G.6, 321G.21, 321I.4, 321I.5, 321I.7, and 321I.22.

8 Sec. 11. Section 805.8B, subsection 2, Code 2005, is
9 amended to read as follows:

10 2. ~~SNOWMOBILE AND-ALL-TERRAIN-VEHICLE~~ VIOLATIONS.

11 a. For registration or user permit violations under
12 ~~sections section~~ section 321G.3 ~~and-321I-3~~, the scheduled fine is
13 ~~twenty~~ fifty dollars. When the scheduled fine is paid, the
14 violator shall submit sufficient proof that a valid
15 registration or user permit has been obtained.

16 b. (1) For operating violations under section 321G.9,
17 subsections 1, 2, 3, 4, 5, 6, and 7, ~~sections~~ the scheduled
18 fine is fifty dollars.

19 (2) For operating violations under sections 321G.11, and
20 321G.13, subsection 1, paragraph "d", ~~sections-321I-10,~~
21 ~~321I-12,-and-321I-14,-subsection-1,-paragraph-"d",~~ the
22 scheduled fine is twenty dollars.

23 (3) For operating violations under section 321G.13,
24 subsection 1, paragraphs "a", "b", "e", "f", "g", and "h", and
25 subsections 2 and 3, the scheduled fine is one hundred
26 dollars.

27 c. For improper or defective equipment under ~~sections~~
28 section 321G.12 ~~and-321I-13~~, the scheduled fine is twenty
29 dollars.

30 d. For violations of ~~sections~~ section 321G.19 ~~and-321I-20~~,
31 the scheduled fine is twenty dollars.

32 e. For identification violations under ~~sections~~ section
33 321G.5 ~~and-321I-6~~, the scheduled fine is twenty dollars.

34 f. For stop signal violations under section 321G.17, the
35 scheduled fine is one hundred dollars.

1 g. For violations of section 321G.20, the scheduled fine
2 is fifty dollars.

3 Sec. 12. Section 805.8B, Code 2005, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 2A. ALL-TERRAIN VEHICLE VIOLATIONS.

6 a. For registration or user permit violations under
7 section 321I.3, the scheduled fine is twenty dollars. When
8 the scheduled fine is paid, the violator shall submit
9 sufficient proof that a valid registration or user permit has
10 been obtained.

11 b. For operating violations under sections 321I.10,
12 321I.12, and 321I.14, subsection 1, paragraph "d", the
13 scheduled fine is twenty dollars.

14 c. For improper or defective equipment under section
15 321I.13, the scheduled fine is twenty dollars.

16 d. For violations of section 321I.20, the scheduled fine
17 is twenty dollars.

18 e. For identification violations under section 321I.6, the
19 scheduled fine is twenty dollars.

20 Sec. 13. PENALTY PROVISIONS -- CODE EDITOR DIRECTIVE. The
21 sections of this Act amending section 805.8B, subsection 2,
22 and enacting section 805.8B, subsection 2A, are intended to
23 codify the penalty provisions relating to snowmobile
24 violations, as amended in this Act, in a separate subsection
25 from the penalty provisions relating to all-terrain vehicle
26 violations. If penalties relating to all-terrain vehicle
27 violations are amended in another Act of the general assembly
28 during the 2005 legislative session, the Code editor shall
29 harmonize the provisions so as to give effect to the
30 amendments to the all-terrain vehicle penalties in the other
31 Act.

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EXPLANATION

33 This bill makes numerous changes to provisions relating to
34 the ownership and use of snowmobiles, as regulated by the
35 department of natural resources.

1 The bill amends the definition of snowmobile in Code
2 section 321G.1 to exclude all-terrain vehicles which have been
3 altered or equipped with skis, belt-type tracks, or treads.
4 The amended definition also specifies that an endless belt-
5 type tread on a snowmobile may not be wider than 48 inches.

6 The bill amends Code section 321G.4 to provide for
7 electronic registration of snowmobiles through county
8 recorders and to allow lifetime registration of snowmobiles
9 that are more than 30 years old for a one-time fee of \$25.

10 The bill amends Code section 321G.8 and creates new Code
11 section 321G.4A, which requires a nonresident to obtain a user
12 permit to operate a snowmobile in this state. The permit
13 applies only to the snowmobile for which it is issued, is not
14 transferable, and is valid for the calendar year. The user
15 permit may be obtained from a county recorder or license
16 depositary for a fee of \$15, plus an administrative fee
17 established by the natural resource commission, plus a \$1
18 writing fee to be retained by the recorder or depositary.
19 User permit fees are to be deposited in the special snowmobile
20 fund along with snowmobile registration fees.

21 The bill makes a corrective amendment to Code section
22 321G.6 to allow for registration of a snowmobile for the
23 remainder of the year plus the following year in one
24 transaction, upon payment of a combined fee of \$20 plus a
25 writing fee.

26 Code section 321G.6 is also amended to require the
27 department to develop and maintain an electronic system for
28 renewal of snowmobile registrations by license agents.
29 Electronic registration renewals could be issued by county
30 recorders or license agents for the annual fee of \$15, plus an
31 administrative fee to be established by the natural resource
32 commission, plus a \$1 writing fee.

