Washington State House of Representatives	BILL ANALYSIS

Transportation Committee

SSB 5270

Brief Description: Assisting vessel registration enforcement.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Haugen, Swecker, Kastama, Oke, Spanel, Esser, Jacobsen and Shin).

Brief Summary of Substitute Bill

- Department of Revenue is given authority to assess a penalty to an owner of a unregistered vessel.

- Any marina in the state that leases permanent moorage must require proof of vessel registration or statement of intent to register.

- Marina operator must obtain owner and vessel information and maintain the information for two years.

Hearing Date: 3/30/05

Staff: Jerry Long (786-7306).

Background:

With few exceptions, no person may own or operate a vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal. Vessels that are validly registered in another state, but brought into this state for principle use, must be registered in this state within sixty days.

However, vessels owned by a nonresident that are registered under the laws of another state are not required to register their vessel if the vessel is within Washington and is intended to be kept there for less than six months (180 days). For the first 60 days, vessels owned by a nonresident brought into the state for his or her use or enjoyment are not required to obtain a permit. After the first 60 days, the vessel owner must apply for a temporary permit which is valid for two months (60 days). The temporary permit may be renewed once for another two month (60 day) period.

Failure to register a vessel is a misdemeanor. All aw enforcement officers have the authority to enforce the vessel registration requirements within their respective jurisdictions.

There is a water craft excise tax that is collected at the time of the registration of a vessel by Department of Licensing or its agents. The rate is ½ of 1% of taxable value per year or

$5.00 whichever is greater. There are some exemptions, for example, vessels under sixteen feet, vessels with less than ten horsepower motors used for transportation from shore to a registered vessel, and vessels temporary in Washington for repairs, government vessels, and commercial fishing vessels currently paying property taxes. Department of Revenue is authorized to collect any unpaid water craft excise tax and assess penalties and interest.

Summary of Bill:

Department of Revenue is given the authority to assess a penalty to an owner of a vessel that is not registered as required by law of: $100 for a first offense; $200 for a second offense; and $400 for a third offense and each offense thereafter. The second or more offenses can be for the same vessel or any other vessel. The penalty is in addition to any other civil or criminal penalty imposed by law.

Any marina in the state that leases permanent moorage to vessels must require proof of vessel registration or a written statement of intent to register a vessel as a condition of leasing moorage space. If the applicant's vessel is not registered, the marina must inform the person applying for moorage space of the state law requiring vessel registration and of the penalties for failure to comply with the state's registration laws.

As an additional condition of leasing moorage space, a marina owner must obtain certain information from the lease applicant:
1. The name, address, and telephone number of the legal of the vessel;
2. The name of the lessee, if different than the owner;
3. The vessel's hull identification number;
4. The vessel's Coast Guard registration if applicable;
5. The date on which the moorage lease began; and,
6. The vessel's country or state of registration and registration number.
The marina operator must keep this information for at least two years, and must provide the information for Department of Revenue's review upon request at a mutually agreed upon time and within 30 days of the request.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on August 1, 2005.