

AN ACT

relating to the identification and operation of vessels in the waters of this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 31.003(1), Parks and Wildlife Code, is amended to read as follows:

(1) "Boat" means a vessel not more than 65 feet in length, measured from the tip of the bow in a straight line to the stern [~~end to end over the deck, excluding sheer~~].

SECTION 2. Section 31.0341(a), Parks and Wildlife Code, is amended to read as follows:

(a) Each county tax assessor-collector shall award certificates of number under this chapter in the manner prescribed by this chapter and the regulations of the department. [~~The department shall issue a block or blocks of numbers to each county tax assessor-collector for awarding to applicants on receipt of applications.~~]

SECTION 3. Section 31.039, Parks and Wildlife Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c), all [~~All~~] ownership records of the department made or kept under this chapter are public records.

(c) An owner identifier as prescribed by 33 C.F.R. Section

1 174.17 is not a public record.

2 SECTION 4. Sections 31.040(a) and (b), Parks and Wildlife
3 Code, are amended to read as follows:

4 (a) Before the vessel is rented or let for hire, the ~~[The]~~
5 owner or operator of a vessel livery shall obtain a certificate of
6 number for a vessel ~~[all vessels]~~ being used as a motorboat prior to
7 being rented ~~[motorboats to rent or let for hire]~~.

8 (b) ~~[To receive certificates of number, the owner of a~~
9 ~~vessel livery shall apply directly to the department on application~~
10 ~~forms provided by the department.]~~ The application for the
11 certificate of number under Section 31.024 or for a certificate of
12 title under Section 31.046 must state that the applicant is a vessel
13 livery within the meaning of this chapter ~~[, and the facts stated in~~
14 ~~the application must be sworn before an officer authorized to~~
15 ~~administer oaths]~~.

16 SECTION 5. Section 31.047(b), Parks and Wildlife Code, is
17 amended to read as follows:

18 (b) The form must contain:

19 (1) the owner's name, ~~[and]~~ address, and owner
20 identifier as prescribed by 33 C.F.R. Section 174.17 ~~[of the~~
21 ~~owner]~~;

22 (2) a description of the vessel or outboard motor,
23 including, as appropriate, the manufacturer, make, model, year,
24 length, construction material, manufacturer's or builder's number,
25 hull identification number (HIN), motor number, outdrive number,
26 primary operation purpose, vessel type, propulsion type, engine
27 drive type, fuel, and horsepower;

- 1 (3) name and address of purchaser;
- 2 (4) date of purchase;
- 3 (5) name and address of any security interest owner;
- 4 (6) the appropriate affidavit as required by Section
- 5 160.042, Tax Code; and
- 6 (7) other information required by the department to
- 7 show the ownership of the vessel or outboard motor, a security
- 8 interest in the vessel or outboard motor, or a further description
- 9 of items listed in the subdivision.

10 SECTION 6. Section 31.049(d), Parks and Wildlife Code, is
11 amended to read as follows:

12 (d) An original certificate of title bears an assigned title
13 number. A replacement certificate of title consists of a new,
14 printed title that bears a new title number. The previous title
15 number is void when the replacement certificate of title is issued.
16 ~~["Original" shall be printed on an original certificate of title~~
17 ~~and "duplicate original" shall be marked on a duplicate of the~~
18 ~~original certificate.]~~

19 SECTION 7. Subchapter C, Chapter 31, Parks and Wildlife
20 Code, is amended by adding Section 31.074 to read as follows:

21 Sec. 31.074. VISUAL DISTRESS SIGNAL. (a) In this section:

22 (1) "Coastal waters" means the water that lies within
23 nine nautical miles from the coastline of this state.

24 (2) "Uninspected passenger vessel" has the meaning
25 assigned by 46 C.F.R. Section 24.10-1.

26 (3) "Visual distress signal" means a device that is
27 approved and required by the commandant of the United States Coast

1 Guard for the purpose of indicating a vessel in distress, including
2 flares, smoke signals, and non-pyrotechnic signals.

3 (b) No person may operate on the coastal waters a vessel
4 that is 16 feet or more in length, or any vessel operating as an
5 uninspected passenger vessel, unless the vessel is equipped with
6 readily accessible visual distress signals approved for day and
7 night use in the number required by the commandant of the United
8 States Coast Guard.

9 (c) Between sunset and sunrise, no person may operate on the
10 coastal waters a vessel less than 16 feet in length unless the
11 vessel is equipped with readily accessible visual distress signals
12 approved for night use in the number required by the commandant of
13 the United States Coast Guard.

14 (d) No person may operate a vessel on coastal waters unless
15 each visual distress signal required under this section is in
16 serviceable condition and the service life of the signal, if
17 indicated by a date marked on the signal, has not expired.

18 SECTION 8. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1106 was passed by the House on April 11, 2013, by the following vote: Yeas 142, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1106 on May 16, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1106 was passed by the Senate, with amendments, on May 13, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor