# **ACT No. 628**

HOUSE BILL NO. 549

## BY REPRESENTATIVE WHITE

1	AN ACT
2	To amend and reenact R.S. 34:851.19, 851.20(A)(1)(introductory paragraph), (2), (3), and
3	(4) and (B), (C), (D), (G), and (J), 851.21(A) and (B)(2), (3), and (4) and 851.32 and
4	to enact R.S. 34:851.2(13) and R.S. 56:10.2, relative to houseboats; to provide for
5	the registration and numbering of houseboats; to create the Derelict Houseboat Fund
6	in the state treasury; to provide for the issuance of a certificate of number; to provide
7	for registration fees; to provide for notices of transfer; to provide for a numbering
8	system; to provide for the distribution of funds; and to provide for related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 34:851.19, 851.20(A)(1)(introductory paragraph), (2), (3), and (4)
11	and (B), (C), (D), (G), and (J), 851.21(A) and (B)(2), (3), and (4) and 851.32 are hereby
12	amended and reenacted and R.S. 34:851.2(13) is hereby enacted to read as follows:
13	§851.2. Definitions
14	As used in this Part unless the context requires a different meaning:
15	* * *
16	(13) "Houseboat" means a vessel constructed for the primary purpose of a
17	temporary or permanent dwelling without an effective means of propulsion for safe
18	navigation.
19	* * *
20	§851.19. Operation of unnumbered motorboats, houseboat, or sailboats prohibited;
21	exception
22	Every motorboat, houseboat, or sailboat operated on the waters of this state
23	shall be numbered. No person shall operate or give permission for the operation of

any <u>houseboat</u>, motorboat, or sailboat on such waters unless the motorboat, <u>houseboat</u>, or sailboat is numbered in accordance with this Part or in accordance with applicable federal law or in accordance with a federally approved numbering system of another state, and unless the certificate of number awarded to motorboat, <u>houseboat</u>, or sailboat is in full force and effect, and the identifying number set forth in the certificate of number is displayed on each side of the bow of motorboat, <u>houseboat</u>, or sailboat as provided <u>herein</u> in this Part.

#### §851.20. Identification number

A.(1) The owner of each motorboat, houseboat, or sailboat requiring numbering by this state shall file an application for number with the Department of Wildlife and Fisheries on forms approved by it the department. The application shall be signed by the owner of the motorboat, houseboat, or sailboat and shall be accompanied by a fee as follows:

\* \* \*

- (2) Upon receipt of the application in approved form, the department shall enter the same upon the records of its office and issue to the applicant a certificate of number stating the number assigned to the motorboat, houseboat, or sailboat and the name and address of the owner with a description of the motorboat, houseboat, or sailboat. The department shall maintain a record of the hull identification number of the boat and the serial number of the motor <u>for motorized vessels</u> along with the assigned certificate of number on its computer.
- (3) The owner shall paint on or attach to each side of the bow of the motorboat, houseboat, or sailboat the certificate of number in such manner as may be prescribed by rules and regulations of the department in order that it may be clearly visible. The number on the motorboat, houseboat, or sailboat shall be maintained in legible condition.
- (4) The certificate of number shall be issued in addition to a decal which shall be permanently attached to the motorboat, houseboat, or sailboat, both to be accessible for inspection at all times when such boat is in operation; however, owners of duly registered livery motorboats less than twenty-six feet in length, or of

duly registered <u>houseboats or</u> sailboats which are rented for not more than seven continuous days at a time for noncommercial purposes may retain such certificates of number for each such rental motorboat, <u>houseboat</u>, or sailboat on shore and have them readily available for inspection.

B. The owner of any motorboat, houseboat, or sailboat already covered by a number in full force and effect which has been awarded to it pursuant to thenoperative federal law or a federally approved numbered system of another state shall record the number prior to operating the motorboat, houseboat, or sailboat on the waters of this state in excess of the ninety consecutive day reciprocity period provided for in R.S. 34:851.22(A)(1). Such recordation shall be in the manner and pursuant to the procedure required for the award of a number under pursuant to Subsection A of this Section except that no additional or substitute number shall be issued.

C. Should the ownership of a motorboat, houseboat, or sailboat change, a new application form with a five dollar fee shall be filed with the commission, along with the registration fee required by this Section, and a new certificate of number and a decal, valid for three years, shall be awarded in the same manner as provided for in an original award of number.

D. In the event that an agency of the United States government shall have in force an overall system of identification numbering for motorboat motorboats, houseboats, or sailboats within the United States, the numbering system employed pursuant to this Part by the commission shall be in conformity therewith.

