

An Act

ENROLLED SENATE
BILL NO. 368

By: Guthrie of the Senate

and

Hildebrant of the House

An Act relating to the Oklahoma Vessel and Motor Registration Act; amending 63 O.S. 2021, Section 4002, as amended by Section 199, Chapter 282, O.S.L. 2022 (63 O.S. Supp. 2024, Section 4002), which relates to definitions; modifying certain definition; updating statutory language; and providing an effective date.

SUBJECT: Vehicle definitions

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 4002, as amended by Section 199, Chapter 282, O.S.L. 2022 (63 O.S. Supp. 2024, Section 4002), is amended to read as follows:

Section 4002. As used in the Oklahoma Vessel and Motor Registration Act:

1. "Boat livery" means a business establishment engaged in renting or hiring out vessels for profit;

2. "Canoe" means a light narrow vessel with both ends typically tapered to a sharp point which is propelled solely by its occupants, using a single-bladed paddle as a lever without the aid of a fulcrum provided by oarlocks, thole pins, crutches, or similar arrangements;

3. "Certificate of documentation" means a document issued by the United States Coast Guard which is legal proof of ownership of a vessel;

4. "Certificate of registration" means a document which is legal proof of registration of a vessel or motor;

5. "Certificate of title" means a document which is proof of legal ownership of a vessel ~~and/or~~ or motor;

6. "Service Oklahoma" means:

- a. Service Oklahoma, or
- b. the equivalent vessel registration and licensing agency of a federally recognized Indian tribe in this state;

7. "Dealer" means any person engaged in the business of selling, trading, renting with option to purchase, or attempting to negotiate or negotiating sales or exchanges of interests in new or used vessels or motors, or new and used vessels or motors, or any combination thereof;

8. "Dealer agreement" means the agreement, authorization, or written contract between a manufacturer and distributor and a new vessel dealer which purports to establish the legal rights and obligations of the parties to the agreement, authorization, or written contract with regard to the purchase and sale of new vessels or new motors;

9. "Designated successor" means one or more persons nominated by the new vessel dealer, in a written document filed by the dealer with the manufacturer or distributor at the time the dealer agreement is executed, to succeed the dealer in the event of the dealer's death or incapacity. If a designated successor is not able to succeed the new vessel dealer because of the designated successor's death or legal incapacity, the dealer shall execute a new document nominating a designated successor within sixty (60) calendar days after the date of the death or incapacity;

10. "Distributor" means a person, resident or nonresident, who in whole or in part offers for sale, sells, or distributes a new vessel or new motor to a new vessel dealer or who maintains a factory representative, resident or nonresident, or who controls a person, resident or nonresident, who in whole or in part offers for sale, sells, or distributes a new vessel or new motor to a new vessel dealer;

11. "Distributor branch" means a branch office similarly maintained by a distributor or wholesaler for the same purposes a factory branch is maintained;

12. "Distributor representative" means any person, firm, association, corporation, or trust and each officer and employee thereof engaged as a representative of a distributor or distributor branch of vessels or motors, for the purpose of making or promoting the sale of his ~~or~~, her, its, or their vessels or motors, or for supervising or contacting his, her, its, or their dealers or prospective dealers;

13. "Documented vessel" means any vessel in this state which shall have and carry on board the original certificate of documentation in legible form as issued by the United States Coast Guard or federal agency successor thereto. All documented vessels shall be required to display a current State of Oklahoma annual registration decal;

14. "Factory branch" means a branch office maintained by a person, firm, association, corporation, or trust who manufactures or assembles vessels or motors for the sale of vessels or motors to distributors, or for the sale of vessels or motors to dealers, or for directing or supervising, in whole or in part, its representatives;

15. "Factory representative" means any person, firm, association, corporation, or trust and each officer and employee thereof engaged as a representative of a manufacturer of vessels or motors or by a factory branch, for the purpose of making or promoting the sale of his, her, its, or their vessels or motors, or for supervising or contacting his, her, its, or their dealers or prospective dealers;

16. "Hull identification number" means the serial number affixed to the outside of the hull of a vessel on the upper starboard side (right) corner of the transom (back wall) which is assigned by the manufacturer or Service Oklahoma;

