



AN ACT ADOPTING THE UNIFORM CERTIFICATE OF TITLE FOR VESSELS ACT.

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

1 Section 1. (NEW) (*Effective January 1, 2015*) Sections 1 to 32,
2 inclusive, of this act may be cited as the Uniform Certificate of Title for
3 Vessels Act.

4 Sec. 2. (NEW) (*Effective January 1, 2015*) As used in sections 1 to 32,
5 inclusive, of this act:

6 (1) "Barge" means a vessel that is not self-propelled or fitted for
7 propulsion by sail, paddle, oar or similar device;

8 (2) "Builder's certificate" means a certificate of the facts of build of a
9 vessel described in 46 CFR 67.99;

10 (3) "Buyer" means a person that buys or contracts to buy a vessel;

11 (4) "Cancel", with respect to a certificate of title, means to make the
12 certificate of title ineffective;

13 (5) "Certificate of origin" means a record created by a manufacturer
14 or importer as the manufacturer's or importer's proof of identity of a
15 vessel. "Certificate of origin" includes a manufacturer's certificate or
16 statement of origin and an importer's certificate or statement of origin.
17 "Certificate of origin" does not include a builder's certificate;

18 (6) "Certificate of title" means a record, created by the Department of
19 Motor Vehicles pursuant to section 8 of this act or by a governmental
20 agency of another jurisdiction under the law of that jurisdiction, that is
21 designated as a certificate of title by the department or such agency
22 and is evidence of ownership of a vessel;

23 (7) "Commissioner" means the Commissioner of Motor Vehicles;

24 (8) "Dealer" means a person, including a manufacturer, in the
25 business of selling vessels;

26 (9) "Department" means the Department of Motor Vehicles;

27 (10) "Documented vessel" means a vessel covered by a certificate of
28 documentation issued pursuant to 46 USC 12105. "Documented vessel"
29 does not include a foreign-documented vessel;

30 (11) "Electronic" means relating to technology having electrical,
31 digital, magnetic, wireless, optical, electromagnetic or similar
32 capabilities;

33 (12) "Electronic certificate of title" means a certificate of title
34 consisting of information that is stored solely in an electronic medium
35 and is retrievable in perceivable form;

36 (13) "Foreign-documented vessel" means a vessel the ownership of
37 which is recorded in a registry maintained by a country other than the
38 United States that identifies each person that has an ownership interest
39 in such vessel and includes a unique alphanumeric designation for the
40 vessel;

41 (14) "Good faith" means honesty in fact and the observance of
42 reasonable commercial standards of fair dealing;

43 (15) "Hull identification number" means the alphanumeric
44 designation assigned to a vessel pursuant to 33 CFR 181, as amended;

45 (16) "Lien creditor", with respect to a vessel, means:

46 (A) A creditor that has acquired a lien on the vessel by attachment,
47 levy or the like;

48 (B) An assignee for benefit of creditors from the time of assignment;

49 (C) A trustee in bankruptcy from the date of the filing of the
50 petition; or

51 (D) A receiver in equity from the time of appointment;

52 (17) "Owner" means a person with legal title to a vessel;

53 (18) "Owner of record" means the owner indicated in the files of the
54 department or, if the files indicate more than one owner, the owner
55 first indicated;

56 (19) "Person" means an individual; corporation; business trust;
57 estate; trust; statutory trust; partnership; limited liability company;
58 association; joint venture; public corporation; government or
59 governmental subdivision, agency or instrumentality; or any other
60 legal or commercial entity;

61 (20) "Purchase" means to take by sale, lease, mortgage, pledge,
62 consensual lien, security interest, gift or any other voluntary
63 transaction that creates an interest in a vessel;

64 (21) "Purchaser" means a person that takes by purchase;

65 (22) "Record" means information inscribed on a tangible medium or
66 stored in an electronic or other medium that is retrievable in
67 perceivable form;

68 (23) "Secured party", with respect to a vessel, means a person:

69 (A) In whose favor a security interest is created or provided for
70 under a security agreement, whether or not any obligation to be
71 secured is outstanding;

72 (B) Who is a consignor under article 9 of title 42a of the general
73 statutes; or

74 (C) Who holds a security interest arising under section 42a-2-401,
75 section 42a-2-505, subdivision (3) of section 42a-2-711 or subsection (d)
76 of section 42a-2A-724 of the general statutes;

77 (24) "Secured party of record" means the secured party whose name
78 is indicated as the name of the secured party in the files of the
79 department or, if the files indicate more than one secured party, the
80 one first indicated;

81 (25) "Security interest" means an interest in a vessel that secures
82 payment or performance of an obligation if the interest is created by
83 contract or arises pursuant to section 42a-2-401, section 42a-2-505,
84 subdivision (3) of section 42a-2-711 or subsection (d) of section 42a-2A-
85 724 of the general statutes, including, but not limited to, any interest of
86 a consignor in a vessel in a transaction that is subject to article 9 of title
87 42a of the general statutes. "Security interest" does not include the
88 special property interest of a buyer of a vessel on identification of that
89 vessel to a contract for sale pursuant to section 42a-2-401 of the general
90 statutes, but a buyer may also acquire a security interest by complying
91 with article 9 of title 42a of the general statutes. Except as otherwise
92 provided in section 42a-2-505 of the general statutes, the right of a
93 seller or lessor of a vessel under article 2 of title 42a of the general
94 statutes or article 2A of title 42a of the general statutes to retain or
95 acquire possession of the vessel is not a security interest, but a seller or
96 lessor also may acquire a security interest by complying with article 9
97 of title 42a of the general statutes. The retention or reservation of title
98 by a seller of a vessel notwithstanding shipment or delivery to the
99 buyer under section 42a-2-401 of the general statutes is limited in effect
100 to a reservation of a security interest. Whether a transaction in the form
101 of a lease creates a security interest is determined by section 42a-1-203
102 of the general statutes;

103 (26) "Sign" means, with present intent to authenticate or adopt a

104 record, to:

105 (A) Make or adopt a tangible symbol; or

106 (B) Attach to or logically associate with the record an electronic
107 symbol, sound or process;

108 (27) "State" means a state of the United States, the District of
109 Columbia, Puerto Rico, the United States Virgin Islands, or any
110 territory or insular possession subject to the jurisdiction of the United
111 States;

112 (28) "State of principal use" means the state on whose waters a
113 vessel is or will be used, operated, navigated or employed more than
114 on the waters of any other state during a calendar year;

115 (29) "Title brand" means a designation of previous damage, use or
116 condition that is set forth on a certificate of title issued by another state
117 or other statement which shall be indicated on a certificate of title in
118 accordance with the provisions of section 9 of this act and any
119 regulations adopted by the Commissioner of Motor Vehicles under
120 section 29 of this act;

121 (30) "Transfer of ownership" means a voluntary or involuntary
122 conveyance of an interest in a vessel;

123 (31) "Vessel" means every description of watercraft, other than a
124 seaplane on water, used or capable of being used as a means of
125 transportation on water;

126 (32) "Vessel number" means the alphanumeric designation for a
127 vessel issued pursuant to 46 USC 12301 and chapter 268 of the general
128 statutes;

