

# As Passed by the House

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## A BILL

To amend sections 1547.01, 1547.25, 1547.53, 1547.531, 1  
1547.54, 1547.542, 1547.57, 1547.99, and 4585.31, 2  
to enact section 1547.65, and to repeal section 3  
1547.62 of the Revised Code to provide owners of 4  
canoes, rowboats, and inflatable watercraft with an 5  
optional exemption from numbering requirements and 6  
to make other changes to the law governing 7  
watercraft. 8

### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That sections 1547.01, 1547.25, 1547.53, 1547.531, 9  
1547.54, 1547.542, 1547.57, 1547.99, and 4585.31 be amended and 10  
section 1547.65 of the Revised Code be enacted to read as follows: 11

**Sec. 1547.01.** (A) As used in sections 1541.03, ~~1547.25,~~ 12  
1547.26, 1547.39, 1547.40, 1547.53, 1547.54, 1547.541, 1547.542, 13  
1547.543, 1547.56, 1547.57, 1547.66, 3733.21, and 5311.01 of the 14  
Revised Code, "watercraft" means any of the following when used or 15  
capable of being used for transportation on the water: 16

(1) A vessel operated by machinery either permanently or 17

temporarily affixed;	18
(2) A sailboat other than a sailboard;	19
(3) An inflatable, manually propelled boat <del>having that is</del> <u>required by federal law to have</u> a hull identification number meeting the requirements of the United States coast guard;	20 21 22
(4) A canoe or rowboat.	23
"Watercraft" does not include ferries as referred to in Chapter 4583. of the Revised Code.	24 25
Watercraft subject to section 1547.54 of the Revised Code shall be divided into five classes as follows:	26 27
Class A: Less than sixteen feet in length;	28
Class 1: At least sixteen feet, but less than twenty-six feet in length;	29 30
Class 2: At least twenty-six feet, but less than forty feet in length;	31 32
Class 3: At least forty feet, but less than sixty-five feet in length;	33 34
Class 4: At least sixty-five feet in length.	35
(B) As used in this chapter:	36
(1) "Vessel" includes every description of <del>watercraft</del> <u>craft</u> , including nondisplacement craft and seaplanes, <del>used or capable of</del> <u>being designed to be</u> used as a means of transportation on water.	37 38 39
(2) "Rowboat" means any vessel, <u>except a canoe, that is</u> designed to be rowed and that is propelled by human muscular effort by oars or paddles and upon which no mechanical propulsion device, electric motor, internal combustion engine, or sail has been affixed or is used for the operation of the vessel.	40 41 42 43 44
(3) "Sailboat" means any vessel, equipped with mast and	45

sails, dependent upon the wind to propel it in the normal course  
of operation. 46  
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(a) Any sailboat equipped with an inboard engine is deemed a  
powercraft with auxiliary sail. 48  
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(b) Any sailboat equipped with a detachable motor is deemed a  
sailboat with auxiliary power. 50  
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(c) Any sailboat being propelled by mechanical power, whether  
under sail or not, is deemed a powercraft and subject to all laws  
and rules governing powercraft operation. 52  
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(4) "Powercraft" means any vessel propelled by machinery,  
fuel, rockets, or similar device. 55  
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(5) "Person" includes any legal entity defined as a person in  
section 1.59 of the Revised Code and any body politic, except the  
United States and this state, and includes any agent, trustee,  
executor, receiver, assignee, or other representative thereof. 57  
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(6) "Owner" includes any person who claims lawful possession  
of a vessel by virtue of legal title or equitable interest therein  
that entitled the person to that possession. 61  
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(7) "Operator" includes any person who navigates or has under  
the person's control a vessel, or vessel and detachable motor, on  
the waters in this state. 64  
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(8) "Visible" means visible on a dark night with clear  
atmosphere. 67  
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(9) "Waters in this state" means all streams, rivers, lakes,  
ponds, marshes, watercourses, waterways, and other bodies of  
water, natural or humanmade, that are situated wholly or partially  
within this state or within its jurisdiction and are used for  
recreational boating. 69  
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(10) "Navigable waters" means waters that come under the  
jurisdiction of the department of the army of the United States 74  
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and any waterways within or adjacent to this state, except inland  
lakes having neither a navigable inlet nor outlet.

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(11) "In operation" in reference to a vessel means that the  
vessel is being navigated or otherwise used on the waters in this  
state.

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(12) "Sewage" means human body wastes and the wastes from  
toilets and other receptacles intended to receive or retain body  
waste.

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(13) "Canoe" means a narrow vessel of shallow draft, pointed  
at both ends and propelled by human muscular effort, and includes  
kayaks, racing shells, and rowing sculls.

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(14) "Coast guard approved" means bearing an approval number  
assigned by the United States coast guard.

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(15) "Type one personal flotation device" means a device that  
is designed to turn an unconscious person floating in water from a  
face downward position to a vertical or slightly face upward  
position and that has at least nine kilograms, approximately  
twenty pounds, of buoyancy.

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(16) "Type two personal flotation device" means a device that  
is designed to turn an unconscious person in the water from a face  
downward position to a vertical or slightly face upward position  
and that has at least seven kilograms, approximately fifteen and  
four-tenths pounds, of buoyancy.

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(17) "Type three personal flotation device" means a device  
that is designed to keep a conscious person in a vertical or  
slightly face upward position and that has at least seven  
kilograms, approximately fifteen and four-tenths pounds, of  
buoyancy.

