



LEGISLATURE OF THE STATE OF IDAHO



Sixty-seventh Legislature

First Regular Session - 2023

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO BOATING; AMENDING SECTION 67-7008, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTIFICATES OF NUMBER AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-7008A, IDAHO CODE, TO PROVIDE FOR CERTAIN FEES, TO REVISE PROVISIONS REGARDING INVASIVE SPECIES STICKERS, TO PROVIDE FOR THE ASSESSMENT OF CERTAIN PENALTIES, AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-7008, Idaho Code, be, and the same is hereby amended to read as follows:

67-7008. CERTIFICATE OF NUMBER -- EXPIRATION -- FEES. (1) Within fifteen (15) days after purchase, or as otherwise provided in this section, the owner of each vessel requiring numbering by the state of Idaho shall file an application for a certificate of number with an assessor or authorized vendor on forms provided by the department. The application shall be signed by the owner and shall be accompanied by the fee designated in this section. Upon receipt of an application in approved form, and the appropriate fee, the assessor or authorized vendor shall enter the same upon on the records of its office and issue to the applicant two (2) validation stickers and a certificate of number, the receipt of any fee paid, and the name and address of the owner, and the assessor or authorized vendor shall forward to the department a duplicate copy. The owner shall also receive a vessel number that shall be permanently assigned to the boat. The owner shall paint on or permanently attach to each side of the bow of the vessel the vessel number and validation sticker in a manner as may be prescribed by rules of the department in order that they may be completely visible, and the number shall be maintained in legible condition. The certificate of number shall be pocket-size and shall be on board and available at all times for inspection on the vessel for which issued whenever that vessel is in operation, except that livery operators may have the rental agreement on board rented vessels in lieu of the certificate of number.

(2) The owner of any vessel for which a current certificate of number has been issued pursuant to any federal law or a federally approved numbering system of another state shall, if the vessel is operated on the waters of this state in excess of sixty (60) days, make application for an Idaho certificate of number in the manner prescribed in this section.

~~(3) Each assessor and authorized vendor shall record, on a form provided by the department, the names of all owners of vessels who make application for certificates of number, together with the amount of the fees paid by the owners. He shall, on or before the tenth of each month, forward to the department a duplicate copy of each record for the preceding month.~~



1 ~~(4)~~ (3) All records of the department made or kept pursuant to this sec-
2 tion shall be kept current and shall be public records.

3 ~~(5)~~ (4) Every certificate of number issued shall continue in full force
4 and effect through December 31 of the year ~~of issue~~ displayed on the vali-
5 validation sticker unless sooner terminated or discontinued in accordance with
6 law. Certificates of number may be renewed by the owner in the same manner
7 provided for in the initial securing of them.

8 ~~(6)~~ (5) The owner of any vessel shall notify the department within fif-
9 teen (15) days if his vessel is destroyed or abandoned, or if it is sold or
10 transferred either wholly or in part to another person or persons, or if the
11 owner's address no longer conforms to the address appearing on the certifi-
12 cate of number. In all such cases, the notice shall be accompanied by a sur-
13 render of the certificate of number. When the surrender of the certificate
14 is by reason of the vessel being destroyed, abandoned or sold, the department
15 shall cancel the certificate and enter that fact in its records. If the sur-
16 render is by reason of a change of address on the part of the owner, the new
17 address shall be endorsed on the certificate and the certificate returned to
18 the owner.

19 ~~(7)~~ (6) Whenever the ownership of a vessel changes, the purchaser
20 shall, within fifteen (15) days after acquisition, make application to the
21 department for transfer to him of the certificate of number issued for the
22 vessel, giving his name, address, and the vessel number and shall, at the
23 same time, pay to the department a transfer fee of three dollars (\$3.00).
24 Upon receipt of the application and fee, the department shall transfer the
25 certificate of number issued for the vessel to the new owner or owners. Un-
26 less the application is made and the fee paid within fifteen (15) days, the
27 vessel shall be considered to be without a certificate of number.

28 ~~(8)~~ (7) No numbers other than the validation stickers and vessel num-
29 ber issued to a vessel or granted by reciprocity pursuant to law shall be
30 painted, attached, or otherwise displayed on either side of the bow of the
31 vessel.

32 ~~(9)~~ (8) If any certificate of number becomes lost, mutilated, or
33 ~~becomes~~ illegible, the owner of the vessel for which the same was issued
34 shall obtain a duplicate of the certificate from the department upon ap-
35 plication and the payment of a fee of three dollars (\$3.00). If one or both
36 validation stickers are lost, stolen, or destroyed, any sticker remnants and
37 the certificate of number should be returned to the department along with a
38 three-dollar (\$3.00) fee and an application for a duplicate certificate of
39 number and validation stickers.

40 ~~(10)~~ (9) A person engaged in the manufacture or sale of vessels of a type
41 otherwise required to be numbered by law may obtain, pursuant to regulations
42 duly promulgated by the department, certificates of number for use in the
43 testing or demonstration only of a vessel upon payment of thirteen dollars
44 (\$13.00) for each certificate. Certificates of number so issued may be used
45 by the applicant in the testing or demonstration only of vessels by temporary
46 placement of the numbers assigned by the certificates on the vessel tested
47 or demonstrated and shall be issued and displayed as otherwise prescribed by
48 this chapter or by regulation of the department.

49 ~~(11)~~ (10) The fees for each calendar year shall be:

50 (a) Vessels 0-12 feet in length

\$20.00

1 **(b)** Vessels over 12 feet in length 20.00
2 plus \$2.00 per foot for each additional foot
3 in excess of 12 feet.

4 ~~(12)~~ (11) The provisions of subsection ~~(11)~~ (10) of this section with
5 respect to the amount of payment of fees shall not apply to vessels owned by
6 any charitable or religious organization, scout organization or any similar
7 organization not used and operated for profit. All vessels currently num-
8 bered by the state of Idaho and having paid the fees imposed by subsection
9 ~~(11)~~ (10) of this section shall not be assessed and taxed as personal prop-
10 erty in the state of Idaho.

11 ~~(13)~~ (12) The fee for vessels owned by any charitable or religious or-
12 ganization, scout organization or similar organization not used and oper-
13 ated for profit shall be two dollars (\$2.00) per year.

14 ~~(14)~~ (13) Each vessel number required by this section shall: be in plain
15 vertical block characters of not less than three (3) inches in height; con-
16 trast with the color of the background; have spaces or hyphens that are equal
17 to the width of a letter other than "I" or a number other than "1" between
18 the letter and number groupings; be read from left to right; be maintained in
19 legible condition; and be as high above the waterline as practicable without
20 decreasing the visibility of the number.

21 ~~(15)~~ (14) Manufacturers and dealers. When a vessel is used by a manu-
22 facturer or dealer for testing or demonstrating, the vessel number may be
23 painted on or attached to removable plates that are temporarily but firmly
24 attached to each side of the forward half of the vessel.

25 ~~(16)~~ (15) Special circumstances. On vessels so configured that a vessel
26 number on the hull or superstructure would not be easily visible, the vessel
27 number shall be painted on or attached to a backing plate that is attached to
28 the forward half of the vessel so that the vessel number is visible from each
29 side of the vessel.

30 ~~(17)~~ (16) Each vessel number issued according to this section shall con-
31 sist of the prefix "ID," which denotes Idaho as the state of issuing author-
32 ity, followed by not more than four (4) numerals followed by not more than two
33 (2) capital letters; or by not more than three (3) numerals followed by not
34 more than three (3) capital letters. A vessel number suffix may not include
35 the letters "I," "O," or "Q," which may be mistaken for numerals.

36 ~~(18)~~ (17) Validation stickers issued according to this section shall:
37 be displayed within six (6) inches of and directly in line with the vessel
38 number displayed on the vessel; be approximately three (3) inches square;
39 and indicate the year in which each validation sticker expires by the colors
40 green, red, blue, and international orange, in rotation beginning with green
41 for stickers that expire in 1987.

42 ~~(19)~~ (18) Validation stickers issued according to this section that
43 have become invalid shall be removed from the vessel.

44 ~~(20)~~ (19) Except as allowed in this chapter, each application for a cer-
45 tificate of number and each certificate of number referred to in this section
46 shall contain: the number issued to the vessel; expiration date of the cer-
47 tificate; state of principal use; name of the owner; address of the owner,
48 including ZIP code; whether the vessel is used for pleasure, rent or lease,
49 dealer or manufacturer demonstration, commercial passenger carrying, com-
50 mercial fishing, or other use; manufacturer's hull identification number,



1 if any; make of the vessel; year the vessel was manufactured; overall length
2 of the vessel; whether the vessel is an open boat, cabin cruiser, houseboat,
3 or other type; hull material; whether the propulsion is inboard, outboard,
4 inboard out-drive, or sail; whether the fuel is gasoline, diesel, or other;
5 the number previously issued by an issuing authority for the vessel, if any;
6 whether the application is for a new certificate of number, renewal of a cer-
7 tificate of number, or transfer of ownership; and the signature of the owner.