129 (33) "Written certificate of title" means a certificate of title consisting
130 of information inscribed on a tangible medium;

131 (34) "Agreement" has the same meaning as provided in subdivision

132 (3) of subsection (b) of section 42a-1-201 of the general statutes;

133 (35) "Buyer in ordinary course of business" has the same meaning as
134 provided in subdivision (9) of subsection (b) of section 42a-1-201 of the
135 general statutes;

136 (36) "Consumer goods" has the same meaning as provided in
137 subdivision (23) of subsection (a) of section 42a-9-102 of the general
138 statutes;

139 (37) "Debtor" has the same meaning as provided in subdivision (28)
140 of subsection (a) of section 42a-9-102 of the general statutes;

141 (38) "Knowledge" has the same meaning as provided in section 42a-
142 1-202 of the general statutes;

143 (39) "Lease" has the same meaning as provided in subdivision (17)
144 of subsection (a) of section 42a-2A-102 of the general statutes;

145 (40) "Lessor" has the same meaning as provided in subdivision (23)
146 of subsection (a) of section 42a-2A-102 of the general statutes;

147 (41) "Notice" has the same meaning as provided in section 42a-1-202
148 of the general statutes;

149 (42) "Sale" has the same meaning as provided in subdivision (1) of
150 section 42a-2-106 of the general statutes;

151 (43) "Security agreement" has the same meaning as provided in
152 subdivision (74) of subsection (a) of section 42a-9-102 of the general
153 statutes;

154 (44) "Seller" has the same meaning as provided in subdivision (1) of
155 section 42a-2-103 of the general statutes;

156 (45) "Send" has the same meaning as provided in subdivision (36) of
157 subsection (b) of section 42a-1-201 of the general statutes; and

158 (46) "Value" has the same meaning as provided in section 42a-1-204
159 of the general statutes.

160 Sec. 3. (NEW) (*Effective January 1, 2015*) Subject to section 27 of this
161 act, the provisions of sections 1 to 32, inclusive, of this act shall apply
162 to any transaction, certificate of title or record relating to a vessel, even
163 if the transaction, certificate of title or record was entered into or
164 created before January 1, 2015.

165 Sec. 4. (NEW) (*Effective January 1, 2015*) Unless displaced by a
166 provision of sections 1 to 32, inclusive, of this act, the principles of law
167 and equity supplement said sections.

168 Sec. 5. (NEW) (*Effective January 1, 2015*) (a) The local law of the
169 jurisdiction under whose certificate of title a vessel is covered governs
170 all issues relating to the certificate of title from the time the vessel
171 becomes covered by the certificate of title until the vessel becomes
172 covered by another certificate of title or becomes a documented vessel,
173 even if no other relationship exists between the jurisdiction and the
174 vessel or its owner.

175 (b) A vessel becomes covered by a certificate of title when an
176 application for the certificate of title and the applicable fee are
177 delivered to the Department of Motor Vehicles in accordance with
178 sections 6 and 7 of this act or to the governmental agency that creates a
179 certificate of title in another jurisdiction in accordance with the law of
180 that jurisdiction.

181 Sec. 6. (NEW) (*Effective January 1, 2015*) (a) Except as otherwise
182 provided in subsections (b) and (c) of this section, the owner of a vessel
183 for which Connecticut is the state of principal use shall deliver to the
184 Department of Motor Vehicles an application for a certificate of title for
185 the vessel, with the applicable fee, not later than twenty days after the
186 later of:

187 (1) The date of a transfer of ownership; or

- 188 (2) The date this state becomes the state of principal use.
- 189 (b) An application for a certificate of title is not required and shall
190 not be accepted, and no certificate of title shall be issued, for:
- 191 (1) A documented vessel;
- 192 (2) A foreign-documented vessel;
- 193 (3) A barge;
- 194 (4) An amphibious vehicle for which a certificate of title is issued
195 pursuant to chapter 247 of the general statutes or a similar statute of
196 another state;
- 197 (5) A vessel, other than a motorboat, as defined in section 15-141 of
198 the general statutes, less than nineteen and one-half feet in length;
- 199 (6) A vessel propelled solely by paddle or oar;
- 200 (7) A vessel that operates only on a permanently fixed,
201 manufactured course and the movement of which is restricted to or
202 guided by means of a mechanical device to which the watercraft is
203 attached or by which the watercraft is controlled;
- 204 (8) A vessel owned by the United States, a foreign government or a
205 state, or a political subdivision thereof, which is used in the
206 performance of governmental functions;
- 207 (9) A vessel used solely as a lifeboat on another watercraft;
- 208 (10) A vessel before delivery if the vessel is under construction or
209 completed pursuant to contract;
- 210 (11) A vessel held by a dealer for sale or lease;
- 211 (12) A stationary floating structure that:
- 212 (A) Does not have and is not designed to have a mode of propulsion

213 of its own;

214 (B) Is dependent for utilities upon a continuous utility hookup to a
215 source originating on shore; and

216 (C) Has no sewage facilities or has a permanent, continuous hookup
217 to a shoreside sewage system; or

218 (13) A vessel designated by the manufacturer as having a model
219 year of 2015 or earlier, and any vessel manufactured or assembled
220 prior to January 1, 2016, for which the manufacturer or assembler has
221 not designated a model year, other than the following vessels,
222 provided such vessels are not subject to any exception provided in
223 subdivisions (1) to (12), inclusive, of this subsection:

224 (A) A vessel for which a certificate of title has been issued by
225 another state when this state has become the state of principal use for
226 the vessel; or

227 (B) A vessel having this state as the state of principal use that was a
228 documented vessel or a foreign documented vessel when it becomes
229 no longer a documented vessel or a foreign documented vessel.

230 (c) The department may not issue, transfer or renew a certificate of
231 title for a vessel issued pursuant to the requirements of 46 USC 12301,
232 unless the department has created a certificate of title for the vessel or
233 an application for a certificate of title for the vessel and the applicable
234 fee has been delivered to the department.

235 Sec. 7. (NEW) (*Effective January 1, 2015*) (a) Except as otherwise
236 provided in sections 14 and 18 to 21, inclusive, of this act, only an
237 owner may apply for a certificate of title.

