

BOAT REGISTRATION AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael G. Waddoups

House Sponsor: John G. Mathis

LONG TITLE

General Description:

This bill authorizes the Board of Parks and Recreation to set the boat registration fee.

Highlighted Provisions:

This bill:

- ▶ removes the maximum boat registration fee;
- ▶ authorizes the Board of Parks and Recreation to set the boat registration fee by following the fee schedule statute; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

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

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL

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

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

73-18-7. Registration requirements -- Exemptions -- Fee -- Agents -- Records --

Period of registration and renewal -- Expiration -- Notice of transfer of interest or change

30 **of address -- Duplicate registration card -- Invalid registration -- Powers of board.**

31 (1) (a) ~~[Each]~~ Except as provided by Section 73-18-9, the owner of each motorboat and
32 sailboat on the waters of this state shall ~~[be registered, unless it is exempt from registration as~~
33 ~~provided for in Section 73-18-9]~~ register it with the division as provided in this chapter.

34 (b) A person may not place, ~~[or]~~ give permission for the placement of, ~~[a motorboat or~~
35 ~~sailboat on any waters of this state or]~~ operate, or give permission for the operation of a
36 motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered
37 ~~[in accordance with]~~ as provided in this chapter ~~[or is exempt from registration as provided for~~
38 ~~in Section 73-18-9].~~

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

42 (b) ~~[(i)]~~ The ~~[application shall be signed by the]~~ owner of the motorboat or sailboat
43 ~~[and accompanied by a]~~ shall sign the application and pay the fee set by the board in
44 accordance with Section 63-38-3.2.

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

46 (c) ~~[The division, before issuing]~~ Before receiving a registration card and registration
47 decals, ~~[shall require from each]~~ the applicant shall provide the division with a certificate from
48 the county assessor of the county in which the motorboat or sailboat has situs for taxation
49 ~~[containing one of the following statements], stating that:~~

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

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

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

55 (d) If the board modifies the fee under Subsection (2)(b), the modification shall take
56 effect on the first day of the calendar quarter after 90 days from the day on which the board
57 provides the State Tax Commission:

58 (i) notice from the board stating that the board will modify the fee; and

59 (ii) a copy of the fee modification.

60 (3) (a) Upon receipt of the application in the approved form, the division shall record
61 the receipt and issue to the applicant registration decals and a registration card [~~which~~] that
62 state the number assigned to the motorboat or sailboat and the name and address of the owner.

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

65 (4) The assigned number shall:

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

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

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

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

72 (e) read from left to right.

73 (5) [~~Any vessel~~] A motorboat or sailboat with a valid marine document issued by the
74 United States Coast Guard is exempt from the number display requirements of Subsection (4).

75 (6) The nonresident owner of any motorboat or sailboat already covered by a valid
76 number[~~, which~~] that has been assigned to it [~~pursuant~~] according to federal law or a federally
77 approved numbering system of [~~his~~] the owner's resident state[~~, shall be~~] is exempt from
78 registration while operating the motorboat or sailboat on the waters of this state unless [~~he~~] the
79 owner is operating in excess of the reciprocity period provided for in Subsection 73-18-9(1).

80 (7) (a) If the ownership of a motorboat or sailboat changes, the new owner shall file a
81 new application form [~~with the~~] and fee [~~shall be filed~~] with the division, and the division shall
82 issue a new registration card and registration decals [~~shall be issued~~] in the same manner as
83 provided for in Subsections (2) and (3).

84 (b) The division shall reassign the current number assigned to the [~~vessel shall be~~
85 ~~reassigned~~] motorboat or sailboat to the new owner to display on the motorboat or sailboat.

86 (8) If the United States Coast Guard has in force an overall system of identification
87 numbering for motorboats or sailboats within the United States, the numbering system
88 employed under this chapter by the board shall ~~[be in conformity]~~ conform with that system.

89 (9) (a) The division may authorize any person to act as its agent for the registration of
90 motorboats and sailboats. ~~[Any]~~

91 (b) A number assigned ~~[and any]~~, a registration card, and registration decals issued by
92 an agent of the division in conformity with this chapter and rules of the board ~~[shall be]~~ are
93 valid.

