

SUBCHAPTER 3H SNOWMOBILES

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3-3H-1 REGISTRATION AND NUMBERING REQUIRED – COMPETITION REGISTRATION.

Every snowmobile used on public streets, highways, land, or ice of this State shall be currently registered and numbered. No person shall operate, maintain, or give permission for the operation or maintenance of any such snowmobile on such land or ice unless the snowmobile is numbered in accordance with this chapter, or in accordance with applicable Federal laws, or in accordance with an approved numbering system of another state, and unless the identifying number set forth in the registration is displayed on each side of the forward half of such snowmobile.

A registration number shall be assigned, without payment of fee, to snowmobiles owned by the State of Iowa or its political subdivisions upon application therefor, and the assigned registration number shall be displayed on the snowmobile as required under section 321G.5.

Upon proper application and payment of the registration fee provided in section 321G.6, the Commission shall issue a competition registration for a snowmobile. A competition registration authorizes the operation of the snowmobile only in special events in which the Commission has authorized their operation. The fees collected for the competition registration shall be deposited in the special conservation fund.

3-3H-2 REGISTRATION WITH COUNTY RECORDER – FEE. The owner of each snowmobile required to be numbered shall register it every two years with 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 such snowmobile is principally used. The Commission shall have supervisory responsibility over the registration of all snowmobiles and shall provide each County Recorder with registration forms and certificates and shall allocate identification numbers to each County.

The owner of the snowmobile shall file an application for registration with the appropriate County Recorder on forms provided by the Commission. The application shall be completed and signed by the owner of the snowmobile and shall be accompanied by a fee of twelve dollars and a writing fee. Proof of payment of Iowa sales or use tax must accompany all applications for registration. Upon receipt of the application in approved form accompanied by the required fees, the County Recorder shall enter the

same upon the records and shall issue to the applicant a pocket-size 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 machine when in use. The operator of a snowmobile shall exhibit the registration certificate to a peace officer upon request or 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.

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 of each snowmobile placed in storage. When the owner of a stored snowmobile desires to renew the registration, the owner shall make application to 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.

3-3H-3 DISPLAY OF IDENTIFICATION NUMBERS. A plate or decal containing the identification numbers or letters shall be furnished by the Conservation Commission.

The owner shall cause the identification number to be attached to each side of the forward half of the snowmobile in such manner as may be prescribed by the rules and regulations of the Commission and shall be maintained in legible condition at all times.

The owner of any snowmobile which is used as a watercraft and is required to be numbered as a watercraft may display the watercraft number on the forward half of the snowmobile in lieu of the snowmobile identification number, but the current snowmobile registration decal shall also be affixed aft of the current watercraft registration decal.

3-3H-4 REGISTRATION – RENEWAL – TRANSFER. Every registration certificate and number issued shall expire at midnight December 31, and every two years thereafter unless sooner terminated or discontinued in accordance with the provisions of this chapter. After the first day of September each even-numbered year, any unregistered snowmobile and renewals of registration may be so registered for the subsequent biennium beginning January 1. Any snowmobile registered between January 1 and September 1 of even-numbered years shall be registered for a fee of six dollars for the remainder of the registration period.

After the first day of September in even-numbered years an unregistered snowmobile may be registered for the remainder of the current registration period and for the subsequent registration period in one transaction. The fee shall be three dollars for the remainder of the current period, in addition to the registration fee of twelve dollars for the subsequent biennium beginning January 1, and a writing fee. Registration certificates and numbers may be renewed upon application of the owner in the same manner as provided in securing the original registration. The snowmobile registration fee is in lieu of personal property tax for each year of the registration.

If the application for registration for the subsequent biennium is not made before January 1 of each odd-numbered year, the applicant shall be charged a penalty of two dollars for each six months' delinquency, or any portion of six months.

Whenever any person, after registering a snowmobile, moves from the address shown on the registration certificate, the person shall, within ten days, notify the County Recorder in writing of such fact.

Upon the transfer of ownership of a snowmobile, the owner shall complete the form on the back of a current registration certificate and shall deliver it to the purchaser or transferee at the time of delivering the snowmobile. The purchaser or transferee shall, within five days, file a new application form with the County Recorder with a fee of one dollar and the writing fee, and a transfer of number shall be awarded in the same manner as provided in an original registration.

