

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2885

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOVIS.

6206H.02P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 306.030 and 306.127, RSMo, and to enact in lieu thereof two new sections relating to the water patrol division.

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

Section A. Sections 306.030 and 306.127, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 306.030 and 306.127, to read as follows:

306.030. 1. The owner of each vessel requiring numbering by this state shall file an
2 application for number with the department of revenue on forms provided by it. The
3 application shall contain a full description of the vessel, factory number or serial number,
4 together with a statement of the applicant's source of title and of any liens or encumbrances
5 on the vessel. For good cause shown the director of revenue may extend the period of time
6 for making such application. The director of revenue shall use reasonable diligence in
7 ascertaining whether the facts stated in such application are true, and, if satisfied that the
8 applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered
9 in his or her name, shall thereupon issue an appropriate certificate of title over the director's
10 signature and sealed with the seal of the director's office, procured and used for such purpose,
11 and a certificate of number stating the number awarded to the vessel. The application shall
12 include a provision stating that the applicant will consent to any inspection necessary to
13 determine compliance with the provisions of this chapter and shall be signed by the owner of
14 the vessel and shall be accompanied by the fee specified in subsection 10 of this section. The
15 owner shall paint on or attach to each side of the bow of the vessel the identification number

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 in a manner as may be prescribed by rules and regulations of the division of water safety in
17 order that it may be clearly visible. The number shall be maintained in legible condition. The
18 certificate of number shall be pocket size and shall be available at all times for inspection on
19 the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in
20 which such certificate of number is not available for inspection by the water patrol division
21 or, if the operator cannot be determined, the person who is the registered owner of the vessel
22 shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a
23 political subdivision shall be registered but no fee shall be assessed for such registration.

24 2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on
25 or within three feet of the transom or stern a factory number or serial number.

26 3. The owner of any vessel already covered by a number in full force and effect which
27 has been awarded to it pursuant to then operative federal law or a federally approved
28 numbering system of another state shall record the number prior to operating the vessel on the
29 waters of this state in excess of the sixty-day reciprocity period provided for in section
30 306.080. The recordation and payment of registration fee shall be in the manner and pursuant
31 to the procedure required for the award of a number under subsection 1 of this section. No
32 additional or substitute number shall be issued unless the number is a duplicate of an existing
33 Missouri number.

34 4. In the event that an agency of the United States government shall have in force an
35 overall system of identification numbering for vessels within the United States, the
36 numbering system employed pursuant to this chapter by the department of revenue shall be in
37 conformity therewith.

38 5. All records of the department of revenue made and kept pursuant to this section
39 shall be public records.

40 6. A permanent certificate of number may be issued upon application and payment of
41 three times the fee specified for the vessel under this section and three times any processing
42 fee applicable to a three-year certificate of number for the vessel. Permanent certificates of
43 number shall not be transferred to any other person or vessel, or displayed on any vessel other
44 than the vessel for which it was issued, and shall continue in force and effect until terminated
45 or discontinued in accordance with the provisions of this chapter. Every other certificate of
46 number awarded pursuant to this chapter shall continue in force and effect for a period of
47 three years unless sooner terminated or discontinued in accordance with the provisions of this
48 chapter. Certificates of number may be renewed by the owner in the same manner provided
49 for in the initial securing of the same or in accordance with the provisions of sections 306.010
50 to 306.030.

51 7. The department of revenue shall fix the days and months of the year on which
52 certificates of number due to expire during the calendar year shall lapse and no longer be of

53 any force and effect unless renewed pursuant to this chapter and may stagger such dates in
 54 order to distribute the workload.

55 8. When applying for or renewing a vessel's certificate of number, the owner shall
 56 submit a paid personal property tax receipt for the tax year which immediately precedes the
 57 year in which the application is made or the year in which the renewal is due and which
 58 reflects that the vessel being renewed is listed as personal property and that all personal
 59 property taxes, including delinquent taxes from prior years, have been paid, or a statement
 60 certified by the county or township in which the owner's property was assessed showing that
 61 the state and county tangible personal property taxes for such previous tax year and all
 62 delinquent taxes due have been paid by the applicant or that no such taxes were due.