238 (b) An application for a certificate of title shall be on a form that the
239 Commissioner of Motor Vehicles prescribes, be signed by the applicant
240 and contain:

241 (1) The applicant's name, the street address of the applicant's
242 principal residence and, if different, the applicant's mailing address;

243 (2) The name and mailing address of each other owner of the vessel;

244 (3) The hull identification number for the vessel or, if none, an
245 application to the Department of Energy and Environmental
246 Protection for the issuance of a hull identification number for the
247 vessel;

248 (4) The vessel number for the vessel or, if none has been issued by
249 the Department of Motor Vehicles, an application for a vessel number;

250 (5) A description of the vessel as required by the Department of
251 Motor Vehicles, which shall include:

252 (A) The official number for the vessel, if any, assigned by the United
253 States Coast Guard;

254 (B) The name of the manufacturer, builder or maker;

255 (C) The model year or the year in which the manufacture or build of
256 the vessel was completed;

257 (D) The overall length of the vessel;

258 (E) The vessel type;

259 (F) The hull material;

260 (G) The propulsion type;

261 (H) The engine drive type, if any; and

262 (I) The fuel type, if any;

263 (6) An indication of all security interests in the vessel known to the
264 applicant and the name and mailing address of each secured party;

265 (7) A statement that the vessel is not a documented vessel or a
266 foreign-documented vessel;

267 (8) Any title brand known to the applicant and, if known, the
268 jurisdiction under whose law the title brand was created;

269 (9) If the application is made in connection with a transfer of
270 ownership, the transferor's name, street address and, if different,
271 mailing address, the sales price, if any, and the date of the transfer;

272 (10) If the vessel previously was registered or titled in another
273 jurisdiction, a statement identifying each jurisdiction known to the
274 applicant in which the vessel was registered or titled; and

275 (11) Any further information the commissioner reasonably requires
276 to identify the vessel and to enable the commissioner to determine
277 whether the owner is entitled to a certificate of title and the existence
278 or nonexistence of security interests in the vessel.

279 (c) In addition to the information required by subsection (b) of this
280 section, an application for a certificate of title may contain an electronic
281 communication address of the owner, transferor or secured party.

282 (d) Except as otherwise provided in sections 18 to 21, inclusive, of
283 this act, an application for a certificate of title shall be accompanied by:

284 (1) A certificate of title signed by the owner shown on the certificate
285 of title that:

286 (A) Identifies the applicant as the owner of the vessel; or

287 (B) Is accompanied by a record that identifies the applicant as the
288 owner; or

289 (2) If there is no certificate of title:

290 (A) If the vessel was a documented vessel, a record issued by the
291 United States Coast Guard which shows the vessel is no longer a

292 documented vessel and identifies the applicant as the owner;

293 (B) If the vessel was a foreign-documented vessel, a record issued
294 by the foreign country which shows the vessel is no longer a foreign-
295 documented vessel and identifies the applicant as the owner; or

296 (C) In all other cases, a certificate of origin, bill of sale or other
297 record that to the satisfaction of the department identifies the applicant
298 as the owner.

299 (e) A record submitted in connection with an application is part of
300 the application. The department shall maintain the record in its files.

301 (f) The department may require that an application for a certificate
302 of title be accompanied by payment or evidence of payment of any or
303 all fees and taxes payable by the applicant under law of this state,
304 other than fees paid in connection with the application or the
305 acquisition or use of the vessel.

306 Sec. 8. (NEW) (*Effective January 1, 2015*) (a) Unless an application for
307 a certificate of title is rejected pursuant to subsection (c) or (d) of this
308 section, the Department of Motor Vehicles shall create a certificate of
309 title for the vessel in accordance with subsection (b) of this section after
310 delivery of an application to the department that complies with section
311 7 of this act.

312 (b) If the department creates electronic certificates of title, the
313 department shall create an electronic certificate of title unless in the
314 application the secured party of record or, if none, the owner of record,
315 requests that the department create a written certificate of title.

316 (c) Except as otherwise provided in subsection (d) of this section, the
317 department may reject an application for a certificate of title only if:

318 (1) The application does not comply with section 7 of this act;

319 (2) The application does not contain documentation sufficient for

320 the department to determine whether the applicant is entitled to a
321 certificate of title;

322 (3) There is a reasonable basis for concluding that the application is
323 fraudulent or issuance of a certificate of title would facilitate a
324 fraudulent or illegal act; or

325 (4) The application does not comply with state law.

326 (d) The department shall reject an application for a certificate of title
327 for a vessel that appears from the application to be a documented
328 vessel or a foreign-documented vessel.

329 (e) The department may cancel a certificate of title created by the
330 department only if the department:

331 (1) Could have rejected the application for the certificate of title
332 under subsection (c) of this section;

333 (2) Is required to cancel the certificate of title pursuant to this section
334 or section 11, 18 or 19 of this act; or

335 (3) Receives satisfactory evidence that the vessel is a documented
336 vessel or a foreign-documented vessel.

337 Sec. 9. (NEW) (*Effective January 1, 2015*) (a) A certificate of title shall
338 contain:

339 (1) The date the certificate of title was created;

340 (2) The name of the owner of record and, if not all owners are listed,
341 an indication that there are additional owners indicated in the files of
342 the Department of Motor Vehicles;

343 (3) The mailing address of the owner of record;

344 (4) The hull identification number;

345 (5) The information listed in subdivision (5) of subsection (b) of

346 section 7 of this act;

347 (6) Except as otherwise provided in subsection (b) of section 14 of
348 this act, the name and mailing address of the secured party of record, if
349 any and, if not all secured parties are listed, an indication that there are
350 other security interests indicated in the files of the department;

351 (7) All title brands indicated in the files of the department covering
352 the vessel, including, but not limited to, brands indicated on a
353 certificate of title created by a governmental agency of another
354 jurisdiction and delivered to the department; and

355 (8) Any other data the Commissioner of Motor Vehicles prescribes.

356 (b) Nothing in sections 1 to 32, inclusive, of this act shall preclude
357 the department from noting on a certificate of title the name and
358 mailing address of a secured party that is not a secured party of record.

359 (c) For each title brand indicated on a certificate of title, the
360 certificate of title shall identify the jurisdiction under whose law the
361 title brand was created or the jurisdiction that created the certificate of
362 title on which the title brand was indicated. If the meaning of a title
363 brand is not easily ascertainable or cannot be accommodated on the
364 certificate of title, the certificate of title may state: "Previously branded
365 in (insert the jurisdiction under whose law the title brand was created
366 or whose certificate of title previously indicated the title brand)".

367 (d) If the files of the department indicate that a vessel previously
368 was registered or titled in a foreign country, the department shall
369 indicate on the certificate of title that the vessel was registered or titled
370 in that country.

371 (e) A written certificate of title shall contain a form that all owners
372 indicated on the certificate of title may sign to evidence consent to a
373 transfer of an ownership interest to another person. The form shall
374 include a certification, signed under penalty of false statement, that the
375 statements made are true and correct to the best of each owner's

376 knowledge, information and belief.

377 Sec. 10. (NEW) (*Effective January 1, 2015*) (a) For each record relating
378 to a certificate of title submitted to the Department of Motor Vehicles,
379 the department shall:

380 (1) Maintain the hull identification number and all the information
381 submitted with the application pursuant to subsection (b) of section 7
382 of this act to which the record relates, including the date and time the
383 record was delivered to the department;

384 (2) Maintain the files for public inspection; and

385 (3) Index the files of the department pursuant to subsection (b) of
386 this section.

387 (b) The department shall maintain in its files the information
388 contained in all certificates of title created pursuant to section 8 of this
389 act. The information in the files of the department shall be searchable
390 by the hull identification number of the vessel, the vessel number, the
391 name of the owner of record and any other method used by the
392 department.

393 (c) The department shall maintain in its files, for each vessel for
394 which it has created a certificate of title, all title brands known to the
395 department, the name of each secured party known to the department,
396 the name of each person known to the department to be claiming an
397 ownership interest and all stolen property reports the department has
398 received.