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(18) "Type four personal flotation device" means a device  
that is designed to be thrown to a person in the water and not

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worn and that has at least seven and five-tenths kilograms, 106  
approximately sixteen and five-tenths pounds, of buoyancy. 107

(19) "Type five personal flotation device" means a device 108  
that, unlike other personal flotation devices, has limitations on 109  
its approval by the United States coast guard, including, without 110  
limitation, all of the following: 111

(a) The approval label on the type five personal flotation 112  
device indicates that the device is approved for the activity in 113  
which the vessel is being used or as a substitute for a personal 114  
flotation device of the type required on the vessel in use. 115

(b) The personal flotation device is used in accordance with 116  
any requirements on the approval label. 117

(c) The personal flotation device is used in accordance with 118  
requirements in its owner's manual if the approval label refers to 119  
such a manual. 120

(20) "Inflatable watercraft" means any vessel constructed of 121  
rubber, canvas, or other material that is designed to be inflated 122  
with any gaseous substance, constructed with two or more air 123  
cells, and operated as a vessel. Inflatable watercraft propelled 124  
by a motor shall be classified as powercraft and shall be 125  
registered by length. Inflatable watercraft propelled by a sail 126  
shall be classified as a sailboat and shall be registered by 127  
length. 128

(21) "Idle speed" means the slowest possible speed needed to 129  
maintain steerage or maneuverability. 130

(22) "Diver's flag" means a red flag not less than one foot 131  
square having a diagonal white stripe extending from the masthead 132  
to the opposite lower corner that when displayed indicates that 133  
divers are in the water. 134

(23) "Muffler" means an acoustical suppression device or 135

system that is designed and installed to abate the sound of 136  
exhaust gases emitted from an internal combustion engine and that 137  
prevents excessive or unusual noise. 138

(24) "Law enforcement vessel" means any vessel used in law 139  
enforcement and under the command of a law enforcement officer. 140

(25) "Personal watercraft" means a vessel, less than sixteen 141  
feet in length, that is propelled by machinery and designed to be 142  
operated by an individual sitting, standing, or kneeling on the 143  
vessel rather than by an individual sitting or standing inside the 144  
vessel. 145

(26) "No wake" has the same meaning as "idle speed." 146

(27) "Watercraft dealer" means any person who is regularly 147  
engaged in the business of manufacturing, selling, displaying, 148  
offering for sale, or dealing in vessels at an established place 149  
of business. "Watercraft dealer" does not include a person who is 150  
a marine salvage dealer or any other person who dismantles, 151  
salvages, or rebuilds vessels using used parts. 152

(28) "Electronic" includes electrical, digital, magnetic, 153  
optical, electromagnetic, or any other form of technology that 154  
entails capabilities similar to these technologies. 155

(29) "Electronic record" means a record generated, 156  
communicated, received, or stored by electronic means for use in 157  
an information system or for transmission from one information 158  
system to another. 159

(30) "Electronic signature" means a signature in electronic 160  
form attached to or logically associated with an electronic 161  
record. 162

(C) Unless otherwise provided, this chapter applies to all 163  
vessels operating on the waters in this state. Nothing in this 164  
chapter shall be construed in contravention of any valid federal 165

act or regulation, but is in addition to the act or regulation 166  
where not inconsistent. 167

The state reserves to itself the exclusive right to regulate 168  
the minimum equipment requirements of watercraft and vessels 169  
operated on the waters in this state. 170

**Sec. 1547.25.** (A) No person shall operate or permit to be 171  
operated any ~~watercraft~~ vessel, other than a commercial vessel or 172  
other vessel exempted by rules adopted under section 1547.52 of 173  
the Revised Code, on the waters in this state: 174

(1) That is sixteen feet or greater in length without 175  
carrying aboard one type one, two, or three personal flotation 176  
device for each person aboard and one type four personal flotation 177  
device; 178

(2) That is less than sixteen feet in length, including 179  
canoes and kayaks of any length, without carrying aboard one type 180  
one, two, or three personal flotation device for each person 181  
aboard. 182

(B) A type five personal flotation device may be carried in 183  
lieu of a type one, two, or three personal flotation device 184  
required under division (A) of this section. 185

(C) No person shall operate or permit to be operated any 186  
commercial vessel on the waters in this state: 187

(1) That is less than forty feet in length and is not 188  
carrying persons for hire without carrying aboard at least one 189  
type one, two, or three personal flotation device for each person 190  
aboard; 191

(2) That is carrying persons for hire or is forty feet in 192  
length or longer and is not carrying persons for hire without 193  
carrying aboard at least one type one personal flotation device 194  
for each person aboard; 195

(3) That is twenty-six feet in length or longer without 196  
carrying aboard at least one type four ring life buoy in addition 197  
to the applicable requirements of divisions (C)(1) and (2) of this 198  
section. 199

(D) Each personal flotation device carried aboard a 200  
~~watercraft or vessel, including a~~ commercial vessel, pursuant to 201  
this section shall be coast guard approved and in good and 202  
serviceable condition, of appropriate size for the wearer, and 203  
readily accessible to each person aboard the ~~watercraft vessel~~ at 204  
all times. 205

(E) As used in this section, "commercial vessel" means any 206  
vessel used in the carriage of any person or property for a 207  
valuable consideration whether flowing directly or indirectly from 208  
the owner, partner, or agent or any other person interested in the 209  
vessel. "Commercial vessel" does not include any vessel that is 210  
manufactured or used primarily for noncommercial use or that is 211  
leased, rented, or chartered to another for noncommercial use. 212

**Sec. 1547.53.** Every watercraft operated on the waters in this 213  
state shall be numbered by this state in accordance with federal 214  
law or a federally approved numbering system of another state. A 215  
watercraft numbered by this state shall display the number on the 216  
watercraft as provided in section 1547.57 of the Revised Code. 217  
Watercraft exempt from numbering by the state are: 218

(A) Those currently documented by the United States coast 219  
guard or its successor; 220

