

SENATE BILL NO. 355

INTRODUCED BY HARDING, B. BROWN, HARP, WELDON, KENNEDY
BY REQUEST OF THE DEPARTMENT
OF FISH, WILDLIFE, AND PARKS

IN THE SENATE

FEBRUARY 10, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
FEBRUARY 16, 1993	SPONSORS ADDED.
FEBRUARY 18, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 19, 1993	PRINTING REPORT.
FEBRUARY 20, 1993	SECOND READING, DO PASS.
FEBRUARY 22, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 44; NOES, 4.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
MARCH 4, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 6, 1993	SECOND READING, CONCURRED IN.
MARCH 9, 1993	THIRD READING, CONCURRED IN. AYES, 56; NOES, 40.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 11, 1993	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 355
2 INTRODUCED BY Hickling
3 BY REQUEST OF THE DEPARTMENT
4 OF FISH, WILDLIFE, AND PARKS
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE
7 INCREASE IN FEE FOR A MOTORBOAT CERTIFICATE OF NUMBER;
8 ALLOCATING THE FEE INCREASE TO THE DEPARTMENT OF FISH,
9 WILDLIFE, AND PARKS TO ACQUIRE AND MAINTAIN MARINE SEWAGE
10 PUMPOUT EQUIPMENT AND OTHER BOAT FACILITIES; AMENDING
11 SECTION 23-2-512, MCA; AND PROVIDING AN EFFECTIVE DATE."
12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 23-2-512, MCA, is amended to read:

15 "23-2-512. (Temporary) Identification number. (1) The
16 owner of each motorboat, sailboat, or personal watercraft
17 requiring numbering by this state shall file an application
18 for number in the office of the county treasurer where the
19 motorboat, sailboat, or personal watercraft is owned, on
20 forms prepared and furnished by the department of justice.
21 The application must be signed by the owner of the
22 motorboat, sailboat, or personal watercraft and be
23 accompanied by a fee of \$2.50. Any alteration, change, or
24 false statement contained in the application will render the
25 certificate of number void. Upon receipt of the application

1 in approved form, the county treasurer shall issue to the
2 applicant a certificate of number prepared and furnished by
3 the department of justice, stating the number assigned to
4 the motorboat, sailboat, or personal watercraft and the name
5 and address of the owner.

6 (2) The applicant, upon the filing of the application,
7 shall pay to the county treasurer the fee in lieu of tax
8 required for a motorboat 10 feet in length or longer, a
9 sailboat 12 feet in length or longer, or a personal
10 watercraft for the current year of certification before the
11 application for certification or recertification may be
12 accepted by the county treasurer.

13 (3) Should the ownership of a motorboat, sailboat, or
14 personal watercraft change, a new application form with the
15 certification fee must be filed within a reasonable time
16 with the county treasurer and a new certificate of number
17 assigned in the same manner as provided for in an original
18 assignment of number.

19 (4) If an agency of the United States government has in
20 force a comprehensive system of identification numbering for
21 motorboats in the United States, the numbering system
22 employed pursuant to this part by the department of justice
23 must be in conformity.

24 (5) Every certificate of number and the license decals
25 assigned under this part continues in effect for a period

1 not to exceed 1 year unless terminated or discontinued in
2 accordance with the provisions of this part. Certificates of
3 number and license decals must show the date of expiration
4 and may be renewed by the owner in the same manner provided
5 for in the initial securing of the certificate.

6 (6) Certificates of number expire on December 31 of
7 each year and may not be in effect unless renewed under this
8 part.

9 (7) In event of transfer of ownership, the purchaser
10 shall furnish the county treasurer notice within a
11 reasonable time of the acquisition of all or any part of his
12 interest, other than the creation of a security interest, in
13 a motorboat, sailboat, or personal watercraft numbered in
14 this state or of the loss, theft, destruction, or
15 abandonment of the motorboat, sailboat, or personal
16 watercraft. The transfer, loss, theft, destruction, or
17 abandonment terminates the certificate of number for the
18 motorboat, sailboat, or personal watercraft. Recovery from
19 theft or transfer of a part interest that does not affect
20 the owner's right to operate the motorboat, sailboat, or
21 personal watercraft does not terminate the certificate of
22 number.

23 (8) A holder of a certificate of number shall notify
24 the county treasurer within reasonable time if his address
25 no longer conforms to the address appearing on the

1 certificate and furnish the county treasurer with his new
2 address. The department of justice may provide by rule for
3 the surrender of the certificate bearing the former address
4 and its replacement with a certificate bearing the new
5 address or the alteration of an outstanding certificate to
6 show the new address of the holder.

7 (9) (a) The number assigned must be painted on or
8 attached to each outboard side of the forward half of the
9 motorboat, sailboat, or personal watercraft or, if there are
10 no such sides, at a corresponding location on both outboard
11 sides of the foredeck of the motorboat, sailboat, or
12 personal watercraft. The number assigned must read from left
13 to right in Arabic numerals and block characters of good
14 proportion at least 3 inches tall excluding border or trim
15 of a color that contrasts with the color of the background
16 and be so maintained as to be clearly visible and legible.
17 The number may not be placed on the obscured underside of
18 the flared bow where it cannot be easily seen from another
19 vessel or ashore. No numerals, letters, or devices other
20 than those used in connection with the identifying number
21 issued may be placed in the proximity of the identifying
22 number. No numerals, letters, or devices that might
23 interfere with the ready identification of the motorboat,
24 sailboat, or personal watercraft by its identifying number
25 may be carried as to interfere with the motorboat's,

1 sailboat's, or personal watercraft's identification. No
 2 number other than the number and license decal assigned to a
 3 motorboat, sailboat, or personal watercraft or granted
 4 reciprocity under this part may be painted, attached, or
 5 otherwise displayed on either side of the forward half of
 6 the motorboat, sailboat, or personal watercraft.