8 ~~(21)~~ (20) A certificate of number issued to a manufacturer or dealer
9 to be used on a vessel for test or demonstration purposes may omit the re-
10 quirements of this chapter if the word "manufacturer" or "dealer" is plainly
11 marked on the certificate.

12 ~~(22)~~ (21) A certificate of number issued to a vessel that is to be rented
13 or leased without propulsion machinery may omit the requirements of this
14 chapter if the words "livery vessel" are plainly marked on the certificate.

15 ~~(23)~~ (22) Each applicant for a certificate of number as prescribed in
16 this section shall submit to the department or authorized vendor the bill of
17 sale from the dealer or a bill of sale from the previous owner of the vessel
18 and, if the vessel is homebuilt, a sworn statement attesting to the identity
19 of the builder, the location or place of construction, the source of the ma-
20 terial used for construction, and a description of the vessel. The statement
21 must also be accompanied by any receipts received from the purchase or acqui-
22 sition of the materials used in the construction of the vessel and a copy of
23 the construction plans, if any; if the vessel has been rebuilt, it must con-
24 tain a sworn statement attesting to the identity of the builder, the location
25 or place of rebuilding, the source of the material used for rebuilding, and
26 a description of the vessel. The statement must also be accompanied by any
27 receipts received for the purchase or acquisition of the materials used in
28 the rebuilding of the vessel and documentation indicating the source of the
29 original hull and proof of ownership from the previous owner. If none of the
30 documents listed in this subsection are available, the applicant must submit
31 an affidavit of ownership to the department.

32 ~~(24)~~ (23) Only those counties in the state with a boating improvement
33 program recognized by the department shall be eligible to receive moneys
34 from the state vessel account. A "boating improvement program" means that
35 one (1) or more recognized boating facilities are being developed and/or
36 maintained within the county's jurisdiction and/or that the county has or is
37 actively developing a recognized boating law enforcement program.

38 ~~(25)~~ (24) A boating improvement program is recognized if it contains
39 one (1) or more boating facilities that are being maintained within the
40 county's jurisdiction or boating facilities that are being developed within
41 the county's jurisdiction. A boating facility is an improved public boating
42 access site that includes at least an improved concrete or asphalt boat ramp
43 and any type of parking area for vehicles and their attached boat trailers.
44 "Being developed" means that substantiating evidence can and shall be pre-
45 sented in proof of the development and/or that the county has or is actively
46 developing a boating law enforcement program. A boating law enforcement
47 program is a program whereby an agent of the county sheriff's department
48 is currently patrolling, or has in the recent past patrolled, the county's
49 waterways and has enforced the provisions of this chapter. "Actively de-



1 veloping" means that substantiating evidence can and shall be presented in
2 proof of the development.

3 SECTION 2. That Section 67-7008A, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 67-7008A. ADDITIONAL FEES -- DEPOSIT INTO INVASIVE SPECIES FUND. (1)
6 In addition to any other moneys or fees collected pursuant to the provisions
7 of section 67-7008, Idaho Code, or any other provision of chapter 70, title
8 67, Idaho Code, all vessels shall pay an additional waterway access fee each
9 calendar year as follows:

10 (a) Motorized vessels and sailboats:

11 (i) Ten dollars (\$10.00) per vessel numbered in the state of Idaho
12 prior to launch into the public waters of the state. For those ves-
13 sels numbered pursuant to section 67-7008, Idaho Code, the val-
14 idation sticker will also serve as a protection against invasive
15 species sticker; and

16 (ii) Thirty dollars (\$30.00) per vessel documented through the
17 United States coast guard or registered or numbered outside the
18 state of Idaho prior to launch into the public waters of the state.

19 (b) Nonmotorized vessels: Seven dollars (\$7.00) per vessel prior to
20 launch into the public waters of the state.

