

## **IC 9-31-3**

### **Chapter 3. Motorboat Registration**

#### **IC 9-31-3-1**

##### **Boats requiring registration and numbering**

Sec. 1. Except as provided in section 2 of this chapter, every motorboat principally used on the waters of Indiana must be registered and numbered.

*As added by P.L. 71-1991, SEC. 11.*

#### **IC 9-31-3-2**

##### **Motorboats not requiring registration and numbering; prima facie evidence negating registration exception**

Sec. 2. (a) A motorboat does not have to be registered and numbered under this chapter if any of the following conditions are met:

- (1) The motorboat is legally registered in another state and:
  - (A) the motorboat has not been within Indiana for more than sixty (60) consecutive days;
  - (B) the owner of the motorboat has paid:
    - (i) the excise tax required under IC 6-6-11;
    - (ii) the fees required under IC 6-6-11-13; and
    - (iii) a two dollar (\$2) fee to the bureau; or
  - (C) the motorboat is moored on the Indiana part of Lake Michigan for not more than one hundred eighty (180) consecutive days.
- (2) The motorboat is from a country other than the United States temporarily using the waters of Indiana.
- (3) The motorboat is a ship's lifeboat.
- (4) The motorboat belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:
  - (A) That the registration and numbering of motorboats of that class will not materially aid in their identification.
  - (B) That an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs.
  - (C) That the motorboat would also be exempt from numbering if the motorboat were subject to the federal law.

(b) The following are prima facie evidence that a motorboat will be operated on the waters of Indiana for more than sixty (60) consecutive days and is not exempt from registration under subsection (a)(1)(A):

- (1) The rental or lease for more than sixty (60) consecutive days of a mooring facility that is located on the waters of Indiana for the motorboat.
- (2) The purchase of a mooring facility that is located on the waters of Indiana for the motorboat.

(3) Any other contractual agreement that allows the use of a mooring facility that is located on the waters of Indiana for:

(A) the motorboat; and

(B) more than sixty (60) consecutive days.

(c) A fee imposed under subsection (a)(1)(B) shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the state police building account.

(2) One dollar and seventy-five cents (\$1.75) to the commission fund.

*As added by P.L.71-1991, SEC.11. Amended by P.L.81-1993, SEC.4; P.L.64-1996, SEC.2; P.L.46-2006, SEC.3; P.L.171-2013, SEC.1; P.L.198-2016, SEC.618.*

### **IC 9-31-3-3**

#### **Prerequisites to operation of motorboat on state waters**

Sec. 3. Except as provided in sections 5 and 7 of this chapter, and in addition to section 4 of this chapter, a person may not operate or give permission for the operation of a motorboat on the waters of Indiana unless the motorboat is:

(1) registered and numbered under this chapter;

(2) in accordance with applicable federal law;

(3) legally registered in another state; or

(4) a boat for which any applicable taxes have been paid under IC 6-6-11.

*As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.395.*

### **IC 9-31-3-4**

#### **Conditions of operation of motorboat on state waters**

Sec. 4. Except as provided in sections 5 and 7 of this chapter, and in addition to section 3 of this chapter, a motorboat may only be operated on the waters of Indiana if the following conditions are met:

(1) The registration number awarded to the motorboat is in full force and effect.

(2) The identifying number set forth in the certificate of registration is displayed on each side of the bow of the motorboat. However, a motorboat that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number.

(3) The decals indicating the year and month of expiration of registration and class of boat are attached to the motorboat as provided under IC 6-6-11.

*As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.396.*

### **IC 9-31-3-5**

#### **Operation of motorboat with temporary license plate**

Sec. 5. A motorboat that has never been registered in Indiana and that is purchased from a dealer licensed by the secretary of state under IC 9-32-8 may be operated on the waters of Indiana for a period of forty-five (45) days from the date of purchase if the operator has in the operator's possession the following:

(1) A bill of sale from the dealer giving the purchaser's name and address, the date of purchase, and the make and type of boat or the hull identification number.

(2) A temporary license plate displayed on the forward portion of the boat, as provided in section 6 of this chapter.