7 (b) The certificate of number shall be pocket size and
 8 available to federal, state, or local law enforcement
 9 officers at all reasonable times for inspection on the
 10 motorboat, sailboat, or personal watercraft whenever the
 11 motorboat, sailboat, or personal watercraft is on waters of
 12 this state.

13 (c) Boat liveries are not required to have the
 14 certificate of number on board each motorboat, sailboat, or
 15 personal watercraft, but a rental agreement must be carried
 16 on board livery motorboats, sailboats, or personal
 17 watercraft in place of the certificate of number.

18 (10) (a) Except as provided in subsection (10)(b), fees,
 19 other than the fee in lieu of tax, collected under this
 20 section shall be transmitted to the state treasurer, who
 21 shall deposit the fees in the motorboat or sailboat
 22 certificate identification account of the state special
 23 revenue fund. These fees shall be used only for the
 24 administration and enforcement of this part, as amended.

25 (b) Of the fee collected under the provisions of

1 subsection (1), 20% must be deposited by the state treasurer
 2 in an account in the state special revenue fund to the
 3 credit of the department to be used to provide necessary
 4 education for boat owners, to acquire decibel meters as
 5 required to implement the provisions of 23-2-523(9) and
 6 23-2-526(3), and to acquire marine sewage pumpout equipment.

7 (11) An owner of a motorboat, sailboat, or personal
 8 watercraft must within a reasonable time notify the
 9 department of justice, giving the motorboat's, sailboat's,
 10 or personal watercraft's identifying number and the owner's
 11 name when the motorboat, sailboat, or personal watercraft is
 12 transferred, lost, destroyed, abandoned, or frauded or
 13 within 60 days after change of state of principal use or if
 14 a motorboat becomes documented as a vessel of the United
 15 States. (Terminates July 1, 1993--sec. 13, Ch. 728, L.
 16 1991.)

17 23-2-512. (Effective July 1, 1993) Identification
 18 number. (1) The owner of each motorboat, sailboat, or
 19 personal watercraft requiring numbering by this state shall
 20 file an application for number in the office of the county
 21 treasurer where the motorboat, sailboat, or personal
 22 watercraft is owned, on forms prepared and furnished by the
 23 department of justice. The application must be signed by the
 24 owner of the motorboat, sailboat, or personal watercraft and
 25 be accompanied by a fee of \$2 \$2.50. Any alteration, change,

1 or false statement contained in the application will render
2 the certificate of number void. Upon receipt of the
3 application in approved form, the county treasurer shall
4 issue to the applicant a certificate of number prepared and
5 furnished by the department of justice, stating the number
6 assigned to the motorboat, sailboat, or personal watercraft
7 and the name and address of the owner.

8 (2) The applicant, upon the filing of the application,
9 shall pay to the county treasurer the fee in lieu of tax
10 required for a motorboat 10 feet in length or longer, a
11 sailboat 12 feet in length or longer, or a personal
12 watercraft for the current year of certification before the
13 application for certification or recertification may be
14 accepted by the county treasurer.

15 (3) Should the ownership of a motorboat, sailboat, or
16 personal watercraft change, a new application form with the
17 certification fee must be filed within a reasonable time
18 with the county treasurer and a new certificate of number
19 assigned in the same manner as provided for in an original
20 assignment of number.

21 (4) If an agency of the United States government has in
22 force a comprehensive system of identification numbering for
23 motorboats in the United States, the numbering system
24 employed pursuant to this part by the department of justice
25 must be in conformity.

1 (5) Every certificate of number and the license decals
2 assigned under this part continues in effect for a period
3 not to exceed 1 year unless terminated or discontinued in
4 accordance with the provisions of this part. Certificates of
5 number and license decals must show the date of expiration
6 and may be renewed by the owner in the same manner provided
7 for in the initial securing of the certificate.

8 (6) Certificates of number expire on December 31 of
9 each year and may not be in effect unless renewed under this
10 part.

11 (7) In event of transfer of ownership, the purchaser
12 shall furnish the county treasurer notice within a
13 reasonable time of the acquisition of all or any part of his
14 the purchaser's interest, other than the creation of a
15 security interest, in a motorboat, sailboat, or personal
16 watercraft numbered in this state or of the loss, theft,
17 destruction, or abandonment of the motorboat, sailboat, or
18 personal watercraft. The transfer, loss, theft, destruction,
19 or abandonment terminates the certificate of number for the
20 motorboat, sailboat, or personal watercraft. Recovery from
21 theft or transfer of a part interest that does not affect
22 the owner's right to operate the motorboat, sailboat, or
23 personal watercraft does not terminate the certificate of
24 number.