33 The bill amends Code section 321G.13 by expanding the
34 description of the types of public areas that are off-limits
35 for snowmobile operators.

1 The bill revises penalties for certain violations by
2 snowmobile operators. For a violation of registration or user
3 permit requirements in Code section 321G.3, the scheduled fine
4 is increased from \$20 to \$50. For a violation of operating
5 restrictions on highways in Code section 321G.9, the scheduled
6 fine is increased from \$20 to \$50. For unlawful operation
7 violations under Code section 321G.13, other than operating
8 while intoxicated and headlight and taillight violations, and
9 for disregarding a peace officer's signal to stop or eluding a
10 peace officer under Code section 321G.17, the penalty is
11 changed from a simple misdemeanor to a simple misdemeanor
12 punishable as a scheduled violation, subject to a \$100 fine.
13 The bill provides that an owner or operator who permits a
14 person under 12 years of age to operate a snowmobile or a
15 person under 12 years of age who unlawfully operates a
16 snowmobile under Code section 321G.20 commits a simple
17 misdemeanor subject to a scheduled fine of \$50.

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ACTION TEXT

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By Ways & Means.

A bill for an act relating to the regulation of snowmobiles and establishing fees. Effective 07-01-05.

- Apr. 26 05 Introduced, placed on Ways and Means calendar. H.J. 1487.
- Apr. 26 05 Fiscal note. HCS.
- Apr. 28 05 Asked and received unanimous consent to suspend the rules for consideration. H.J. 1610.
- Apr. 28 05 Passed House, ayes 96, nays 2. H.J. 1611.
- Apr. 28 05 Immediate message. H.J. 1623.
- Apr. 28 05 Message from House. S.J. 1067.
- Apr. 28 05 Read first time, referred to Ways & Means. S.J. 1067.
- Apr. 29 05 Subcommittee, Dotzler, Hahn, Miller, and Seng. S.J. 1089.
- May 04 05 Committee report, recommending passage. S.J. 1131.
- May 05 05 Passed Senate, ayes 49, nays none. S.J. 1140.
- May 05 05 Explanation of vote. S.J. 1157.
- May 05 05 Immediate message. S.J. 1141.
- May 05 05 Message from Senate. H.J. 1742.
- May 20 05 Reported correctly enrolled, signed by Speaker and President. H.J. 2228.
- May 20 05 Sent to Governor. H.J. 2228.
- May 23 05 Signed by Governor. H.J. 2236.

* * * * * END OF 2005 ACTIONS * * * * *

HOUSE FILE 879

AN ACT

RELATING TO THE REGULATION OF SNOWMOBILES AND ESTABLISHING FEES.

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

Section 1. Section 321G.1, subsection 18, Code 2005, is amended to read as follows:

18. "Snowmobile" means a motorized vehicle weighing less than one thousand pounds which uses sled-type runners or skis, endless belt-type tread with a width of forty-eight inches or less, or any combination of runners, skis, or tread, and is designed for travel on snow or ice. "Snowmobile" does not include an all-terrain vehicle, as defined in section 321I.1, which has been altered or equipped with runners, skis, belt-type tracks, or treads.

Sec. 2. Section 321G.3, subsection 1, Code 2005, is amended to read as follows:

1. Each snowmobile used on public land or ice of this state shall be currently registered and numbered. A person shall not operate, maintain, or give permission for the operation or maintenance of a snowmobile on public land or ice

unless the snowmobile is numbered in accordance with this chapter, or applicable federal laws, or an approved numbering system of another state, and unless the snowmobile displays a current annual user permit for the snowmobile. If the snowmobile is required to be registered in this state, the identifying number set forth in the registration is shall be displayed as prescribed by rules of the commission.

Sec. 3. Section 321G.4, Code 2005, is amended to read as follows:

321G.4 REGISTRATION WITH COUNTY RECORDER -- FEE.

1. The owner of each snowmobile required to be numbered shall register it annually with the department through the county recorder of the county in which the owner resides or, if the owner is a nonresident, the owner shall register it in the county in which the snowmobile is principally used. The department shall develop and maintain an electronic system for the registration of snowmobiles pursuant to this chapter. The commission has supervisory responsibility over department shall establish forms and procedures as necessary for the registration of snowmobiles and shall provide each county recorder with registration forms and certificates and shall allocate registration numbers to each county.

2. The owner of the snowmobile shall file an application for registration with the department through the appropriate county recorder on forms provided in the manner established by the commission. The application shall be completed and signed by the owner and shall be accompanied by a fee of fifteen dollars and a writing fee. A snowmobile shall not be registered by the county recorder until the county recorder is presented with receipts, bills of sale, or other satisfactory evidence that the sales or use tax has been paid for the purchase of the snowmobile or that the owner is exempt from paying the tax. A snowmobile that has an expired registration

certificate from another state may be registered in this state upon proper application, payment of all applicable registration and writing fees, and payment of a penalty of five dollars.

