
SENATE BILL 6218

State of Washington 60th Legislature 2008 Regular Session

By Senators Hatfield and Murray

Read first time 01/14/08. Referred to Committee on Transportation.

1 AN ACT Relating to historic vessels; amending RCW 88.02.010,
2 88.02.050, 88.02.050, and 82.49.010; adding a new section to chapter
3 88.02 RCW; creating a new section; providing an effective date; and
4 providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds and declares that
7 constructive leisure pursuits by Washington citizens are very
8 important. This act is intended to encourage responsible participation
9 in the hobby of collecting, preserving, restoring, and maintaining
10 vessels of historic and special interest, a hobby that contributes to
11 the enjoyment of Washington citizens and the preservation of
12 Washington's classic boat memorabilia.

13 **Sec. 2.** RCW 88.02.010 and 1983 c 7 s 14 are each amended to read
14 as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout this chapter.

17 (1) (~~"Vessel" means every watercraft used or capable of being used~~
18 ~~as a means of transportation on the water, other than a seaplane.~~

1 ~~(2) "Owner" means a person who has a lawful right to possession of~~
2 ~~a vessel by purchase, exchange, gift, lease, inheritance, or legal~~
3 ~~action whether or not the vessel is subject to a security interest.~~

4 ~~(3))~~ "Collector" means the owner of one or more vessels who
5 collects, purchases, acquires, trades, or disposes of the vessels or
6 their parts for the collector's personal use, to preserve, restore, and
7 maintain the boat for hobby or historical purposes.

8 (2) "Dealer" means a person, partnership, association, or
9 corporation engaged in the business of selling vessels at wholesale or
10 retail in this state.

11 ~~((4))~~ (3) "Department" means the department of licensing.

12 (4) "Historic vessel" means any vessel that is at least forty years
13 old.

14 (5) "Owner" means a person who has a lawful right to possession of
15 a vessel by purchase, exchange, gift, lease, inheritance, or legal
16 action whether or not the vessel is subject to a security interest.

17 (6) "Vessel" means every watercraft used or capable of being used
18 as a means of transportation on the water, other than a seaplane.

19 **Sec. 3.** RCW 88.02.050 and 2007 c 342 s 5 are each amended to read
20 as follows:

21 (1) Application for a vessel registration shall be made to the
22 department or its authorized agent in the manner and upon forms
23 prescribed by the department. The application shall state the name and
24 address of each owner of the vessel and such other information as may
25 be required by the department, shall be signed by at least one owner,
26 and shall be accompanied by a vessel registration fee of ten dollars
27 and fifty cents per year and the excise tax imposed under chapter 82.49
28 RCW.

29 (2) Five additional dollars must be collected annually from every
30 vessel registration application. These moneys must be distributed in
31 the following manner:

32 (a) Two dollars must be deposited into the derelict vessel removal
33 account established in RCW 79.100.100. If the department of natural
34 resources indicates that the balance of the derelict vessel removal
35 account, not including any transfer or appropriation of funds into the
36 account or funds deposited into the account collected under RCW

1 88.02.270, reaches one million dollars as of March 1st of any year, the
2 collection of the two-dollar fee must be suspended for the following
3 fiscal year.

4 (b) One dollar and fifty cents must be deposited in the aquatic
5 invasive species prevention account created in RCW 77.12.879.

6 (c) One dollar must be deposited into the freshwater aquatic algae
7 control account created in RCW 43.21A.667.

8 (d) Fifty cents must be deposited into the aquatic invasive species
9 enforcement account created in RCW 43.43.400.

10 (3) Any fees required for licensing agents under RCW 46.01.140
11 shall be in addition to the ten dollar and fifty cent annual
12 registration fee and the five-dollar fee created in subsection (2) of
13 this section.

14 (4) Upon receipt of the application and the registration fee, the
15 department shall assign a registration number and, except for historic
16 vessels, issue a decal for each vessel. The department shall create
17 and issue a separate decal for each historic vessel. The registration
18 number and decal shall be issued and affixed to the vessel in a manner
19 prescribed by the department consistent with the standard numbering
20 system for vessels set forth in volume 33, part 174, of the code of
21 federal regulations. A valid decal affixed as prescribed shall
22 indicate compliance with the annual registration requirements of this
23 chapter.

24 (5) The vessel registrations and decals are valid for a period of
25 one year, except that the director of licensing may extend or diminish
26 vessel registration periods, and the decals therefor, for the purpose
27 of staggered renewal periods. For registration periods of more or less
28 than one year, the department may collect prorated annual registration
29 fees and excise taxes based upon the number of months in the
30 registration period. Vessel registrations are renewable every year in
31 a manner prescribed by the department upon payment of the vessel
32 registration fee, excise tax, and the derelict vessel fee. Upon
33 renewing a vessel registration, the department shall issue a new decal
34 to be affixed as prescribed by the department.

35 (6) When the department issues either a notice to renew a vessel
36 registration or a decal for a new or renewed vessel registration, it
37 shall also provide information on the location of marine oil recycling
38 tanks and sewage holding tank pumping stations. This information will

1 be provided to the department by the state parks and recreation
2 commission in a form ready for distribution. The form will be
3 developed and prepared by the state parks and recreation commission
4 with the cooperation of the department of ecology. The department, the
5 state parks and recreation commission, and the department of ecology
6 shall enter into a memorandum of agreement to implement this process.