399 (d) Upon request, for safety, security or law enforcement purposes,
400 the department shall provide to federal, state or local government the
401 information in its files relating to any vessel for which the department
402 has issued a certificate of title.

403 (e) Except as otherwise provided by the general statutes, the
404 information required pursuant to section 9 of this act is a public record.

405 Sec. 11. (NEW) (*Effective January 1, 2015*) (a) On creation of a written
406 certificate of title, the Department of Motor Vehicles shall send the
407 certificate of title to the secured party of record or, if none, to the
408 owner of record, at the address indicated for that person in the files of
409 the department. On creation of an electronic certificate of title, the
410 department shall send a record evidencing the certificate of title to the
411 owner of record and, if there is one, to the secured party of record, at
412 the address indicated for that person in the files of the department. The
413 department may send the record to the person's mailing address or, if
414 indicated in the files of the department, an electronic address.

415 (b) If the department creates a written certificate of title, any such
416 written certificate of title shall cancel any such electronic certificate of
417 title. The department shall maintain in its files the date and time of
418 such cancellation.

419 (c) Before the department creates an electronic certificate of title, any
420 person holding a written certificate of title shall surrender such written
421 certificate of title. If the department creates an electronic certificate of
422 title, the department shall destroy or otherwise cancel any such
423 surrendered written certificate of title and maintain in its files the date
424 and time of such destruction or other cancellation. If a written
425 certificate of title being canceled is not destroyed, the department shall
426 indicate on the face of the certificate of title that it has been canceled.

427 Sec. 12. (NEW) (*Effective January 1, 2015*) A certificate of title is prima
428 facie evidence of the accuracy of the information in the record that
429 constitutes the certificate of title. In any criminal proceeding, a certified
430 copy of a certificate of title shall be prima facie evidence as to the
431 ownership of a vessel.

432 Sec. 13. (NEW) (*Effective January 1, 2015*) Possession of a certificate of
433 title does not in and of itself provide a right to obtain possession of a
434 vessel. Garnishment, attachment, levy, replevin or other judicial
435 process against the certificate of title shall not be effective to determine
436 possessory rights to the vessel. Sections 1 to 32, inclusive, of this act do

437 not prohibit enforcement under law of this state other than said
438 sections of a security interest in, levy on, or foreclosure of a statutory
439 or common law lien on a vessel. Absence of an indication of a statutory
440 or common law lien on a certificate of title shall not invalidate the lien.

441 Sec. 14. (NEW) (*Effective January 1, 2015*) (a) Except as otherwise
442 provided in this section or section 27 of this act, a security interest in a
443 vessel may be perfected only by delivery to the Department of Motor
444 Vehicles of an application for a certificate of title that identifies the
445 secured party and otherwise complies with section 7 of this act. The
446 security interest shall be perfected on the later of delivery to the
447 department of the application and all applicable fees or attachment of
448 the security interest under section 42a-9-203 of the general statutes.

449 (b) If the interest of a person named as owner, lessor, consignor or
450 bailor in an application for a certificate of title delivered to the
451 department is a security interest, the application sufficiently identifies
452 the person as a secured party. Identification on the application for a
453 certificate of title of a person as owner, lessor, consignor or bailor shall
454 not in and of itself be a factor in determining whether the person's
455 interest is a security interest.

456 (c) If the department has created a certificate of title for a vessel, a
457 security interest in the vessel may be perfected by delivery to the
458 department of an application, in such form as the department may
459 require, to have the security interest added to the certificate of title.
460 The application shall be signed by an owner of the vessel or by the
461 secured party and shall include:

462 (1) The name of the owner of record;

463 (2) The name and mailing address of the secured party;

464 (3) The hull identification number for the vessel; and

465 (4) If the department has created a written certificate of title for the
466 vessel, the certificate of title.

467 (d) A security interest perfected under subsection (c) of this section
468 shall be perfected on the later of delivery to the department of the
469 application and all applicable fees or attachment of the security interest
470 under section 42a-9-203 of the general statutes.

471 (e) On delivery of an application that complies with subsection (c) of
472 this section and payment of all applicable fees, the department shall
473 create a new certificate of title pursuant to section 8 of this act and
474 deliver the new certificate of title or a record evidencing an electronic
475 certificate of title pursuant to subsection (a) of section 11 of this act.
476 The department shall maintain in its files the date and time of delivery
477 of the application to the department.

478 (f) If a secured party assigns a perfected security interest in a vessel,
479 the receipt by the department of a statement providing the name of the
480 assignee as secured party shall not be required to continue the
481 perfected status of the security interest against creditors of and
482 transferees from the original debtor. A purchaser of a vessel subject to
483 a security interest which obtains a release from the secured party
484 indicated in the files of the department or on the certificate of title
485 takes free of the security interest and of the rights of a transferee unless
486 the transfer is indicated in the files of the department or on the
487 certificate of title.

488 (g) The provisions of this section shall not apply to a security
489 interest:

490 (1) Created in a vessel by a person during any period in which the
491 vessel is inventory held for sale or lease by the person or is leased by
492 the person as lessor if the person is in the business of selling vessels;

493 (2) In a barge or any other vessel for which a certificate of title is not
494 permitted under sections 1 to 32, inclusive, of this act; or

495 (3) In a vessel before delivery if the vessel is under construction, or
496 completed, pursuant to contract and for which no application for a
497 certificate of title has been delivered to the department.

498 (h) When a certificate of documentation for a documented vessel is
499 deleted or canceled, if a security interest in the vessel was valid
500 immediately before deletion or cancellation against a third party as a
501 result of compliance with 42 USC 31321, the security interest is and
502 remains perfected until the earlier of four months after cancellation of
503 the certificate or the time the security interest becomes perfected under
504 this section.

505 (i) A security interest in a vessel arising under section 42a-2-401 or
506 42a-2-505 of the general statutes, subdivision (3) of section 42a-2-711 of
507 the general statutes or subsection (d) of section 42a-2A-724 of the
508 general statutes shall be perfected when it attaches but shall become
509 unperfected when the debtor obtains possession of the vessel, unless
510 before the debtor obtains possession the security interest is perfected
511 pursuant to subsection (a) or (c) of this section.

512 (j) A security interest in a vessel as proceeds of other collateral shall
513 be perfected to the extent provided in section 42a-9-315 of the general
514 statutes.

515 (k) A security interest in a vessel perfected under the law of another
516 jurisdiction shall be perfected to the extent provided in subsection (d)
517 of section 42a-9-316 of the general statutes.

518 Sec. 15. (NEW) (*Effective January 1, 2015*) (a) A secured party
519 indicated in the files of the Department of Motor Vehicles as having a
520 security interest in a vessel shall deliver a termination statement to the
521 department in such form as the department prescribes and, on the
522 debtor's request, to the debtor, by the earlier of:

523 (1) Twenty days after the secured party receives a signed demand
524 from an owner for a termination statement and there is no obligation
525 secured by the vessel subject to the security interest and no
526 commitment to make an advance, incur an obligation or otherwise
527 give value secured by the vessel; or

528 (2) If the vessel is consumer goods, thirty days after there is no

529 obligation secured by the vessel and no commitment to make an
530 advance, incur an obligation or otherwise give value secured by the
531 vessel.

