

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1300
99TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, Infrastructure and Public Safety, May 15, 2018, with recommendation that the Senate Committee Substitute do pass.

4345S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 306.030 and 306.126, RSMo, and to enact in lieu thereof two new sections relating to boating.

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

Section A. Sections 306.030 and 306.126, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 306.030 and 306.126, to
3 read as follows:

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

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

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

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

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

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

47 6. Every certificate of number awarded pursuant to this chapter shall
48 continue in force and effect for a period of three years unless sooner terminated
49 or discontinued in accordance with the provisions of this chapter.
50 Certificates of number may be renewed by the owner in the same manner
51 provided for in the initial securing of the same or in accordance with the
52 provisions of sections 306.010 to 306.030.

53 7. The department of revenue shall fix the days and months of the year
54 on which certificates of number due to expire during the calendar year shall lapse

55 and no longer be of any force and effect unless renewed pursuant to this chapter
56 and may stagger such dates in order to distribute the workload.

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

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

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

78 For vessels under 16 feet in length	\$25.00
79 For vessels at least 16 feet in length but less than 26 feet in 80 length	\$55.00
81 For vessels at least 26 feet in length but less than 40 feet in 82 length	\$100.00
83 For vessels at least 40 feet and over	\$150.00

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

88 12. **For fiscal years ending before July 1, 2019**, the first two million
89 dollars collected annually under the provisions of this section shall be deposited
90 into the state general revenue fund. All fees collected under the provisions of this

91 section in excess of two million dollars annually shall be deposited in the water
92 patrol division fund and shall be used exclusively for the water patrol division.

93 **13. Beginning July 1, 2019, the first one million dollars collected**
94 **annually under the provisions of this section shall be deposited into the**
95 **state general revenue fund. All fees collected under the provisions of**
96 **this section in excess of one million dollars annually shall be deposited**
97 **in the water patrol division fund and shall be used exclusively for the**
98 **water patrol division.**

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

306.126. 1. The operator of a motorboat shall not allow any person to ride
2 or sit on the gunwales, decking over the bow, railing, top of seat back or decking
3 over the back of the motorboat while under way, unless such person is inboard
4 of adequate guards or railing provided on the motorboat to prevent a passenger
5 from being lost overboard. As used in this section, the term "adequate guards or
6 railing" means guards or railings having a height parameter of at least six inches
7 but not more than eighteen inches. Nothing in this section shall be construed to
8 mean that passengers or other persons aboard a motorboat cannot occupy the
9 decking over the bow of the boat to moor it to a mooring buoy or to cast off from
10 such a buoy, or for any other necessary purpose. The provisions of this section
11 shall not apply to vessels propelled by sail **or vessels propelled by jet motors**
12 **or propellers operating on a stretch of waterway not created or**
13 **widened by impoundment.**

14 **2.** Whenever any person leaves any watercraft, other than a personal
15 watercraft, on the waters of the Mississippi River, the waters of the Missouri
16 River or the lakes of this state and enters the water between the hours of 11:00
17 a.m. and sunset, the operator of such watercraft shall display on the watercraft
18 a red or orange flag measuring not less than twelve inches by twelve inches. The
19 provisions of this subsection shall not apply to watercraft that is moored or
20 anchored. The flag required by this subsection shall be visible for three hundred
21 sixty degrees around the horizon when displayed and shall be displayed only
22 when an occupant of the watercraft has left the confines of the watercraft and
23 entered the water. The flag required by this subsection shall not be displayed

24 when the watercraft is engaged in towing any person, but shall be displayed when
25 such person has ceased being towed and has reentered the water.

26 3. No operator shall knowingly operate any watercraft within fifty yards
27 of a flag required by subsection 2 of this section at a speed in excess of a slow-no
28 wake speed.

✓