25 (8) A holder of a certificate of number shall notify

1 the county treasurer within reasonable time if his the
 2 holder's address no longer conforms to the address appearing
 3 on the certificate and shall furnish the county treasurer
 4 with his the new address. The department of justice may
 5 provide by rule for the surrender of the certificate bearing
 6 the former address and its replacement with a certificate
 7 bearing the new address or the alteration of an outstanding
 8 certificate to show the new address of the holder.

9 (9) (a) The number assigned must be painted on or
 10 attached to each outboard side of the forward half of the
 11 motorboat, sailboat, or personal watercraft or, if there are
 12 no such sides, at a corresponding location on both outboard
 13 sides of the foredeck of the motorboat, sailboat, or
 14 personal watercraft. The number assigned must read from left
 15 to right in Arabic numerals and block characters of good
 16 proportion at least 3 inches tall excluding border or trim
 17 of a color that contrasts with the color of the background
 18 and be so maintained as to be clearly visible and legible.
 19 The number may not be placed on the obscured underside of
 20 the flared bow where it cannot be easily seen from another
 21 vessel or ashore. ~~No-numerals~~ Numerals, letters, or devices
 22 other than those used in connection with the identifying
 23 number issued may not be placed in the proximity of the
 24 identifying number. ~~No--numerals~~ Numerals, letters, or
 25 devices that might interfere with the ready identification

1 of the motorboat, sailboat, or personal watercraft by its
 2 identifying number may not be carried ~~as-to-interfere~~ in a
 3 manner that interferes with the motorboat's, sailboat's, or
 4 personal watercraft's identification. ~~No A~~ number other than
 5 the number and license decal assigned to a motorboat,
 6 sailboat, or personal watercraft or granted reciprocity
 7 under this part may not be painted, attached, or otherwise
 8 displayed on either side of the forward half of the
 9 motorboat, sailboat, or personal watercraft.

10 (b) The certificate of number ~~shall~~ must be pocket size
 11 and available to federal, state, or local law enforcement
 12 officers at all reasonable times for inspection on the
 13 motorboat, sailboat, or personal watercraft whenever the
 14 motorboat, sailboat, or personal watercraft is on waters of
 15 this state.

16 (c) Boat liveries are not required to have the
 17 certificate of number on board each motorboat, sailboat, or
 18 personal watercraft, but a rental agreement must be carried
 19 on board livery motorboats, sailboats, or personal
 20 watercraft in place of the certificate of number.

21 (10) (a) Fees Except as provided in subsection (10)(b),
 22 fees, other than the fee in lieu of tax, collected under
 23 this section ~~shall~~ must be transmitted to the state
 24 treasurer, who shall deposit the fees in the motorboat or
 25 sailboat certificate identification account of the state

1 special revenue fund. These fees ~~shall~~ must be used only for
2 the administration and enforcement of this part, as amended.

3 (b) Of the fee collected under the provisions of
4 subsection (1), 20% must be deposited by the state treasurer
5 in an account in the state special revenue fund to the
6 credit of the department to be used to acquire and maintain
7 marine sewage pumpout equipment and other boat facilities.

8 (11) An owner of a motorboat, sailboat, or personal
9 watercraft must within a reasonable time notify the
10 department of justice, giving the motorboat's, sailboat's,
11 or personal watercraft's identifying number and the owner's
12 name when the motorboat, sailboat, or personal watercraft is
13 transferred, lost, destroyed, abandoned, or frauded or
14 within 60 days after change of state of principal use or if
15 a motorboat becomes documented as a vessel of the United
16 States."

17 NEW SECTION. Section 2. Effective date. [This act] is
18 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0355, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act making permanent the increase in fee for a motorboat certificate number and allocating the fee increase to the Department of Fish, Wildlife and Parks to acquire and maintain marine sewage pumpout equipment and other boat facilities.

ASSUMPTIONS:

1. Statewide there were 41,108 registered boats in Montana in 1992.

FISCAL IMPACT: The Department of Fish, Wildlife and Parks will receive an additional \$20,552 per year which will be spent to acquire and maintain marine sewage pumpout equipment and other boat facilities.

David Lewis 2-15-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Ethel Harding 2/14/93
ETHEL HARDING, PRIMARY SPONSOR DATE

Fiscal Note for SB0355, as introduced

SB355

APPROVED BY COMM.
ON FISH AND GAME

1 Senate BILL NO. 355
2 INTRODUCED BY Harding
3 BY REQUEST OF THE DEPARTMENT
4 OF FISH, WILDLIFE, AND PARKS
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE
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9 WILDLIFE, AND PARKS TO ACQUIRE AND MAINTAIN MARINE SEWAGE
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18 assignment of number.

19 (4) If an agency of the United States government has in
20 force a comprehensive system of identification numbering for
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23 must be in conformity.

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7 (9) (a) The number assigned must be painted on or
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9 motorboat, sailboat, or personal watercraft or, if there are
10 no such sides, at a corresponding location on both outboard
11 sides of the foredeck of the motorboat, sailboat, or
12 personal watercraft. The number assigned must read from left
13 to right in Arabic numerals and block characters of good
14 proportion at least 3 inches tall excluding border or trim
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18 the flared bow where it cannot be easily seen from another
19 vessel or ashore. No numerals, letters, or devices other
20 than those used in connection with the identifying number
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22 number. No numerals, letters, or devices that might
23 interfere with the ready identification of the motorboat,
24 sailboat, or personal watercraft by its identifying number
25 may be carried as to interfere with the motorboat's,

sailboat's, or personal watercraft's identification. No number other than the number and license decal assigned to a motorboat, sailboat, or personal watercraft or granted reciprocity under this part may be painted, attached, or otherwise displayed on either side of the forward half of the motorboat, sailboat, or personal watercraft.

