

235.130 Procedure when ownership is transferred or owner renders motorboat unfit for future use.

- (1) No person acting for himself or another shall buy or trade for any motorboat without receiving the certificate of title issued for that boat with a certificate of transfer endorsed thereon. If the motorboat has not been issued a certificate of title as noted on the certificate of registration, the person shall receive a completed assignment of title on a boat transaction record and the certificate of registration.
- (2) It shall be the duty of the purchaser to promptly submit the endorsed certificate of title or boat transaction record and certificate of registration to the county clerk of the county of the purchaser's residence or in which the motorboat is to be principally operated. The purchaser shall apply for a new certificate of title and registration pursuant to KRS 235.050. The county clerk shall thereupon issue to the purchaser a transfer of registration bearing the same data and information. The clerk shall forward the endorsed certificate of title or boat transaction record and certificate of registration and new application for title and registration to the Transportation Cabinet. Except when registration is prohibited by law, any unexpired registration shall remain valid after transfer until expiration occurs according to law.
- (3) For transferring the registration, the clerk shall collect a fee of five dollars (\$5). The clerk shall retain two dollars (\$2), the Transportation Cabinet shall receive two dollars (\$2) and the Department of Fish and Wildlife Resources within the Tourism, Arts and Heritage Cabinet shall receive one dollar (\$1). The fee received by the Transportation Cabinet shall be deposited in a trust and agency account for use by the Transportation Cabinet in defraying the cost of implementing and operating the boat titling and registration program. The fee for transferring the title shall be as required by KRS 235.085.
- (4) If a transferee does not promptly submit the necessary documents to the county clerk as required by law in order to complete the transfer transaction, a transferor may submit to the county clerk, after the passage of fifteen (15) calendar days, in his county of residence, an affidavit that he has transferred his interest in a specific motorboat and the clerk may enter appropriate data into the AVIS system which would restrict any registration transaction from occurring on that vehicle until the transfer was processed.
- (5) If the owner junks or otherwise renders a motorboat unfit for future use, he shall deliver the title to the county clerk of the county in which the motorboat is junked. The county clerk shall immediately return the title to the Transportation Cabinet. The owner shall pay to the county clerk fifty cents (\$0.50) for his services.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 16, sec. 62, effective June 25, 2009. -- Amended 2005 Ky. Acts ch. 95, sec. 47, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 48, sec. 20, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 118, sec. 4, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 391, sec. 10, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 163, sec. 10, effective January 1, 1990. -- Amended 1978 Ky. Acts ch. 263, sec. 9, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 21, sec. 22, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 292, sec. 10. --

Created 1960 Ky. Acts ch. 68, Art. VIII, sec. 13, effective March 17, 1960.

Legislative Research Commission Note (10/23/90). Pursuant to KRS 7.136(1), the prior reference to KRS 230.050 in subsection (2) of this statute has been changed to KRS 235.050 to correct a manifest typographical error.