94 (10) (a) ~~[All]~~ The Motor Vehicle Division shall classify all records of the division
95 made or kept ~~[pursuant]~~ according to this section ~~[shall be classified by the Motor Vehicle~~
96 ~~Division]~~ in the same manner ~~[as]~~ that motor vehicle records are classified under Section
97 41-1a-116.

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

100 (11) (a) (i) Each registration, registration card, and decal issued under this chapter shall
101 continue in effect for ~~[a period of]~~ 12 months, beginning with the first day of the calendar
102 month of registration.

103 (ii) A registration may be renewed by the owner in the same manner provided for in the
104 initial application.

105 (iii) The division shall reassign the current number assigned to the ~~[vessel shall be~~
106 ~~reassigned]~~ motorboat or sailboat when the registration is renewed.

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

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

112 (d) The division may receive applications for registration renewal and issue new
113 registration cards at any time ~~[prior to]~~ before the expiration of the registration, subject to the

114 availability of renewal materials.

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

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

118 (g) If the registration renewal application is an application generated by the division
119 through its automated system, the owner ~~[need not]~~ is not required to surrender the last
120 registration card or duplicate.

121 (12) (a) ~~[The]~~ An owner shall notify the division of:

122 (i) the transfer of all or any part of ~~[his]~~ the owner's interest, other than creation of a
123 security interest, in a motorboat or sailboat registered in this state under Subsections (2) and (3)
124 ~~[or of]; and~~

125 (ii) the destruction or abandonment of the owner's motorboat or sailboat.

126 (b) ~~[This notification]~~ Notification must take place within 15 days of the transfer,
127 destruction, or abandonment.

128 (c) (i) The transfer, destruction, or abandonment of a motorboat or sailboat terminates
129 its registration ~~[except if]~~.

130 (ii) Notwithstanding Subsection (12)(c)(i), a transfer of a part interest ~~[which]~~ that does
131 not affect the owner's right to operate a motorboat or sailboat~~[-, the transfer shall]~~ does not
132 terminate the registration.

133 (13) (a) ~~[The]~~ A registered owner shall notify the division within 15 days if ~~[his]~~ the
134 owner's address changes from the address appearing on the registration card and shall, as a part
135 of this notification, furnish the division with his new address.

136 (b) The board may provide in its rules for:

137 (i) the surrender of the registration card bearing the former address; and ~~[its]~~

138 (ii) (A) the replacement of the card with a new registration card bearing the new
139 address~~[-];~~ or ~~[for]~~

140 (B) the alteration of an ~~[outstanding]~~ existing registration card to show the owner's new
141 address ~~[of the holder]~~.

142 (14) (a) If ~~[the]~~ a registration card is lost or stolen, the division may collect a fee of \$4
143 ~~[may be collected by the division]~~ for the issuance of a duplicate card.

144 (b) If ~~[the]~~ a registration ~~[decals are]~~ decal is lost or stolen, the division may collect a
145 fee of \$3 ~~[may be collected by the division]~~ for the issuance of a duplicate ~~[decals]~~ decal.

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

149 (16) A motorboat or sailboat registration and number ~~[shall be]~~ are invalid if obtained
150 by knowingly falsifying an application for registration.

151 (17) The board may ~~[:(a)]~~ designate the suffix to assigned numbers~~[:]~~, and by following
152 the procedures and requirements of Title 63, Chapter 46a, Utah Administrative Rulemaking
153 Act, make rules for:

154 ~~[(b) adopt rules for]~~ (a) the display of registration decals;

155 ~~[(c) adopt rules for]~~ (b) the issuance and display of dealer numbers and registrations;

156 and

157 ~~[(d) adopt rules for]~~ (c) the issuance and display of temporary registrations.

158 Section 2. **Fee and repeal date.**

159 (1) The department may initially establish and assess the fee authorized by Subsection
160 73-18-7(2)(b) without legislative approval by following the procedures and requirements for
161 setting regulatory fees for a new program under Subsection 63-38-3.2(5).

162 (2) This uncodified section is repealed July 1, 2008.

163 Section 3. **Effective date.**

164 If approved by two-thirds of all the members elected to each house, this bill takes effect
165 upon approval by the governor, or the day following the constitutional time limit of Utah
166 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
167 the date of veto override.