(b) The certificate of number shall be pocket size and available to federal, state, or local law enforcement officers at all reasonable times for inspection on the motorboat, sailboat, or personal watercraft whenever the motorboat, sailboat, or personal watercraft is on waters of this state.

(c) Boat liveries are not required to have the certificate of number on board each motorboat, sailboat, or personal watercraft, but a rental agreement must be carried on board livery motorboats, sailboats, or personal watercraft in place of the certificate of number.

(10) (a) Except as provided in subsection (10)(b), fees, other than the fee in lieu of tax, collected under this section shall be transmitted to the state treasurer, who shall deposit the fees in the motorboat or sailboat certificate identification account of the state special revenue fund. These fees shall be used only for the administration and enforcement of this part, as amended.

(b) Of the fee collected under the provisions of

subsection (1), 20% must be deposited by the state treasurer in an account in the state special revenue fund to the credit of the department to be used to provide necessary education for boat owners, to acquire decibel meters as required to implement the provisions of 23-2-523(9) and 23-2-526(3), and to acquire marine sewage pumpout equipment.

(11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost, destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat becomes documented as a vessel of the United States. (Terminates July 1, 1993--sec. 13, Ch. 728, L. 1991.)

23-2-512. (Effective July 1, 1993) Identification number. (1) The owner of each motorboat, sailboat, or personal watercraft requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat, sailboat, or personal watercraft is owned, on forms prepared and furnished by the department of justice. The application must be signed by the owner of the motorboat, sailboat, or personal watercraft and be accompanied by a fee of \$2 \$2.50. Any alteration, change,

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(b) Of the fee collected under the provisions of subsection (1), 20% must be deposited by the state treasurer in an account in the state special revenue fund to the credit of the department to be used to acquire and maintain marine sewage pumpout equipment and other boat facilities.

(11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost, destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat becomes documented as a vessel of the United States."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1993.

-End-

SENATE BILL NO. 355

INTRODUCED BY HARDING, B. BROWN, HARP, WELDON, KENNEDY

BY REQUEST OF THE DEPARTMENT

OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE INCREASE IN FEE FOR A MOTORBOAT CERTIFICATE OF NUMBER; ALLOCATING THE FEE INCREASE TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO ACQUIRE AND MAINTAIN MARINE SEWAGE PUMPOUT EQUIPMENT AND OTHER BOAT FACILITIES; AMENDING SECTION 23-2-512, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. (Temporary) Identification number. (1) The owner of each motorboat, sailboat, or personal watercraft requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat, sailboat, or personal watercraft is owned, on forms prepared and furnished by the department of justice. The application must be signed by the owner of the motorboat, sailboat, or personal watercraft and be accompanied by a fee of \$2.50. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application

in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the department of justice, stating the number assigned to the motorboat, sailboat, or personal watercraft and the name and address of the owner.

(2) The applicant, upon the filing of the application, shall pay to the county treasurer the fee in lieu of tax required for a motorboat 10 feet in length or longer, a sailboat 12 feet in length or longer, or a personal watercraft for the current year of certification before the application for certification or recertification may be accepted by the county treasurer.

(3) Should the ownership of a motorboat, sailboat, or personal watercraft change, a new application form with the certification fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(4) If an agency of the United States government has in force a comprehensive system of identification numbering for motorboats in the United States, the numbering system employed pursuant to this part by the department of justice must be in conformity.

(5) Every certificate of number and the license decals assigned under this part continues in effect for a period

1 not to exceed 1 year unless terminated or discontinued in
2 accordance with the provisions of this part. Certificates of
3 number and license decals must show the date of expiration
4 and may be renewed by the owner in the same manner provided
5 for in the initial securing of the certificate.

6 (6) Certificates of number expire on December 31 of
7 each year and may not be in effect unless renewed under this
8 part.

9 (7) In event of transfer of ownership, the purchaser
10 shall furnish the county treasurer notice within a
11 reasonable time of the acquisition of all or any part of his
12 interest, other than the creation of a security interest, in
13 a motorboat, sailboat, or personal watercraft numbered in
14 this state or of the loss, theft, destruction, or
15 abandonment of the motorboat, sailboat, or personal
16 watercraft. The transfer, loss, theft, destruction, or
17 abandonment terminates the certificate of number for the
18 motorboat, sailboat, or personal watercraft. Recovery from
19 theft or transfer of a part interest that does not affect
20 the owner's right to operate the motorboat, sailboat, or
21 personal watercraft does not terminate the certificate of
22 number.

23 (8) A holder of a certificate of number shall notify
24 the county treasurer within reasonable time if his address
25 no longer conforms to the address appearing on the

1 certificate and furnish the county treasurer with his new
2 address. The department of justice may provide by rule for
3 the surrender of the certificate bearing the former address
4 and its replacement with a certificate bearing the new
5 address or the alteration of an outstanding certificate to
6 show the new address of the holder.

