



General Assembly

February Session, 2010

Raised Bill No. 193

LCO No. 1055

01055 _____ INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING LIABILITY INSURANCE FOR BOATS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 15-144 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) Any owner desiring to obtain a vessel registration number or
4 registration decal shall apply to the Commissioner of Motor Vehicles
5 and shall file evidence of ownership by affidavit or document. Upon
6 receipt of (1) an application in proper form, [and] (2) the numbering
7 fee, and (3) for a motor boat, a copy of a current insurance policy or
8 endorsement issued by a company licensed to do business in this state,
9 verifying that the owner has general liability insurance for such motor
10 boat, the Commissioner of Motor Vehicles shall assign a registration
11 number or registration decal and provide the owner with a temporary
12 certificate of number or temporary certificate of decal. The
13 Commissioner of Motor Vehicles shall issue two registration decals
14 and a permanent certificate, except the commissioner shall not issue
15 any decal or certificate, whether temporary or permanent, for a motor
16 boat if the commissioner has not verified such insurance coverage for

17 such boat. A registration decal shall be displayed on each side of the
18 vessel at the bow in a manner prescribed by the Commissioner of
19 Environmental Protection. The certificate shall state the name of the
20 owner, his address, a description of the vessel, its hull identification
21 number, the expiration date of the certificate and such other
22 information as the Commissioner of Environmental Protection may
23 prescribe by regulations. Such certificate shall be carried aboard and
24 shall be available for inspection upon the vessel for which it is issued
25 whenever the owner or any person authorized by him is aboard such
26 vessel, except that the certificate of number for a vessel which is less
27 than twenty-six feet and which is rented for noncommercial purposes
28 for less than twenty-four hours may be retained on shore by the owner
29 of such vessel or his agent at the place where such vessel departs or
30 returns. If such certificate is retained on shore, a rental agreement
31 signed by the owner or his agent and by the person renting the vessel
32 shall be carried aboard such vessel and shall be available for
33 inspection. Such rental agreement shall contain the vessel number
34 which appears on the certificate of number and the length of time for
35 which such vessel is rented.

36 (b) (1) The owner shall pay a fee to the Commissioner of Motor
37 Vehicles for deposit with the State Treasurer for each vessel so
38 numbered or registered in accordance with the following schedule and
39 subdivisions of this subsection:

T1	Overall Length			Overall Length		
T2	at	less		at	less	
T3	least	than	fee	least	than	fee
T4	(feet)	(feet)		(feet)	(feet)	
T5		12	\$ 7.50	40	41	\$270.00
T6	12	13	11.25	41	42	292.50
T7	13	14	15.00	42	43	315.00
T8	14	15	18.75	43	44	322.50
T9	15	16	22.50	44	45	330.00

T10	16	17	30.00	45	46	337.50
T11	17	18	37.50	46	47	345.00
T12	18	19	45.00	47	48	352.50
T13	19	20	52.50	48	49	360.00
T14	20	21	60.00	49	50	367.50
T15	21	22	67.50	50	51	375.00
T16	22	23	75.00	51	52	382.50
T17	23	24	82.50	52	53	390.00
T18	24	25	90.00	53	54	397.50
T19	25	26	97.50	54	55	405.00
T20	26	27	105.00	55	56	412.50
T21	27	28	112.50	56	57	420.00
T22	28	29	120.00	57	58	427.50
T23	29	30	127.50	58	59	435.00
T24	30	31	135.00	59	60	442.50
T25	31	32	142.50	60	61	450.00
T26	32	33	150.00	61	62	457.50
T27	33	34	157.50	62	63	465.00
T28	34	35	165.00	63	64	472.50
T29	35	36	172.50	64	65	480.00
T30	36	37	180.00	65 and over		525.00
T31	37	38	202.50			
T32	38	39	225.00			
T33	39	40	247.50			

40 For purposes of this schedule "overall length" is the horizontal distance
41 between the foremost part of the stem and the aftermost part of the
42 stern, excluding bowsprits, bumpkins, rudders, outboard motor
43 brackets and similar fittings or attachments. (2) The fee payable under
44 this subsection with respect to any vessel used primarily for purposes
45 of commercial fishing shall not exceed twenty-five dollars, provided in
46 the tax year of the owner of such vessel ending immediately preceding
47 the date of registration, not less than fifty per cent of the adjusted gross
48 income of such owner as determined for purposes of the federal

49 income tax is derived from commercial fishing, subject to proof
50 satisfactory to the Commissioner of Motor Vehicles. (3) The fee payable
51 under this subsection with respect to any vessel constructed primarily
52 of wood, the construction of which is completed not less than fifteen
53 years prior to the date such fee is paid, shall be in an amount equal to
54 fifty per cent of the fee otherwise payable, or if such construction is
55 completed not less than twenty-five years prior to the date such fee is
56 paid, such fee shall be in an amount equal to twenty-five per cent of
57 the fee otherwise payable. (4) Fees payable under this subsection shall
58 not be required with respect to (A) any vessel owned by a flotilla of the
59 United States Coast Guard Auxiliary or owned by a nonprofit
60 corporation acting on behalf of such a flotilla, provided no more than
61 two vessels from any such flotilla or nonprofit corporation shall be
62 granted such an exemption and (B) any vessel built by students in an
63 educational institution and used for the purposes of such institution,
64 including such research as may require the use of such vessel. (5) The
65 fee payable under this subsection with respect to any pontoon boat,
66 exclusive of any houseboat, shall be forty dollars. (6) The fee payable
67 under this subsection with respect to any canoe with a motor or any
68 vessel owned by a nonprofit organization shall be seven dollars and
69 fifty cents. (7) The fee payable under this subsection with respect to
70 any vessel less than fifteen feet in length equipped with a motor the
71 horsepower of which is less than fifteen, shall be seven dollars and
72 fifty cents. (8) The owner of any vessel used actively, as required under
73 this subdivision, in operational activities of the United States Coast
74 Guard Auxiliary shall not be required to pay the applicable fee in
75 accordance with the schedule in this subsection, provided (A) if the
76 applicable fee under the schedule for such vessel is greater than one
77 hundred eighty dollars, the owner shall be required to pay the amount
78 of fee in excess of one hundred eighty dollars and (B) the owner shall
79 not be entitled to exemption from the applicable fee as allowed in this
80 subdivision for any vessel registration year unless the application for
81 registration of such vessel includes a statement, certified by an officer
82 of the United States Coast Guard, that in the preceding year such

