

Department of Finance and Administration

Legislative Impact Statement

Bill: SB657

Bill Subtitle: TO AMEND THE LAW CONCERNING WATERCRAFTS.

Basic Change :

Sponsors: Sen. G. Leding and Rep. Womack

SB657 removes vessels propelled by sail and vessels propelled by less than a two horsepower (2 HP) motor from the definition of "motorboat" under § 27-101-103(5). By amending the definition of "motorboat," SB657 excludes vessels propelled by sail and vessels propelled by less than a two horsepower motor from the following boater safety and theft prevention provisions:

- Operational restrictions, such as the prohibition on reckless or negligent operation and where a person may ride, found in § 27-101-202;
- Prohibition against operating or giving permission to operate an improperly equipped motorboat found in § 27-101-203;
- Requirement of identifying numbers found in § 27-101-301 et seq.;
- Requirement of boater safety and training found in § 27-101-501 et seq.;
- Requirement of boat identification numbers found in § 27-101-701 et seq.; and
- Requirement of registration and titling found in § 27-101-1001 et seq.

Revenue Impact :

Unknown loss in collection of registration fees.

Taxpayer Impact :

Owners of sailboats and other watercraft propelled by less than two horsepower would no longer be required to register their watercraft.

Resources Required :

Computer programming would be required.

Time Required :

Adequate time has been provided for implementation.

Procedural Changes :

Program the motor vehicle system for changes. Revise the Motor Vehicle Procedures manual and distribute revised manual to State Revenue Offices.

Other Comments :

None.

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Legal Analysis :

Federal law, with certain exceptions, prohibits operation of a vessel without a valid certificate of number. See 33 CFR §§ 173.15 and 173.21. Federal law defines “vessel” as every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water. SB657 may conflict with these requirements of federal law.

The State of Arkansas is eligible to receive funding available under the State Recreational Boating Safety (RBS) Program. If SB657 were to be enacted, the State of Arkansas would be out of compliance the RBS program, and therefore, may lose eligibility for funding under the program.