

1 **SENATE FLOOR VERSION**

2 February 17, 2025

3 SENATE BILL NO. 368

By: Guthrie of the Senate

4 and

5 Hildebrant of the House

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7
8 An Act relating to the Oklahoma Vessel and Motor
9 Registration Act; amending 63 O.S. 2021, Section
10 4002, as amended by Section 199, Chapter 282, O.S.L.
11 2022 (63 O.S. Supp. 2024, Section 4002), which
relates to definitions; modifying certain definition;
updating statutory language; and providing an
effective date.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2021, Section 4002, as
16 amended by Section 199, Chapter 282, O.S.L. 2022 (63 O.S. Supp.
17 2024, Section 4002), is amended to read as follows:

18 Section 4002. As used in the Oklahoma Vessel and Motor
19 Registration Act:

20 1. "Boat livery" means a business establishment engaged in
21 renting or hiring out vessels for profit;

22 2. "Canoe" means a light narrow vessel with both ends typically
23 tapered to a sharp point which is propelled solely by its occupants,
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1 using a single-bladed paddle as a lever without the aid of a fulcrum
2 provided by oarlocks, thole pins, crutches, or similar arrangements;

3 3. "Certificate of documentation" means a document issued by
4 the United States Coast Guard which is legal proof of ownership of a
5 vessel;

6 4. "Certificate of registration" means a document which is
7 legal proof of registration of a vessel or motor;

8 5. "Certificate of title" means a document which is proof of
9 legal ownership of a vessel ~~and/or~~ or motor;

10 6. "Service Oklahoma" means:

11 a. Service Oklahoma, or

12 b. the equivalent vessel registration and licensing
13 agency of a federally recognized Indian tribe in this
14 state;

15 7. "Dealer" means any person engaged in the business of
16 selling, trading, renting with option to purchase, or attempting to
17 negotiate or negotiating sales or exchanges of interests in new or
18 used vessels or motors, or new and used vessels or motors, or any
19 combination thereof;

20 8. "Dealer agreement" means the agreement, authorization, or
21 written contract between a manufacturer and distributor and a new
22 vessel dealer which purports to establish the legal rights and
23 obligations of the parties to the agreement, authorization, or

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1 written contract with regard to the purchase and sale of new vessels
2 or new motors;

3 9. "Designated successor" means one or more persons nominated
4 by the new vessel dealer, in a written document filed by the dealer
5 with the manufacturer or distributor at the time the dealer
6 agreement is executed, to succeed the dealer in the event of the
7 dealer's death or incapacity. If a designated successor is not able
8 to succeed the new vessel dealer because of the designated
9 successor's death or legal incapacity, the dealer shall execute a
10 new document nominating a designated successor within sixty (60)
11 calendar days after the date of the death or incapacity;

12 10. "Distributor" means a person, resident or nonresident, who
13 in whole or in part offers for sale, sells, or distributes a new
14 vessel or new motor to a new vessel dealer or who maintains a
15 factory representative, resident or nonresident, or who controls a
16 person, resident or nonresident, who in whole or in part offers for
17 sale, sells, or distributes a new vessel or new motor to a new
18 vessel dealer;

19 11. "Distributor branch" means a branch office similarly
20 maintained by a distributor or wholesaler for the same purposes a
21 factory branch is maintained;

22 12. "Distributor representative" means any person, firm,
23 association, corporation, or trust and each officer and employee
24 thereof engaged as a representative of a distributor or distributor

1 branch of vessels or motors, for the purpose of making or promoting
2 the sale of his ~~or~~, her, its, or their vessels or motors, or for
3 supervising or contacting his, her, its, or their dealers or
4 prospective dealers;

5 13. "Documented vessel" means any vessel in this state which
6 shall have and carry on board the original certificate of
7 documentation in legible form as issued by the United States Coast
8 Guard or federal agency successor thereto. All documented vessels
9 shall be required to display a current State of Oklahoma annual
10 registration decal;

11 14. "Factory branch" means a branch office maintained by a
12 person, firm, association, corporation, or trust who manufactures or
13 assembles vessels or motors for the sale of vessels or motors to
14 distributors, or for the sale of vessels or motors to dealers, or
15 for directing or supervising, in whole or in part, its
16 representatives;

17 15. "Factory representative" means any person, firm,
18 association, corporation, or trust and each officer and employee
19 thereof engaged as a representative of a manufacturer of vessels or
20 motors or by a factory branch, for the purpose of making or
21 promoting the sale of his, her, its, or their vessels or motors, or
22 for supervising or contacting his, her, its, or their dealers or
23 prospective dealers;

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1 16. "Hull identification number" means the serial number
2 affixed to the outside of the hull of a vessel on the upper
3 starboard side (right) corner of the transom (back wall) which is
4 assigned by the manufacturer or Service Oklahoma;

5 17. "Inboard motor" means an internal combustion engine mounted
6 inside a vessel which provides the transfer of power to move a
7 vessel through the water;

