

Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 119

# SENATE BILL 1247

AN ACT

AMENDING SECTION 5-321, ARIZONA REVISED STATUTES; RELATING TO BOATING AND WATER SPORTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 5-321, Arizona Revised Statutes, is amended to  
3 read:

4 5-321. Numbering; registration fees; license tax; repeal of  
5 registration; penalty; procedures

6 A. The owner of each motorized watercraft requiring numbering by this  
7 state shall file an application for a registration number with the  
8 department, or its agent, on forms approved by the department. EXCEPT AS  
9 PROVIDED BY RULE ADOPTED BY THE COMMISSION, the application shall be signed  
10 by the owner of the motorized watercraft and shall be accompanied by a  
11 registration fee and a license tax levied at the following rates:

12 1. For a resident owner, defined as a person who owns a boat for which  
13 registration is required and who is required to and does register motor  
14 vehicles owned by the person in this state or, if no motor vehicle is owned  
15 by the person owning the boat, the person is a resident as defined by section  
16 28-2001, a registration fee of four dollars and a license tax of forty-five  
17 cents per foot of length or fraction thereof of each watercraft up to and  
18 including eighteen feet and sixty-eight cents per foot of length for each  
19 foot or fraction thereof over eighteen feet except as provided in section  
20 5-322.

21 2. For a nonresident owner, defined as any person who owns a boat for  
22 which registration is required and who is not a resident owner as defined by  
23 this section, a registration fee of twenty dollars and a license tax of two  
24 dollars ninety cents per foot of length or fraction thereof of each  
25 watercraft up to and including eighteen feet and five dollars fifty cents per  
26 foot of length for each foot or fraction thereof over eighteen feet except  
27 as provided in section 5-322.

28 B. The length of the motorized watercraft shall be measured from the  
29 most forward part of the bow excluding the bowsprit or jibboom, over the  
30 centerline to the rearmost part of the transom excluding sheer, outboard  
31 motor, rudder, handles or other attachments. Upon receipt of the application  
32 in approved form, the department OR ITS AGENT shall enter the application on  
33 the records of its office and issue to the applicant two current annual  
34 decals and a certificate of number stating the number issued to the  
35 watercraft and the name and address of the owner. The owner shall display  
36 the assigned number and the current annual decals in such manner as may be  
37 prescribed by rules of the commission. The number and decals shall be  
38 maintained in legible condition. The certificate of number OR COMMISSION  
39 APPROVED PROOF OF VALID CERTIFICATE OF NUMBER, except as provided in section  
40 5-371, shall be available at all times for inspection by a peace officer  
41 whenever the watercraft is in operation. No number issued by another state  
42 or the United States coast guard, unless granted exemption or exception  
43 pursuant to this chapter, shall be displayed on the watercraft.

44 C. No motorized watercraft shall be purchased, sold or otherwise  
45 transferred without assignment by the owner of the current numbering

1 certificate or other documentation as may be prescribed by rules of the  
2 commission. Within fifteen days after such transfer, the person to whom such  
3 transfer is made shall make application to the department to have the  
4 motorized watercraft registered in the person's name by the department, for  
5 which the department shall charge a transfer fee of four dollars. The  
6 department shall not issue or transfer a numbering certificate for a  
7 motorized watercraft to a person who is subject to the use tax under title  
8 42, chapter 5, article 4 unless the applicable tax has been paid as shown by  
9 a receipt from the collecting officer. Persons doing business as marine  
10 dealers and licensed as such by this state are not required to register in  
11 their name any watercraft in their possession that may be offered for resale.

12 D. In the event of the loss or destruction of the certificate of  
13 number or annual decal, the department shall issue a duplicate to the owner  
14 upon payment of a fee of two dollars.

15 E. The department may issue any certificate of number directly or may  
16 authorize any person to act as agent for the issuance of the certificate of  
17 number in conformity with this chapter and with any rules of the commission.  
18 AN AGENT THAT CONTRACTS WITH THE COMMISSION TO RENEW CERTIFICATES OF NUMBER  
19 BY TELECOMMUNICATION MAY IMPOSE ADDITIONAL FEES FOR THEIR SERVICES AS  
20 PROVIDED IN THE CONTRACT.

21 F. The owner shall furnish to the department notice of the transfer  
22 of all or any part of the owner's interest other than the creation of a  
23 security interest in a motorized watercraft numbered in this state pursuant  
24 to the provisions of this chapter or of the destruction or abandonment of  
25 such watercraft within fifteen days. Such transfer, destruction or  
26 abandonment shall terminate the certificate of number of such watercraft,  
27 except that in the case of a transfer of a part interest which does not  
28 affect the owner's right to operate such watercraft, the transfer shall not  
29 terminate the certificate of number.

30 G. Any holder of a certificate of number shall notify the department  
31 within fifteen days if the holder's address no longer conforms to the address  
32 appearing on the certificate and shall, as a part of such notification,  
33 furnish the department with the holder's new address. The commission may  
34 provide in its rules for the surrender of the certificate bearing the former  
35 address and its replacement with a certificate bearing the new address or the  
36 alteration of an outstanding certificate to show the new address of the  
37 holder.

38 H. On renewal of any motorized watercraft registration that has not  
39 been renewed by the current expiration date, the department shall assess a  
40 penalty unless the watercraft ownership has been transferred and the  
41 watercraft was not registered subsequent to the expiration date. The  
42 commission shall establish the penalty which shall not exceed fifteen  
43 dollars. If more than twelve months have lapsed since the expiration date  
44 of the last registration or renewal the penalty and back fees are waived.

APPROVED BY THE GOVERNOR APRIL 16, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2001.

Passed the House April 10, 2001,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting



Speaker of the House

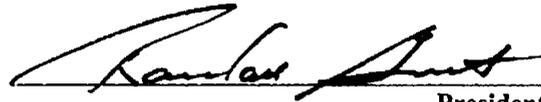


Chief Clerk of the House

Passed the Senate February 19, 2001,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting



President of the Senate



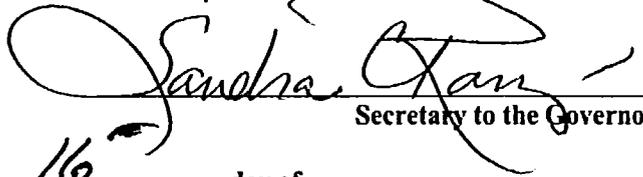
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11 day of April, 2001,

at 11:03 o'clock A M.

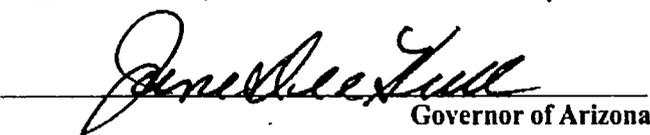


Secretary to the Governor

Approved this 16 day of

April, 2001,

at 3:04 o'clock P M.



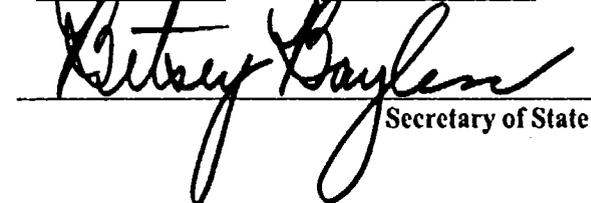
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 2001,

at 10:55 o'clock A M.



Secretary of State

S.B. 1247