

1 **BOAT REGISTRATION FEE**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Brent H. Goodfellow**

5

LONG TITLE

6 **General Description:**

7 This bill raises the motorboat or sailboat registration fee limit from \$10 to \$18 per year.

8 **Highlighted Provisions:**

9 This bill:

- 10 ▶ raises the motorboat or sailboat registration fee limit from \$10 to \$18 per year.

11 **Monies Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **73-18-7**, as last amended by Chapter 317, Laws of Utah 2003

18

Be it enacted by the Legislature of the state of Utah:

19 Section 1. Section **73-18-7** is amended to read:

20 **73-18-7. Registration requirements -- Exemptions -- Agents -- Records -- Period**
21 **of registration and renewal -- Expiration -- Notice of transfer of interest or change of**
22 **address -- Duplicate registration card -- Invalid registration -- Powers of board.**

23 (1) (a) Each motorboat and sailboat on the waters of this state shall be registered,
24 unless it is exempt from registration as provided for in Section 73-18-9.

25 (b) A person may not place, or give permission for the placement of, a motorboat or
26
27



28 sailboat on any waters of this state or operate or give permission for the operation of a
29 motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered
30 in accordance with this chapter or is exempt from registration as provided for in Section
31 73-18-9.

32 (2) (a) The owner of each motorboat or sailboat required to be registered ~~[by this]~~ in
33 the state shall file an application for registration with the division on forms approved by the
34 division.

35 (b) (i) The application shall be signed by the owner of the motorboat or sailboat and
36 accompanied by a fee set by the board.

37 (ii) This fee may not exceed ~~[\$10]~~ \$18 per year.

38 (c) The division, before issuing a registration card and registration decals, shall require
39 from each applicant a certificate from the county assessor of the county in which the motorboat
40 or sailboat has situs for taxation containing one of the following statements:

41 (i) the property tax on the motorboat or sailboat for the current year has been paid;

42 (ii) in the county assessor's opinion, the property tax is a lien on real property sufficient
43 to secure the payment of the property tax; or

44 (iii) the motorboat or sailboat is exempt by law from payment of property tax for the
45 current year.

46 (3) (a) Upon receipt of the application in the approved form, the division shall record
47 the receipt and issue to the applicant registration decals and a registration card which state the
48 number assigned to the motorboat or sailboat and the name and address of the owner.

49 (b) The registration card shall be available for inspection on the motorboat or sailboat
50 for which it was issued, whenever that motorboat or sailboat is in operation.

51 (4) The assigned number shall:

52 (a) be painted or permanently attached to each side of the forward half of the motorboat
53 or sailboat;

54 (b) consist of plain vertical block characters not less than three inches in height;

55 (c) contrast with the color of the background and be distinctly visible and legible;

56 (d) have spaces or hyphens equal to the width of a letter between the letter and numeral
57 groupings; and

58 (e) read from left to right.

59 (5) Any vessel with a valid marine document issued by the United States Coast Guard
60 is exempt from the number display requirements of Subsection (4).

61 (6) The nonresident owner of any motorboat or sailboat already covered by a valid
62 number, which has been assigned to it pursuant to federal law or a federally approved
63 numbering system of his resident state, shall be exempt from registration while operating the
64 motorboat or sailboat on the waters of this state unless he is operating in excess of the
65 reciprocity period provided for in Subsection 73-18-9(1).

66 (7) (a) If the ownership of a motorboat or sailboat changes, a new application form
67 with the fee shall be filed with the division and a new registration card and registration decals
68 shall be issued in the same manner as provided for in Subsections (2) and (3).

69 (b) The current number assigned to the vessel shall be reassigned to the new owner to
70 display on the motorboat or sailboat.

71 (8) If the United States Coast Guard has in force an overall system of identification
72 numbering for motorboats or sailboats within the United States, the numbering system
73 employed under this chapter by the board shall be in conformity with that system.