*As added by P.L.71-1991, SEC.11. Amended by P.L.210-2001, SEC.1; P.L.249-2001, SEC.1; P.L.106-2008, SEC.38; P.L.92-2013, SEC.75; P.L.174-2016, SEC.16.*

### **IC 9-31-3-6**

#### **Temporary license plates and registration cards**

Sec. 6. (a) The secretary of state shall furnish temporary license plates and registration cards to a registered dealer upon request.

(b) A temporary license plate or card described in subsection (a) must display the following information:

(1) The dealer's license number.

(2) The date of expiration, plainly stamped or stenciled on the temporary license plate or card.

(c) A temporary license plate or card may not be used or displayed unless the plate or card is furnished by the secretary of state.

(d) A dealer that authorizes the use of a temporary license plate or card under this section does not assume responsibility or incur liability for injury to a person or property during the period the temporary license plate or card is in effect.

*As added by P.L.71-1991, SEC.11. Amended by P.L.106-2008, SEC.39; P.L.93-2010, SEC.16; P.L.174-2016, SEC.17.*

### **IC 9-31-3-7**

#### **Operation of motorboat with registration identification card**

Sec. 7. A motorboat that is legally registered in this or another state at the time of purchase may be operated for a period of forty-five (45) days from the date of purchase if the operator has in the operator's possession the registration identification card of the previous owner with the corresponding registration numbers displayed on the forward part of the boat.

*As added by P.L.71-1991, SEC.11. Amended by P.L.210-2001, SEC.2 and P.L.249-2001, SEC.2; P.L.174-2016, SEC.18.*

### **IC 9-31-3-8**

#### **Request for registration; establishment of ownership**

Sec. 8. The owner of a motorboat that is required to be registered and numbered by Indiana shall request to register the motorboat with the bureau. At the time of filing the request, the requesting party

must provide proof of ownership and a hull identification number to the bureau. If the motorboat has not been previously assigned a hull identification number, the owner of the motorboat shall apply for a hull identification number under IC 9-17 at the time of registration. For purposes of registering a motorboat or obtaining a hull identification number to register a motorboat, ownership may be established by any one (1) of the following:

- (1) A manufacturer's or importer's certificate.
- (2) A sworn statement of ownership as prescribed by the bureau. An affidavit executed, under penalties for perjury, by the person filing the application shall be accepted as proof of ownership for any motorboat or sailboat that:
  - (A) is a Class 5 or lower motorboat under IC 6-6-11-11 (the boat excise tax) and the motorboat is not titled under IC 9-17; or
  - (B) is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with such a motor or engine when the sailboat is in operation whether or not the sails are hoisted, if:
    - (i) the motorboat was made by an individual for the use of the individual and not for resale; and
    - (ii) the motorboat is not titled under IC 9-17.
- (3) A certificate of title or bill of sale.
- (4) Other evidence of ownership required by the law of another state from which the motorboat is brought into Indiana.

*As added by P.L. 71-1991, SEC. 11. Amended by P.L. 1-1992, SEC. 64; P.L. 262-2013, SEC. 128; P.L. 198-2016, SEC. 619.*

### **IC 9-31-3-9**

#### **Request for registration; signing; fees**

Sec. 9. (a) Except as provided in subsection (b), a request for registration under section 8 of this chapter must be signed by the owner of the motorboat and accompanied by the fee specified under subsection (c).

(b) A motorboat that is owned by the United States, a state, or a subdivision of a state is exempt from the payment of a fee to register the motorboat.

(c) The fee to register a motorboat is based on the length in feet of the motorboat as follows:

Watercraft Length (in feet)

At Least	But Less Than	Fee (\$) (before January 1, 2017)	Fee (\$) (after December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

(d) A fee collected under subsection (c) before January 1, 2017, shall be distributed as follows:

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (2) One dollar (\$1) to the commission fund.
- (3) Three dollars (\$3) to the crossroads 2000 fund.
- (4) Any remaining amount to the department of natural resources.

(e) The bureau shall transfer the money derived from the fees collected under subsection (c) after December 31, 2016, to the department of natural resources.

(f) The owner of a motorboat that is registered under this section is not required to renew the registration under subsection (c). However, the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the motorboat each year.