532 (b) If the department has created a written certificate of title and
533 delivered such certificate of title to a secured party and a termination
534 statement is required under subsection (a) of this section, the secured
535 party shall, not later than the date required by subsection (a) of this
536 section, deliver the certificate of title to the debtor or to the department
537 with the statement. If the certificate of title is lost, stolen, mutilated,
538 destroyed or otherwise unavailable or illegible, the secured party shall,
539 not later than the date required by subsection (a) of this section, deliver
540 with the statement an application for a replacement certificate of title
541 meeting the requirements of section 21 of this act.

542 (c) On delivery to the department of a termination statement
543 authorized by the secured party, the security interest to which the
544 statement relates ceases to be perfected. If the security interest to
545 which the statement relates was indicated on the certificate of title, the
546 department shall create a new certificate of title and deliver such new
547 certificate of title or a record evidencing an electronic certificate of title.
548 The department shall maintain in its files the date and time of delivery
549 to the department of the statement.

550 (d) A secured party that fails to comply with this section shall be
551 liable for any loss that the secured party had reason to know might
552 result from its failure to comply and that could not reasonably have
553 been prevented and for the cost of an application for a certificate of
554 title under section 7 or 21 of this act.

555 (e) The Commissioner of Motor Vehicles may require a secured
556 party indicated in the files of the department as having a security
557 interest in a vessel to electronically transmit to the department a
558 termination statement evidencing release of its security interest in a
559 vessel.

560 Sec. 16. (NEW) (*Effective January 1, 2015*) (a) Upon voluntary transfer
561 of an ownership interest in a vessel covered by a certificate of title, the
562 following rules apply:

563 (1) If the certificate of title is a written certificate of title and the
564 transferor's interest is noted on the certificate of title, the transferor
565 shall sign the certificate of title and deliver it to the transferee. If the
566 transferor does not have possession of the certificate of title, the person
567 in possession of the certificate of title shall have a duty to facilitate the
568 transferor's compliance with this subdivision. A secured party shall
569 not have a duty to facilitate the transferor's compliance with this
570 subdivision if the proposed transfer is prohibited by the security
571 agreement.

572 (2) If the certificate of title is an electronic certificate of title, the
573 transferor shall sign and deliver to the transferee a record evidencing
574 the transfer of ownership to the transferee.

575 (3) The transferee shall have a right enforceable by specific
576 performance to require the transferor to comply with the provisions of
577 subdivision (1) or (2) of this subsection.

578 (b) The creation of a certificate of title identifying the transferee as
579 owner of record shall satisfy subsection (a) of this section.

580 (c) Failure to comply with subsection (a) of this section or to apply
581 for a new certificate of title shall not render a transfer of ownership of a
582 vessel ineffective. Except as otherwise provided in section 17, section
583 18, subsection (a) of section 22 or section 23 of this act, a transfer of
584 ownership without compliance with subsection (a) of this section shall
585 not be effective against another person claiming an interest in the
586 vessel.

587 (d) A transferor that complies with subsection (a) of this section
588 shall not be liable as owner of the vessel for an event occurring after
589 the transfer, regardless of whether the transferee applies for a new
590 certificate of title.

591 Sec. 17. (NEW) (*Effective January 1, 2015*) Except as otherwise
592 provided in section 42a-9-337 of the general statutes, a certificate of
593 title or other record required or authorized by sections 1 to 32,
594 inclusive, of this act shall be effective even if it contains incorrect
595 information or does not contain required information.

596 Sec. 18. (NEW) (*Effective January 1, 2015*) (a) For the purposes of this
597 section, "secured party's transfer statement" means a record signed by
598 the secured party of record stating:

599 (1) That there has been a default on an obligation to the secured
600 party of record secured by the vessel;

601 (2) The secured party of record is exercising or has exercised post-
602 default remedies with respect to the vessel;

603 (3) By reason of the exercise, the secured party of record has the
604 right to transfer the ownership interest of an owner, and the name of
605 the owner;

606 (4) The name and last known mailing address of the owner of
607 record and the secured party of record;

608 (5) The name of the transferee;

609 (6) Other information required by subsection (b) of section 7 of this
610 act; and

611 (7) One of the following:

612 (A) The certificate of title is an electronic certificate of title;

613 (B) The secured party does not have possession of the written
614 certificate of title created in the name of the owner of record; or

615 (C) The secured party is delivering the written certificate of title to
616 the Department of Motor Vehicles with the secured party's transfer
617 statement.

618 (b) Unless the department rejects a secured party's transfer
619 statement for a reason stated in subsection (c) of section 8 of this act,
620 after delivery to the department of the statement and payment of fees
621 and taxes payable under the law of this state, other than fees paid in
622 connection with the statement or the acquisition or use of the vessel,
623 the department shall:

624 (1) Accept the statement;

625 (2) Amend the files of the department to reflect the transfer; and

626 (3) If the name of the owner whose ownership interest is being
627 transferred is indicated on the certificate of title:

628 (A) Cancel the certificate of title even if the certificate of title has not
629 been delivered to the department;

630 (B) Create a new certificate of title indicating the transferee as
631 owner; and

632 (C) Deliver the new certificate of title or a record evidencing an
633 electronic certificate of title.

634 (c) An application submitted under subsection (a) of this section or
635 the creation of a certificate of title under subsection (b) of this section
636 shall not in and of itself be a disposition of the vessel and shall not in
637 and of itself relieve the secured party of its duties under article 9 of
638 title 42a of the general statutes.

639 Sec. 19. (NEW) (*Effective January 1, 2015*) (a) For purposes of this
640 section:

641 (1) "By operation of law" means pursuant to a law or judicial order
642 affecting ownership of a vessel:

643 (A) Because of death, divorce or other family law proceeding,
644 merger, consolidation, dissolution or bankruptcy;

645 (B) Through the exercise of the rights of a lien creditor or a person
646 having a lien created by statute or rule of law; or

647 (C) Through other legal process; and

648 (2) "Transfer-by-law statement" means a record signed by a
649 transferee stating that by operation of law the transferee has acquired
650 or has the right to acquire an ownership interest in a vessel.

651 (b) A transfer-by-law statement shall contain:

652 (1) The name and last-known mailing address of the owner of
653 record and the transferee and the other information required pursuant
654 to subsection (b) of section 7 of this act;

655 (2) Documentation sufficient to establish the transferee's ownership
656 interest or right to acquire the ownership interest;

657 (3) A statement that:

658 (A) The certificate of title is an electronic certificate of title;

659 (B) The transferee does not have possession of the written certificate
660 of title created in the name of the owner of record; or

661 (C) The transferee is delivering the written certificate of title to the
662 Department of Motor Vehicles with the transfer-by-law statement; and

663 (4) Except for a transfer described in subparagraph (A) of
664 subdivision (1) of subsection (a) of this section, evidence that
665 notification of the transfer and the intent to file the transfer-by-law
666 statement has been sent to all persons indicated in the department's
667 files as having an interest, including a security interest, in the vessel.

