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Bill Analysis

Legislative Service Commission

S.B. 150

124th General Assembly
(As Introduced)

Sen. Armbruster

BILL SUMMARY

- ? Allows the owner of an individually registered canoe, rowboat, or inflatable watercraft to choose not to have it numbered by the state, and establishes a higher triennial registration fee and other requirements for such a watercraft.
- ? Requires registration fees for watercraft that are included in a livery registration to be paid annually rather than triennially.
- ? Includes racing shells and rowing sculls in the definition of "canoe" for purposes of the Watercraft and Waterways Law, and requires inflatable watercraft that are propelled by a sail to be classified as a sailboat and registered by length.

CONTENT AND OPERATION

Background

Current law generally requires watercraft that are used on Ohio waters to be registered triennially by the Division of Watercraft in the Department of Natural Resources. "Watercraft" means any of the following when used or capable of being used for transportation on water: (1) a vessel operated by machinery either permanently or temporarily affixed, (2) a sailboat other than a sailboard, (3) an inflatable, manually propelled boat having a hull identification number meeting the requirements of the United States Coast Guard, and (4) a canoe or rowboat. Ferries are excluded from the definition. For purposes of the registration fee, watercraft are classified by length. Current law also generally requires each watercraft to be numbered by the state. However, certain types of watercraft are exempt from registration, numbering, or both by the state.

Optional numbering for canoes, rowboats, and inflatable watercraft

The bill allows an owner of a canoe, rowboat, or inflatable watercraft that is registered individually rather than as part of a livery to choose whether or not to have the watercraft numbered by the state. An owner who chooses to have such a watercraft numbered must comply with current law's requirements to pay a registration fee of \$12 and obtain two square tags that are not larger than three inches square, are color coded, and indicate the expiration date of the registration certificate. The tags must be affixed to each side of the watercraft. Such a watercraft also must have the permanent identification number attached to each side of its bow. (Secs. 1547.53(H), 1547.54(A)(2), and 1547.57(A) and (B).)

An owner who chooses not to have the owner's watercraft numbered must pay a higher registration fee of \$17 and obtain a rectangular tag of not larger than three inches by six inches, with distinguishing color coding and a number for identification purposes. The owner must affix the tag to a location on the watercraft as prescribed by rules adopted by the Chief of the Division of Watercraft. (Secs. 1547.53(H), 1547.54(A)(2), and 1547.57(C).)

Under current law, a registration certificate must be on the watercraft for which it is issued and available at all times for inspection whenever the watercraft is in operation. The requirement does not apply to livery operators, who may keep the registration certificate at the livery where it must be available for inspection at all times. The bill creates a second exemption for canoes, rowboats, and inflatable watercraft that have not been numbered under the bill. A person who is operating such a watercraft on Ohio waters and who is stopped by a law enforcement officer in the enforcement of Ohio's watercraft statutes and rules must present a registration certificate to the officer not later than 72 hours after being stopped. The registration certificate must have been obtained prior to the time that the watercraft was stopped. Failure to present the registration certificate within that time constitutes prima-facie evidence of the requirement to register the watercraft. (Sec. 1547.54(D).)

Livery registration fees

Current law allows the owner of any number of canoes, kayaks, rowboats, inflatable watercraft, or sailboats for rental to the public to apply to the Chief for an annual certificate of livery registration. The registration fee for each watercraft included in the livery registration is the same as the fee for such watercraft that are registered individually and must be paid triennially. The bill instead requires the fee for each watercraft that is registered as part of a livery to be an annual fee in an amount that is one-third of the applicable triennial registration fee. It also removes references to kayaks because those watercraft are included in the existing definition of "canoe" (see below). (Secs. 1547.54(A) and 1547.542.)

Definitions of "canoe," "rowboat," and "inflatable watercraft"

The bill revises the definitions of "canoe," "rowboat," and "inflatable watercraft" for the purposes of the Watercraft and Waterways Law. Currently, "canoe" means a narrow vessel of shallow draft, pointed at both ends and propelled by human muscular effort, and includes kayaks. The bill adds racing shells and rowing sculls to the definition. (Sec. 1547.01(B)(13).) It also clarifies the definition of "rowboat" by specifying that a rowboat does not include a canoe (sec. 1547.01(B)(2)). Finally, the bill includes in the definition of "inflatable watercraft" a requirement that inflatable watercraft propelled by a sail be classified as a sailboat and registered by length (sec. 1547.01(B)(20)).

Exemption from numbering and registration for certain publicly owned watercraft

Included in the existing exemptions from the requirement that watercraft be numbered by the state are watercraft whose owner is the United States, a state, or a political subdivision of a state. Through a cross-reference to another statute, those watercraft also are exempt from registration by the state.

The bill clarifies the exemption from numbering, and thus from registration, by specifying that such a publicly owned watercraft must be clearly identifiable as such and must be either a powercraft that principally is used for governmental purposes other than recreational purposes or a watercraft other than a powercraft (sec. 1547.33(D)). Current law defines "powercraft" to mean any vessel propelled by machinery, fuel, rockets, or similar device (sec. 1547.01(B)(4)).

HISTORY

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