

SESSION OF 2004

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2710**

As Recommended by House Committee  
on Tourism and Parks

**Brief\***

HB 2710 would amend various statutes relating to vessels. The changes are intended to address safety concerns, theft and fraud issues, and update vessel statutes.

**Safety Related Provisions.** These provisions would:

- ! add several new definitions under the boating law to provide guidance to the citizens of Kansas and the courts in administering the boating law violations;
- ! update the vessel numbering statute to bring it into compliance with the code of federal regulations for federally approved registration systems;
- ! adopt the definitions of different kinds of lights to conform to the code of federal regulations;
- ! define "direct and audible supervision" for the purposes of operation of vessels by persons under 12; and
- ! amend water skiing hours of operation to conform to hours when a vessel must operate with lights and require the use of a flag for downed skiers.

**Theft and Fraud Prevention Provisions.** These provisions would:

- ! prohibit a person from defacing, altering, or destroying any hull identification number without written authorization from the Secretary of Wildlife and Parks;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- ! prohibit a person from placing or stamping any serial number on a vessel other than a number assigned to the vessel by the Secretary;
- ! permit an owner of a vessel to inquire about a vessel's origin when the vessel has been assembled, reconstructed, reconstituted, or restored from one or more vessels, or the hull identification number is unidentifiable or uncertain;
- ! allow the Secretary to assign a hull identification number to a handmade vessel;
- ! prohibit a person from abandoning a vessel on a public waterway or public or private property without the consent of the property owner and prescribe procedures for law enforcement agencies to remove the vessel when recovered;
- ! provide that once a vessel has been destroyed or abandoned, that the Secretary print the word "salvage" on each subsequent certificate of number; and
- ! clarify storage fee payments when a vessel is seized pursuant to the preservation of evidence and the safe storage of the vessel and its contents.

**Other related provisions.** The bill also would:

- ! create a new "muffling statute" for internal combustion engines on vessels;
- ! provide for the release of information by health care providers regarding blood and urine tests if the patient is suspected of violating pertinent Boating Under the Influence laws; and
- ! allow the registration of vessels that are legally documented by the United States Coast Guard to ensure that vessel owner pay the property tax to the county.

## **Background**

HB 2710 was requested and supported by the Department of Wildlife and Parks. Christopher Tymeson, Chief Counsel, Department of Wildlife and Parks, testified before the House Committee on Tourism and Parks that the bill would amend existing state law as well as create a new statute regarding boating and marine theft. No one testified against the bill.

The fiscal note prepared by the Division of the Budget reports that the Kansas Department of Wildlife and Parks estimates that there would be no fiscal effect from the passage of the bill.