17. "Inboard motor" means an internal combustion engine mounted inside a vessel which provides the transfer of power to move a vessel through the water;

18. "Inboard/outboard motor" means an internal combustion engine mounted inside a vessel and an external stern drive attached through the transom of the vessel providing the transfer of power to move the vessel through the water;

19. ~~"John boat"~~ "Johnboat" means a narrow, flat-bottomed square-ended vessel propelled by a pole, paddle, or a motor of less than ten (10) horsepower;

20. "Kayak" means a light, narrow vessel with both ends typically tapered to a sharp point and propelled by ~~double-bladed paddles as a lever without the aid of a fulcrum provided by oarlocks, thole pins, crutches or similar arrangements by~~ human muscular effort by one or more individuals seated inside or on top of the vessel and facing the direction of travel using double-bladed paddles, hand cranks, or pedals;

21. "Kiteboard" means a vessel, similar in appearance to a surfboard, with or without foot straps or bindings, combined with a large controllable kite to propel the rider and board across the water;

22. "Lifeboat" means a vessel carried on another vessel in excess of sixty-five (65) feet for use if such other vessel has to be abandoned;

23. "Manufacturer" means a person who manufactures or assembles new vessels or new motors, or a distributor, factory branch, or factory representative;

24. "Motor" means any internal combustion engine mounted at the stern of a vessel or placed inside a vessel which provides the transfer of power to move the vessel through the water;

25. "New vessel dealer" means a person who holds a dealer agreement granted by a manufacturer or distributor for the sale of the manufacturer's or distributor's vessels or motors, who is engaged in the business of purchasing, selling, exchanging, or dealing in new vessels or new motors, and who has an established place of business;

26. "Operate" means to navigate or be in actual physical control of a vessel or otherwise use a vessel or motor;

27. "Outboard motor" means an internal combustion engine capable of being externally mounted at the stern of a vessel which provides the transfer of power to move a vessel through the water;

28. "Owner" means a person, other than a lienholder, having a property interest in or title to a vessel or motor. The term includes a person entitled to the use or possession of a vessel or motor subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security;

29. "Paddleboard" means a vessel, similar in appearance to a surfboard, intended to be propelled only by its occupants using a single- or double-bladed paddle as a lever without the aid of a fulcrum provided by oarlocks, thole pins, crutches, or similar arrangements;

30. "Paddleboat" means a vessel less than eight (8) feet in length designed to be propelled solely by human power through a belt, chain, or gears;

31. "Permanent number" means the distinctive and unique number which:

- a. Service Oklahoma permanently assigns to a vessel, irrespective of any change of ownership of ~~said~~ the vessel. The permanent number shall begin with the letters "OK", followed by four numerals, and then followed by two letters, or

- b. any federally recognized Indian tribe in this state assigns to a vessel;

provided, the number is configured as prescribed in 33 C.F.R., Parts 173 and 174;

32. "Person" means a natural person, partnership, corporation, association, trust, estate, or other legal entity;

33. "Proposed new vessel dealer" means a person who has an application pending for a new dealer agreement with a manufacturer or distributor. Proposed new vessel dealer does not include a person whose dealer agreement is being renewed or continued;

34. "Purchase date" means the purchase date on a bill of sale or the date of complete assignment of title by the current owner;

35. "Sailboard" means a vessel, similar in appearance to a surfboard, equipped with a swivel-mounted mast and sail not secured to a hull by guys or stays;

36. "State" means the State of Oklahoma;

37. "State of principal use" means the state where the vessel or motor is used, is to be used, or remains for any period in excess of sixty (60) calendar days;

38. "Vessel" means every device, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

39. "Waters of this state" means and includes all waters within the territorial limits of this state; provided, such phrase shall not mean or include waters which are entirely owned by a private person or persons, and to which the public is not permitted access; and

40. "Water-thrust device" means a device tethered to the water jet mechanism of a vessel in a manner so that the water jet of the powering vessel provides propulsion for the attached device. Such devices shall be considered a component of the powering vessel.

SECTION 2. This act shall become effective November 1, 2025.

Passed the Senate the 24th day of February, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 8th day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____