*As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.129; P.L.198-2016, SEC.620.*

#### **IC 9-31-3-9.5**

##### **Bureau to use reasonable diligence in matters related to watercraft**

Sec. 9.5. (a) The bureau shall use reasonable diligence in examining and determining the genuineness, regularity, and legality of the following:

- (1) Information provided from a person as part of a request for registration of a motorboat.
- (2) A request for a license required under this article for operation of a motorboat upon the waters of Indiana.
- (3) Any other application or request made to the bureau under this article.

(b) The bureau may:

- (1) investigate or require additional information; or
- (2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or request or the contents of an application or request, or for any other reason under this article.

*As added by P.L.262-2013, SEC.130.*

#### **IC 9-31-3-10**

##### **Issuance of certificate of registration**

Sec. 10. Upon receipt of a request for registration under section 8 of this chapter and fee under section 9 of this chapter, the bureau shall enter the application upon the bureau's records and shall issue to the applicant a certificate of registration in which is stated the number awarded to the motorboat and the name and address of the owner. The registration certificate shall be available at all times for inspection on the motorboat for which the registration certificate is issued whenever the motorboat is in operation.

*As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013,*

*SEC.131.*

#### **IC 9-31-3-11**

##### **Attachment of identification number to motorboat**

Sec. 11. (a) The owner shall paint on or attach to each side of the bow of the motorboat the registration number assigned under section 10 of this chapter. Subject to subsection (b), the number must be displayed, painted on, or attached so that the number is legible and clearly visible. The registration number shall be maintained in legible condition.

(b) If a motorboat is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

*As added by P.L.71-1991, SEC.11. Amended by P.L.195-2014, SEC.1.*

#### **IC 9-31-3-12**

##### **Transfer of ownership or sale of motorboat**

Sec. 12. (a) A person that transfers ownership of or sells a motorboat shall provide proper ownership documents and the certificate of registration to the new owner at the time of delivering the motorboat.

(b) The new owner shall apply to register the motorboat as provided in this chapter.

*As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.132; P.L.198-2016, SEC.621.*

#### **IC 9-31-3-13**

##### **Replacement certificate of registration or decal**

Sec. 13. If:

- (1) an original certificate of registration or decal issued under this chapter has been lost or destroyed;
- (2) a replacement certificate or decal is needed; or
- (3) an amendment or a correction is needed to the registration information;

the bureau shall issue a replacement certificate or decal under the procedures set forth in IC 9-18.1-11 for a vehicle, including the payment of fees required by IC 9-18.1.

*As added by P.L.71-1991, SEC.11. Amended by P.L.216-2014, SEC.157; P.L.198-2016, SEC.622.*

#### **IC 9-31-3-14**

##### **United States government numbering system; preemption**

Sec. 14. If an agency of the United States government has an overall system of identification numbering for motorboats within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system.

*As added by P.L.71-1991, SEC.11.*

**IC 9-31-3-15****Repealed**

*(As added by P.L.71-1991, SEC.11. Repealed by P.L.125-2012, SEC.397.)*

**IC 9-31-3-16****Repealed**

*(As added by P.L.71-1991, SEC.11. Repealed by P.L.198-2016, SEC.623.)*

**IC 9-31-3-17****Repealed**

*(As added by P.L.71-1991, SEC.11. Repealed by P.L.125-2012, SEC.398.)*

**IC 9-31-3-18****Change in address of certificate holder**

Sec. 18. A holder of a certificate of registration shall notify the bureau within thirty-one (31) days if the holder's address no longer conforms to the address appearing on the registration certificate and shall furnish the bureau with the holder's new address. The bureau may adopt rules to provide for either of the following:

- (1) The surrender of the certificate of registration bearing the former address and replacement with a certificate of registration bearing the new address.
- (2) The alteration of an outstanding certificate of registration to show the new address of the holder.

*As added by P.L.71-1991, SEC.11.*

**IC 9-31-3-19****Dealer plates for demonstration or test motorboats**

Sec. 19. (a) A dealer licensed by the secretary of state under IC 9-32-8-2 may, upon application to the secretary of state, obtain a dealer plate for use in the testing or demonstrating of motorboats. A dealer plate must be displayed within a motorboat that is being tested or demonstrated while the motorboat is being tested or demonstrated.

