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SENATE BILL NO. 217

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on January 26, 2010)

(Patron Prior to Substitute—Senator Locke)

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 7 of Title 29.1 a section numbered 29.1-711.1, relating to local boat and watercraft registration fees.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 7 of Title 29.1 a section numbered 29.1-711.1 as follows:

§ 29.1-711.1. Local motorboat registration fee.

A. *Beginning January 1, 2011, each county, city, or town may, by ordinance, impose an annual registration fee upon the owner of any motorboat that is subject to the county, city, or town tangible personal property tax pursuant to Title 58.1. The registration fee may not be imposed any more frequently than every three years.*

B. *Any tangible personal property tax imposed on a motorboat pursuant to Title 58.1 shall be credited against the fee imposed pursuant to this section for the applicable year. Nothing in this section shall be construed or interpreted as prohibiting the local treasurer as defined in § 58.1-3123 from including on the same bill the fee under this section and the tangible personal property tax imposed on the motorboat.*

C. *For purposes of the amount of the fee, (i) privately owned pleasure motorboats (a) under 18 feet and weighing less than five tons and (b) used for recreational purposes only, (ii) all other privately owned pleasure motorboats under 18 feet and weighing less than five tons, (iii) motorboats 18 feet or over and weighing less than five tons, and (iv) motorboats weighing five tons or more, shall be separate classifications of property.*

D. *The registration fee described under this section shall not apply to a ship's lifeboat or property that is merchant's capital pursuant to Article 3 (§ 58.1-3509 et seq.) of Chapter 35 of Title 58.1.*

E. 1. *The local ordinance may require that decals signifying the last month and year during which the local registration is valid be displayed on the motorboat while it is being operated. Except as provided in this section, there shall be no additional charge for such decals.*

2. *Decals shall be displayed only upon the motorboat for which they were purchased and shall not be transferable.*

3. *If a decal becomes defaced, lost, or destroyed, the owner of the motorboat shall apply to the proper local official for a replacement decal within 15 days. The county, city, or town may charge a fee of \$1 for each decal or set of decals replaced.*

4. *The county, city, or town may require dealers and manufacturers of motorboats to display decals on motorboats that are merchant's capital being used for demonstration purposes, but the registration fee under this section shall not be imposed in such circumstances.*

F. *The fee imposed pursuant to the authority granted under this section shall be enforced and collected in the same manner that local taxes are enforced and collected under Title 58.1.*