7 (7) A person acquiring a vessel from a dealer or a vessel already
8 validly registered under this chapter shall, within fifteen days of the
9 acquisition or purchase of the vessel, apply to the department or its
10 authorized agent for transfer of the vessel registration, and the
11 application shall be accompanied by a transfer fee of one dollar.

12 **Sec. 4.** RCW 88.02.050 and 2007 c 342 s 6 are each amended to read
13 as follows:

14 (1) Application for a vessel registration shall be made to the
15 department or its authorized agent in the manner and upon forms
16 prescribed by the department. The application shall state the name and
17 address of each owner of the vessel and such other information as may
18 be required by the department, shall be signed by at least one owner,
19 and shall be accompanied by a vessel registration fee of ten dollars
20 and fifty cents per year and the excise tax imposed under chapter 82.49
21 RCW. In addition, two additional dollars must be collected annually
22 from every vessel registration application. These moneys must be
23 deposited into the derelict vessel removal account established in RCW
24 79.100.100. If the department of natural resources indicates that the
25 balance of the derelict vessel removal account, not including any
26 transfer or appropriation of funds into the account or funds deposited
27 into the account collected under RCW 88.02.270, reaches one million
28 dollars as of March 1st of any year, the collection of the two-dollar
29 fee must be suspended for the following fiscal year. Any fees required
30 for licensing agents under RCW 46.01.140 shall be in addition to the
31 ten dollar and fifty cent annual registration fee and the two-dollar
32 derelict vessel fee.

33 (2) Upon receipt of the application and the registration fee, the
34 department shall assign a registration number and, except for historic
35 vessels, issue a decal for each vessel. The department shall create
36 and issue a separate decal for each historic vessel. The registration
37 number and decal shall be issued and affixed to the vessel in a manner

1 prescribed by the department consistent with the standard numbering
2 system for vessels set forth in volume 33, part 174, of the code of
3 federal regulations. A valid decal affixed as prescribed shall
4 indicate compliance with the annual registration requirements of this
5 chapter.

6 (3) The vessel registrations and decals are valid for a period of
7 one year, except that the director of licensing may extend or diminish
8 vessel registration periods, and the decals therefor, for the purpose
9 of staggered renewal periods. For registration periods of more or less
10 than one year, the department may collect prorated annual registration
11 fees and excise taxes based upon the number of months in the
12 registration period. Vessel registrations are renewable every year in
13 a manner prescribed by the department upon payment of the vessel
14 registration fee, excise tax, and the derelict vessel fee. Upon
15 renewing a vessel registration, the department shall issue a new decal
16 to be affixed as prescribed by the department.

17 (4) When the department issues either a notice to renew a vessel
18 registration or a decal for a new or renewed vessel registration, it
19 shall also provide information on the location of marine oil recycling
20 tanks and sewage holding tank pumping stations. This information will
21 be provided to the department by the state parks and recreation
22 commission in a form ready for distribution. The form will be
23 developed and prepared by the state parks and recreation commission
24 with the cooperation of the department of ecology. The department, the
25 state parks and recreation commission, and the department of ecology
26 shall enter into a memorandum of agreement to implement this process.

27 (5) A person acquiring a vessel from a dealer or a vessel already
28 validly registered under this chapter shall, within fifteen days of the
29 acquisition or purchase of the vessel, apply to the department or its
30 authorized agent for transfer of the vessel registration, and the
31 application shall be accompanied by a transfer fee of one dollar.

32 NEW SECTION. **Sec. 5.** A new section is added to chapter 88.02 RCW
33 to read as follows:

34 A historic vessel registered under RCW 88.02.050 may only be used
35 for participation in club activities, exhibitions, tours, parades, and
36 occasional pleasure boating.

1 **Sec. 6.** RCW 82.49.010 and 2000 c 229 s 5 are each amended to read
2 as follows:

3 (1) An excise tax is imposed for the privilege of using a vessel
4 upon the waters of this state, except vessels exempt under RCW
5 82.49.020. Except for historic vessels, the annual amount of the
6 excise tax is one-half of one percent of fair market value, as
7 determined under this chapter, or five dollars, whichever is greater.
8 The annual amount of the excise tax for any historic vessel as defined
9 in RCW 88.02.010 is one-quarter of one percent of fair market value, as
10 determined under this chapter, or five dollars, whichever is greater.
11 Violation of this subsection is a misdemeanor.

12 (2) Persons who are required under chapter 88.02 RCW to register a
13 vessel in this state and who register the vessel in another state or
14 foreign country and avoid the Washington watercraft excise tax are
15 guilty of a gross misdemeanor and are liable for such unpaid excise
16 tax. The department of revenue may assess and collect the unpaid
17 excise tax under chapter 82.32 RCW, including the penalties and
18 interest provided in chapter 82.32 RCW.

19 (3) The excise tax upon a vessel registered for the first time in
20 this state shall be imposed for a twelve-month period, including the
21 month in which the vessel is registered, unless the director of
22 licensing extends or diminishes vessel registration periods for the
23 purpose of staggered renewal periods under RCW 88.02.050. A vessel is
24 registered for the first time in this state when the vessel was not
25 registered in this state for the immediately preceding registration
26 year, or when the vessel was registered in another jurisdiction for the
27 immediately preceding year. The excise tax on vessels required to be
28 registered in this state on June 30, 1983, shall be paid by June 30,
29 1983.

30 NEW SECTION. **Sec. 7.** Section 3 of this act expires June 30, 2012.

31 NEW SECTION. **Sec. 8.** Section 4 of this act takes effect June 30,
32 2012.

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