(B) Those whose principal use is not on the waters in this 221  
state and that have not been used within this state for more than 222  
sixty days and have a valid number assigned under a federally 223  
approved numbering system by another state if the number is 224  
displayed in accordance with the requirements of that system and 225  
the certificate of number is available for inspection whenever the 226

watercraft is on waters in this state;	227
(C) Those from a country other than the United States, temporarily using the waters in this state;	228 229
(D) Those whose owner is the United States, a state, or a political subdivision of a state <del>r</del> , <u>that fit either of the</u> <u>following descriptions, and that are clearly identifiable as such:</u>	230 231 232
<u>(1) A powercraft that principally is used for governmental</u> <u>purposes other than recreational purposes;</u>	233 234
<u>(2) A watercraft other than a powercraft.</u>	235
(E) A ship's lifeboat. As used in this division, "lifeboat" means a watercraft that is held aboard another vessel and used exclusively for emergency purposes.	236 237 238
(F) Those that have been exempted from numbering by the chief of the division of watercraft after the chief has found that the numbering of the watercraft will not materially aid in their identification and, if an agency of the United States has a numbering system applicable to the watercraft, after the chief has further found that they also would be exempt from numbering by the United States government if they were subject to the federal law;	239 240 241 242 243 244 245
(G) Those temporarily using the waters in this state under a waiver issued by the chief to an organization sponsoring a race, regatta, or special event. The chief may issue a waiver upon application by the sponsoring organization at least fifteen days before the date of the proposed race, regatta, or special event. The waiver shall be effective for ten days including the day or days of the proposed race, regatta, or special event. Such a waiver does not obviate the need for compliance with section 1547.20 of the Revised Code.	246 247 248 249 250 251 252 253 254
<u>(H) Canoes, rowboats, and inflatable watercraft that are</u> <u>registered under section 1547.54 of the Revised Code and that an</u>	255 256

owner, in accordance with this division, chooses not to have  
numbered under this section. An owner of a canoe, rowboat, or  
inflatable watercraft may choose to do either of the following:

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(1) Have it numbered under this section, pay a lesser  
registration fee under division (A)(2)(a) of section 1547.54 of  
the Revised Code, and obtain square tags under division (A) of  
section 1547.57 of the Revised Code;

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(2) Not have it numbered under this section, pay a higher  
registration fee under division (A)(2)(b) of section 1547.54 of  
the Revised Code, and obtain a rectangular tag under division (C)  
of section 1547.57 of the Revised Code.

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**Sec. 1547.531.** (A)(1) Except as provided in division (A)(2)  
or (B) of this section, no person shall operate or give permission  
for the operation of any watercraft on the waters in this state  
unless the watercraft is registered in the name of the current  
owner in accordance with section 1547.54 of the Revised Code, and  
the registration is valid and in effect.

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(2) On and after January 1, 1999, if a watercraft that is  
required to be issued a certificate of title under Chapter 1548.  
of the Revised Code is transferred to a new owner, it need not be  
registered under section 1547.54 of the Revised Code for  
forty-five days following the date of the transfer, provided that  
the new owner purchases a temporary watercraft registration under  
division (A) of this section or holds a bill of sale from a  
watercraft dealer.

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For the purposes of division (A)(2) of this section, a  
temporary watercraft registration or a bill of sale from a  
watercraft dealer shall contain at least all of the following  
information:

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(a) The hull identification number or serial number of the

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watercraft;	287
(b) The make of the watercraft;	288
(c) The length of the watercraft;	289
(d) The type of propulsion, if any;	290
(e) The state in which the watercraft principally is operated;	291 292
(f) The name of the owner;	293
(g) The address of the owner, including the zip code;	294
(h) The signature of the owner;	295
(i) The date of purchase;	296
(j) A notice to the owner that the temporary watercraft registration expires forty-five days after the date of purchase of the watercraft or that the watercraft cannot be operated on the waters in this state solely under the bill of sale beginning forty-five days after the date of purchase of the watercraft, as applicable.	297 298 299 300 301 302
(3) A person may purchase a temporary watercraft registration from the chief of the division of watercraft or from an authorized agent designated under section 1547.54 of the Revised Code. The chief shall furnish forms for temporary watercraft registrations to authorized agents. In addition to completing the registration form with the information specified in divisions (A)(2)(a) to (i) of this section, the person shall pay one of the applicable fees required under divisions (A)(2)(a) to <del>(f)</del> (g) of section 1547.54 of the Revised Code as provided in that section.	303 304 305 306 307 308 309 310 311 312
Moneys received for the payment of temporary watercraft registrations shall be deposited to the credit of the waterways safety fund created in section 1547.75 of the Revised Code.	313 314 315

(4) In addition to the applicable fee required under division 316  
(A)(3) of this section, the chief or an authorized agent shall 317  
charge an additional fee of three dollars for a temporary 318  
watercraft registration that the chief or the authorized agent 319  
issues. When the temporary watercraft registration is issued by an 320  
authorized agent, the agent may retain the additional fee. When 321  
the temporary watercraft registration is issued by the chief, the 322  
additional fee shall be deposited to the credit of the waterways 323  
safety fund. 324

(5) A person who purchases a temporary watercraft 325  
registration for a watercraft and who subsequently applies for a 326  
registration certificate under section 1547.54 of the Revised Code 327  
need not pay the fee required under division (A)(2) of that 328  
section for the initial registration certificate issued for that 329  
watercraft, provided that at the time of application for the 330  
registration certificate, the person furnishes proof of payment 331  
for the temporary watercraft registration. 332

(6) A person who purchases a temporary watercraft 333  
registration, who subsequently applies for a registration 334  
certificate under section 1547.54 of the Revised Code, and who is 335  
exempt from payment for the registration certificate under 336  
division (O) of that section may apply to the chief for a refund 337  
of the amount paid for the temporary watercraft registration at 338  
the time that the person applies for a registration certificate. 339  
The chief shall refund that amount upon issuance to the person of 340  
a registration certificate. 341

(7) All records of the division of watercraft made or 342  
maintained for the purposes of divisions (A)(2) to (8) of this 343  
section are public records. The records shall be available for 344  
inspection at reasonable hours and in a manner that is compatible 345  
with normal operations of the division. 346

(8) Pursuant to division (A)(1) of section 1547.52 of the 347

Revised Code, the chief may adopt rules establishing all of the 348  
following: 349

(a) Record-keeping requirements governing the issuance of 350  
temporary watercraft registrations and the use of bills of sale 351  
from watercraft dealers for the purposes of division (A)(2) of 352  
this section; 353

(b) Procedures and requirements for the refund of fees under 354  
division (A)(6) of this section; 355

