

FIRST REGULAR SESSION

HOUSE BILL NO. 56

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RIBACK WILSON (25) AND DONNELLY (Co-sponsors).

Pre-filed December 4, 2002, and copies ordered printed.

TED WEDEL, Chief Clerk

0374L.011

AN ACT

To repeal section 306.016, RSMo, and to enact in lieu thereof one new section relating to watercraft.

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

Section A. Section 306.016, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.016, to read as follows:

306.016. 1. By January 1, 1995, the owner of any vessel documented by the United States Coast Guard on August 28, 1994, and the new owner of any vessel purchased after August 28, 1994, who upon the sale or transfer of the vessel desires to document the vessel with the United States Coast Guard, shall apply for a vessel certificate of registration and pay a certification fee of seven dollars and fifty cents, an initial registration fee in an amount equal to the amount required for a certificate of number [under] **pursuant to** section 306.030 and all applicable state and local [or in lieu watercraft] taxes as provided by law in effect on the date the vessel was documented or submit proof that all applicable registration fees have been paid to the department of revenue and all applicable taxes [or in lieu watercraft taxes] have been paid in this or another state. Such application shall include the county in which such vessel will be normally maintained by the new owner. A certificate of registration and a set of registration decals in a form the director shall prescribe shall be issued for a documented vessel. A Missouri resident shall make application for a vessel certificate of registration within thirty days of acquiring or bringing the vessel into this state. A nonresident shall make application for a vessel certificate of registration within sixty days after acquiring a vessel in this state or bringing a vessel into this state if the vessel will be kept in this state for a period in excess of sixty consecutive days. A

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

17 delinquency penalty fee of ten dollars shall be imposed for each thirty days of delinquency, not
 18 to exceed a total of thirty dollars. If the director of revenue learns that any person has failed to
 19 make application for a vessel certificate of registration in accordance with this section or has sold
 20 a vessel documented by the United States Coast Guard without obtaining a certificate of
 21 registration as provided in this section, the director shall cancel the registration of all vessels and
 22 outboard motors registered in the name of the person, either as sole owner or a co-owner, and
 23 shall notify the person that the cancellation will remain in force until the person pays the
 24 delinquency penalty fee together with all fees, charges, and payments which the person should
 25 have paid in connection with the vessel certificate of registration.

26 2. [A boat or vessel documented by the United States Coast Guard or other agency of the
 27 federal government and operated on the waters of this state shall not be liable for the payment
 28 of any state or local sales or use tax on the purchase, but shall be liable for the payment of an in
 29 lieu watercraft tax, which is hereby imposed. The in lieu watercraft tax shall be collected by the
 30 director of revenue and deposited in the state treasury to the credit of general revenue and shall
 31 be appropriated for use by the Missouri state water patrol. Watercraft dealers in this state shall
 32 report to the director of revenue on forms furnished by the director the sale of each watercraft
 33 sold to a resident of this state. If the watercraft is registered and licensed pursuant to the
 34 provisions of this chapter and all applicable sales taxes have been paid, the director shall not
 35 collect the in lieu tax imposed by this subsection. If the watercraft is registered with the United
 36 States Coast Guard or other agency of the federal government and not under the provisions of
 37 this chapter the director shall bill the purchaser of the watercraft for the in lieu tax imposed by
 38 this subsection. Any person who fails to pay the in lieu tax due under this section, within thirty
 39 days after receipt of the bill from the director of revenue, shall be liable to the same penalties
 40 imposed by law for failure to pay sales and use taxes due the state. The in lieu tax shall be
 41 determined as follows:

42 PURCHASE PRICE OF WATERCRAFT	TAX DUE
43 \$50,000 or less	\$ 650.00
44 \$50,001 to \$100,000	1,250.00
45 \$100,001 to \$150,000	1,850.00
46 \$150,001 to \$200,000	2,450.00
47 \$200,001 and above	3,050.00

48 3.] The registration decals for any vessel documented by the United States Coast Guard
 49 shall be in force and effect for a period of three years so long as the vessel is owned or held by
 50 the original holder of the certificate of registration and shall be renewed upon application and
 51 payment of a registration renewal fee equal to the amount required for a certificate of number
 52 [under] pursuant to section 306.030. The owner shall attach the registration decals to both sides

53 of the forward half of the bow of the documented vessel in a place that is fully visible.

54 [4.] 3. The department of revenue may issue a temporary vessel certificate of registration
55 authorizing the operation of a vessel to be documented by the United States Coast Guard for not
56 more than sixty days. The temporary registration shall be made available by the department of
57 revenue and may be purchased from the department of revenue or from a dealer upon proof of
58 purchase of a vessel. The department shall make temporary certificates of registration available
59 to registered dealers in this state in sets of ten. The fee for the temporary certificates of
60 registration shall be five dollars each. No dealer shall charge more than five dollars for each
61 temporary certificate of registration issued. The temporary registration shall be valid for a period
62 of sixty days from the date of issuance by the department of revenue to the purchaser of the
63 vessel or from the date of sale of the vessel by a dealer from which the purchaser obtains a
64 certificate of registration. The temporary certificate of registration shall be issued on a form
65 prescribed by the department of revenue and issued only for the purchaser's use in the operation
66 of the vessel purchased to enable the purchaser to legally operate the vessel while a certificate
67 of registration is being obtained, and shall be displayed on no other vessel. Temporary
68 certificates of registration issued [under] **pursuant to** this section shall not be transferable or
69 renewable and shall not be valid upon issuance of a proper certificate of registration. The dealer
70 or authorized agent shall insert the date of issuance and expiration date, year, make and the
71 manufacturer's identification number of the vessel on the temporary registration when issued to
72 the purchaser. The dealer shall complete the information on the temporary registration in full.
73 Every dealer that issues a temporary certificate of registration shall keep, for inspection by
74 authorized officers, a correct record of each temporary certificate of registration issued by the
75 dealer by recording the registration number, purchaser's name and address, year, make and
76 manufacturer's identification number of the vessel on which the temporary certificate of
77 registration is to be used and the date of issuance.

78 [5.] 4. Upon the sale or transfer of any vessel documented by the United States Coast
79 Guard for which a certificate of registration has been issued, the registration shall be terminated.
80 If the new owner elects to have the vessel documented by the United States Coast Guard, the new
81 owner shall submit, in addition to the properly assigned certificate of registration, proof of
82 release from the documentation provided by the United States Coast Guard and shall comply
83 with the provisions of this section. If the new owner elects not to document the vessel with the
84 United States Coast Guard, the owner shall comply with the applicable provisions of this chapter.

85 [6.] 5. The certificate of registration shall be available at all times for inspection on the
86 vessel for which it is issued, whenever the vessel is in operation.