7 (9) (a) The number assigned must be painted on or
8 attached to each outboard side of the forward half of the
9 motorboat, sailboat, or personal watercraft or, if there are
10 no such sides, at a corresponding location on both outboard
11 sides of the foredeck of the motorboat, sailboat, or
12 personal watercraft. The number assigned must read from left
13 to right in Arabic numerals and block characters of good
14 proportion at least 3 inches tall excluding border or trim
15 of a color that contrasts with the color of the background
16 and be so maintained as to be clearly visible and legible.
17 The number may not be placed on the obscured underside of
18 the flared bow where it cannot be easily seen from another
19 vessel or ashore. No numerals, letters, or devices other
20 than those used in connection with the identifying number
21 issued may be placed in the proximity of the identifying
22 number. No numerals, letters, or devices that might
23 interfere with the ready identification of the motorboat,
24 sailboat, or personal watercraft by its identifying number
25 may be carried as to interfere with the motorboat's,

sailboat's, or personal watercraft's identification. No number other than the number and license decal assigned to a motorboat, sailboat, or personal watercraft or granted reciprocity under this part may be painted, attached, or otherwise displayed on either side of the forward half of the motorboat, sailboat, or personal watercraft.

(b) The certificate of number shall be pocket size and available to federal, state, or local law enforcement officers at all reasonable times for inspection on the motorboat, sailboat, or personal watercraft whenever the motorboat, sailboat, or personal watercraft is on waters of this state.

(c) Boat liveries are not required to have the certificate of number on board each motorboat, sailboat, or personal watercraft, but a rental agreement must be carried on board livery motorboats, sailboats, or personal watercraft in place of the certificate of number.

(10) (a) Except as provided in subsection (10)(b), fees, other than the fee in lieu of tax, collected under this section shall be transmitted to the state treasurer, who shall deposit the fees in the motorboat or sailboat certificate identification account of the state special revenue fund. These fees shall be used only for the administration and enforcement of this part, as amended.

(b) Of the fee collected under the provisions of

subsection (1), 20% must be deposited by the state treasurer in an account in the state special revenue fund to the credit of the department to be used to provide necessary education for boat owners, to acquire decibel meters as required to implement the provisions of 23-2-523(9) and 23-2-526(3), and to acquire marine sewage pumpout equipment.

(11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost, destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat becomes documented as a vessel of the United States. (Terminates July 1, 1993--sec. 13, Ch. 728, L. 1991.)

23-2-512. (Effective July 1, 1993) Identification number. (1) The owner of each motorboat, sailboat, or personal watercraft requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat, sailboat, or personal watercraft is owned, on forms prepared and furnished by the department of justice. The application must be signed by the owner of the motorboat, sailboat, or personal watercraft and be accompanied by a fee of \$2 \$2.50. Any alteration, change,

1 or false statement contained in the application will render
2 the certificate of number void. Upon receipt of the
3 application in approved form, the county treasurer shall
4 issue to the applicant a certificate of number prepared and
5 furnished by the department of justice, stating the number
6 assigned to the motorboat, sailboat, or personal watercraft
7 and the name and address of the owner.

8 (2) The applicant, upon the filing of the application,
9 shall pay to the county treasurer the fee in lieu of tax
10 required for a motorboat 10 feet in length or longer, a
11 sailboat 12 feet in length or longer, or a personal
12 watercraft for the current year of certification before the
13 application for certification or recertification may be
14 accepted by the county treasurer.

15 (3) Should the ownership of a motorboat, sailboat, or
16 personal watercraft change, a new application form with the
17 certification fee must be filed within a reasonable time
18 with the county treasurer and a new certificate of number
19 assigned in the same manner as provided for in an original
20 assignment of number.

21 (4) If an agency of the United States government has in
22 force a comprehensive system of identification numbering for
23 motorboats in the United States, the numbering system
24 employed pursuant to this part by the department of justice
25 must be in conformity.

1 (5) Every certificate of number and the license decals
2 assigned under this part continues in effect for a period
3 not to exceed 1 year unless terminated or discontinued in
4 accordance with the provisions of this part. Certificates of
5 number and license decals must show the date of expiration
6 and may be renewed by the owner in the same manner provided
7 for in the initial securing of the certificate.

8 (6) Certificates of number expire on December 31 of
9 each year and may not be in effect unless renewed under this
10 part.

11 (7) In event of transfer of ownership, the purchaser
12 shall furnish the county treasurer notice within a
13 reasonable time of the acquisition of all or any part of his
14 the purchaser's interest, other than the creation of a
15 security interest, in a motorboat, sailboat, or personal
16 watercraft numbered in this state or of the loss, theft,
17 destruction, or abandonment of the motorboat, sailboat, or
18 personal watercraft. The transfer, loss, theft, destruction,
19 or abandonment terminates the certificate of number for the
20 motorboat, sailboat, or personal watercraft. Recovery from
21 theft or transfer of a part interest that does not affect
22 the owner's right to operate the motorboat, sailboat, or
23 personal watercraft does not terminate the certificate of
24 number.

25 (8) A holder of a certificate of number shall notify

1 the county treasurer within reasonable time if his the
 2 holder's address no longer conforms to the address appearing
 3 on the certificate and shall furnish the county treasurer
 4 with his the new address. The department of justice may
 5 provide by rule for the surrender of the certificate bearing
 6 the former address and its replacement with a certificate
 7 bearing the new address or the alteration of an outstanding
 8 certificate to show the new address of the holder.