(b) The fee to obtain a dealer plate under subsection (a) is ten dollars (\$10). The secretary of state may retain the fee.

*As added by P.L.71-1991, SEC.11. Amended by P.L.1-1992, SEC.65; P.L.106-2008, SEC.40; P.L.92-2013, SEC.76; P.L.5-2015, SEC.30; P.L.174-2016, SEC.19.*

**IC 9-31-3-20****Attachment or display of number other than awarded number; prohibition**

Sec. 20. A number other than the number awarded to a motorboat or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the bow of a

motorboat.

*As added by P.L.71-1991, SEC.11.*

#### **IC 9-31-3-21**

##### **Transmission of information to United States agency or official**

Sec. 21. In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under:

- (1) IC 14-15-4-1;
- (2) IC 14-15-4-2; and
- (3) IC 14-15-4-3;

to the official or agency of the United States.

*As added by P.L.71-1991, SEC.11. Amended by P.L.1-1995, SEC.59.*

#### **IC 9-31-3-22**

##### **Enforcement of chapter by law enforcement officers**

Sec. 22. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a motorboat subject to this chapter.

*As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.133.*

#### **IC 9-31-3-23**

##### **Certificate of title; necessity for registration**

Sec. 23. An unregistered motorboat may not be registered and the registration of a registered motorboat may not be renewed unless the motorboat has a certificate of title issued by Indiana. However, a watercraft acquired by the Indiana owner before January 1, 1986, is not required to have a certificate of title until ownership of the watercraft is transferred to another person.

*As added by P.L.71-1991, SEC.11.*

#### **IC 9-31-3-24**

##### **Chapter violations**

Sec. 24. A person who violates this chapter commits a Class C infraction.

*As added by P.L.71-1991, SEC.11.*

#### **IC 9-31-3-25**

##### **Motorboats owned or leased and used for official business; exemption for payment of registration fees**

Sec. 25. A motorboat that is owned or leased and used for official business by the following must be registered on a date selected by the bureau but is exempt from the payment of registration fees:

- (1) The state.
- (2) A municipal corporation (as defined in IC 36-1-2-10).
- (3) A volunteer fire department (as defined in IC 36-8-12-2).



- (4) A volunteer emergency ambulance service that:
- (A) meets the requirements of IC 16-31; and
  - (B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars (\$3,500).

*As added by P.L.262-2013, SEC.134.*

#### **IC 9-31-3-26**

##### **Bureau to retain record of motorboat registration**

Sec. 26. The bureau shall retain a record of the registration issued under this chapter.

*As added by P.L.262-2013, SEC.135.*

#### **IC 9-31-3-27**

##### **Issuance of registration for motorboat owned by United States government**

Sec. 27. The bureau may issue a registration under this chapter for a motorboat owned by the United States government.

*As added by P.L.262-2013, SEC.136.*

#### **IC 9-31-3-28**

##### **Assignment of permanent registration certificates and card to motorboats**

Sec. 28. (a) A motorboat that is owned by an entity that is exempt from the payment of registration fees under section 25 of this chapter may be assigned permanent registration certificates and accompanying permanent registration cards.

(b) The permanent registration certificates and cards assigned under subsection (a) are in effect from the time the certificate of title for the motorboat is acquired by the person that owns the motorboat until the certificate of title is relinquished by the person, at which time the registration certificates and cards are subject to reassignment or destruction by the person.

*As added by P.L.262-2013, SEC.137.*

#### **IC 9-31-3-29**

##### **Confidential registration for watercraft for investigative purposes for state and other investigative agencies**

Sec. 29. (a) A confidential registration certificate for a watercraft for investigative purposes may be issued to a state agency upon the annual consent of the bureau or the Indiana department of administration.

(b) Other investigative agencies may be issued confidential registration certificates for watercraft for investigative purposes upon the annual consent of the superintendent of the state police or the commissioner of the department of natural resources.

*As added by P.L.262-2013, SEC.138.*