(c) Any other procedures and requirements necessary for the 356  
administration and enforcement of divisions (A)(2) to (8) of this 357  
section. 358

(B) All of the following watercraft are exempt from 359  
registration: 360

(1) Those that are exempt from numbering by the state under 361  
divisions (B) to (G) of section 1547.53 of the Revised Code; 362

(2) Those that have been issued a commercial documentation by 363  
the United States coast guard or its successor and are used 364  
exclusively for commercial purposes; 365

(3) Those that have been documented by the United States 366  
coast guard or its successor as temporarily transitting, whose 367  
principal use is not on the waters in this state, and that have 368  
not been used within this state for more than sixty days. 369

(C) No person shall operate a watercraft documented by the 370  
United States coast guard or its successor unless the certificate 371  
of documentation is valid, is on the watercraft for which it has 372  
been issued, and is available for inspection whenever the 373  
watercraft is in operation. In accordance with 46 C.F.R. part 67, 374  
as amended, the watercraft shall display the official number, the 375  
vessel name, and the home port listed on the certificate of 376  
documentation. 377

(D)(1) For the purposes of this section and section 1547.53 378  
of the Revised Code, a watercraft is principally using the waters 379  
in this state if any of the following applies: 380

(a) The owner resides in this state and declares that the 381  
watercraft principally is using the waters in this state. 382

(b) The owner resides in another state, but declares that the 383  
watercraft principally is using the waters in this state. 384

(c) The watercraft is registered in another state or 385  
documented by the United States coast guard and is used within 386  
this state for more than sixty days regardless of whether it has 387  
been assigned a seasonal or permanent mooring at any public or 388  
private docking facility in this state. 389

(2) Notwithstanding division (D)(1)(c) of this section, a 390  
person on active duty in the armed forces of the United States may 391  
register a watercraft in the person's state of permanent residence 392  
in lieu of registering it in this state regardless of the number 393  
of days that the watercraft is used in this state. 394

**Sec. 1547.54.** (A)(1) The Except as otherwise provided in 395  
section 1547.542 of the Revised Code, the owner of every 396  
watercraft requiring registration under this chapter shall file an 397  
application for a triennial registration certificate with the 398  
chief of the division of watercraft on forms that shall be 399  
provided by the chief or by an electronic means approved by the 400  
chief. The application shall be signed by the following: 401

(a) If the watercraft is owned by two persons under joint 402  
ownership with right of survivorship established under section 403  
2106.17 of the Revised Code, by both of those persons as owners of 404  
the watercraft. The signatures may be done by electronic signature 405  
if the owners themselves are renewing the registration and there 406  
are no changes in the registration information since the issuance 407

of the immediately preceding registration certificate. In all 408  
other instances, the signatures ~~must~~ shall be done manually. 409

(b) If the watercraft is owned by a minor, by the minor and a 410  
parent or legal guardian. The signatures may be done by electronic 411  
signature if the parent or legal guardian and the minor themselves 412  
are renewing the registration and there are no changes in the 413  
registration information since the issuance of the immediately 414  
preceding registration certificate. In all other instances, the 415  
signatures ~~must~~ shall be done manually. 416

(c) In all other cases, by the owner of the watercraft. The 417  
signature may be done by electronic signature if the owner ~~him or~~ 418  
~~herself~~ is renewing the registration personally and there are no 419  
changes in the registration information since the issuance of the 420  
immediately preceding registration certificate. In all other 421  
instances, the signatures ~~must~~ shall be done manually. 422

(2) An application for a triennial registration of a 423  
watercraft filed under division (A)(1) of this section shall be 424  
accompanied by the following fee: 425

(a) For canoes, ~~kayaks~~, rowboats, and inflatable watercraft 426  
that are numbered under section 1547.53 of the Revised Code, 427  
twelve dollars; 428

(b) For canoes, row boats, and inflatable watercraft that are 429  
not numbered under section 1547.53 of the Revised Code, seventeen 430  
dollars; 431

(c) For class A watercraft, including motorized canoes, 432  
thirty dollars; 433

~~(e)~~(d) For class 1 watercraft, forty-five dollars; 434

~~(d)~~(e) For class 2 watercraft, sixty dollars; 435

~~(e)~~(f) For class 3 watercraft, seventy-five dollars; 436

~~(f)~~(g) For class 4 watercraft, ninety dollars. 437

(3) For the purpose of registration, any watercraft operated 438  
by means of power, sail, or any other mechanical or electrical 439  
means of propulsion, except motorized canoes, shall be registered 440  
by length as prescribed in this section. 441

(4) If an application for registration is filed by two 442  
persons as owners under division (A)(1)(a) of this section, the 443  
person who is listed first on the title shall serve as and perform 444  
the duties of the "owner" and shall be considered the person "in 445  
whose name the watercraft is registered" for purposes of divisions 446  
(B) to (Q) of this section and for purposes of all other sections 447  
in this chapter. 448

(B) All registration certificates issued under this section 449  
are valid for three years and are renewable on a triennial basis 450  
unless sooner terminated or discontinued in accordance with this 451  
chapter. The renewal date shall be printed on the registration 452  
certificate. A registration certificate may be renewed by the 453  
owner in the manner prescribed by the chief. All fees shall be 454  
charged according to a proration of the time remaining in the 455  
registration cycle to the nearest year. 456

(C) In addition to the fees set forth in this section, the 457  
chief, or any authorized agent, shall charge an additional fee of 458  
three dollars for any registration certificate the chief or 459  
authorized agent issues. When the registration certificate is 460  
issued by an authorized agent, the additional fee of three dollars 461  
shall be retained by the issuing agent. When the registration 462  
certificate is issued by the chief, the additional fee of three 463  
dollars shall be deposited to the credit of the waterways safety 464  
fund established in section 1547.75 of the Revised Code. 465