All registrations must be valid for the current registration period prior to the transfer of any registration, including assignment to a dealer.

Duplicate registrations may be issued upon application therefor and the payment of the same fees collected for the transfer of registrations.

3-3H-5 EXEMPT VEHICLES. No registration shall be required for the following described snowmobiles:

1. Snowmobiles owned and used by the United States, another state, or a political subdivision thereof.
2. Snowmobiles registered in a country other than the United States temporarily used within this state.
3. Snowmobiles covered by a valid license of another state and which have not been within this State for more than twenty consecutive days.
4. Snowmobiles not registered or licensed in another state or country being used in this State while engaged in a special event and not remaining in the State for a period of more than ten days.

3-3G-6 OPERATION ON ROADWAYS AND HIGHWAYS. No person shall operate a snowmobile upon roadways or highways, as defined in section .1, except as provided in this chapter:

1. A snowmobile shall not be operated at any time within the right-of-way of any interstate highway or freeway within this State.
2. A snowmobile may make a direct crossing of a street or highway provided:
 - a. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and
 - b. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway; and
 - c. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and
 - d. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.

3. A registered snowmobile shall not be operated on public highways:
 - a. On the roadway portion of a highway and adjacent shoulder, or at least five feet on either side of the roadway, except as provided in subsection 4 of this section: and
 - b. On limited access highways and approaches: and
 - c. For racing any moving object: and
 - d. Abreast with one or more other snowmobiles on a City highway.
4. A registered snowmobile may be operated under the following conditions:
 - a. Upon City highways which have not been plowed during the snow season or on such highways as designated by the governing body of a municipality.
 - b. On that portion of County roadways that have not been plowed during the snow season or not maintained or utilized for the operation of conventional two-wheel drive motor vehicles.
 - c. On highways in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.
 - d. On the roadways of that portion of County highways designated by the County Board of Supervisors for such use during a specified period. The County Board of Supervisors shall evaluate the traffic conditions on all County highways and designate roadways on which snowmobiles may be operated for the specified period without unduly interfering with or constituting an undue hazard to conventional motor vehicle traffic. Signs warning of the operation of snowmobiles on the roadway shall be placed and maintained on the portions of highway thus designated during the period specified for such operation.
 - e. On the roadway or shoulder when necessary to cross a bridge or culvert, or avoid an obstruction which makes it impossible to travel on the portion of the highway not intended for motor vehicles, if the snowmobile is brought to a complete stop before entering onto the roadway or shoulder and the driver yields the right-of-way to any approaching vehicle on the roadway.
5. The headlight and taillight shall be lighted during the operation on a public highway at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet or rain provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.
6. A snowmobile shall not be operated on or across a public highway by a person under sixteen years of age who does not have in the person's possession a safety certificate issued to the person pursuant to this chapter.

Any person twelve to fifteen years of age and possessing a valid safety certificate must be accompanied by and under the direct supervision of a responsible person of at least eighteen years of age who is experienced in snowmobile operation and who possesses a valid operator's or chauffeur's license, instruction permit, restricted license or temporary permit issued under chapter 321 or a safety certificate issued under this chapter.

7. A snowmobile shall not be operated within the right-of-way of any primary highway between the hours of sunset and sunrise except on the right-hand side of such right-of-way and in the same direction as the motor vehicular traffic on the nearest lane of traveled portion of such right-of-way.

3-3H-7MUFFLERS REQUIRED. A snowmobile shall not be operated without suitable and effective muffling devices which limit engine noise to not more than eighty-six decibels as measured on the "A"

scale at a distance of fifty feet: and a snowmobile, manufactured after July 1, 1973, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine noise to not more than eighty-two decibels as measured on the “A” scale at a distance of fifty feet.

The Commission may adopt rules with respect to the inspection of snowmobiles and the testing of snowmobile mufflers.

A separate placard shall be affixed, permanently and conspicuously, to any new snowmobile sold or offered for sale in this state that does not meet the muffler requirements as stated above. The placard shall designate each snowmobile which does not meet the muffler requirements.

A snowmobile manufactured after July 1, 1975, which is sold, offered for sale or used in this state, except in an authorized special event, shall have a muffler system that limits engine noise to not more than seventy-eight decibels as measured on the “A” scale at a distance of fifty feet.

