

SECOND REGULAR SESSION

HOUSE BILL NO. 2072

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOEHNER.

Read 1st time February 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4929L.01I

AN ACT

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

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Section A. Section 306.016, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.016, to read as follows: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

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.

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

26 2. [A] **Beginning January 1, 2009, any** boat or vessel documented by the United States
27 Coast Guard or other agency of the federal government and operated on the waters of this state
28 shall [not] be liable for the payment of any state or local sales or use tax on the purchase[, but
29 shall be liable for the payment of an in-lieu watercraft tax, which is hereby imposed]. The [fee
30 in lieu of tax] **sales and use taxes** imposed [pursuant to] **under** this section shall not apply to
31 United States Coast Guard registered vessels purchased for purposes of marine construction
32 including, but not limited to, barges, **tugboats**, dredges, marine cranes, and other marine
33 equipment utilized for construction or dredging of waterways. The [in-lieu watercraft tax] **sales**
34 **and use taxes** shall be collected by the director of revenue **in the same manner in which other**
35 **sales and use taxes are collected**, and **shall be** deposited in the state treasury to the credit of
36 general revenue and shall be appropriated for use by the Missouri state water patrol. Watercraft
37 dealers in this state shall report to the director of revenue on forms furnished by the director the
38 sale of each watercraft sold to a resident of this state. [If the watercraft is registered and licensed
39 pursuant to the provisions of this chapter and all applicable sales taxes have been paid, the
40 director shall not collect the in-lieu tax imposed by this subsection. If the watercraft is registered
41 with the United States Coast Guard or other agency of the federal government and not under the
42 provisions of this chapter the director shall bill the purchaser of the watercraft for the in-lieu tax
43 imposed by this subsection. Any person who fails to pay the in-lieu tax due under this section,
44 within thirty days after receipt of the bill from the director of revenue, shall be liable to the same
45 penalties imposed by law for failure to pay sales and use taxes due the state.

46 The in-lieu tax shall be determined as follows:

47 PURCHASE PRICE OF WATERCRAFT	TAX DUE
48 Less than \$15,000	\$ 500.00
49 \$15,001 to \$30,000	650.00
50 \$30,001 to \$50,000	1,000.00
51 \$50,001 to \$100,000	1,400.00

52	\$100,001 to \$150,000	2,000.00
53	\$150,001 to \$200,000	3,000.00
54	\$200,001 to \$250,000	4,000.00
55	\$250,001 to \$300,000	5,000.00
56	\$300,001 to \$350,000	6,000.00
57	\$400,001 to \$450,000	6,500.00
58	\$450,001 to \$500,000	7,500.00
59	\$500,001 to \$550,000	8,500.00
60	\$550,001 to \$650,000	9,500.00
61	\$650,001 to \$750,000	10,500.00
62	\$750,001 and above	add an additional 1,500.00
63	for each \$100,000 increment]	

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

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

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

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

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

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