

House Bill 497 (AS PASSED HOUSE AND SENATE)

By: Representatives Tanner of the 9<sup>th</sup>, Rogers of the 29<sup>th</sup>, Hamilton of the 24<sup>th</sup>, Burns of the 159<sup>th</sup>, and Hawkins of the 27<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, the  
2 "Georgia Boat Safety Act," so as to revise provisions regarding the numbering and  
3 registration of vessels; to revise application procedures and expiration provisions; to revise  
4 a provision regarding exclusions and exemptions; to correct a cross-reference; to provide for  
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, the "Georgia  
9 Boat Safety Act," is amended by revising Code Section 52-7-5, relating to the numbering of  
10 vessels, as follows:

11 "52-7-5.

12 (a) The owner of each vessel required to be numbered by this article shall file an  
13 application for number with the department on forms ~~approved by it~~ containing such  
14 information required by the department. Upon receipt of the completed application in  
15 ~~approved form~~ and any other required information and documents, the department shall  
16 enter the application upon its records and issue to the applicant a certificate of number  
17 stating the number assigned to the vessel, the name and address of the owner, and such  
18 additional information as may be prescribed by the department.

19 (b)(1) The identification number assigned to all registered vessels, except those  
20 documented by the United States Coast Guard, ~~must~~ shall be permanently painted or  
21 attached to each side of the forward half of the vessel, and no other number may be  
22 displayed thereon. Numbers ~~must~~ shall read from left to right, be in block characters, be  
23 of a color contrasting with the background, and be not less than three inches in height nor  
24 more than one inch apart. There shall be a hyphen or space between the prefix letters and  
25 numerals and between the numerals and the suffix letters. The hyphen or space shall be  
26 equal to the width of any letter except I.

27 (2) On vessels so configured that a number on the hull or superstructure would not be  
28 easily visible, the number ~~must~~ shall be painted on or attached to a backing plate that is  
29 attached to the forward half of the vessel so that the number will be clearly visible under  
30 normal operating conditions.

31 (3) The numbers shall be maintained in a legible condition.

32 (4) Vessels owned by manufacturers or dealers and being used as demonstrators or for  
33 testing may use the dealer's tag supplied with his or her registration in lieu of a  
34 permanently attached number.

35 ~~(5)(c)~~ Expiration ~~The decals shall be assigned by the department to all registered vessels.~~  
36 ~~must~~ Such decals shall be displayed one on each side of the bow preceding the prefix  
37 letters and maintained in legible condition. There shall be a hyphen or space separating  
38 each decal and the prefix letters. ~~The hyphen or space~~ which shall be equal to the width  
39 of any letter except I.

40 ~~(e)~~(d) Applications shall be signed by the owner or owners of the vessel and shall be  
41 accompanied by the proper fee. Fees for numbering vessels for a registration period of  
42 three years shall be as follows:

43	(1) Vessels up to 16 feet in length . . . . .	\$ 15.00
44	(2) Vessels 16 to 26 feet in length . . . . .	36.00
45	(3) Vessels 26 to 40 feet in length . . . . .	90.00
46	(4) Vessels 40 feet in length or longer . . . . .	150.00

47 (e)(1) Registration for vessels shall expire on the last day of the month of the owner's  
48 birth in the last year of the registration period and shall thereafter be of no force or effect  
49 unless renewed pursuant to this article; provided, however, that the registration for  
50 vessels not owned by individuals shall expire on December 31 of the last year of the  
51 registration period. Certificates of number may be renewed by the owner in the same  
52 manner provided for in the initial securing of such certificates.

53 (2) Registrations may be renewed any time after October 1 prior to the year of  
54 expiration. If the certificate of number is allowed to expire, a renewal application may  
55 still be filed with the department so long as the applicant pays the registration fee  
56 prescribed in subsection (d) of this Code section along with a \$10.00 late fee.

57 (3) Any application for renewal which, due to failure of the applicant to provide  
58 additional information required by the department, remains incomplete 60 days after  
59 initial receipt of such application shall expire and a new application and registration fee  
60 shall be required for renewal.

61 ~~(d) Change of ownership.~~

62 ~~(f)~~(f) Should the ownership of a numbered vessel change while ~~the~~ a valid registration is  
 63 in effect, ~~a new application form with a transfer fee of \$3.00 shall be filed~~ the new owner  
 64 shall file with the department, and a new certificate of number shall be issued to the new  
 65 owner in the same manner as provided for in the original assignment of number. The  
 66 number assigned shall be identical with the previous one. The year of expiration shall  
 67 remain the same and the date of expiration shall be determined by the date of birth of the  
 68 ~~new owner~~ a new application and pay the prescribed fee for a new registration. The  
 69 number assigned upon transfer of ownership shall be identical to the previous number  
 70 unless such number has been reassigned by the department during any expired registration  
 71 period.

72 (2) ~~Should the transfer occur in the year of expiration after the month of the new owner's~~  
 73 ~~birth, the prescribed fee for the three-year registration must accompany the application~~  
 74 ~~form and the \$3.00 transfer fee.~~

75 (3) ~~Should the ownership of a numbered vessel change after the registration has lapsed,~~  
 76 ~~a new application form with the prescribed fee for the three-year registration shall be filed~~  
 77 ~~with the department. A new certificate shall be issued to the new owner. Upon receipt~~  
 78 ~~by the department of a specific request from the new owner and payment of a fee of~~  
 79 ~~\$3.00, the number assigned shall be identical with the previous one unless it has been~~  
 80 ~~reassigned during the lapsed period. If the number has been reassigned during the lapsed~~  
 81 ~~period, the new owner's fee shall be returned with the new certificate of registration.~~

82 (e)(g) In the event that an agency of the United States government shall have in force an  
 83 overall system of identification (numbering) for vessels within the United States, the  
 84 numbering system employed pursuant to this article by the department shall be in  
 85 conformity therewith.