(D)(1) Upon receipt of the application in approved form, the 466  
chief shall enter the same upon the records of the office of the 467  
division, assign a number to the watercraft if a number is 468  
required under section 1547.53 of the Revised Code, and issue to 469

the applicant a registration certificate. If a number is assigned 470  
by the chief, it shall be set forth on the certificate. The 471  
registration certificate shall be on the watercraft for which it 472  
is issued and available at all times for inspection whenever the 473  
watercraft is in operation, except that livery operators may 474  
retain the registration certificate at the livery where it shall 475  
remain available for inspection at all times and except as 476  
otherwise provided in division (D)(2) of this section. 477

(2) A person who is operating on the waters of this state a 478  
canoe, rowboat, or inflatable watercraft that has not been 479  
numbered under section 1547.53 of the Revised Code and who is 480  
stopped by a law enforcement officer in the enforcement of this 481  
chapter or rules adopted under it shall present to the officer, 482  
not later than seventy-two hours after being stopped, a 483  
registration certificate. The registration certificate shall have 484  
been obtained under this section for the canoe, rowboat, or 485  
inflatable watercraft prior to the time that it was stopped. 486  
Failure of the person to present the registration certificate 487  
within seventy-two hours constitutes prima-facie evidence of a 488  
violation of this section. 489

(E) No person shall issue or be issued a registration 490  
certificate for a watercraft that is required to be issued a 491  
certificate of title under Chapter 1548. of the Revised Code 492  
except upon presentation of a certificate of title for the 493  
watercraft as provided in that chapter, proof of current 494  
documentation by the United States coast guard, a renewal 495  
registration form provided by the division of watercraft, or a 496  
certificate of registration issued under this section that has 497  
expired if there is no change in the ownership or description of 498  
the watercraft. 499

(F) Whenever the ownership of a watercraft changes, a new 500  
application form together with the prescribed fee shall be filed 501

with the chief or the chief's agent and a new registration 502  
certificate shall be issued. The application shall be signed 503  
manually by the person or persons specified in division (A)(1)(a) 504  
to (c) of this section and shall be accompanied by a two-dollar 505  
transfer fee. Any remaining time on the registration shall be 506  
transferred. An authorized agent of the chief shall charge an 507  
additional fee of three dollars, which shall be retained by the 508  
issuing agent. If the certificate is issued by the chief, an 509  
additional fee of three dollars for each certificate issued shall 510  
be collected. 511

(G) If an agency of the United States has in force an overall 512  
system of identification numbering for watercraft or certain types 513  
of watercraft within the United States, the numbering system 514  
employed by the division shall be in conformity with that system. 515  
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(H) The chief may assign any registration certificates to any 517  
authorized agent for the assignment thereof. If a person accepts 518  
that authorization, the person may be assigned a block of numbers 519  
and certificates therefor that upon assignment, in conformity with 520  
this chapter and Chapter 1548. of the Revised Code and with rules 521  
of the division, shall be valid as if assigned directly by the 522  
division. Any person so designated as an agent by the chief shall 523  
post with the division security as may be required by the director 524  
of natural resources. The chief may issue an order temporarily or 525  
permanently restricting or suspending an agent's authorization 526  
without a hearing if the chief finds that the agent has violated 527  
this chapter or Chapter 1548. of the Revised Code, rules adopted 528  
under them, or any agreements prescribed by the chief. 529  
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(I) All records of the division made or kept pursuant to this 531  
section shall be public records. Those records shall be available 532  
for inspection at reasonable hours and in a manner compatible with 533

normal operations of the division.

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(J) The owner shall furnish the division notice within  
fifteen days of the following:

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(1) The transfer, other than through the creation of a  
security interest in any watercraft, of all or any part of the  
owner's interest or, if the watercraft is owned by two persons  
under joint ownership with right of survivorship established under  
section 2106.17 of the Revised Code, of all or any part of the  
joint interest of either of the two persons. The transfer shall  
not terminate the registration certificate.

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(2) Any change in the address appearing on the certificate  
and, as a part of the notification, shall furnish the chief with  
the owner's new address;

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(3) The destruction or abandonment of the watercraft.

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(K) The chief may issue duplicate registration certificates  
or duplicate tags to owners of currently registered watercraft,  
the fee for which shall be four dollars.

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(L) If the chief finds that a registration certificate  
previously issued to an owner is in error to a degree that would  
impair its basic purpose and use, the chief may issue a corrected  
certificate to the owner without charge.

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(M) No authorized agent shall issue and no person shall  
receive or accept from an authorized agent a registration  
certificate assigned to the authorized agent under division (H) of  
this section unless the exact month, day, and year of issue are  
plainly written thereon by the agent. Certificates issued with  
incorrect dates of issue are void from the time they are issued.

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(N) The chief, in accordance with Chapter 119. of the Revised  
Code, shall adopt rules governing the renewal of watercraft  
registrations by electronic means.

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separation, a letter from one of the armed forces of a country  
listed in division (O)(2) of this section, or other evidence that  
the chief may require by rule, that the person was honorably  
discharged or is currently residing in this state on active duty  
with one of the branches of the armed forces of the United States,  
or was a prisoner of war and was honorably discharged or received  
an equivalent discharge or release from one of the armed forces of  
a country listed in division (O)(2) of this section.

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(Q) Annually by the fifteenth day of January, the director of  
natural resources shall determine the amount of fees that would  
have been collected in the prior calendar year for each  
certificate of registration issued or renewed pursuant to division  
(P) of this section and shall certify the total amount of foregone  
revenue to the director of budget and management for  
reimbursement. The director of budget and management shall  
transfer the amount certified from the general revenue fund to the  
waterways safety fund created pursuant to section 1547.75 of the  
Revised Code.