3. Upon receipt of the application in approved form accompanied by the required fees, the county recorder shall ~~enter it upon the records~~ register the snowmobile with the department and shall issue to the applicant a registration certificate. ~~The certificate shall be executed in triplicate, one copy to be delivered to the owner, one copy to the commission, and one copy to be retained on file by the county recorder.~~ The registration certificate shall bear the number awarded to the snowmobile and the name and address of the owner. The registration certificate shall be carried either in the snowmobile or on the person of the operator of the snowmobile when in use. The operator of a snowmobile shall exhibit the registration certificate to a peace officer upon request, to a person injured in an accident involving a snowmobile, to the owner or operator of another snowmobile or the owner of personal or real property when the snowmobile is involved in a collision or accident of any nature with another snowmobile or the property of another person, or to the property owner or tenant when the snowmobile is being operated on private property without permission from the property owner or tenant.

4. If a snowmobile is placed in storage, the owner shall return the current registration certificate to the county recorder with an affidavit stating that the snowmobile is placed in storage and the effective date of storage. The county recorder shall notify the commission department of each snowmobile placed in storage. When the owner of a stored snowmobile desires to renew the registration, the owner shall make application to through the county recorder and pay the

registration and writing fees without penalty. A refund of the registration fee shall not be allowed for a stored snowmobile.

5. Notwithstanding subsections 1 and 2, a snowmobile that is more than thirty years old may be registered for a one-time fee of twenty-five dollars, which shall exempt the owner from annual registration and fee requirements for that snowmobile. However, if ownership of such a snowmobile is transferred, the new owner shall register the snowmobile and pay the one-time fee as required under this subsection.

Sec. 4. NEW SECTION. 321G.4A NONRESIDENT USER PERMITS.

1. A nonresident wishing to operate a snowmobile, other than a snowmobile registered pursuant to this chapter, on public land or ice of this state shall first obtain a user permit from the department. A user permit shall be issued for the snowmobile specified at the time of application and is not transferable. A user permit shall be valid for the calendar year specified in the permit.

2. User permits may be issued by a county recorder or a license agent pursuant to rules adopted by the commission. The fee for a user permit shall be fifteen dollars plus an administrative fee established by the commission. A county recorder shall retain a writing fee of one dollar from the sale of each user permit issued by the county recorder's office. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A license agent designated by the director pursuant to section 483A.11 shall retain a writing fee of one dollar from the sale of each permit issued by the agent.

Sec. 5. Section 321G.6, subsection 1, Code 2005, is amended to read as follows:

1. Every snowmobile registration certificate and number issued expires at midnight December 31 unless sooner

terminated or discontinued in accordance with this chapter. After the first day of September each year, an unregistered snowmobile may be registered or and a registration may be renewed in one transaction. The fee is five dollars for the remainder of the current year, in addition to the registration fee of fifteen dollars for the subsequent year beginning January 1, and a writing fee.

Sec. 6. Section 321G.6, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 6. The department shall develop and maintain an electronic system for residents to renew snowmobile registrations pursuant to this section. A county recorder or license agent may issue snowmobile registration renewals electronically pursuant to rules adopted by the commission. The fee for a registration renewal issued using an electronic system is fifteen dollars plus an administrative fee established by the commission. A county recorder shall retain a writing fee of one dollar and twenty-five cents for each registration renewal issued by the county recorder's office. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A license agent designated by the director pursuant to section 483A.11 shall retain a writing fee of one dollar for each registration renewal issued.

Sec. 7. Section 321G.7, unnumbered paragraph 2, Code 2005, is amended to read as follows:

The department shall remit the fees, including user permit fees collected pursuant to section 321G.4A, to the treasurer of state, who shall place the money in a special snowmobile fund. The money is appropriated to the department for the snowmobile programs of the state. The programs shall include grants, subgrants, contracts, or cost-sharing of snowmobile programs with political subdivisions or incorporated private

organizations or both in accordance with rules adopted by the commission. Snowmobile fees may be used to support snowmobile programs on a usage basis. At least fifty percent of the special fund shall be available for political subdivisions or incorporated private organizations or both. Moneys from the special fund not used by the political subdivisions or incorporated private organizations or both shall remain in the fund and may be used by the department for the administration of the snowmobile programs. Notwithstanding section 8.33, moneys in the special fund shall not revert to the general fund of the state at the end of a fiscal year. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the special fund shall remain in the fund.

Sec. 8. Section 321G.8, subsection 3, Code 2005, is amended by striking the subsection.

Sec. 9. Section 321G.13, subsection 1, paragraph g, Code 2005, is amended by striking the paragraph and inserting in lieu thereof the following:

g. In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered stream which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated snowmobile trails.

This paragraph does not prohibit the use of ford crossings of public or private roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of snowmobiles on ice.

Sec. 10. Section 331.602, subsection 16, Code 2005, is amended to read as follows:

16. Issue snowmobile registrations and all-terrain vehicle registrations and user permits as provided in sections 321G.4, 321G.4A, 321G.6, 321G.21, 321I.4, 321I.5, 321I.7, and 321I.22.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 879, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/23, 2005

THOMAS J. VILSACK
Governor