668 (c) Unless the department rejects a transfer-by-law statement for a
669 reason stated in subsection (c) of section 8 of this act or because the
670 statement does not include documentation satisfactory to the
671 department as to the transferee's ownership interest or right to acquire

672 the ownership interest, after delivery to the department of the
673 statement and payment of fees and taxes payable under the law of this
674 state other than sections 1 to 32, inclusive, of this act in connection with
675 the statement or with the acquisition or use of the vessel, the
676 department shall:

677 (1) Accept the statement;

678 (2) Amend its files to reflect the transfer; and

679 (3) If the name of the owner whose ownership interest is being
680 transferred is indicated on the certificate of title:

681 (A) Cancel the certificate of title even if the certificate of title has not
682 been delivered to the department;

683 (B) Create a new certificate of title indicating the transferee as
684 owner;

685 (C) Indicate on the new certificate of title any security interest
686 indicated on the canceled certificate of title, unless a court order
687 provides otherwise; and

688 (D) Deliver the new certificate of title or a record evidencing an
689 electronic certificate of title.

690 (d) The provisions of this section shall not apply to a transfer of an
691 interest in a vessel by a secured party under sections 42a-9-601 to 42a-
692 9-628, inclusive, of the general statutes.

693 Sec. 20. (NEW) (*Effective January 1, 2015*) (a) Except as otherwise
694 provided in section 18 or 19 of this act, if the Department of Motor
695 Vehicles receives, unaccompanied by a signed certificate of title, an
696 application for a new certificate of title that includes an indication of a
697 transfer of ownership or a termination statement, the department may
698 create a new certificate of title under this section only if:

699 (1) All other requirements under sections 7 and 8 of this act are met;

700 (2) The applicant provides an affidavit stating facts showing the
701 applicant is entitled to a transfer of ownership or termination
702 statement;

703 (3) The applicant provides the department with satisfactory
704 evidence in such form as the department prescribes that notification of
705 the application has been sent to the owner of record and all persons
706 indicated in the department's files as having an interest, including a
707 security interest, in the vessel, not less than forty-five days have passed
708 since the notification was sent, and the department has not received an
709 objection from such owner or persons; and

710 (4) The applicant submits any other information required by the
711 department as evidence of the applicant's ownership or right to
712 terminate the security interest, and the department has no credible
713 information indicating theft, fraud or an undisclosed or unsatisfied
714 security interest, lien or other claim to an interest in the vessel.

715 (b) The department shall indicate in a certificate of title created
716 under subsection (a) of this section that the certificate of title was
717 created without submission of a signed certificate of title or
718 termination statement. Unless credible information indicating theft,
719 fraud or an undisclosed or unsatisfied security interest, lien or other
720 claim to an interest in the vessel is delivered to the department not
721 later than one year after creation of the certificate of title, on request in
722 a form and manner required by the department, the department shall
723 remove the indication from the certificate of title.

724 (c) Unless the department determines that the value of a vessel is
725 less than five thousand dollars, before the department creates a
726 certificate of title under subsection (a) of this section, the department
727 may require the applicant to post a bond or provide an equivalent
728 source of indemnity or security. The bond, indemnity or other security
729 shall be in an amount equal to twice the value of the vessel as
730 determined by the department. The bond, indemnity or other security
731 shall be in a form required by the department and provide for

732 indemnification of any owner, purchaser or other claimant for any
733 expense, loss, delay or damage, including reasonable attorney's fees
734 and costs, but not including incidental or consequential damages,
735 resulting from creation or amendment of the certificate of title.

736 (d) Unless the department receives a claim for indemnity not later
737 than one year after creation of a certificate of title under subsection (a)
738 of this section, on request in a form and manner required by the
739 department, the department shall release any bond, indemnity or other
740 security.

741 Sec. 21. (NEW) (*Effective January 1, 2015*) (a) If a written certificate of
742 title is lost, stolen, mutilated, destroyed or otherwise becomes
743 unavailable or illegible, the secured party of record or, if no secured
744 party is indicated in the Department of Motor Vehicle's files, the owner
745 of record may apply for and, by furnishing information satisfactory to
746 the department, obtain a replacement certificate of title in the name of
747 the owner of record.

748 (b) An applicant for a replacement certificate of title shall sign the
749 application and, except as otherwise permitted by the department, the
750 application shall comply with section 7 of this act. The application
751 shall include the existing certificate of title unless the certificate of title
752 is lost, stolen, mutilated, destroyed or otherwise unavailable.

753 (c) A replacement certificate of title created by the department shall
754 comply with section 9 of this act and indicate on the face of the
755 certificate of title that it is a replacement certificate of title.

756 (d) If a person receiving a replacement certificate of title
757 subsequently obtains possession of the original written certificate of
758 title, the person promptly shall destroy the original certificate of title.

759 Sec. 22. (NEW) (*Effective January 1, 2015*) (a) A buyer in ordinary
760 course of business shall have the protections afforded by subdivision
761 (2) of section 42a-2-403 of the general statutes and subsection (a) of
762 section 42a-9-320 of the general statutes even if an existing certificate of

763 title was not signed and delivered to the buyer or a new certificate of
764 title listing the buyer as owner of record was not created.

765 (b) Except as otherwise provided in sections 16 and 23 of this act,
766 the rights of a purchaser of a vessel who is not a buyer in ordinary
767 course of business or a lien creditor shall be governed by the
768 provisions of title 42a of the general statutes.

769 Sec. 23. (NEW) (*Effective January 1, 2015*) (a) Subject to subsection (b)
770 of this section, the effect of perfection and nonperfection of a security
771 interest and the priority of a perfected or unperfected security interest
772 with respect to the rights of a purchaser or creditor, including a lien
773 creditor, shall be governed by the provisions of title 42a of the general
774 statutes.

775 (b) If, while a security interest in a vessel is perfected by any method
776 under section 14 of this act, the Department of Motor Vehicles creates a
777 certificate of title that does not indicate that the vessel is subject to the
778 security interest or contain a statement that it may be subject to
779 security interests not indicated on the certificate of title:

780 (1) A buyer of the vessel, other than a person in the business of
781 selling or leasing vessels of that kind, takes free of the security interest
782 if the buyer, acting in good faith and without knowledge of the
783 security interest, gives value and receives possession of the vessel; and

784 (2) The security interest is subordinate to a conflicting security
785 interest in the vessel that is perfected under section 14 of this act after
786 creation of the certificate of title and without the conflicting secured
787 party's knowledge of the security interest.

788 Sec. 24. (NEW) (*Effective January 1, 2015*) (a) The Department of
789 Motor Vehicles shall retain the evidence used by the department to
790 determine the accuracy of the information in its files relating to the
791 current ownership of a vessel and the information on the certificate of
792 title.

793 (b) The department shall retain in its files all information received
794 by the department regarding a security interest in a vessel for not less
795 than ten years after the department receives a termination statement
796 regarding the security interest. The information shall be accessible by
797 the hull identification number for the vessel and any other methods
798 provided by the department.

