

FIRST REGULAR SESSION

[PERFECTED]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 49

101ST GENERAL ASSEMBLY

0323S.02P

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 306.030 and 306.221, RSMo, and to enact in lieu thereof two new sections relating to watercraft.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 306.030 and 306.221, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 306.030 and 306.221, to read as follows:

306.030. 1. The owner of each vessel requiring
2 numbering by this state shall file an application for number
3 with the department of revenue on forms provided by it. The
4 application shall contain a full description of the vessel,
5 factory number or serial number, together with a statement
6 of the applicant's source of title and of any liens or
7 encumbrances on the vessel. For good cause shown the
8 director of revenue may extend the period of time for making
9 such application. The director of revenue shall use
10 reasonable diligence in ascertaining whether the facts
11 stated in such application are true, and, if satisfied that
12 the applicant is the lawful owner of such vessel, or
13 otherwise entitled to have the same registered in his or her
14 name, shall thereupon issue an appropriate certificate of
15 title over the director's signature and sealed with the seal
16 of the director's office, procured and used for such

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 purpose, and a certificate of number stating the number
18 awarded to the vessel. The application shall include a
19 provision stating that the applicant will consent to any
20 inspection necessary to determine compliance with the
21 provisions of this chapter and shall be signed by the owner
22 of the vessel and shall be accompanied by the fee specified
23 in subsection 10 of this section. The owner shall paint on
24 or attach to each side of the bow of the vessel the
25 identification number in a manner as may be prescribed by
26 rules and regulations of the division of water safety in
27 order that it may be clearly visible. The number shall be
28 maintained in legible condition. The certificate of number
29 shall be pocket size and shall be available at all times for
30 inspection on the vessel for which issued, whenever the
31 vessel is in operation. The operator of a vessel in which
32 such certificate of number is not available for inspection
33 by the water patrol division or, if the operator cannot be
34 determined, the person who is the registered owner of the
35 vessel shall be subject to the penalties provided in section
36 306.210. Vessels owned by the state or a political
37 subdivision shall be registered but no fee shall be assessed
38 for such registration.

39 2. Each new vessel sold in this state after January 1,
40 1970, shall have die stamped on or within three feet of the
41 transom or stern a factory number or serial number.

42 3. The owner of any vessel already covered by a number
43 in full force and effect which has been awarded to it
44 pursuant to then operative federal law or a federally
45 approved numbering system of another state shall record the
46 number prior to operating the vessel on the waters of this
47 state in excess of the sixty-day reciprocity period provided
48 for in section 306.080. The recordation and payment of

49 registration fee shall be in the manner and pursuant to the
50 procedure required for the award of a number under
51 subsection 1 of this section. No additional or substitute
52 number shall be issued unless the number is a duplicate of
53 an existing Missouri number.

54 4. In the event that an agency of the United States
55 government shall have in force an overall system of
56 identification numbering for vessels within the United
57 States, the numbering system employed pursuant to this
58 chapter by the department of revenue shall be in conformity
59 therewith.

60 5. All records of the department of revenue made and
61 kept pursuant to this section shall be public records.

62 6. **A permanent certificate of number may be issued**
63 **upon application and payment of three times the fee**
64 **specified for the vessel under subsection 10 of this**
65 **section. Permanent certificates of number shall not be**
66 **transferred to any other person or vessel, or displayed on**
67 **any vessel other than the vessel for which it was issued,**
68 **and shall continue in force and effect until terminated or**
69 **discontinued in accordance with the provisions of this**
70 **chapter.** Every **other** certificate of number awarded pursuant
71 to this chapter shall continue in force and effect for a
72 period of three years unless sooner terminated or
73 discontinued in accordance with the provisions of this
74 chapter. Certificates of number may be renewed by the owner
75 in the same manner provided for in the initial securing of
76 the same or in accordance with the provisions of sections
77 306.010 to 306.030.