86 (f)(h) The department may issue any certificate of number, expiration decal, marine toilet  
 87 certification, or other permit provided for in this chapter directly or may authorize any  
 88 person to act as agent for the issuing thereof. In the event that a person accepts such  
 89 authorization to issue certificates of number, he or she may be allotted a block of numbers  
 90 and certificates therefor which, upon assignment and issue in conformity with this article  
 91 and with any rules and regulations of the department, shall be valid as if assigned and  
 92 issued directly by the department. Any person acting as agent for the department may  
 93 charge a fee for his or her services in an amount approved by the department not to exceed  
 94 \$10.00 per transaction.

95 (g)(i) All records of the department made or kept pursuant to this Code section shall be  
 96 public records.

97 ~~(h) After March 3, 1981, every certificate of number issued to previously unregistered~~  
 98 ~~vessels pursuant to this article shall continue in full force and effect for a period of three~~  
 99 ~~years unless sooner terminated or discontinued in accordance with this article. Certificates~~  
 100 ~~of number may be renewed by the owner in the same manner provided for in the initial~~  
 101 ~~securing of the certificates.~~

102 ~~(i)(1) Beginning in 1974, the certificate of number of all vessels owned by individuals~~  
 103 ~~shall expire on the last day of the month of the owner's birth in the last year of the~~  
 104 ~~registration period and after that date shall lapse and no longer be of any force and effect~~  
 105 ~~unless renewed pursuant to this article.~~

106 ~~(2) The certificate of number of all vessels owned by other than individuals shall expire~~  
 107 ~~on December 31 of the last year of the registration period and after that date shall lapse~~  
 108 ~~and no longer be of any force and effect unless renewed pursuant to this article.~~

109 ~~(3) Registrations may be renewed 60 days prior to the last day of the month of the~~  
 110 ~~owner's birth in the year of expiration.~~

111 (j) The owner shall furnish the department written notice of the transfer of all or of any  
 112 part of his or her interest, other than the creation of a security interest, in a vessel numbered  
 113 in this state pursuant to this Code section, the theft or recovery of the vessel, or the  
 114 destruction or abandonment of the vessel within 15 days thereof.

115 (k) Any holder of a certificate of number shall notify the department in writing within 15  
 116 days if his or her address no longer conforms to the address appearing on the certificate and  
 117 shall, as a part of such notification, furnish the department with his or her new address.

118 (l) No number other than the number validly assigned to a vessel shall be painted,  
 119 attached, or otherwise displayed on either side of the forward half of the vessel.

120 (m)(1) A certificate of number once issued pursuant to this Code section shall be  
 121 considered void upon the happening of any one of the following events:

122 (A) The owner transfers all his or her interest in said vessel to another person or  
 123 involuntarily loses his or her interest through legal process;

124 (B) The vessel is destroyed or abandoned;

125 (C) It is discovered by the department that the application submitted by the owner  
 126 contains false or fraudulent information;

127 (D) The fees for issuance are not paid by the applicant; or

128 (E) The state of principal use is changed.

129 (2) A void certificate ~~must~~ shall be surrendered to the department within 15 days from  
 130 the date that it becomes or is declared to be void.

131 (n) The number placed on the forward half of the vessel by the owner ~~must~~ shall be  
 132 removed by the owner if:

133 (1) The vessel is documented under the laws of the United States;

- 134 (2) The certificate or number becomes invalid because it is determined that a false or  
135 fraudulent statement was made in the application or the fees have not been paid; or  
136 (3) The vessel is no longer used in this state.  
137 (o) The board shall be authorized to establish, by rule or regulation, a procedure to refund  
138 fees collected pursuant to this chapter which were collected in error or overpayment or to  
139 which the department or state is otherwise not entitled."

140 **SECTION 2.**

141 Said article is further amended in Code Section 52-7-6, relating to numbering of vessels and  
142 exceptions to numbering requirements, by revising paragraph (8) as follows:

143 "(8) Operating temporarily by virtue of evidence that a ~~recent~~ an application for a  
144 certificate of number has been submitted within the previous 60 days; or"

145 **SECTION 3.**

146 Said article is further amended in Code Section 52-7-7, relating to numbering of dealers'  
147 vessels, by revising subsection (a) as follows:

148 "(a) Any dealer may obtain certificates of number to be used only for the purpose of testing  
149 or demonstrating vessels owned by the dealer. The fee for the first certificate of number  
150 issued to any dealer for each vessel classification shall be the same fee as prescribed in  
151 subsection ~~(c)~~ (d) of Code Section 52-7-5 and the dealer may then be issued additional  
152 certificates of number for testing and demonstrating purposes at a reduced fee as provided  
153 by the board. The amount of the reduced fee shall be determined by the board and shall  
154 be a reasonable approximation of the cost of producing and distributing the certificates of  
155 number and may be changed from time to time."

156 **SECTION 4.**

157 All laws and parts of laws in conflict with this Act are repealed.