799 (c) If a person submits a record to the department, or submits
800 information that the department accepts, and requests an
801 acknowledgment of the filing or submission, the department shall send
802 to the person an acknowledgment showing the hull identification
803 number of the vessel to which the record or submission relates, the
804 information in the filed record or submission, and the date and time
805 the record was received or the submission accepted. A request under
806 this section shall contain the hull identification number and be
807 delivered by means authorized by the department.

808 (d) The department shall send or otherwise make available in a
809 record the following information to any person that requests it and
810 pays all applicable fees:

811 (1) Whether the files of the department indicate, as of a date and
812 time specified by the department, but not a date earlier than ten
813 calendar days before the department received the request, any
814 certificate of title, security interest, termination statement or title brand
815 that relates to a vessel:

816 (A) Identified by a hull identification number designated in the
817 request;

818 (B) Identified by a vessel number designated in the request; or

819 (C) Owned by a person designated in the request;

820 (2) With respect to the vessel:

821 (A) The name and address of any owner as indicated in the files of

822 the department or on the certificate of title;

823 (B) The name and address of any secured party as indicated in the
824 files of the department or on the certificate of title, and the effective
825 date of the information; and

826 (C) A copy of any termination statement indicated in the files of the
827 department and the effective date of the termination statement; and

828 (3) With respect to the vessel, a copy of any certificate of origin,
829 secured party's transfer statement under section 18 of this act,
830 transfer-by-law statement under section 19 of this act and other
831 evidence of previous or current transfers of ownership.

832 (e) In responding to a request under this section, the department
833 may provide the requested information in any medium, provided on
834 request and upon payment of all applicable fees, the department shall
835 communicate the requested information by issuing the department's
836 written document.

837 Sec. 25. (NEW) (*Effective January 1, 2015*) In applying and construing
838 the provisions of the Uniform Certificate of Title for Vessels Act,
839 consideration shall be given to the need to promote uniformity of the
840 law with respect to its subject matter among states that enact such
841 uniform provisions.

842 Sec. 26. (NEW) (*Effective January 1, 2015*) The provisions of sections 1
843 to 32, inclusive, of this act modify, limit, and supersede the federal
844 Electronic Signatures in Global and National Commerce Act, 15 USC
845 7001, et seq., but do not modify, limit or supersede Section 101(c) of
846 said act, 15 USC 7001(c), or authorize electronic delivery of any of the
847 notices described in Section 103(b) of said act, 15 USC 7003(b).

848 Sec. 27. (NEW) (*Effective January 1, 2015*) (a) The rights, duties and
849 interests flowing from a transaction, certificate of title or record
850 relating to a vessel which was validly entered into or created before
851 January 1, 2015, and would be subject to sections 1 to 32, inclusive, of

852 this act if it had been entered into or created on or after January 1,
853 2015, remain valid on and after January 1, 2015.

854 (b) Sections 1 to 32, inclusive, of this act do not affect an action or
855 proceeding commenced before January 1, 2015.

856 (c) Except as otherwise provided in subsection (d) of this section, a
857 security interest that is enforceable immediately before January 1, 2015,
858 and would have priority over the rights of a person that becomes a lien
859 creditor at that time is a perfected security interest under sections 1 to
860 32, inclusive, of this act.

861 (d) A security interest in a vessel for which a certificate of title is
862 required under sections 1 to 32, inclusive, of this act that is perfected
863 immediately before January 1, 2015, remains perfected until the earlier
864 of:

865 (1) The time perfection would have ceased under the law under
866 which the security interest was perfected; or

867 (2) January 1, 2018.

868 (e) Sections 1 to 32, inclusive, of this act shall not affect the priority
869 of a security interest in a vessel if immediately before January 1, 2015,
870 the security interest is enforceable and perfected, and that priority is
871 established.

872 Sec. 28. (NEW) (*Effective January 1, 2015*) (a) On and after January 1,
873 2015, and until January 1, 2018, the Department of Motor Vehicles shall
874 be paid the following fees: (1) For filing an application for a certificate
875 of title, fifty dollars; (2) for each security interest noted upon a
876 certificate of title or maintained in the electronic title file pursuant to
877 subsection (b) of section 14 of this act, twenty dollars; (3) for each
878 record copy search, forty dollars; (4) for each assignment of a security
879 interest noted upon a certificate of title or maintained in the electronic
880 title file, twenty dollars; (5) for an application for a duplicate certificate
881 of title, fifty dollars, provided such fee shall not be required for any

882 such duplicate certificate of title; (6) for filing a notice of security
883 interest, twenty dollars; (7) for filing a termination statement relating
884 to a security interest pursuant to section 15 of this act, twenty dollars;
885 (8) for filing a secured party's transfer statement pursuant to section 18
886 of this act, fifty dollars; (9) for filing a transfer-by-law statement
887 pursuant to section 19 of this act, fifty dollars; (10) for filing an
888 application for transfer of ownership or termination of a security
889 interest without a certificate of title pursuant to section 20 of this act,
890 fifty dollars; (11) for a certificate of search of the records of the
891 department for each name or hull identification number searched
892 against, forty dollars; (12) for filing an assignment of security interest,
893 twenty dollars; (13) for search of a vessel certificate of title record,
894 requested by a person other than the owner of record of such vessel,
895 forty dollars; and (14) for a certified copy of any documentation,
896 information or other record maintained or created by the department,
897 forty dollars.

898 (b) On and after January 1, 2018, the department shall be paid the
899 following fees: (1) For filing an application for a certificate of title,
900 twenty-five dollars; (2) for each security interest noted upon a
901 certificate of title or maintained in the electronic title file pursuant to
902 subsection (b) of section 14 of this act, ten dollars; (3) for each record
903 copy search, twenty dollars; (4) for each assignment of a security
904 interest noted upon a certificate of title or maintained in the electronic
905 title file, ten dollars; (5) for an application for a duplicate certificate of
906 title, twenty-five dollars, provided such fee shall not be required for
907 any such duplicate certificate of title; (6) for filing a notice of security
908 interest, ten dollars; (7) for filing a termination statement relating to a
909 security interest pursuant to section 15 of this act, ten dollars; (8) for
910 filing a secured party's transfer statement pursuant to section 18 of this
911 act, twenty-five dollars; (9) for filing a transfer-by-law statement
912 pursuant to section 19 of this act, twenty-five dollars; (10) for filing an
913 application for transfer of ownership or termination of a security
914 interest without a certificate of title pursuant to section 20 of this act,
915 twenty-five dollars; (11) for a certificate of search of the records of the

916 department for each name or hull identification number searched
917 against, twenty dollars; (12) for filing an assignment of security
918 interest, ten dollars; (13) for search of a vessel certificate of title record,
919 requested by a person other than the owner of record of such vessel,
920 twenty dollars; and (14) for a certified copy of any documentation,
921 information or other record maintained or created by the department,
922 twenty dollars.

923 (c) If an application, certificate of title or other document required to
924 be mailed or delivered to the department under any provision of
925 sections 1 to 32, inclusive, of this act is not delivered to the department
926 within ten days from the time it is required to be mailed or delivered,
927 the department shall collect, as a penalty, an amount equal to the fee
928 required for the transaction.

