

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861,  
2 Page 2, Section 68.075, Line 49, by inserting immediately after all of said line the following:

3  
4 "68.080. 1. There is hereby created in the state treasury the "Waterways Trust Fund". The  
5 proceeds from the following state taxes and fees shall be collected by the director of the department  
6 of revenue, who shall promptly deposit all such proceeds to the credit of the waterways trust fund:

7 (1) The state sales tax on boats and outboard motors imposed and collected under chapter  
8 144, excluding the proceeds from that portion of the state sales and use tax dedicated by section  
9 144.701 to the school district trust fund and the proceeds from that portion of the state sales and use  
10 tax dedicated to other funds under the constitution, reduced only by refunds for overpayments and  
11 erroneous payments of such tax as permitted by law and actual costs of collection by the department  
12 of revenue, but not to exceed three percent of the amount collected;

13 (2) The first two million dollars collected annually from the certificate of number fee  
14 imposed and collected under section 306.030;

15 (3) The certificate of title fee and all delinquency penalty fees imposed under section  
16 306.015;

17 (4) The outboard motor registration and title fees and all delinquency penalty fees imposed  
18 under section 306.535; and

19 (5) The additional processing fees to process boat and outboard motor title and registration  
20 transactions imposed under subdivisions (1) to (5) of subsection 1 of section 136.055 and collected  
21 by all full-time or temporary offices maintained by the department of revenue.

22 2. The waterways trust fund may also receive any gifts, contributions, grants, or bequests  
23 received from federal, private, or other sources.

24 3. The waterways trust fund is a revolving trust fund exempt from the provisions of section  
25 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue  
26 fund of the state. All interest earned upon the balance in the waterways trust fund shall be deposited  
27 to the credit of the same fund.

28 4. Moneys in the waterways trust fund shall be withdrawn only upon appropriation by the  
29 general assembly on and after July 1, 2017, to be administered by the state highways and  
30 transportation commission and the department of transportation for the purposes in section 68.035  
31 and for no other purpose."; and

32  
33 Further amend said bill, Page 11, Section 227.600, Line 57, by inserting immediately after all of  
34 said line the following:

35  
36 "306.030. 1. The owner of each vessel requiring numbering by this state shall file an  
Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 application for number with the department of revenue on forms provided by it. The application  
2 shall contain a full description of the vessel, factory number or serial number, together with a  
3 statement of the applicant's source of title and of any liens or encumbrances on the vessel. For good  
4 cause shown the director of revenue may extend the period of time for making such application.  
5 The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in  
6 such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or  
7 otherwise entitled to have the same registered in his or her name, shall thereupon issue an  
8 appropriate certificate of title over the director's signature and sealed with the seal of the director's  
9 office, procured and used for such purpose, and a certificate of number stating the number awarded  
10 to the vessel. The application shall include a provision stating that the applicant will consent to any  
11 inspection necessary to determine compliance with the provisions of this chapter and shall be signed  
12 by the owner of the vessel and shall be accompanied by the fee specified in subsection 10 of this  
13 section. The owner shall paint on or attach to each side of the bow of the vessel the identification  
14 number in a manner as may be prescribed by rules and regulations of the division of water safety in  
15 order that it may be clearly visible. The number shall be maintained in legible condition. The  
16 certificate of number shall be pocket size and shall be available at all times for inspection on the  
17 vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such  
18 certificate of number is not available for inspection by the water patrol division or, if the operator  
19 cannot be determined, the person who is the registered owner of the vessel shall be subject to the  
20 penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be  
21 registered but no fee shall be assessed for such registration.

22 2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or  
23 within three feet of the transom or stern a factory number or serial number.

24 3. The owner of any vessel already covered by a number in full force and effect which has  
25 been awarded to it pursuant to then operative federal law or a federally approved numbering system  
26 of another state shall record the number prior to operating the vessel on the waters of this state in  
27 excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and  
28 payment of registration fee shall be in the manner and pursuant to the procedure required for the  
29 award of a number under subsection 1 of this section. No additional or substitute number shall be  
30 issued unless the number is a duplicate of an existing Missouri number.

