

FIRST REGULAR SESSION

HOUSE BILL NO. 362

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOEHNER (Sponsor), WALLACE,
SATER AND MCGHEE (Co-sponsors).

Read 1st time January 11, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1186L.02I

AN ACT

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

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Section A. Section 306.016, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.016, to read as follows: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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 of registration within sixty days after acquiring a vessel in this state or bringing a vessel into this
 16 state if the vessel will be kept in this state for a period in excess of sixty consecutive days. A
 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 **the owner of a barge or tugboat** shall
 29 be liable for the payment of an in-lieu watercraft tax, which is hereby imposed. The fee in lieu
 30 of tax imposed pursuant to this section shall not apply to United States Coast Guard registered
 31 vessels purchased for purposes of marine construction including, but not limited to, barges,
 32 dredges, marine cranes, and other marine equipment utilized for construction or dredging of
 33 waterways. The in-lieu watercraft tax shall be collected by the director of revenue and deposited
 34 in the state treasury to the credit of general revenue and shall be appropriated for use by the
 35 Missouri state water patrol. Watercraft dealers in this state shall report to the director of revenue
 36 on forms furnished by the director the sale of each watercraft sold to a resident of this state. If
 37 the watercraft is registered and licensed pursuant to the provisions of this chapter and all
 38 applicable sales taxes have been paid, the director shall not collect the in-lieu tax imposed by this
 39 subsection. If the [watercraft] **barge or tugboat** is registered with the United States Coast Guard
 40 or other agency of the federal government and not under the provisions of this chapter the
 41 director shall bill the purchaser of the watercraft for the in- lieu tax imposed by this subsection.
 42 Any person who fails to pay the in- lieu tax due under this section, within thirty days after receipt
 43 of the bill from the director of revenue, shall be liable to the same penalties imposed by law for
 44 failure to pay sales and use taxes due the state. The in-lieu tax shall be determined as follows:

45 PURCHASE PRICE OF [WATERCRAFT] BARGE OR TUGBOAT	TAX DUE
46 Less than \$15,000	\$ 500.00
47 \$15,001 to \$30,000	650.00
48 \$30,001 to \$50,000	1,000.00
49 \$50,001 to \$100,000	1,400.00
50 \$100,001 to \$150,000	2,000.00

51	\$150,001 to \$200,000	3,000.00
52	\$200,001 to \$250,000	4,000.00
53	\$250,001 to \$300,000	5,000.00
54	\$300,001 to \$350,000	5,500.00
55	\$350,001 to \$400,000	6,000.00
56	\$400,001 to \$450,000	6,500.00
57	\$450,001 to \$500,000	7,500.00
58	\$500,001 to \$550,000	8,500.00
59	\$550,001 to \$650,000	9,500.00
60	\$650,001 to \$750,000	10,500.00
61	\$750,001 and above	add an additional 1,500.00
62		for each \$100,000 increment

63 3. The registration decals for any vessel documented by the United States Coast Guard
64 shall be in force and effect for a period of three years so long as the vessel is owned or held by
65 the original holder of the certificate of registration and shall be renewed upon application and
66 payment of a registration renewal fee equal to the amount required for a certificate of number
67 under section 306.030. The owner shall attach the registration decals to both sides of the forward
68 half of the bow of the documented vessel in a place that is fully visible.

69 4. The department of revenue may issue a temporary vessel certificate of registration
70 authorizing the operation of a vessel to be documented by the United States Coast Guard for not
71 more than sixty days. The temporary registration shall be made available by the department of
72 revenue and may be purchased from the department of revenue or from a dealer upon proof of
73 purchase of a vessel. The department shall make temporary certificates of registration available
74 to registered dealers in this state in sets of ten. The fee for the temporary certificates of
75 registration shall be five dollars each. No dealer shall charge more than five dollars for each
76 temporary certificate of registration issued. The temporary registration shall be valid for a period
77 of sixty days from the date of issuance by the department of revenue to the purchaser of the
78 vessel or from the date of sale of the vessel by a dealer from which the purchaser obtains a
79 certificate of registration. The temporary certificate of registration shall be issued on a form
80 prescribed by the department of revenue and issued only for the purchaser's use in the operation
81 of the vessel purchased to enable the purchaser to legally operate the vessel while a certificate
82 of registration is being obtained, and shall be displayed on no other vessel. Temporary
83 certificates of registration issued under this section shall not be transferable or renewable and
84 shall not be valid upon issuance of a proper certificate of registration. The dealer or authorized
85 agent shall insert the date of issuance and expiration date, year, make and the manufacturer's
86 identification number of the vessel on the temporary registration when issued to the purchaser.

87 The dealer shall complete the information on the temporary registration in full. Every dealer that
88 issues a temporary certificate of registration shall keep, for inspection by authorized officers, a
89 correct record of each temporary certificate of registration issued by the dealer by recording the
90 registration number, purchaser's name and address, year, make and manufacturer's identification
91 number of the vessel on which the temporary certificate of registration is to be used and the date
92 of issuance.

93 5. Upon the sale or transfer of any vessel documented by the United States Coast Guard
94 for which a certificate of registration has been issued, the registration shall be terminated. If the
95 new owner elects to have the vessel documented by the United States Coast Guard, the new
96 owner shall submit, in addition to the properly assigned certificate of registration, proof of
97 release from the documentation provided by the United States Coast Guard and shall comply
98 with the provisions of this section. If the new owner elects not to document the vessel with the
99 United States Coast Guard, the owner shall comply with the applicable provisions of this chapter.

100 6. The certificate of registration shall be available at all times for inspection on the vessel
101 for which it is issued, whenever the vessel is in operation.

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