21 (c) Licensed outfitters, as defined in section 36-2102(b), Idaho Code,
22 with nonmotorized fleets exceeding five (5) vessels shall be afforded a
23 prorated group rate of thirty-two dollars (\$32.00) for six (6) to ten
24 (10) vessels; fifty-seven dollars (\$57.00) for eleven (11) to twenty
25 (20) vessels; and one hundred two dollars (\$102) for twenty-one (21) or
26 more vessels, up to a maximum of one hundred (100) vessels. The fee for
27 any additional vessels shall be one dollar (\$1.00) per vessel. The li-
28 censed outfitter group rates shall also be available for groups exempt
29 from licensing pursuant to section 36-2103, Idaho Code.

30 (2) Upon payment of the fee as provided in this section, the payor shall
31 be issued a protection against invasive species sticker ~~that, which shall be~~
32 ~~displayed on the vessel in a manner as prescribed by the rules of the depart-~~
33 ~~ment. Stickers shall be considered in full force and effect through December~~
34 ~~31 of the year of issue.~~ prior to launch into the public waters of Idaho pur-
35 suant to this subsection.

36 (a) For motorized vessels not registered in Idaho, except as provided
37 in subsection (1)(a)(i) of this section, the protection against inva-
38 sive species sticker should be affixed next to the current year valida-
39 tion sticker on the port (left) side of the vessel.

40 (b) For nonmotorized vessels, except as provided in subsection
41 (1)(a)(i) of this section, the protection against invasive species
42 sticker should be affixed in the following manner:

43 (i) For canoes, kayaks, and other small rigid vessels, the pro-
44 tection against invasive species sticker should be affixed near
45 the bow above the waterline on the port (left) side of the vessel
46 or on top of the vessel if there is little or no waterline distinc-
47 tion; and

48 (ii) For inflatable (nonrigid) vessels, the protection against
49 invasive species sticker can be modified to allow attachment of a

1 zip tie, plastic attachment, or other similar mechanism or can be
2 laminated into a hangtag.

3 (c) Outfitters or guides who are duly licensed in accordance with chap-
4 ter 21, title 36, Idaho Code, must be accompanied by an affidavit that
5 must be signed by the outfitter or guide. The signed affidavit must ver-
6 ify the number of vessels within the covered fleet and that the appro-
7 priate number of protection against invasive species stickers has been
8 purchased. The protection against invasive species stickers and affi-
9 davit must be kept on file at the outfitter's or guide's physical ad-
10 dress and must be made available for inspection upon request of the de-
11 partment or upon request by law enforcement. Nonmotorized commercial
12 outfitters and guides are not required to place a protection against in-
13 vasive species sticker on their vessels. Identification of commercial
14 outfitted and guided boats must be in compliance with rules promulgated
15 by the outfitters and guides licensing board.

16 (3) Stickers shall be considered in full force and effect through De-
17 cember 31 of the year displayed on the validation sticker.

18 (4) Stickers issued in accordance with this section that have become
19 invalid must be removed from the vessel.

20 ~~(3)~~ (5) Fees shall be collected by the department or authorized vendor.

21 (a) Vendors may retain one dollar and fifty cents (\$1.50) of fees col-
22 lected pursuant to this section, except those collected pursuant to
23 subsection (1) (a) (i) of this section.

24 (b) The department shall retain up to twenty percent (20%) of the fees
25 for the actual costs of administering the sticker program.

26 (c) All remaining fees collected pursuant to this section shall be de-
27 posited annually in the invasive species fund established in section
28 22-1911, Idaho Code.

29 (d) For the purpose of this section, "vessel" is as defined in section
30 67-7003, Idaho Code. All vessels are subject to the provisions of this
31 section, with the exception of small rafts and other inflatable vessels
32 less than ten (10) feet in length.

33 ~~(4)~~ (6) If the protection against invasive species sticker is lost,
34 stolen or destroyed, any sticker remnants shall be returned to the depart-
35 ment along with a three-dollar (\$3.00) fee for a duplicate sticker.

36 ~~(5)~~ (7) A person engaged in the manufacture or sale of vessels may ob-
37 tain a sticker to be used only in the testing or demonstration only of vessels
38 by temporary placement of the protection against invasive species sticker on
39 the vessel tested or demonstrated.

40 (8) All operators of vessels as defined in this chapter must ensure
41 their vessels are in compliance with the provisions of this chapter when
42 launched upon the public waters of the state of Idaho. Noncompliance with
43 the provisions of this chapter will result in possible assessment of penal-
44 ties as described in section 67-7033, Idaho Code.