

SECOND REGULAR SESSION

SENATE BILL NO. 778

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS RIDGEWAY, SHIELDS, PURGASON, NODLER,
VOGEL, SCOTT, CAUTHORN, CLEMENS, STOFFER, ENGLER, ALTER,
GRIESHEIMER, BARNITZ, KOSTER AND BRAY.

Pre-filed December 22, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3726S.011

AN ACT

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

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

Section A. Section 306.030, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 306.030 and 306.185, to read as
3 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
11 an appropriate certificate of title over [his] **the director's** signature and sealed
12 with the seal of [his] **the director's** office, procured and used for such purpose,
13 and a certificate of number stating the number awarded to the vessel. The
14 application shall include a provision stating that the applicant will consent to any
15 inspection necessary to determine compliance with the provisions of this chapter
16 and shall be signed by the owner of the vessel and shall be accompanied by the
17 fee specified in subsection 8 of this section. The owner shall paint on or attach

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 to each side of the bow of the vessel the identification number in a manner as
19 may be prescribed by rules and regulations of the division of water safety in order
20 that 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 state water patrol 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. Certificates of
50 number may be renewed by the owner in the same manner provided for in the
51 initial securing of the same or in accordance with the provisions of sections
52 306.010 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**
58 **number, the owner shall submit a paid personal property tax receipt**
59 **for the tax year which immediately precedes the year in which the**
60 **application is made or the year in which the renewal is due and which**
61 **reflects that the vessel being renewed is listed as personal property and**
62 **that all personal property taxes, including delinquent taxes from prior**
63 **years, have been paid, or a statement certified by the county or**
64 **township in which the owner's property was assessed showing that the**
65 **state and county tangible personal property taxes for such previous tax**
66 **year and all delinquent taxes due have been paid by the applicant or**
67 **that no such taxes were due.**

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

80 **10. The fee to accompany each application for a certificate of number is:**
81 For vessels under 16 feet in length **[\$10.00] \$25.00**
82 For vessels at least 16 feet in length but less
83 than 26 feet in length **[20.00] \$55.00**
84 For vessels at least 26 feet in length but less
85 than 40 feet in length **[30.00] \$100.00**
86 For vessels at least 40 feet and over **[40.00] \$150.00**

87 **[9.] 11. The certificate of title and certificate of number issued by the**
88 **director of revenue shall be manufactured in a manner to prohibit as nearly as**
89 **possible the ability to alter, counterfeit, duplicate, or forge such certificate**

90 without ready detection.

91 **12. The first two million dollars collected annually under the**
92 **provisions of this section shall be deposited into the state general**
93 **revenue fund. All fees collected under the provisions of this section in**
94 **excess of two million dollars annually shall be deposited in the**
95 **Missouri state water patrol fund and shall be used exclusively for the**
96 **Missouri state water patrol.**

306.185. 1. There is hereby created in the state treasury the
2 **"Missouri State Water Patrol Fund", which shall consist of money**
3 **collected under section 306.030. The state treasurer shall be custodian**
4 **of the fund and shall approve disbursements from the fund in**
5 **accordance with sections 30.170 and 30.180, RSMo. Upon appropriation,**
6 **money in the fund shall be used solely for the expenses of the Missouri**
7 **state water patrol, including but not limited to personal expense,**
8 **training expense, and equipment expense, and shall not be used as a**
9 **substitute for general revenue already appropriated for the operation**
10 **of the Missouri state water patrol.**

11 **2. Notwithstanding the provisions of section 33.080, RSMo, any**
12 **moneys remaining in the fund at the end of the biennium shall not**
13 **revert to the credit of the general revenue fund.**

14 **3. The state treasurer shall invest moneys in the fund in the**
15 **same manner as other funds are invested. Any interest and moneys**
16 **earned on such investments shall be credited to the fund.**

17 **4. Within available appropriations in this section, the**
18 **commissioner of the water patrol shall establish with the advice of the**
19 **director of personnel, an equitable pay plan for the members of the**
20 **water patrol and radio personnel taking into consideration ranks and**
21 **length of service.**

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