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**Sec. 1547.542.** Any person or organization owning any number  
of canoes, ~~kayaks~~, rowboats, inflatable watercraft, or sailboats  
for the purpose of rental to the public may apply with the chief  
of the division of watercraft for and receive an annual  
certificate of livery registration. No watercraft shall be rented  
to the public from a livery or other place of business in this  
state unless it first has been numbered and registered in  
accordance with this section or section 1547.54 of the Revised  
Code. Certificates of livery registration shall be issued by an  
authorized agent who is selected by the chief from among those  
designated under section 1547.54 of the Revised Code. The  
certificate shall display the name of the owner of the livery, the  
date of issuance, the date of expiration, the number of watercraft  
registered, the fee paid, an authorized facsimile of the signature

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of the chief provided by the authorized agent who is selected to 627  
issue the certificate, and the signature of the livery owner. The 628  
certificate shall bear the livery watercraft registration number 629  
assigned to the livery owner, which shall be displayed in 630  
accordance with section 1547.57 of the Revised Code on each 631  
watercraft in the fleet for which the certificate was issued. The 632  
owner of a livery shall obtain an amended certificate of livery 633  
registration from the chief whenever the composition of the fleet 634  
changes. 635

The fee for each watercraft registered under this section 636  
shall be ~~in accordance with an annual registration fee. The fee~~ 637  
shall be one-third of the triennial registration fees prescribed 638  
in section 1547.54 of the Revised Code. However, if the size of 639  
the fleet does not increase, the fee for an amended certificate of 640  
livery registration shall be the fee prescribed for issuing a 641  
duplicate registration certificate under section 1547.54 of the 642  
Revised Code, and the chief shall not refund to the livery owner 643  
all or any portion of an annual registration fee applicable to a 644  
watercraft transferred or abandoned by the livery owner. If the 645  
size of the fleet increases, the livery owner shall be required to 646  
pay the applicable annual registration fee for each watercraft 647  
registered under an amended certificate of livery registration 648  
that is in excess of the number of watercraft contained in the 649  
annual certificate of livery registration. 650

The certificate of livery registration, rental receipts, and 651  
required safety equipment are subject to inspection at any time at 652  
the livery's place of business by any authorized representative of 653  
the division of watercraft or any law enforcement officer in 654  
accordance with section 1547.63 of the Revised Code. 655

Except as provided in this section, all watercraft registered 656  
under this section are subject to this chapter and Chapter 1548. 657  
of the Revised Code. 658

The chief may issue an order temporarily or permanently 659  
restricting or suspending a livery certificate of registration and 660  
the privileges associated with it without a hearing if the chief 661  
finds that the holder of the certificate has violated this 662  
chapter. 663

**Sec. 1547.57.** ~~When~~ (A) Except as otherwise provided in 664  
division (C) of this section, when the chief of the division of 665  
watercraft issues a registration certificate under section 1547.54 666  
of the Revised Code, the chief also shall issue to the applicant 667  
two tags not larger than three inches square, color coded, 668  
indicating the expiration date of the certificate. The owner of 669  
watercraft currently documented by the United States coast guard 670  
and for which a registration certificate is issued shall securely 671  
affix one tag to the watercraft's port side and the other tag to 672  
the starboard side so that the tags are clearly visible under 673  
normal operating conditions. The tags shall be removed from the 674  
watercraft when they become invalid. The owner of any other 675  
watercraft for which a registration certificate is issued shall 676  
securely affix one tag to the watercraft's port side, six inches 677  
toward the stern from the identification number, and the other tag 678  
to the starboard side, six inches toward the stern from the 679  
identification number. The tags shall be securely affixed to the 680  
watercraft prior to its operation, but shall be removed from the 681  
watercraft when they become invalid. A person may operate without 682  
a registration certificate issued under section 1547.54 of the 683  
Revised Code, for a period not to exceed forty-five days, any 684  
watercraft required to be titled on the waters in this state if 685  
the person is in compliance with section 1547.531 of the Revised 686  
Code. 687

(B) The owner of every watercraft requiring numbering by this 688  
state shall attach to each side of the bow of the watercraft the 689  
permanent identification number in such manner as may be 690

prescribed by applicable federal standards in order that it shall 691  
be clearly visible. The number shall be maintained in a legible 692  
condition at all times. No number other than the number assigned 693  
to a watercraft or granted by reciprocity pursuant to this chapter 694  
shall be painted, attached, or otherwise displayed on either side 695  
of the bow of the watercraft. 696

(C) When the chief issues a registration certificate under 697  
section 1547.54 of the Revised Code for a canoe, rowboat, or 698  
inflatable watercraft that has not been numbered under section 699  
1547.53 of the Revised Code, the chief also shall issue to the 700  
applicant a tag not larger than three inches by six inches, with 701  
distinguishing color coding and a number for identification 702  
purposes. The owner of the canoe, rowboat, or inflatable 703  
watercraft for which the registration certificate is issued shall 704  
affix the tag securely to a location on the canoe, rowboat, or 705  
inflatable watercraft as prescribed by rules adopted by the chief 706  
under section 1547.52 of the Revised Code. 707

(D) No person shall operate or permit to be operated any 708  
watercraft on the waters in this state in violation of this 709  
section. 710

**Sec. 1547.65.** (A) A watercraft constructed on or after 711  
November 1, 1972, shall have a hull identification number 712  
permanently displayed and affixed to it in accordance with federal 713  
law. 714

(B) A watercraft constructed before November 1, 1972, shall 715  
have a hull identification number assigned to it by the chief of 716  
the division of watercraft at the time of registration, at the 717  
time of application for title, after transfer of ownership, or at 718  
the time of a change to this state as the principal location of 719  
operation. The number shall be permanently displayed and affixed 720  
as prescribed by rules adopted under section 1547.52 of the 721

Revised Code.

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(C) A person who builds a watercraft or imports a watercraft from another country for personal use and not for the purpose of sale shall request a hull identification number from the chief and permanently display and affix the number as prescribed by rules adopted under section 1547.52 of the Revised Code.

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(D) No person shall operate or permit to be operated any watercraft on the waters in this state in violation of this section.

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**Sec. 1547.99.** (A) Whoever violates section 1547.91 of the Revised Code is guilty of a felony of the fourth degree.

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(B) Whoever violates section 1547.10, division (I) of section 1547.111, section 1547.13, or section 1547.66 of the Revised Code is guilty of a misdemeanor of the first degree.

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(C) Whoever violates a provision of this chapter or a rule adopted thereunder, for which no penalty is otherwise provided, is guilty of a minor misdemeanor.