83 vessel was used actively in not less than three separate operational
84 activities of the United States Coast Guard Auxiliary.

85 (c) The owner shall cause the registration number or registration
86 decal to be displayed on each side of the vessel at the bow in such
87 manner as the Commissioner of Environmental Protection prescribes.
88 The number shall be maintained in a legible condition and shall be
89 clearly visible and entirely unobscured. No number other than the
90 registration number assigned by this state or by the United States or by
91 another state pursuant to the provisions of the federal Boat Safety Act
92 of 1971 shall be displayed on either side of a vessel at the bow.

93 (d) Each certificate of number and certificate of registration issued
94 by the Commissioner of Motor Vehicles shall expire on the last day of
95 April of the year following its issuance. At least thirty days prior to the
96 expiration date of each certificate, the Commissioner of Motor Vehicles
97 shall notify the owner of such expiration and the certificate may be
98 renewed as prescribed by the Commissioner of Motor Vehicles upon
99 (1) application, [and upon] (2) payment of the fee provided in
100 subsection (b) of this section, and (3) for a motor boat, submission to
101 the commissioner of a copy of a current insurance policy or
102 endorsement issued by a company licensed to do business in this state,
103 verifying that the owner has general liability insurance for such motor
104 boat. The registration number assigned to a vessel shall remain the
105 same as long as the vessel is registered in this state. The commissioner
106 shall not renew such certificate for a motor boat if the commissioner
107 has not verified such insurance coverage for such boat.

108 (e) (1) The Commissioner of Motor Vehicles may permit marine
109 dealers, as defined in section 15-141, to assign registration numbers
110 and issue temporary certificates of number upon the sale or transfer of
111 a vessel. The dealer shall within ten days from the issuance of such
112 temporary certificate submit to the Commissioner of Motor Vehicles an
113 application together with all necessary documents, information and
114 fees for a permanent certificate of number for the vessel transfer.

115 (2) The Commissioner of Motor Vehicles may permit such marine
116 dealers to issue temporary certificates of decal upon the sale or transfer
117 of a documented vessel. The dealer shall within ten days from the
118 issuance of such temporary certificate submit to the Commissioner of
119 Motor Vehicles an application together with all necessary documents,
120 information and fees for a permanent certificate of decal with respect
121 to such vessel.

122 (3) On and after March 1, 2005, the Commissioner of Motor Vehicles
123 shall permit marine dealers, as defined in section 15-141, to submit the
124 applications and documents required under subdivisions (1) and (2) of
125 this subsection by electronic means. Said commissioner shall adopt
126 regulations, in accordance with chapter 54, to carry out the provisions
127 of this subdivision.

128 (f) The Commissioner of Environmental Protection may require the
129 owner of any vessel to submit as part of his application such
130 information concerning waste discharges and onboard waste disposal
131 systems as the Commissioner of Environmental Protection may
132 prescribe by regulations. The Commissioner of Motor Vehicles shall
133 promptly forward to the Commissioner of Environmental Protection
134 any such information submitted to the Commissioner of Motor
135 Vehicles as part of an application.

136 (g) The Commissioner of Motor Vehicles may adopt such
137 regulations as are reasonably necessary to carry out his powers, duties
138 and functions under this chapter.

139 (h) (1) Any person who operates or any owner who permits the
140 operation of a vessel on the waters of this state which has not been
141 numbered or registered in accordance with the provisions of this
142 chapter and any other applicable section of the general statutes shall
143 have committed a violation and shall be fined not less than twenty-five
144 dollars or more than two hundred dollars for the first offense and for
145 each subsequent offense shall be fined not less than two hundred
146 dollars or more than five hundred dollars. (2) No person shall use any

147 vessel registration or registration decals that have been issued to
148 another person pursuant to sections 15-142 to 15-144, inclusive. No
149 person shall use a vessel registration or registration decals on any
150 vessel other than the vessel for which such registration number or
151 registration decals have been issued. Any person who violates any
152 provision of this subdivision shall be fined not more than one hundred
153 dollars or imprisoned not more than thirty days, or both. (3) Any
154 officer empowered to enforce the provisions of this chapter and any
155 other applicable section of the general statutes who finds a vessel
156 which is not numbered or registered in accordance with the provisions
157 of this chapter and such discovery is subsequent to a violation of this
158 chapter may make application to the court for a warrant to seize such
159 vessel and take it into custody pending proof of payment of proper
160 numbering or registration fees. No officer shall be liable for any act
161 performed under the provisions of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	15-144

Statement of Purpose:

To require general liability insurance for vessels registering with the Commissioner of Motor Vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]