9 (9) (a) The number assigned must be painted on or
 10 attached to each outboard side of the forward half of the
 11 motorboat, sailboat, or personal watercraft or, if there are
 12 no such sides, at a corresponding location on both outboard
 13 sides of the foredeck of the motorboat, sailboat, or
 14 personal watercraft. The number assigned must read from left
 15 to right in Arabic numerals and block characters of good
 16 proportion at least 3 inches tall excluding border or trim
 17 of a color that contrasts with the color of the background
 18 and be so maintained as to be clearly visible and legible.
 19 The number may not be placed on the obscured underside of
 20 the flared bow where it cannot be easily seen from another
 21 vessel or ashore. ~~No-numerals~~ Numerals, letters, or devices
 22 other than those used in connection with the identifying
 23 number issued may not be placed in the proximity of the
 24 identifying number. ~~No--numerals~~ Numerals, letters, or
 25 devices that might interfere with the ready identification

1 of the motorboat, sailboat, or personal watercraft by its
 2 identifying number may not be carried as-to-interfere in a
 3 manner that interferes with the motorboat's, sailboat's, or
 4 personal watercraft's identification. No A number other than
 5 the number and license decal assigned to a motorboat,
 6 sailboat, or personal watercraft or granted reciprocity
 7 under this part may not be painted, attached, or otherwise
 8 displayed on either side of the forward half of the
 9 motorboat, sailboat, or personal watercraft.

10 (b) The certificate of number ~~shall~~ must be pocket size
 11 and available to federal, state, or local law enforcement
 12 officers at all reasonable times for inspection on the
 13 motorboat, sailboat, or personal watercraft whenever the
 14 motorboat, sailboat, or personal watercraft is on waters of
 15 this state.

16 (c) Boat liveries are not required to have the
 17 certificate of number on board each motorboat, sailboat, or
 18 personal watercraft, but a rental agreement must be carried
 19 on board livery motorboats, sailboats, or personal
 20 watercraft in place of the certificate of number.

21 (10) (a) Fees Except as provided in subsection (10)(b),
 22 fees, other than the fee in lieu of tax, collected under
 23 this section ~~shall~~ must be transmitted to the state
 24 treasurer, who shall deposit the fees in the motorboat or
 25 sailboat certificate identification account of the state

1 special revenue fund. These fees shall ~~must~~ be used only for
2 the administration and enforcement of this part, as amended.

3 (b) Of the fee collected under the provisions of
4 subsection (1), 20% must be deposited by the state treasurer
5 in an account in the state special revenue fund to the
6 credit of the department to be used to acquire and maintain
7 marine sewage pumpout equipment and other boat facilities.

8 (11) An owner of a motorboat, sailboat, or personal
9 watercraft must within a reasonable time notify the
10 department of justice, giving the motorboat's, sailboat's,
11 or personal watercraft's identifying number and the owner's
12 name when the motorboat, sailboat, or personal watercraft is
13 transferred, lost, destroyed, abandoned, or frauded or
14 within 60 days after change of state of principal use or if
15 a motorboat becomes documented as a vessel of the United
16 States."

17 NEW SECTION. Section 2. Effective date. [This act] is
18 effective July 1, 1993.

-End-

SENATE BILL NO. 355

INTRODUCED BY HARDING, B. BROWN, HARP, WELDON, KENNEDY
BY REQUEST OF THE DEPARTMENT
OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING PERMANENT THE
INCREASE IN FEE FOR A MOTORBOAT CERTIFICATE OF NUMBER;
ALLOCATING THE FEE INCREASE TO THE DEPARTMENT OF FISH,
WILDLIFE, AND PARKS TO ACQUIRE AND MAINTAIN MARINE SEWAGE
PUMPOUT EQUIPMENT AND OTHER BOAT FACILITIES; AMENDING
SECTION 23-2-512, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. (Temporary) Identification number. (1) The
owner of each motorboat, sailboat, or personal watercraft
requiring numbering by this state shall file an application
for number in the office of the county treasurer where the
motorboat, sailboat, or personal watercraft is owned, on
forms prepared and furnished by the department of justice.
The application must be signed by the owner of the
motorboat, sailboat, or personal watercraft and be
accompanied by a fee of \$2.50. Any alteration, change, or
false statement contained in the application will render the
certificate of number void. Upon receipt of the application

in approved form, the county treasurer shall issue to the
applicant a certificate of number prepared and furnished by
the department of justice, stating the number assigned to
the motorboat, sailboat, or personal watercraft and the name
and address of the owner.

(2) The applicant, upon the filing of the application,
shall pay to the county treasurer the fee in lieu of tax
required for a motorboat 10 feet in length or longer, a
sailboat 12 feet in length or longer, or a personal
watercraft for the current year of certification before the
application for certification or recertification may be
accepted by the county treasurer.

(3) Should the ownership of a motorboat, sailboat, or
personal watercraft change, a new application form with the
certification fee must be filed within a reasonable time
with the county treasurer and a new certificate of number
assigned in the same manner as provided for in an original
assignment of number.

(4) If an agency of the United States government has in
force a comprehensive system of identification numbering for
motorboats in the United States, the numbering system
employed pursuant to this part by the department of justice
must be in conformity.