78 7. The department of revenue shall fix the days and
79 months of the year on which certificates of number due to
80 expire during the calendar year shall lapse and no longer be

81 of any force and effect unless renewed pursuant to this
82 chapter and may stagger such dates in order to distribute
83 the workload.

84 8. When applying for or renewing a vessel's
85 certificate of number, the owner shall submit a paid
86 personal property tax receipt for the tax year which
87 immediately precedes the year in which the application is
88 made or the year in which the renewal is due and which
89 reflects that the vessel being renewed is listed as personal
90 property and that all personal property taxes, including
91 delinquent taxes from prior years, have been paid, or a
92 statement certified by the county or township in which the
93 owner's property was assessed showing that the state and
94 county tangible personal property taxes for such previous
95 tax year and all delinquent taxes due have been paid by the
96 applicant or that no such taxes were due.

97 9. When applying for or renewing a certificate of
98 registration for a vessel documented with the United States
99 Coast Guard under section 306.016, owners of vessels shall
100 submit a paid personal property tax receipt for the tax year
101 which immediately precedes the year in which the application
102 is made or the renewal is due and which reflects that the
103 vessel is listed as personal property and that all personal
104 property taxes, including delinquent taxes from prior years,
105 have been paid, or a statement certified by the county or
106 township in which the owner's property was assessed showing
107 that the state and county tangible personal property taxes
108 for such previous tax year and all delinquent taxes due have
109 been paid by the applicant or that no such taxes were due.

110 10. The fee to accompany each application for a
111 certificate of number is:

112	For vessels under 16 feet in length	\$25.00
113 114	For vessels at least 16 feet in length but less than 26 feet in length	\$55.00
115 116	For vessels at least 26 feet in length but less than 40 feet in length	\$100.00
117	For vessels at least 40 feet and over	\$150.00

118 11. The certificate of title and certificate of number
119 issued by the director of revenue shall be manufactured in a
120 manner to prohibit as nearly as possible the ability to
121 alter, counterfeit, duplicate, or forge such certificate
122 without ready detection.

123 12. For fiscal years ending before July 1, 2019, the
124 first two million dollars collected annually under the
125 provisions of this section shall be deposited into the state
126 general revenue fund. All fees collected under the
127 provisions of this section in excess of two million dollars
128 annually shall be deposited in the water patrol division
129 fund and shall be used exclusively for the water patrol
130 division.

131 13. Beginning July 1, 2019, the first one million
132 dollars collected annually under the provisions of this
133 section shall be deposited into the state general revenue
134 fund. All fees collected under the provisions of this
135 section in excess of one million dollars annually shall be
136 deposited in the water patrol division fund and shall be
137 used exclusively for the water patrol division.

138 14. Notwithstanding the provisions of subsection 10 of
139 this section, vessels at least sixteen feet in length but
140 less than twenty-eight feet in length, that are homemade,
141 constructed out of wood, and have a beam of five feet or

142 less, shall pay a fee of fifty-five dollars which shall
143 accompany each application for a certification number.

306.221. 1. No person shall operate or otherwise
2 position a vessel or other object or any person in such
3 manner as to obstruct or impede the normal flow of traffic
4 on the waters of this state.

5 2. **No person shall anchor a vessel positioned within**
6 **one hundred feet of a permitted boat dock on the waters of**
7 **this state in a manner that obstructs ingress or egress of**
8 **watercraft to or from the dock, unless authorized by the**
9 **boat dock permit holder.**

10 3. **No person shall secure a vessel to or enter upon a**
11 **private permitted boat dock on the waters of this state**
12 **unless authorized to do so by the boat dock permit holder.**
13 **The provisions of this subsection shall not apply during**
14 **inclement weather conditions or other emergencies, or**
15 **actions taken to prevent an unsecured vessel from becoming a**
16 **navigational hazard.**

17 4. Any person who violates [subsection 1 of] this
18 section is guilty [upon the first conviction of a class C
19 misdemeanor and upon the second and any subsequent
20 conviction of a class B misdemeanor] **of an infraction.**

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