63 9. When applying for or renewing a certificate of registration for a vessel documented
 64 with the United States Coast Guard under section 306.016, owners of vessels shall submit a
 65 paid personal property tax receipt for the tax year which immediately precedes the year in
 66 which the application is made or the renewal is due and which reflects that the vessel is listed
 67 as personal property and that all personal property taxes, including delinquent taxes from
 68 prior years, have been paid, or a statement certified by the county or township in which the
 69 owner's property was assessed showing that the state and county tangible personal property
 70 taxes for such previous tax year and all delinquent taxes due have been paid by the applicant
 71 or that no such taxes were due.

72 10. The fee to accompany each application for a certificate of number is:

73 For vessels under 16 feet in length	\$25.00
74 For vessels at least 16 feet in length but less than 26 feet 75 in length	\$55.00
76 For vessels at least 26 feet in length but less than 40 feet 77 in length	\$100.00
78 For vessels at least 40 feet and over	\$150.00

79 11. The certificate of title and certificate of number issued by the director of revenue
 80 shall be manufactured in a manner to prohibit as nearly as possible the ability to alter,
 81 counterfeit, duplicate, or forge such certificate without ready detection.

82 12. For fiscal years ending before July 1, 2019, the first two million dollars collected
 83 annually under the provisions of this section shall be deposited into the state general revenue
 84 fund. All fees collected under the provisions of this section in excess of two million dollars
 85 annually shall be deposited in the water patrol division fund and shall be used exclusively for
 86 the water patrol division.

87 13. Beginning July 1, 2019, **and ending August 28, 2026**, the first one million
 88 dollars collected annually under the provisions of this section shall be deposited into the state

89 general revenue fund. All fees collected under the provisions of this section in excess of one
90 million dollars annually shall be deposited in the water patrol division fund and shall be used
91 exclusively for the water patrol division.

92 **14. All fees collected under the provisions of this section after August 28, 2026,**
93 **shall be deposited in the water patrol division fund and shall be used exclusively for the**
94 **water patrol division.**

95 **15.** Notwithstanding the provisions of subsection 10 of this section, vessels at least
96 sixteen feet in length but less than twenty-eight feet in length, that are homemade, constructed
97 out of wood, and have a beam of five feet or less, shall pay a fee of fifty-five dollars which
98 shall accompany each application for a certification number.

306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, **and**
2 **before January 1, 2006**, or as required pursuant to section 306.128, who operates a vessel on
3 the lakes of this state shall possess, on the vessel, a boating safety identification card issued
4 by the water patrol division or its agent which shows that he or she has:

5 (1) Successfully completed a boating safety course approved by the National
6 Association of State Boating Law Administrators and certified by the water patrol division.
7 The boating safety course may include a course sponsored by the United States Coast Guard
8 Auxiliary or the United States Power Squadron. The water patrol division may appoint
9 agents to administer a boater education course or course equivalency examination and issue
10 boater identification cards under guidelines established by the water patrol. The water patrol
11 division shall maintain a list of approved courses; or

12 (2) Successfully passed an equivalency examination prepared by the water patrol
13 division and administered by the water patrol division or its agent. The equivalency
14 examination shall have a degree of difficulty equal to, or greater than, that of the
15 examinations given at the conclusion of an approved boating safety course; or

16 (3) A valid master's, mate's, or operator's license issued by the United States Coast
17 Guard.

18 **2. Beginning January 1, 2027, every person born on or after January 1, 2006, or**
19 **as required pursuant to section 306.128, who operates a vessel on the waters of this state**
20 **shall possess, on the vessel, a boating safety identification card issued by the water**
21 **patrol division or its agent which shows that he or she has:**

22 (1) **Successfully completed a boating safety course approved by the National**
23 **Association of State Boating Law Administrators and certified by the water patrol**
24 **division. The boating safety course may include a course sponsored by the United States**
25 **Coast Guard Auxiliary or the United States Power Squadron. The water patrol division**
26 **may appoint agents to administer a boater education course or course equivalency**

27 **examination and issue boater identification cards under guidelines established by the**
28 **water patrol. The water patrol division shall maintain a list of approved courses; or**

29 **(2) Successfully passed an equivalency examination prepared by the water patrol**
30 **division and administered by the water patrol division or its agent. The equivalency**
31 **examination shall have a degree of difficulty equal to, or greater than, that of the**
32 **examinations given at the conclusion of an approved boating safety course; or**

33 **(3) A valid master's, mate's, or operator's license issued by the United States**
34 **Coast Guard.**

35 **3.** The water patrol division or its agent shall issue a permanent boating safety
36 identification card to each person who complies with the requirements of this section which is
37 valid for life unless invalidated pursuant to law.