(5) Every certificate of number and the license decals
assigned under this part continues in effect for a period

1 not to exceed 1 year unless terminated or discontinued in
2 accordance with the provisions of this part. Certificates of
3 number and license decals must show the date of expiration
4 and may be renewed by the owner in the same manner provided
5 for in the initial securing of the certificate.

6 (6) Certificates of number expire on December 31 of
7 each year and may not be in effect unless renewed under this
8 part.

9 (7) In event of transfer of ownership, the purchaser
10 shall furnish the county treasurer notice within a
11 reasonable time of the acquisition of all or any part of his
12 interest, other than the creation of a security interest, in
13 a motorboat, sailboat, or personal watercraft numbered in
14 this state or of the loss, theft, destruction, or
15 abandonment of the motorboat, sailboat, or personal
16 watercraft. The transfer, loss, theft, destruction, or
17 abandonment terminates the certificate of number for the
18 motorboat, sailboat, or personal watercraft. Recovery from
19 theft or transfer of a part interest that does not affect
20 the owner's right to operate the motorboat, sailboat, or
21 personal watercraft does not terminate the certificate of
22 number.

23 (8) A holder of a certificate of number shall notify
24 the county treasurer within reasonable time if his address
25 no longer conforms to the address appearing on the

1 certificate and furnish the county treasurer with his new
2 address. The department of justice may provide by rule for
3 the surrender of the certificate bearing the former address
4 and its replacement with a certificate bearing the new
5 address or the alteration of an outstanding certificate to
6 show the new address of the holder.

7 (9) (a) The number assigned must be painted on or
8 attached to each outboard side of the forward half of the
9 motorboat, sailboat, or personal watercraft or, if there are
10 no such sides, at a corresponding location on both outboard
11 sides of the foredeck of the motorboat, sailboat, or
12 personal watercraft. The number assigned must read from left
13 to right in Arabic numerals and block characters of good
14 proportion at least 3 inches tall excluding border or trim
15 of a color that contrasts with the color of the background
16 and be so maintained as to be clearly visible and legible.
17 The number may not be placed on the obscured underside of
18 the flared bow where it cannot be easily seen from another
19 vessel or ashore. No numerals, letters, or devices other
20 than those used in connection with the identifying number
21 issued may be placed in the proximity of the identifying
22 number. No numerals, letters, or devices that might
23 interfere with the ready identification of the motorboat,
24 sailboat, or personal watercraft by its identifying number
25 may be carried as to interfere with the motorboat's,

1 sailboat's, or personal watercraft's identification. No
 2 number other than the number and license decal assigned to a
 3 motorboat, sailboat, or personal watercraft or granted
 4 reciprocity under this part may be painted, attached, or
 5 otherwise displayed on either side of the forward half of
 6 the motorboat, sailboat, or personal watercraft.

7 (b) The certificate of number shall be pocket size and
 8 available to federal, state, or local law enforcement
 9 officers at all reasonable times for inspection on the
 10 motorboat, sailboat, or personal watercraft whenever the
 11 motorboat, sailboat, or personal watercraft is on waters of
 12 this state.

13 (c) Boat liveries are not required to have the
 14 certificate of number on board each motorboat, sailboat, or
 15 personal watercraft, but a rental agreement must be carried
 16 on board livery motorboats, sailboats, or personal
 17 watercraft in place of the certificate of number.

18 (10) (a) Except as provided in subsection (10)(b), fees,
 19 other than the fee in lieu of tax, collected under this
 20 section shall be transmitted to the state treasurer, who
 21 shall deposit the fees in the motorboat or sailboat
 22 certificate identification account of the state special
 23 revenue fund. These fees shall be used only for the
 24 administration and enforcement of this part, as amended.

25 (b) Of the fee collected under the provisions of

1 subsection (1), 20% must be deposited by the state treasurer
 2 in an account in the state special revenue fund to the
 3 credit of the department to be used to provide necessary
 4 education for boat owners, to acquire decibel meters as
 5 required to implement the provisions of 23-2-523(9) and
 6 23-2-526(3), and to acquire marine sewage pumpout equipment.

7 (11) An owner of a motorboat, sailboat, or personal
 8 watercraft must within a reasonable time notify the
 9 department of justice, giving the motorboat's, sailboat's,
 10 or personal watercraft's identifying number and the owner's
 11 name when the motorboat, sailboat, or personal watercraft is
 12 transferred, lost, destroyed, abandoned, or frauded or
 13 within 60 days after change of state of principal use or if
 14 a motorboat becomes documented as a vessel of the United
 15 States. (Terminates July 1, 1993--sec. 13, Ch. 728, L.
 16 1991.)

17 23-2-512. (Effective July 1, 1993) Identification
 18 number. (1) The owner of each motorboat, sailboat, or
 19 personal watercraft requiring numbering by this state shall
 20 file an application for number in the office of the county
 21 treasurer where the motorboat, sailboat, or personal
 22 watercraft is owned, on forms prepared and furnished by the
 23 department of justice. The application must be signed by the
 24 owner of the motorboat, sailboat, or personal watercraft and
 25 be accompanied by a fee of \$2 \$2.50. Any alteration, change,

1 or false statement contained in the application will render
 2 the certificate of number void. Upon receipt of the
 3 application in approved form, the county treasurer shall
 4 issue to the applicant a certificate of number prepared and
 5 furnished by the department of justice, stating the number
 6 assigned to the motorboat, sailboat, or personal watercraft
 7 and the name and address of the owner.