8 18. "Inboard/outboard motor" means an internal combustion
9 engine mounted inside a vessel and an external stern drive attached
10 through the transom of the vessel providing the transfer of power to
11 move the vessel through the water;

12 19. ~~"John boat"~~ "Johnboat" means a narrow, flat-bottomed
13 square-ended vessel propelled by a pole, paddle, or a motor of less
14 than ten (10) horsepower;

15 20. "Kayak" means a light, narrow vessel with both ends
16 typically tapered to a sharp point and propelled by ~~double-bladed~~
17 ~~paddles as a lever without the aid of a fulcrum provided by~~
18 ~~oarlocks, thole pins, crutches or similar arrangements by~~ human
19 muscular effort by one or more individuals seated inside or on top
20 of the vessel ~~and facing the direction of travel~~ using double-bladed
21 paddles, hand cranks, or pedals;

22 21. "Kiteboard" means a vessel, similar in appearance to a
23 surfboard, with or without foot straps or bindings, combined with a
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1 large controllable kite to propel the rider and board across the
2 water;

3 22. "Lifeboat" means a vessel carried on another vessel in
4 excess of sixty-five (65) feet for use if such other vessel has to
5 be abandoned;

6 23. "Manufacturer" means a person who manufactures or assembles
7 new vessels or new motors, or a distributor, factory branch, or
8 factory representative;

9 24. "Motor" means any internal combustion engine mounted at the
10 stern of a vessel or placed inside a vessel which provides the
11 transfer of power to move the vessel through the water;

12 25. "New vessel dealer" means a person who holds a dealer
13 agreement granted by a manufacturer or distributor for the sale of
14 the manufacturer's or distributor's vessels or motors, who is
15 engaged in the business of purchasing, selling, exchanging, or
16 dealing in new vessels or new motors, and who has an established
17 place of business;

18 26. "Operate" means to navigate or be in actual physical
19 control of a vessel or otherwise use a vessel or motor;

20 27. "Outboard motor" means an internal combustion engine
21 capable of being externally mounted at the stern of a vessel which
22 provides the transfer of power to move a vessel through the water;

23 28. "Owner" means a person, other than a lienholder, having a
24 property interest in or title to a vessel or motor. The term

1 includes a person entitled to the use or possession of a vessel or
2 motor subject to an interest in another person, reserved or created
3 by agreement and securing payment or performance of an obligation,
4 but the term excludes a lessee under a lease not intended as
5 security;

6 29. "Paddleboard" means a vessel, similar in appearance to a
7 surfboard, intended to be propelled only by its occupants using a
8 single- or double-bladed paddle as a lever without the aid of a
9 fulcrum provided by oarlocks, thole pins, crutches, or similar
10 arrangements;

11 30. "Paddleboat" means a vessel less than eight (8) feet in
12 length designed to be propelled solely by human power through a
13 belt, chain, or gears;

14 31. "Permanent number" means the distinctive and unique number
15 which:

16 a. Service Oklahoma permanently assigns to a vessel,
17 irrespective of any change of ownership of ~~said~~ the
18 vessel. The permanent number shall begin with the
19 letters "OK", followed by four numerals, and then
20 followed by two letters, or

21 b. any federally recognized Indian tribe in this state
22 assigns to a vessel;

23 provided, the number is configured as prescribed in 33 C.F.R., Parts
24 173 and 174;

1 32. "Person" means a natural person, partnership, corporation,
2 association, trust, estate, or other legal entity;

3 33. "Proposed new vessel dealer" means a person who has an
4 application pending for a new dealer agreement with a manufacturer
5 or distributor. Proposed new vessel dealer does not include a
6 person whose dealer agreement is being renewed or continued;

7 34. "Purchase date" means the purchase date on a bill of sale
8 or the date of complete assignment of title by the current owner;

9 35. "Sailboard" means a vessel, similar in appearance to a
10 surfboard, equipped with a swivel-mounted mast and sail not secured
11 to a hull by guys or stays;

12 36. "State" means the State of Oklahoma;

13 37. "State of principal use" means the state where the vessel
14 or motor is used, is to be used, or remains for any period in excess
15 of sixty (60) calendar days;

16 38. "Vessel" means every device, other than a seaplane on the
17 water, used or capable of being used as a means of transportation on
18 water;

19 39. "Waters of this state" means and includes all waters within
20 the territorial limits of this state; provided, such phrase shall
21 not mean or include waters which are entirely owned by a private
22 person or persons, and to which the public is not permitted access;
23 and
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1 40. "Water-thrust device" means a device tethered to the water
2 jet mechanism of a vessel in a manner so that the water jet of the
3 powering vessel provides propulsion for the attached device. Such
4 devices shall be considered a component of the powering vessel.

5 SECTION 2. This act shall become effective November 1, 2025.

6 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
7 February 17, 2025 - DO PASS
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