31 4. In the event that an agency of the United States government shall have in force an overall  
32 system of identification numbering for vessels within the United States, the numbering system  
33 employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

34 5. All records of the department of revenue made and kept pursuant to this section shall be  
35 public records.

36 6. Every certificate of number awarded pursuant to this chapter shall continue in force and  
37 effect for a period of three years unless sooner terminated or discontinued in accordance with the  
38 provisions of this chapter.

39 Certificates of number may be renewed by the owner in the same manner provided for in the initial  
40 securing of the same or in accordance with the provisions of sections 306.010 to 306.030.

41 7. The department of revenue shall fix the days and months of the year on which certificates  
42 of number due to expire during the calendar year shall lapse and no longer be of any force and  
43 effect unless renewed pursuant to this chapter and may stagger such dates in order to distribute the  
44 workload.

45 8. When applying for or renewing a vessel's certificate of number, the owner shall submit a  
46 paid personal property tax receipt for the tax year which immediately precedes the year in which the  
47 application is made or the year in which the renewal is due and which reflects that the vessel being  
48 renewed is listed as personal property and that all personal property taxes, including delinquent

1 taxes from prior years, have been paid, or a statement certified by the county or township in which  
2 the owner's property was assessed showing that the state and county tangible personal property taxes  
3 for such previous tax year and all delinquent taxes due have been paid by the applicant or that no  
4 such taxes were due.

5 9. When applying for or renewing a certificate of registration for a vessel documented with  
6 the United States Coast Guard under section 306.016, owners of vessels shall submit a paid personal  
7 property tax receipt for the tax year which immediately precedes the year in which the application is  
8 made or the renewal is due and which reflects that the vessel is listed as personal property and that  
9 all personal property taxes, including delinquent taxes from prior years, have been paid, or a  
10 statement certified by the county or township in which the owner's property was assessed showing  
11 that the state and county tangible personal property taxes for such previous tax year and all  
12 delinquent taxes due have been paid by the applicant or that no such taxes were due.

13 10. The fee to accompany each application for a certificate of number is:  
14 For vessels under 16 feet in length..... \$25.00  
15 For vessels at least 16 feet in length but less than 26 feet in length..... \$55.00  
16 For vessels at least 26 feet in length but less than 40 feet in length..... \$100.00  
17 For vessels at least 40 feet and over..... \$150.00

18 11. The certificate of title and certificate of number issued by the director of revenue shall  
19 be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit,  
20 duplicate, or forge such certificate without ready detection.

21 12. The first [two] one million dollars collected annually under the provisions of this section  
22 shall be deposited into the [state general revenue fund] waterways trust fund established under  
23 section 68.080. All fees collected under the provisions of this section in excess of [two] one million  
24 dollars annually shall be deposited in the water patrol division fund and shall be used exclusively for  
25 the water patrol division.

26 13. Notwithstanding the provisions of subsection 10 of this section, vessels at least sixteen  
27 feet in length but less than twenty-eight feet in length, that are homemade, constructed out of wood,  
28 and have a beam of five feet or less, shall pay a fee of fifty-five dollars which shall accompany each  
29 application for a certification number.

30 [306.180. All moneys collected and received by the department of revenue pursuant  
31 to this chapter shall be paid into the state treasury and shall, by the state treasurer, be  
32 placed in a separate fund to be known as the "Motorboat Fund", which is hereby  
33 established. No money shall be paid out of this fund except by appropriation of the  
34 general assembly for the purposes of the construction and maintenance of boating  
35 facilities, education and instruction in boating safety, the enforcement of this chapter,  
36 and to reimburse the counties for expenditures made in the enforcement of this  
37 chapter, upon the recommendation of the water patrol division.]  
38

39 Section B. The provisions of section 68.080 of section A of this act shall terminate on  
40 August 28, 2019."; and

41  
42 Further amend said bill by amending the title, enacting clause, and intersectional references  
43 accordingly.  
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