3-3H-8 LAMPS REQUIRED. Every snowmobile shall be equipped with at least one head lamp and one tail lamp, and with brakes which conform to standards prescribed by the Director of Transportation.

3-3H-9 UNLAWFUL OPERATION. It shall be unlawful for any person to drive or operate any snowmobile:

At a rate of speed greater than reasonable or proper under all existing circumstances.

In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

While under the influence of intoxicating liquor or narcotics or habit-forming drugs.

Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

In any tree nursery or planting in a manner which damages or destroys growing stock.

On any public land, ice, or snow, in violation of official signs of the Commission prohibiting such operation in the interest of safety for persons, property, or the environment. Any officer appointed by the Commission may post an official sign in an emergency for the protection of persons, property, or the environment.

In or on any park or fish and game areas except on designated snowmobile trails.

Upon an operating railroad right-of-way. A snowmobile may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, where necessary, use the improved portion of such established crossing after yielding to all oncoming traffic. The provisions of this subsection shall not apply to any law enforcement officer or railroad employee in the lawful discharge of the officer’s or employee’s duties.

On any public road or street without a bright colored pennant or flag displayed at least sixty inches above the ground. Said pennant or flag shall be a minimum of six inches by nine inches, shall be orange and shall provide a fluorescent effect.

On public land without a measurable snow cover.

No person shall operate or ride in any snowmobile with any firearm in the person's possession unless it is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.

3-3H-10 PENALTY. Any person who shall violate any provision of this chapter or any regulation of the Commission or Director of Transportation shall be guilty of a simple misdemeanor.

Chapter 232 shall have no application in the prosecution of offenses which are committed in violation of this chapter, and which constitute simple misdemeanors.

3-3H-11 OPERATION PENDING REGISTRATION. The State Conservation Commission shall furnish snowmobile dealers with pasteboard cards bearing the words "registration applied for". Any unregistered snowmobile sold by a dealer shall bear one of these cards which shall entitle the purchaser to operate it for ten days immediately following the purchase. The purchaser of a registered snowmobile shall be entitled to operate it for ten days immediately following the purchase, without having completed a transfer of registration. Any person who purchases a snowmobile from a dealer shall, within five days of the purchase, apply for a snowmobile registration or transfer of registration.

3-3H-12 SPECIAL EVENTS. The Commission may authorize the holding of organized special events as defined in this chapter within this State. The Commission shall adopt and may amend rules and regulations relating to the conduct of special events held under Commission permits and designating the equipment and facilities necessary for safe operation of snowmobiles or for the safety of operators, participants, and observers in the special events. At least thirty days before the scheduled date of a special event in this State, an application shall be filed with the Commission for authorization to conduct the special event. The application shall set forth the date, time and location of the proposed special event and any other information as the Commission may require. The special event shall not be conducted without written authorization of the Commission. Copies of such rules shall be furnished by the Commission to any person making an application therefor.

3-3H-13 VIOLATION OF "STOP" SIGN. It shall be unlawful for any person, after having received a visual or audible signal from any officer to come to a stop, to operate a snowmobile in willful or wanton disregard of such signal or interfere with or endanger the officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer.

3-3H-14 NEGLIGENCE. The owner and operator of any snowmobile shall be liable for any injury or damage occasioned by the negligent operation of such snowmobile.

3-3H-15 RENTED SNOWMOBILES. The owner of any rented snowmobile shall keep a record of the name and address of each person renting the snowmobile, its identification number, the departure date and time, and the expected time of return. The records shall be preserved for six months.

The owner of a snowmobile operated for hire shall not permit the use or operation of a rented snowmobile unless it shall have been provided with all equipment required by this chapter or rules of the Commission or the Director of Transportation, properly installed and in good working order.

3-3H-16 MINORS UNDER TWELVE. No owner or operator of any snowmobile shall permit any person under twelve years of age to operate nor shall any person less than twelve years of age operate, the snowmobile except when accompanied on the same snowmobile by a responsible person of at least eighteen years of age who is experienced in snowmobile operation and who possesses a valid operator's or chauffeur's license, instruction permit, restricted license, or temporary permit issued under chapter 321 or a safety certificate issued under this chapter.

TITLE III COMMUNITY PROTECTION

CHAPTER 3 TRAFFIC CODE

