

SENATE BILL NO. 492

INTRODUCED BY M. SPRAGUE

BY REQUEST OF THE SENATE FISH AND GAME STANDING COMMITTEE

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A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE BOAT IDENTIFICATION NUMBER APPLICATION FEE FROM \$2.50 TO \$5; AMENDING SECTION 23-2-512, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. Identification number. (1) The owner of each motorboat, sailboat, or personal watercraft requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat, sailboat, or personal watercraft is owned, on forms prepared and furnished by the department of justice. The application must be signed by the owner of the motorboat, sailboat, or personal watercraft and be accompanied by a fee of ~~\$2.50~~ \$5. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the department of justice, stating the number assigned to the motorboat, sailboat, or personal watercraft and the name and address of the owner.

(2) The applicant, upon the filing of the application, shall pay to the county treasurer the fee in lieu of tax required for a motorboat 10 feet in length or longer, a sailboat 12 feet in length or longer, or a personal watercraft for the current year of certification before the application for certification or recertification may be accepted by the county treasurer.

(3) Should the ownership of a motorboat, sailboat, or personal watercraft change, a new application form with the certification fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(4) If an agency of the United States government has in force a comprehensive system of

1 identification numbering for motorboats in the United States, the numbering system employed pursuant
2 to this part by the department of justice must be in conformity.

3 (5) Every certificate of number and the license decals assigned under this part continues in effect
4 for a period not to exceed 1 year unless terminated or discontinued in accordance with the provisions of
5 this part. Certificates of number and license decals must show the date of expiration and may be renewed
6 by the owner in the same manner provided for in the initial securing of the certificate.

7 (6) Certificates of number expire on December 31 of each year and may not be in effect unless
8 renewed under this part.

9 (7) In event of transfer of ownership, the purchaser shall furnish the county treasurer notice within
10 a reasonable time of the acquisition of all or any part of the purchaser's interest, other than the creation
11 of a security interest, in a motorboat, sailboat, or personal watercraft numbered in this state or of the loss,
12 theft, destruction, or abandonment of the motorboat, sailboat, or personal watercraft. The transfer, loss,
13 theft, destruction, or abandonment terminates the certificate of number for the motorboat, sailboat, or
14 personal watercraft. Recovery from theft or transfer of a part interest that does not affect the owner's
15 right to operate the motorboat, sailboat, or personal watercraft does not terminate the certificate of
16 number.

17 (8) A holder of a certificate of number shall notify the county treasurer within reasonable time if
18 the holder's address no longer conforms to the address appearing on the certificate and shall furnish the
19 county treasurer with the new address. The department of justice may provide by rule for the surrender
20 of the certificate bearing the former address and its replacement with a certificate bearing the new address
21 or the alteration of an outstanding certificate to show the new address of the holder.

22 (9) (a) The number assigned must be painted on or attached to each outboard side of the forward
23 half of the motorboat, sailboat, or personal watercraft or, if there are no sides, at a corresponding location
24 on both outboard sides of the foredeck of the motorboat, sailboat, or personal watercraft. The number
25 assigned must read from left to right in Arabic numerals and block characters of good proportion at least
26 3 inches tall excluding border or trim of a color that contrasts with the color of the background and be so
27 maintained as to be clearly visible and legible. The number may not be placed on the obscured underside
28 of the flared bow where it cannot be easily seen from another vessel or ashore. Numerals, letters, or
29 devices other than those used in connection with the identifying number issued may not be placed in the
30 proximity of the identifying number. Numerals, letters, or devices that might interfere with the ready

1 identification of the motorboat, sailboat, or personal watercraft by its identifying number may not be
2 carried in a manner that interferes with the motorboat's, sailboat's, or personal watercraft's identification.
3 A number other than the number and license decal assigned to a motorboat, sailboat, or personal
4 watercraft or granted reciprocity under this part may not be painted, attached, or otherwise displayed on
5 either side of the forward half of the motorboat, sailboat, or personal watercraft.

6 (b) The certificate of number must be pocket size and available to federal, state, or local law
7 enforcement officers at all reasonable times for inspection on the motorboat, sailboat, or personal
8 watercraft whenever the motorboat, sailboat, or personal watercraft is on waters of this state.

9 (c) Boat liveries are not required to have the certificate of number on board each motorboat,
10 sailboat, or personal watercraft, but a rental agreement must be carried on board livery motorboats,
11 sailboats, or personal watercraft in place of the certificate of number.

12 (10) (a) Except as provided in subsection (10)(b), fees, other than the fee in lieu of tax, collected
13 under this section must be transmitted to the state treasurer, who shall deposit the fees in the motorboat
14 or sailboat certificate identification account of the state special revenue fund. These fees must be used
15 only for the administration and enforcement of this part, as amended.

16 (b) Of the fee collected under the provisions of subsection (1), 20% must be deposited by the
17 state treasurer in an account in the state special revenue fund to the credit of the department to be used
18 to acquire and maintain marine sewage pumpout equipment and other boat facilities.

19 (11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time
20 notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying
21 number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost,
22 destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat
23 becomes documented as a vessel of the United States."

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25 **NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 2001.

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