CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6603

Chapter 198, Laws of 1998

55th Legislature
1998 Regular Session

VESSEL REGISTRATION--EXEMPTIONS

EFFECTIVE DATE: 3/27/98

Passed by the Senate March 9, 1998
YEAS 47  NAYS 0

BRAD OWEN
President of the Senate

Passed by the House March 6, 1998
YEAS 97  NAYS 0

CLYDE BALLARD
Speaker of the House of Representatives

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SUBSTITUTE SENATE BILL 6603 as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O’CONNELL
Secretary

Certified March 27, 1998 - 3:40 p.m.

GARY LOCKE
Governor of the State of Washington

Secretary of State
State of Washington
AN ACT Relating to exceptions from vessel registration; amending RCW 88.02.030; and declaring an emergency.

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

Sec. 1. RCW 88.02.030 and 1997 c 83 s 1 are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) Military or public vessels of the United States, except recreational-type public vessels;

(2) Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(3) Vessels either (a) registered or numbered under the laws of a country other than the United States; or (b) having a valid United States customs service cruising license issued pursuant to 19 C.F.R. Sec. 4.94. On or before the sixty-first day of use in the state, any vessel in the state under this subsection shall obtain an identification document from the department of licensing, its agents, or subagents indicating when the vessel first came into the state. At the time of any issuance of an identification document, a twenty-five
dollar identification document fee shall be paid by the vessel owner to
the department of licensing for the cost of providing the
identification document by the department of licensing. Any moneys
remaining from the fee after payment of costs shall be allocated to
counties by the state treasurer for approved boating safety programs
under RCW 88.02.045. The department of licensing shall adopt rules to
implement its duties under this subsection, including issuing and
displaying the identification document and collecting the twenty-five
dollar fee;

(4) Vessels that have been issued a valid number under federal law
or by an approved issuing authority of the state of principal
operation. However, a vessel that is validly registered in another
state but that is removed to this state for principal use is subject to
registration under this chapter. The issuing authority for this state
shall recognize the validity of the numbers previously issued for a
period of sixty days after arrival in this state;

(5) Vessels owned by a nonresident if the vessel is located upon
the waters of this state exclusively for repairs, alteration, or
reconstruction, or any testing related to the repair, alteration, or
reconstruction conducted in this state if an employee of the repair,
alteration, or construction facility is on board the vessel during any
testing: PROVIDED, That any vessel owned by a nonresident is located
upon the waters of this state exclusively for repairs, alteration,
reconstruction, or testing for a period longer than sixty days, that
the nonresident shall file an affidavit with the department of revenue
verifying the vessel is located upon the waters of this state for
repair, alteration, reconstruction, or testing and shall continue to
file such affidavit every sixty days thereafter, while the vessel is
located upon the waters of this state exclusively for repairs,
alteration, reconstruction, or testing;

(6) Vessels equipped with propulsion machinery of less than ten
horsepower that:

(a) Are owned by the owner of a vessel for which a valid vessel
number has been issued;

(b) Display the number of that numbered vessel followed by the
suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that
vessel and the shore and for no other purpose;
(7) Vessels under sixteen feet in overall length which have no propulsion machinery of any type or which are not used on waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States and are powered by propulsion machinery of ten or less horsepower;

(8) Vessels with no propulsion machinery of any type for which the primary mode of propulsion is human power;

(9) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States. Commercial vessels which the department of revenue determines have the external appearance of vessels which would otherwise be required to register under this chapter, must display decals issued annually by the department of revenue that indicate the vessel’s exempt status;

(10) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States; and

(11) On and after January 1, 1998, vessels owned by a nonresident individual brought into the state for his or her use or enjoyment while temporarily within the state for not more than six months in any continuous twelve-month period, unless the vessel is used in conducting a nontransitory business activity within the state. However, the vessel must ((a) be registered or numbered under the laws of a country other than the United States, (b) have a valid United States customs service cruising license issued under 19 C.F.R. Sec. 4.94, or (c)) have been issued a valid number under federal law or by an approved issuing authority of the state of principal operation. On or before the sixty-first day of use in the state, any vessel temporarily in the state under this subsection shall obtain an identification document from the department of licensing, its agents, or subagents indicating when the vessel first came into the state. An identification document shall be valid for a period of two months. At the time of any issuance of an identification document, a twenty-five dollar identification document fee shall be paid by the vessel owner to the department of licensing for the cost of providing the identification document by the department of licensing. Any moneys remaining from the fee after payment of costs shall be allocated to counties by the state treasurer for approved boating safety programs under RCW 88.02.045. The department of licensing shall adopt rules to implement its duties under
this subsection, including issuing and displaying the identification
document and collecting the twenty-five dollar fee.

NEW SECTION. Sec. 2. This act is necessary for the immediate
preservation of the public peace, health, or safety, or support of the
state government and its existing public institutions, and takes effect
immediately.

Passed the Senate March 9, 1998.
Passed the House March 6, 1998.
Approved by the Governor March 27, 1998.
Filed in Office of Secretary of State March 27, 1998.