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(D) Whoever violates section 1547.07 or 1547.12 of the Revised Code without causing injury to persons or damage to property is guilty of a misdemeanor of the fourth degree.

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(E) Whoever violates section 1547.07 or 1547.12 of the Revised Code causing injury to persons or damage to property is guilty of a misdemeanor of the third degree.

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(F) Whoever violates division (M) of section 1547.54, division (G) of section 1547.30, or section 1547.131, 1547.25, 1547.33, 1547.38, 1547.39, 1547.40, 1547.65, 1547.69, or 1547.92 of the Revised Code or a rule adopted under division (A)(2) of section 1547.52 of the Revised Code is guilty of a misdemeanor of the fourth degree.

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(G) Whoever violates section 1547.11 of the Revised Code is 751  
guilty of a misdemeanor of the first degree and shall be punished 752  
as provided in division (G)(1), (2), or (3) of this section. 753

(1) Except as otherwise provided in division (G)(2) or (3) of 754  
this section, the court shall sentence the offender to a term of 755  
imprisonment of three consecutive days and may sentence the 756  
offender pursuant to section 2929.21 of the Revised Code to a 757  
longer term of imprisonment. In addition, the court shall impose 758  
upon the offender a fine of not less than one hundred fifty nor 759  
more than one thousand dollars. 760

The court may suspend the execution of the mandatory three 761  
consecutive days of imprisonment that it is required to impose by 762  
division (G)(1) of this section if the court, in lieu of the 763  
suspended term of imprisonment, places the offender on probation 764  
and requires the offender to attend, for three consecutive days, a 765  
drivers' intervention program that is certified pursuant to 766  
section 3793.10 of the Revised Code. The court also may suspend 767  
the execution of any part of the mandatory three consecutive days 768  
of imprisonment that it is required to impose by division (G)(1) 769  
of this section if the court places the offender on probation for 770  
part of the three consecutive days; requires the offender to 771  
attend, for that part of the three consecutive days, a drivers' 772  
intervention program that is certified pursuant to section 3793.10 773  
of the Revised Code; and sentences the offender to a term of 774  
imprisonment equal to the remainder of the three consecutive days 775  
that the offender does not spend attending the drivers' 776  
intervention program. The court may require the offender, as a 777  
condition of probation, to attend and satisfactorily complete any 778  
treatment or education programs, in addition to the required 779  
attendance at a drivers' intervention program, that the operators 780  
of the drivers' intervention program determine that the offender 781  
should attend and to report periodically to the court on the 782

offender's progress in the programs. The court also may impose any  
other conditions of probation on the offender that it considers  
necessary.

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(2) If, within five years of the offense, the offender has  
been convicted of or pleaded guilty to one violation of section  
1547.11 of the Revised Code, of a municipal ordinance relating to  
operating a watercraft or manipulating any water skis, aquaplane,  
or similar device while under the influence of alcohol, a drug of  
abuse, or alcohol and a drug of abuse, of a municipal ordinance  
relating to operating a watercraft or manipulating any water skis,  
aquaplane, or similar device with a prohibited concentration of  
alcohol in the blood, breath, or urine, of division (A)(1) of  
section 2903.06 of the Revised Code, or of division (A)(2), (3),  
or (4) of section 2903.06 of the Revised Code or former section  
2903.06 or 2903.07 of the Revised Code in a case in which the jury  
or judge found that the offender was under the influence of  
alcohol, a drug of abuse, or alcohol and a drug of abuse, the  
court shall sentence the offender to a term of imprisonment of ten  
consecutive days and may sentence the offender pursuant to section  
2929.21 of the Revised Code to a longer term of imprisonment. In  
addition, the court shall impose upon the offender a fine of not  
less than one hundred fifty nor more than one thousand dollars.

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In addition to any other sentence that it imposes upon the  
offender, the court may require the offender to attend a drivers'  
intervention program that is certified pursuant to section 3793.10  
of the Revised Code.

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(3) If, within five years of the offense, the offender has  
been convicted of or pleaded guilty to more than one violation  
identified in division (G)(2) of this section, the court shall  
sentence the offender to a term of imprisonment of thirty  
consecutive days and may sentence the offender to a longer term of  
imprisonment of not more than one year. In addition, the court

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shall impose upon the offender a fine of not less than one hundred  
fifty nor more than one thousand dollars.

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In addition to any other sentence that it imposes upon the  
offender, the court may require the offender to attend a drivers'  
intervention program that is certified pursuant to section 3793.10  
of the Revised Code.

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(4) Upon a showing that imprisonment would seriously affect  
the ability of an offender sentenced pursuant to division (G)(1),  
(2), or (3) of this section to continue the offender's employment,  
the court may authorize that the offender be granted work release  
from imprisonment after the offender has served the three, ten, or  
thirty consecutive days of imprisonment that the court is required  
by division (G)(1), (2), or (3) of this section to impose. No  
court shall authorize work release from imprisonment during the  
three, ten, or thirty consecutive days of imprisonment that the  
court is required by division (G)(1), (2), or (3) of this section  
to impose. The duration of the work release shall not exceed the  
time necessary each day for the offender to commute to and from  
the place of employment and the place of imprisonment and the time  
actually spent under employment.

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(5) Notwithstanding any section of the Revised Code that  
authorizes the suspension of the imposition or execution of a  
sentence or the placement of an offender in any treatment program  
in lieu of imprisonment, no court shall suspend the ten or thirty  
consecutive days of imprisonment required to be imposed by  
division (G)(2) or (3) of this section or place an offender who is  
sentenced pursuant to division (G)(2) or (3) of this section in  
any treatment program in lieu of imprisonment until after the  
offender has served the ten or thirty consecutive days of  
imprisonment required to be imposed pursuant to division (G)(2) or  
(3) of this section. Notwithstanding any section of the Revised  
Code that authorizes the suspension of the imposition or execution

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of a sentence or the placement of an offender in any treatment  
program in lieu of imprisonment, no court, except as specifically  
authorized by division (G)(1) of this section, shall suspend the  
three consecutive days of imprisonment required to be imposed by  
division (G)(1) of this section or place an offender who is  
sentenced pursuant to division (G)(1) of this section in any  
treatment program in lieu of imprisonment until after the offender  
has served the three consecutive days of imprisonment required to  
be imposed pursuant to division (G)(1) of this section.

