

# CONNECTICUT MARINE TRADES ASSOCIATION

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Judiciary Committee  
Legislative Office Building  
Hartford, CT 06106

Re: **Raised Bill No. 418 An Act Adopting the Uniform Electronic Material Act and the Uniform Certificate of Title for Vessels Act.**

Chairmen Coleman & Fox, Ranking Members Kissel & Hetherington, and distinguished Members:

The membership of the Connecticut Marine Trades Association urges you to support **Raised Bill No. 418 An Act Adopting the Uniform Electronic Material Act and the Uniform Certificate of Title for Vessels Act**. The second part of this legislation was formulated by the National Conference of Commissioners on Uniform State Laws and is being submitted to all states for uniform adoption. It also was the subject of a series of meetings over the past few months by The Connecticut Law Revision Commission's Advisory Committee on Adoption of Uniform Certificate of Title for Vessels Act. This Committee was populated by a very diverse group to include representatives from everyone impacted including this association.

Passage and implementation of a Uniform Vessel Title will serve as proof positive of ownership of a vessel and make, not only ownership secure, but significantly help in perfecting mortgages and ensuring that all parties legal interests are recognized. There is a major benefit to boat dealers when taking a boat in trade with a title and knowing absolutely that the ownership is clean. There is also the same benefit to any boat owner proving their ownership prior to any vessel documentation. The title portion goes into exhausting detail about the forms necessary, information required, and timing necessary to complete the titling process.

CMTA however, does have a serious concern with any mention of, or requirement to, have an owner state the condition of a vessel by branding his title with a term such as "Hull Damaged". Well discussed during the Advisory Committee meetings, CMTA's position is that the term lacks legal definition, in this model act or elsewhere and there are very few professional people qualified to determine the condition "Hull Damaged". There also is no uniform standard for the term found anywhere and reference to it in Sections 18, 20, and 21 can only create confusion, increase legal liability to the vessel owner and be misunderstood by all parties.

Our suggestion is to eliminate any reference to title branding either until the states collectively have determined an appropriate definition for "Hull Damaged" and also determined who may be qualified to make that distinction or let the entire matter of branding be determined by the CT Department of Motor Vehicles through regulations. Reference to branding needs to be removed from this act.

This Uniform Title Act is a step in the right direction but there are parts of it that make full use in Connecticut very problematic. It is new, no other state has adopted this Act as yet and it needs time to allow all the different states to become more uniform in their terms, vessel details, and requirements. Please support Raised Bill No. 418 but with the changes about "Branding" referenced above.

Thank you.

John S. Johnson  
Legislative Chair

Grant W. Westerson  
President

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The Kowalski Group