38 ~~[3-]~~ **4.** The water patrol division may charge a fee for such card or any replacement
39 card that does not substantially exceed the costs of administrating this section. The water
40 patrol division or its designated agent shall collect such fees. These funds shall be forwarded
41 to general revenue.

42 ~~[4-]~~ **5.** The provisions of this section shall not apply to any person who:

43 (1) Is licensed by the United States Coast Guard to serve as master of a vessel;

44 (2) Operates a vessel only on a private lake or pond that is not classified as waters of
45 the state;

46 (3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or
47 less;

48 (4) Is participating in an event or regatta approved by the water patrol;

49 (5) Is a nonresident who has proof of a valid boating certificate or license issued by
50 another state if the boating course is approved by the National Association of State Boating
51 Law Administrators (NASBLA);

52 (6) Is exempted by rule of the water patrol;

53 (7) Is currently serving in any branch of the United States Armed Forces, reserves, or
54 Missouri National Guard, or any spouse of a person currently in such service; or

55 (8) Has previously successfully completed a boating safety education course
56 approved by the National Association of State Boating Law Administrators (NASBLA).

57 ~~[5-]~~ **6.** The water patrol division shall inform other states of the requirements of this
58 section.

59 ~~[6-]~~ **7.** No individual shall be detained or stopped strictly for the purpose of checking
60 whether the individual possesses a boating safety identification card or a temporary boater
61 education permit.

62 ~~[7-]~~ **8.** Any person or company that rents or sells vessels may issue a temporary
63 boating safety identification card to an individual to operate a rented vessel or a vessel being

64 considered for sale, for a period of up to seven days, provided that the individual meets the
65 minimum age requirements for operating a vessel in this state. In order to qualify for the
66 temporary boating safety identification card, the applicant shall provide a valid driver's
67 license and shall sign an affidavit that he or she has reviewed the Missouri state highway
68 patrol handbook of Missouri boating laws and responsibilities. Any individual holding a
69 valid temporary boating safety identification card shall be deemed in compliance with the
70 requirements of this section. The Missouri state highway patrol shall charge a fee of nine
71 dollars for such temporary boating safety identification card. Individuals shall not be eligible
72 for more than one temporary boating safety identification card. No person or company may
73 issue a temporary boating safety identification card to an individual under the provisions of
74 this subsection unless such person or company is capable of submitting the applicant's
75 temporary boating safety identification card information and payment in an electronic format
76 as prescribed by the Missouri state highway patrol. The business entity issuing a temporary
77 boating safety identification card to an individual under the provisions of this subsection shall
78 transmit the applicant's temporary boating safety identification card information
79 electronically to the Missouri state highway patrol, in a manner and format prescribed by
80 the superintendent, using an electronic online registration process developed and provided by
81 the Missouri state highway patrol. The electronic online process developed and provided by
82 the Missouri state highway patrol shall allow the applicant to pay the temporary boating
83 safety identification card fee by credit card or debit card. Notwithstanding any provision in
84 section 306.185 to the contrary, all fees collected under the authority of this subsection shall
85 be deposited in the water patrol division fund. The Missouri state highway patrol shall
86 promulgate rules for developing the temporary boating safety identification card and any
87 requirements necessary to the issuance, processing, and payment of the temporary boating
88 safety identification card. The Missouri state highway patrol shall, by rule, develop a boating
89 safety checklist for each applicant seeking a temporary boating safety identification card.
90 Nothing in this subsection shall allow a holder of a temporary boating safety identification
91 card to receive a notation on the person's driver's license or nondriver identification under
92 section 302.184. The provisions of this subsection shall expire on December 31, 2032.

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