

Regular Session, 2009

HOUSE BILL NO. 97

BY REPRESENTATIVES GISCLAIR AND BALDONE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BOATS/SHIPS/VESSELS: Changes the definition of motorboat

1 AN ACT

2 To amend and reenact R.S. 34:851.2(3) and 851.19, relative to vessels; to provide for
3 definitions; to provide for operation of certain vessels; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 34:851.2(3) and 851.19 are hereby amended and reenacted to read
7 as follows:

8 §851.2. Definitions

9 As used in this Part unless the context requires a different meaning:

10 * * *

11 (3) "Motorboat" means any vessel equipped with or propelled by any type
12 of machinery whether or not such machinery is the principal source of propulsion but
13 shall not include a vessel which has a valid marine document issued by the Bureau
14 of Customs of the United States Government or any federal agency successor
15 thereto, unless the vessel is a recreational use vessel ~~or commercial fishing vessel~~.

16 * * *

17 §851.19. Operation of unnumbered motorboats or sailboats prohibited; exception

18 Every motorboat or sailboat operated on the waters of this state shall be
19 numbered. No person shall operate or give permission for the operation of any
20 motorboat or sailboat on such waters unless the motorboat or sailboat is numbered
21 in accordance with this Part ~~and~~ or in accordance with applicable federal law or in

1 accordance with a federally approved numbering system of another state, and unless
2 the certificate of number awarded to such motorboat or sailboat is in full force and
3 effect, and the identifying number set forth in the certificate of number is displayed
4 on each side of the bow of such motorboat or sailboat as provided herein.

5 Section 2. Any owner of a commercial fishing vessel which had a valid marine
6 document issued by the United States government as of August 15, 2008, and thereafter filed
7 an application for numbering to the Department of Wildlife and Fisheries for such vessel
8 shall be credited the amount of the application fee paid towards any license or permit issued
9 by the department until December 31, 2010.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gisclair

HB No. 97

Abstract: Excludes from the definition of "motorboat" documented commercial fishing vessels.

Present law provides for the definition of "motorboat" to mean any vessel propelled by machinery, but not a vessel, other than recreational vessels or commercial fishing vessels, documented by the U.S. Bureau of Customs.

Proposed law retains present law but excludes from the definition documented commercial fishing vessels.

Present law prohibits operation of motorboats or sailboats unless the vessel displays numbers in accordance with both present law and federal law or a federally approved number system of another state.

Proposed law retains present law but requires the numbers to be in accordance with present law or federal law, but not both.

Proposed law provides a credit towards any license issued by the department to an owner of a commercial vessel as of Aug. 15, 2008, who paid a state numbering application fee for that vessel. The credit shall expire on Dec. 31, 2010.

(Amends R.S. 34:851.2(3) and 851.19)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill.

1. Includes in the definition of "motorboat" recreational use vessels that are federally documented.