

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1505

By: Weaver

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 4009, as amended by Section 7, Chapter 284, O.S.L. 1992 (63 O.S. Supp. 1996, Section 4009), which relates to certificate of title and identification numbers of vessels; adding model number of vessels to information to be recorded under certain circumstances; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 4009, as amended by Section 7, Chapter 284, O.S.L. 1992 (63 O.S. Supp. 1996, Section 4009), is amended to read as follows:

Section 4009. A. The application for a certificate of title for a vessel and/or an outboard motor shall be upon a form furnished by the Oklahoma Tax Commission and shall contain:

1. A full description of the vessel;
2. The manufacturer's model and serial or other identification number;
3. The length of the vessel;

4. The date on which first sold by the manufacturer or dealer to the owner;

5. Any distinguishing marks;

6. A statement of the applicant's source of title;

7. Whether the vessel is a documented vessel and the number assigned to such vessel;

8. Any security interest upon said vessel; and

9. Such other information as the Commission may require.

B. To obtain an original certificate of title for a vessel that is being registered for the first time in this state or for a vessel that has not been previously registered in any other state, the applicant shall be required to deliver, as evidence of ownership, a manufacturer's certificate of origin or at the discretion of the Commission a copy of the manufacturer's certificate of origin properly assigned by the manufacturer, distributor, or dealer licensed in this or any other state shown thereon to be the last transferee to the applicant upon a form to be prescribed and approved by the Commission. A manufacturer's certificate of origin shall contain:

1. The manufacturer's model and serial or other identification number;

2. Date on which first sold by the manufacturer to the dealer;

3. Any distinguishing marks including model and the year same was made;

4. A statement of any security interests upon said vessel; and

5. Such other information as the Commission may require.

C. In the absence of a dealer's or manufacturer's number, the Commission may assign such identifying number to the vessel, which shall be permanently stamped, burned or pressed into or attached onto such vessel.

D. 1. Before a homemade vessel is issued a hull identification number from the Commission, it shall be inspected by a commissioned

officer of the Oklahoma Lake Patrol Division of the Department of Public Safety, pursuant to the rules promulgated by the Commissioner of Public Safety. For the purposes of this act, "homemade vessel" means any vessel without a hull identification number.

2. The Department of Public Safety is hereby granted authority and jurisdiction, pursuant to Article 1 of the Administrative Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma Statutes, to promulgate, administer and enforce all necessary rules deemed necessary to implement the provisions of this section.

3. The Department of Public Safety shall prescribe all forms deemed necessary to implement the provisions of this section.

E. It shall be unlawful to:

1. Improperly display or fail to display a vessel's hull identification number;

2. Operate or possess a vessel on which the hull identification number has been removed; or

3. Operate or possess a motor on which the serial number has been removed.

F. When registering in this state, a vessel which was titled in another state and which title contains the name of a secured party on the face of the other state certificate of title, the Oklahoma Tax Commission or the motor license agent shall complete a lien entry form as prescribed by said Commission. A statement of the lien or encumbrance shall be included on the Oklahoma certificate of title and the lien or encumbrance shall be deemed continuously perfected as though it had been perfected pursuant to Section 4013 of this title. For completing the lien entry form and recording the security interest on the certificate of title, the Commission or the motor license agent shall collect a fee of Three Dollars (\$3.00) which shall be in addition to other fees provided by the Oklahoma Vessel and Motor Registration Act.

G. Upon payment of all fees and taxes, a certificate of title and certificate of registration shall be delivered to the applicant.

SECTION 2. This act shall become effective November 1, 1997.

46-1-5807

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