929 (d) Vessels leased to an agency of this state and vessels owned by
930 the state, an agency of the state or a municipality, as defined in section
931 7-245 of the general statutes, shall be exempt from the fees imposed by
932 this section.

933 Sec. 29. (NEW) (*Effective January 1, 2015*) (a) The Commissioner of
934 Motor Vehicles shall prescribe and provide suitable forms of
935 applications, certificates of title, notices of security interests and all
936 other notices and forms necessary to carry out the provisions of
937 sections 1 to 32, inclusive, of this act.

938 (b) The commissioner may: (1) Make necessary investigations to
939 procure information required to carry out the provisions of sections 1
940 to 32, inclusive, of this act; and (2) adopt and enforce reasonable rules
941 to carry out the provisions of said sections of this act.

942 (c) The commissioner may adopt regulations, in accordance with the
943 provisions of chapter 54 of the general statutes, to provide for the
944 implementation of any of the provisions of sections 1 to 32, inclusive,
945 of this act and for the placement of additional indications on any
946 certificate of title concerning the condition of or status of title to any

947 vessel. An indication shall be placed on a certificate of title stating that
948 the vessel may be subject to security interests not shown on the
949 certificate of title when: (1) This state becomes the state of principal use
950 of the vessel from another state; (2) the vessel was not a documented or
951 foreign-documented vessel immediately prior to the application for the
952 certificate of title; and (3) the immediately previous state of principal
953 use of the vessel did not issue, or does not have a requirement for, a
954 certificate of title for the vessel. Such regulations, as may be adopted
955 by the commissioner, shall provide for an opportunity for a hearing, in
956 accordance with the provisions of chapter 54 of the general statutes
957 and section 30 of this act, for any person aggrieved by any action,
958 omission to act or decision of the commissioner or of the Department
959 of Motor Vehicles made pursuant to this subsection.

960 (d) The commissioner shall adopt regulations, in accordance with
961 the provisions of chapter 54 of the general statutes, concerning the
962 inclusion of a title brand on a certificate of title for a vessel. In adopting
963 such regulations, the commissioner shall consider whether special
964 branding categories such as "hull damaged" shall be included on the
965 certificate of title for a vessel.

966 Sec. 30. (NEW) (*Effective January 1, 2015*) Any person aggrieved by
967 an action, omission to act or decision of the Commissioner of Motor
968 Vehicles or of the Department of Motor Vehicles under sections 1 to 32,
969 inclusive, of this act shall be entitled, upon request, to a hearing in
970 accordance with the provisions of chapter 54 of the general statutes.

971 Sec. 31. (NEW) (*Effective January 1, 2015*) Any person aggrieved by
972 an action, omission to act or decision of the Commissioner of Motor
973 Vehicles or of the Department of Motor Vehicles under sections 1 to 32,
974 inclusive, of this act may appeal therefrom in accordance with the
975 provisions of section 4-183 of the general statutes, except venue for
976 such appeal shall be in the judicial district of New Britain.

977 Sec. 32. (NEW) (*Effective January 1, 2015*) (a) Any person who, with
978 fraudulent intent: (1) Alters, forges or counterfeits a certificate of title;

979 (2) alters or forges an assignment of a certificate of title, or an
980 assignment or release of a security interest or a termination statement,
981 on a certificate of title or a form the Department of Motor Vehicles
982 prescribes; (3) has possession of or uses a certificate of title knowing it
983 to have been altered, forged or counterfeited; or (4) uses a false or
984 fictitious name or address, or makes a material false statement, or fails
985 to disclose a security interest, or conceals any other material fact, in an
986 application for a certificate of title, shall be fined not less than five
987 hundred dollars nor more than one thousand dollars or be imprisoned
988 not less than one year nor more than five years or be both fined and
989 imprisoned.

990 (b) Any person who: (1) With fraudulent intent, permits another,
991 not entitled thereto, to use or have possession of a certificate of title; (2)
992 wilfully fails to mail or deliver a certificate of title or application
993 therefor to the department within ten days after the time required by
994 sections 1 to 32, inclusive, of this act; (3) wilfully fails to deliver to his
995 transferee a certificate of title within ten days after the time required by
996 sections 1 to 32, inclusive, of this act; or (4) wilfully violates any
997 provision of sections 1 to 32, inclusive, of this act, except as provided in
998 subsection (a) of this section, shall be fined not more than one
999 thousand dollars or be imprisoned not more than two years or be both
1000 fined and imprisoned.

1001 Sec. 33. Subdivision (2) of subsection (a) of section 14-10 of the
1002 general statutes is repealed and the following is substituted in lieu
1003 thereof (*Effective January 1, 2015*):

1004 (2) "Motor vehicle record" means any record that pertains to an
1005 operator's license, instruction permit, identity card, registration,
1006 certificate of title or any other document issued by the Department of
1007 Motor Vehicles. "Motor vehicle record" does not include any record
1008 relating to vessels and certificates of title for vessels, as provided in
1009 section 10 of this act;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2015</i>	New section
Sec. 2	<i>January 1, 2015</i>	New section
Sec. 3	<i>January 1, 2015</i>	New section
Sec. 4	<i>January 1, 2015</i>	New section
Sec. 5	<i>January 1, 2015</i>	New section
Sec. 6	<i>January 1, 2015</i>	New section
Sec. 7	<i>January 1, 2015</i>	New section
Sec. 8	<i>January 1, 2015</i>	New section
Sec. 9	<i>January 1, 2015</i>	New section
Sec. 10	<i>January 1, 2015</i>	New section
Sec. 11	<i>January 1, 2015</i>	New section
Sec. 12	<i>January 1, 2015</i>	New section
Sec. 13	<i>January 1, 2015</i>	New section
Sec. 14	<i>January 1, 2015</i>	New section
Sec. 15	<i>January 1, 2015</i>	New section
Sec. 16	<i>January 1, 2015</i>	New section
Sec. 17	<i>January 1, 2015</i>	New section
Sec. 18	<i>January 1, 2015</i>	New section
Sec. 19	<i>January 1, 2015</i>	New section
Sec. 20	<i>January 1, 2015</i>	New section
Sec. 21	<i>January 1, 2015</i>	New section
Sec. 22	<i>January 1, 2015</i>	New section
Sec. 23	<i>January 1, 2015</i>	New section
Sec. 24	<i>January 1, 2015</i>	New section
Sec. 25	<i>January 1, 2015</i>	New section
Sec. 26	<i>January 1, 2015</i>	New section
Sec. 27	<i>January 1, 2015</i>	New section
Sec. 28	<i>January 1, 2015</i>	New section
Sec. 29	<i>January 1, 2015</i>	New section
Sec. 30	<i>January 1, 2015</i>	New section
Sec. 31	<i>January 1, 2015</i>	New section
Sec. 32	<i>January 1, 2015</i>	New section
Sec. 33	<i>January 1, 2015</i>	14-10(a)(2)

JUD *Joint Favorable Subst. -LCO*

APP *Joint Favorable*