(H) Whoever violates section 1547.304 of the Revised Code is  
guilty of a misdemeanor of the fourth degree and also shall be  
assessed any costs incurred by the state or a county, township,  
municipal corporation, or other political subdivision in disposing  
of an abandoned junk vessel or outboard motor, less any money  
accruing to the state, county, township, municipal corporation, or  
other political subdivision from that disposal.

(I) Whoever violates division (B) or (C) of section 1547.49  
of the Revised Code is guilty of a minor misdemeanor.

(J) Whoever violates section 1547.31 of the Revised Code is  
guilty of a misdemeanor of the fourth degree on a first offense.  
On each subsequent offense, the person is guilty of a misdemeanor  
of the third degree.

(K) Whoever violates section 1547.05 or 1547.051 of the  
Revised Code is guilty of a misdemeanor of the fourth degree if  
the violation is not related to a collision, injury to a person,  
or damage to property and a misdemeanor of the third degree if the  
violation is related to a collision, injury to a person, or damage  
to property.

(L) The sentencing court, in addition to the penalty provided  
under this section for a violation of this chapter or a rule  
adopted under it that involves a powercraft powered by more than

ten horsepower and that, in the opinion of the court, involves a  
threat to the safety of persons or property, shall order the  
offender to complete successfully a boating course approved by the  
national association of state boating law administrators before  
the offender is allowed to operate a powercraft powered by more  
than ten horsepower on the waters in this state. Violation of a  
court order entered under this division is punishable as contempt  
under Chapter 2705. of the Revised Code.

**Sec. 4585.31.** As used in sections 4585.31 to 4585.34 of the  
Revised Code, "owner of any property" or "owner of the property"  
means an owner, lessee, or ~~any~~ other person entitled to possession  
of the property.

The owner of any property on which a watercraft or outboard  
motor valued at less than ten thousand dollars has been left for  
six months without permission may sell the watercraft or motor at  
public auction and recover ~~his~~ the owner's maintenance or repair  
charges, including parts and labor charges and dockage or storage  
charges, if all of the following conditions are met:

(A) The owner of the property applies for a search of the  
records of the division of watercraft for the name and address of  
the owner of the watercraft or motor and for a search for any lien  
or mortgage thereon.

(B) Upon receiving the results of the searches, the owner of  
the property sends notice by certified mail, return receipt  
requested, to:

(1) The last known address of the owner of the watercraft or  
motor, to remove the watercraft or motor;

(2) Any lienholder or mortgagee, stating where the watercraft  
or motor is located and any maintenance or repair charges,  
including parts and labor charges and dockage or storage charges.

Unless the lienholder or mortgagee redeems the watercraft or motor  
within forty-five days after the return receipt is received by the  
sender, the lien or mortgage is invalid. The lienholder or  
mortgagee may, to the extent of ~~his~~ the lienholder's or  
mortgagee's previously secured interest, assert a claim for any  
amount deposited in the county treasury for the watercraft or  
motor pursuant to section 4585.33 of the Revised Code.

(C) The watercraft or motor remains unredeemed by the owner,  
lienholder, or mortgagee for forty-five days after the return  
receipts are recovered by the sender.

(D) The owner of the property requests ~~the chief of the~~  
~~division of watercraft or his designee, an appointee of the chief~~  
~~who shall be~~ a watercraft dealer ~~licensed~~ certified in accordance  
with section ~~1547.65~~ 1547.543 of the Revised Code or an  
independent marine surveyor and appraiser, to appraise the  
watercraft or motor and secures ~~from the the chief or his designee~~  
written confirmation that the fair market value of the watercraft  
or motor is less than ten thousand dollars. ~~The chief or his~~  
~~designee shall make such appraisal when requested and shall give~~  
~~to the owner of the property written confirmation that the value~~  
~~has been correctly determined.~~

(E) The owner of the property advertises that the watercraft  
or motor will be sold at public auction. The advertisement of sale  
shall be published once a week for two consecutive weeks in the  
auction section of a newspaper of general circulation in the  
county where the watercraft or motor has been left without  
permission. The advertisement shall include a description of the  
watercraft or motor, the name of the owner, and the date, time,  
and place of the sale.

(F) An auction sale is conducted on the property where the  
watercraft or motor was left without permission of the owner of

the property, at which the highest bidder is the purchaser of the watercraft or motor. The owner of the property shall provide a reasonable period of time prior to the sale for prospective purchasers to examine the watercraft or motor. The owner of the property may bid at the sale.

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(G) Immediately after the auction sale, the owner of the property executes an affidavit in triplicate, on a form prescribed by the secretary of state and provided by the clerk of courts, stating:

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(1) That the requirements of this section have been met;

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(2) The length of time that the watercraft or motor was left on ~~his~~ the owner's property without permission, as of the date of the auction sale;

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(3) The expenses incurred by the owner of the property in connection with the watercraft or motor as of the date of the auction sale, including the expenses of conducting the sale and, if the property is operated as a place of storage for charge, any accrued dockage or storage charges and any maintenance or repair charges, including parts and labor charges;

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(4) The name and address of the purchaser of the watercraft or motor at the auction sale and the amount of ~~his~~ the purchaser's bid.

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(H) Upon payment of the bid price by the purchaser, the owner of the property presents the affidavit in triplicate required by division (G) of this section, the written confirmation of value required by division (D) of this section, and the return receipts required by division (B) of this section to the purchaser of the watercraft or motor.

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**Section 2.** That existing sections 1547.01, 1547.25, 1547.53, 1547.531, 1547.54, 1547.542, 1547.57, 1547.99, and 4585.31 and

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section 1547.62 of the Revised Code are hereby repealed.

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