74 (9) The division may authorize any person to act as its agent for the registration of
75 motorboats and sailboats. Any number assigned and any registration card and registration
76 decals issued by an agent of the division in conformity with this chapter and rules of the board
77 shall be valid.

78 (10) (a) All records of the division made or kept pursuant to this section shall be
79 classified by the Motor Vehicle Division in the same manner as motor vehicle records are
80 classified under Section 41-1a-116.

81 (b) Division records are available for inspection in the same manner as motor vehicle
82 records pursuant to Section 41-1a-116.

83 (11) (a) Each registration, registration card, and decal issued under this chapter shall
84 continue in effect for a period of 12 months beginning with the first day of the calendar month
85 of registration. A registration may be renewed by the owner in the same manner provided for
86 in the initial application. The current number assigned to the vessel shall be reassigned when
87 the registration is renewed.

88 (b) Each registration, registration card, and registration decal expires the last day of the
89 month in the year following the calendar month of registration.

90 (c) If the last day of the registration period falls on a day in which the appropriate state
91 or county offices are not open for business, the registration of the motorboat or sailboat is
92 extended to 12 midnight of the next business day.

93 (d) The division may receive applications for registration renewal and issue new
94 registration cards at any time prior to the expiration of the registration, subject to the
95 availability of renewal materials.

96 (e) The new registration shall retain the same expiration month as recorded on the
97 original registration even if the registration has expired.

98 (f) The year of registration shall be changed to reflect the renewed registration period.

99 (g) If the registration renewal application is an application generated by the division
100 through its automated system, the owner need not surrender the last registration card or
101 duplicate.

102 (12) (a) The owner shall notify the division of the transfer of all or any part of his
103 interest, other than creation of a security interest, in a motorboat or sailboat registered in this
104 state under Subsections (2) and (3) or of the destruction or abandonment of the motorboat or
105 sailboat.

106 (b) This notification must take place within 15 days of the transfer, destruction, or
107 abandonment.

108 (c) The transfer, destruction, or abandonment of a motorboat or sailboat terminates its
109 registration except if a transfer of a part interest which does not affect the owner's right to
110 operate a motorboat or sailboat, the transfer shall not terminate the registration.

111 (13) (a) The registered owner shall notify the division within 15 days if his address
112 changes from the address appearing on the registration card and shall, as a part of this
113 notification, furnish the division with his new address.

114 (b) The board may provide in its rules for the surrender of the registration card bearing
115 the former address and its replacement with a new registration card bearing the new address, or
116 for the alteration of an outstanding registration card to show the new address of the holder.

117 (14) (a) If the registration card is lost or stolen, a fee of \$4 may be collected by the
118 division for the issuance of a duplicate.

119 (b) If the registration decals are lost or stolen, a fee of \$3 may be collected by the
120 division for the issuance of duplicate decals.

121 (15) A number other than the number assigned to a motorboat or sailboat or a number
122 for a motorboat or sailboat granted reciprocity under this chapter may not be painted, attached,
123 or otherwise displayed on either side of the bow of a motorboat or sailboat.

124 (16) A motorboat or sailboat registration and number shall be invalid if obtained by
125 knowingly falsifying an application for registration.

126 (17) The board may:

127 (a) designate the suffix to assigned numbers;

128 (b) adopt rules for the display of registration decals;

129 (c) adopt rules for the issuance and display of dealer numbers and registrations; and

130 (d) adopt rules for the issuance and display of temporary registrations.

Legislative Review Note
as of 11-30-04 7:05 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

Current boater registration fees of \$10 could be raised to \$18 per boat. Should the Parks and Recreation Board increase the boating fees up to \$18 per boat, dedicated credit revenues will increase by \$600,000 annually.

	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2006</u>	<u>FY 2007</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>
Dedicated Credits	\$0	\$0	\$600,000	\$600,000
TOTAL	\$0	\$0	\$600,000	\$600,000

Individual and Business Impact

Boater registration fees may increase up to \$8.00 per year.