8 (2) The applicant, upon the filing of the application,
 9 shall pay to the county treasurer the fee in lieu of tax
 10 required for a motorboat 10 feet in length or longer, a
 11 sailboat 12 feet in length or longer, or a personal
 12 watercraft for the current year of certification before the
 13 application for certification or recertification may be
 14 accepted by the county treasurer.

15 (3) Should the ownership of a motorboat, sailboat, or
 16 personal watercraft change, a new application form with the
 17 certification fee must be filed within a reasonable time
 18 with the county treasurer and a new certificate of number
 19 assigned in the same manner as provided for in an original
 20 assignment of number.

21 (4) If an agency of the United States government has in
 22 force a comprehensive system of identification numbering for
 23 motorboats in the United States, the numbering system
 24 employed pursuant to this part by the department of justice
 25 must be in conformity.

1 (5) Every certificate of number and the license decals
 2 assigned under this part continues in effect for a period
 3 not to exceed 1 year unless terminated or discontinued in
 4 accordance with the provisions of this part. Certificates of
 5 number and license decals must show the date of expiration
 6 and may be renewed by the owner in the same manner provided
 7 for in the initial securing of the certificate.

8 (6) Certificates of number expire on December 31 of
 9 each year and may not be in effect unless renewed under this
 10 part.

11 (7) In event of transfer of ownership, the purchaser
 12 shall furnish the county treasurer notice within a
 13 reasonable time of the acquisition of all or any part of his
 14 the purchaser's interest, other than the creation of a
 15 security interest, in a motorboat, sailboat, or personal
 16 watercraft numbered in this state or of the loss, theft,
 17 destruction, or abandonment of the motorboat, sailboat, or
 18 personal watercraft. The transfer, loss, theft, destruction,
 19 or abandonment terminates the certificate of number for the
 20 motorboat, sailboat, or personal watercraft. Recovery from
 21 theft or transfer of a part interest that does not affect
 22 the owner's right to operate the motorboat, sailboat, or
 23 personal watercraft does not terminate the certificate of
 24 number.

25 (8) A holder of a certificate of number shall notify

1 the county treasurer within reasonable time if his the
 2 holder's address no longer conforms to the address appearing
 3 on the certificate and shall furnish the county treasurer
 4 with his the new address. The department of justice may
 5 provide by rule for the surrender of the certificate bearing
 6 the former address and its replacement with a certificate
 7 bearing the new address or the alteration of an outstanding
 8 certificate to show the new address of the holder.

9 (9) (a) The number assigned must be painted on or
 10 attached to each outboard side of the forward half of the
 11 motorboat, sailboat, or personal watercraft or, if there are
 12 no such sides, at a corresponding location on both outboard
 13 sides of the foredeck of the motorboat, sailboat, or
 14 personal watercraft. The number assigned must read from left
 15 to right in Arabic numerals and block characters of good
 16 proportion at least 3 inches tall excluding border or trim
 17 of a color that contrasts with the color of the background
 18 and be so maintained as to be clearly visible and legible.
 19 The number may not be placed on the obscured underside of
 20 the flared bow where it cannot be easily seen from another
 21 vessel or ashore. ~~No-numerals~~ Numerals, letters, or devices
 22 other than those used in connection with the identifying
 23 number issued may not be placed in the proximity of the
 24 identifying number. ~~No--numerals~~ Numerals, letters, or
 25 devices that might interfere with the ready identification

1 of the motorboat, sailboat, or personal watercraft by its
 2 identifying number may not be carried ~~as-to-interfere~~ in a
 3 manner that interferes with the motorboat's, sailboat's, or
 4 personal watercraft's identification. No A number other than
 5 the number and license decal assigned to a motorboat,
 6 sailboat, or personal watercraft or granted reciprocity
 7 under this part may not be painted, attached, or otherwise
 8 displayed on either side of the forward half of the
 9 motorboat, sailboat, or personal watercraft.

10 (b) The certificate of number ~~shall~~ must be pocket size
 11 and available to federal, state, or local law enforcement
 12 officers at all reasonable times for inspection on the
 13 motorboat, sailboat, or personal watercraft whenever the
 14 motorboat, sailboat, or personal watercraft is on waters of
 15 this state.

16 (c) Boat liveries are not required to have the
 17 certificate of number on board each motorboat, sailboat, or
 18 personal watercraft, but a rental agreement must be carried
 19 on board livery motorboats, sailboats, or personal
 20 watercraft in place of the certificate of number.

21 (10) (a) ~~Fees~~ Except as provided in subsection (10)(b),
 22 fees, other than the fee in lieu of tax, collected under
 23 this section ~~shall~~ must be transmitted to the state
 24 treasurer, who shall deposit the fees in the motorboat or
 25 sailboat certificate identification account of the state

special revenue fund. These fees ~~shall~~ must be used only for the administration and enforcement of this part, as amended.

(b) Of the fee collected under the provisions of subsection (1), 20% must be deposited by the state treasurer in an account in the state special revenue fund to the credit of the department to be used to acquire and maintain marine sewage pumpout equipment and other boat facilities.

(11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost, destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat becomes documented as a vessel of the United States."

NEW SECTION. **Section 2.** Effective date. [This act] is effective July 1, 1993.

-End-