\* \* \*

G. The owner shall furnish the commission notice of the transfer of all or any part of his interest other than the creation of a security interest in a motorboat, houseboat, or sailboat numbered in this state pursuant to Subsections A and B of this Section or of the destruction or abandonment of such motorboat, houseboat, or sailboat within fifteen days thereof. Such transfer, destruction, or abandonment shall terminate the certificate of number for such motorboat, houseboat, or sailboat, except that in the case of a transfer of a part interest which does not affect the owner's right

to operate such motorboat, houseboat, or sailboat such transfer shall not terminate the certificate of number.

3 \* \* \*

J. No number other than the number awarded to a motorboat, houseboat, or sailboat or granted reciprocity pursuant to this Part shall be painted, attached, or otherwise displayed on either side of the bow of such motorboat, houseboat, or sailboat.

\* \* \*

## §851.21. Numbering system

A. The motorboat, houseboat, or sailboat identification number issued by the commission pursuant to this Part shall be divided into parts which include a symbol indicating the state and a combination of numerals, letters, and words indicating the individual identification of the motorboat, houseboat, or sailboat. The group of three digits appearing between letters shall be separated from those letters by hyphens or equivalent spaces. Numbers shall be block characters not less than three inches in height and of a color to contrast on the hull, dark on light or light on dark or as otherwise provided by rules and regulations of the commission.

B.

19 \* \* \*

- (2) The second part of the motorboat, houseboat, or sailboat number shall consist of not more than four Arabic numerals and not more than two capital letters as a suffix separated by a hyphen or equivalent space. Since the letters "I", "O", and "Q" may be mistaken for numerals, they shall not be used.
- (3) Motorboats, houseboat, or sailboats for hire or rent shall have painted or attached to each side of the bow the word "HIRE" in letters of not less than one and one-half inches which shall appear below the awarded number.
- (4) Motorboats, houseboat, or sailboats owned by the state or any of its political subdivisions shall have painted or attached to each side of the bow the word

"PUBLIC" in letters of not less than one and one-half inches which shall appear below the awarded number except when used for undercover or investigative work.

\* \* \*

### §851.32. Disposition of funds

A. Funds accruing to the state of Louisiana from registration fees paid by owners of motorboats <u>and sailboats</u> shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund, after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the State General Fund, pay into the Conservation Fund Derelict Houseboat Fund of the Louisiana Wildlife and Fisheries Commission an amount equal to the total amount of the sums recovered as registration fees in R.S. 34:851.20 and R.S. 34:851.23 of this Part for the purpose of administering and enforcing the provisions of this Part or for such other purposes as may be determined by said commission.

B. The revenues derived from the registration fees <u>paid</u> into the <u>Derelict</u> <u>Houseboat Fund pursuant to Subsection A of this Section</u> shall be made available for the purpose of providing the necessary additional funds for the administration and enforcement of the provisions of this Part or for such other purposes as may be determined by the Louisiana Wildlife and Fisheries Commission.

C. Funds accruing to the state of Louisiana from registration fees paid by owners of houseboats shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund, after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay into the Derelict Houseboat Fund an amount equal to the total amount of the sums recovered as registration fees in R.S. 34:851.20 of this Part.

HB NO. 549 **ENROLLED** 1 Section 2. R.S. 56:10.2 is hereby enacted to read as follows: 2 §10.2. Derelict Houseboat Fund 3 There is hereby created a fund within the state treasury known as the 4 "Derelict Houseboat Fund" which shall consist of those revenues collected from the registration of houseboats provided for in R.S. 34:851.32(C). The revenues shall be 5 6 subject to the same requirements as provided for other revenues placed in the 7 Conservation Fund in Paragraph (1) of this Subsection. The monies in this fund 8 shall be used solely for the purpose of awarding grants to parish governments to 9 remove any unattended, derelict, junked, or abandoned houseboat in any canal, 10 coulee, drainage ditch, outfall canal, bayou, bay, lake, or any other waterway, 11 whether navigable or not, or on the banks thereof within the state of Louisiana. The 12 Wildlife and Fisheries Commission may promulgate rules and regulations in 13 accordance with the Administrative Procedure Act to provide for the application, 14 administration, and award of such grants. 15 Section 3. This Act shall be implemented by January 1, 2019. SPEAKER OF THE HOUSE OF REPRESENTATIVES

RESIDENT OF THE SEN	NATE
OVERNOR OF THE STA	ATE OF LOUISIANA

APPROVED: \_\_\_\_