

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.  
Act 1457 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 432

4  
5 By: Senator T. Smith  
6  
7

## For An Act To Be Entitled

8 AN ACT TO PROHIBIT THE REMOVAL, ALTERING,  
9 CHANGING, OR MUTILATION OF HULL IDENTIFICATION  
10 NUMBERS OR OUTBOARD MOTOR SERIAL NUMBERS; AND FOR  
11 OTHER PURPOSES.  
12

### Subtitle

13 THE BOAT IDENTIFICATION ACT.  
14

15  
16  
17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 27, Chapter 101 is amended to add an  
21 additional subchapter to read as follows:

22 27-101-701. Title.

23 The title of this subchapter shall be known and may be cited as the  
24 “Boat Identification Act”.  
25

26 27-101-702. Definitions.

27 For the purposes of this subchapter:

28 (1)(A) “Boat identification number” means a number assigned to  
29 boating equipment by the manufacturer of the boating equipment or the Boating  
30 Law Administrator’s Office of the Arkansas State Game and Fish Commission.

31 (B) “Boat identification number” shall include the  
32 following:

33 (i) A hull identification number;

34 (ii) An outboard motor serial number;

35 (iii) Any other number placed on a piece of boating



1 equipment under assignment from the Boating Law Administrator’s Office of the  
2 Arkansas State Game and Fish Commission; or

3 (iv) Any other distinguishing number or mark  
4 assigned to a piece of boating equipment by the manufacturer for  
5 identification purposes; and

6 (2) “Boating equipment” means:

7 (A) A motorboat, personal watercraft, or other vessel as  
8 defined under § 27-101-103; or

9 (B) An outboard motor.

10  
11 27-101-703. Boating equipment without boating identification numbers.

12 (a) It is unlawful for a person to knowingly buy, receive, dispose of,  
13 sell, offer for sale, or have in his or her possession boating equipment from  
14 which the boat identification number has been removed, defaced, covered,  
15 altered, or destroyed for the purpose of concealing or misrepresenting the  
16 identity of the boating equipment.

17 (b)(1) A person who pleads guilty to, nolo contendere to, or is found  
18 guilty of a violation under subsection (a) of this section is guilty of a  
19 Class A misdemeanor.

20 (2) A person who pleads guilty to, pleads nolo contendere to, or  
21 is found guilty of a second or subsequent offense under this section is  
22 guilty of a Class D felony.

23  
24 27-101-704. Altering or changing boating identification numbers.

25 (a) It is unlawful for a person with fraudulent intent to deface,  
26 destroy, or alter the boating identification number or to place a boating  
27 identification number on boating equipment that was not assigned by the  
28 manufacturer or the Boating Law Administrator.

29 (b) A person who pleads guilty to, nolo contendere to, or is found  
30 guilty of a violation under subsection (a) of this section is guilty of a  
31 Class C felony.

32  
33 27-101-705. Mutilation of boating identification numbers.

34 (a) It shall be unlawful for a person or other entity to have in his  
35 or her possession boating equipment with the boating identification number  
36 that has been mutilated to the extent that it cannot be read.

1           (b) If a piece of boating equipment has been stolen and recovered with  
2 a mutilated boating identification number, then a court of competent  
3 jurisdiction shall:

4                   (1) Authorize the rightful owner of the boating equipment to  
5 continue the use of the equipment; and

6                   (2) Direct the owner of the boating equipment to have the  
7 original boating identification number replaced or restenciled on the piece  
8 of boating equipment.

9           (c) A person who pleads guilty to, nolo contendere to, or is found  
10 guilty of a violation under subsection (a) of this section is guilty of a  
11 Class D felony.

12  
13  
14                                   APPROVED: 3/31/2005  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

1