

HB 386
Vessels: Registration/Titles;
Derelicts

Two Titles within Alaska Code are being amended with this bill

Title 5. Chapter 25. Watercraft

Title 30. Chapter 30. Abandoned and Derelict Vessels

Title 05. Chapter 25. Watercraft

Undocumented Vessels

- Adds Title requirement
 \$20.00 for vessels that are:
 (AS 05.25.096(a)(6))
 - o 20' or more; and
 - o commercially used (AS 05.25.056(g))
- Increases boat registration
 fee to \$30.00 [\$24.00] for 3
 years. (AS 05.25.096(a)(1))
- List of exemptions to Title
 and Registration requirements.
 (AS 05.25.056), (AS 05.25.055(i))

Documented Vessels

- No Title required
 (AS 05.25.055(i)(1)(c))
- Adds Registration of \$30.00
 for 3 years. (AS 05.25.096(a)(1))

<u>Barges</u>

- Adds definition of barge (AS 05.25.100 (16))
- Adds Barge registration of \$75.00 for 3 years.
 (AS 05.25.096(5))

Title 30. Chapter 30. Abandoned and Derelict Vessels

Adds state or municipal property to areas that a person may not store a derelict vessel.
 AS 30.30.010 (a)(1)

Amends statute upon conviction, increases fine to not less than 5K or more than 10K and/or not more than 90 days imprisonment and/or forfeiture of vessel.
 AS 30.30.010(e)

 Adds DNR duties and powers to establish and administer Derelict Vessel Prevention Program Fund. AS 30.30.095 and 096

 Adds regulated process for impoundment, through notice and hearings prior to disposition. AS 30.30.040, 045, 055, 060, 065, 075

What is derelict? Owner of record disclaims Vessel Sunk or sinking, and current owner number obstructing or cannot be determined endangering health, obliterated safety, or environment Moored, **DERELICT** anchored, stored, **Expired registration VESSEL** abandoned (see or document 30.30.090 definition) or left number & owner no contrary to law longer at address Moored, anchored, stored, No record of documentation or abandoned (see definition) without registration and ownership cannot be determined authorization on private property.

Definition of abandoned 30.30.170 (5): ...left unattended on private, state or municipal land or waters of the state w/o consent... for more than 30 days.

Process to Impoundment

20 days prior to impoundment, written notice and posted on agencies website

AS 30.30.040

Within 15 days after postmark on written notice, owner may request informal pre-impoundment hearing

AS 30.30.040(c)

- 10 business days (or longer per request of owner) after receipt of written request by owner, jurisdiction schedules informal hearing. AS 30.30.040(d)
- Jurisdiction to provide written decision to owner, showing "substantial evidence that vessel is derelict". AS 30.30.040(f)

If found to be derelict, jurisdiction may impound

AS 30.30.055

- Owner may take possession upon reimbursement to State or municipality of incurred costs. (notices costs, harbor fees, storage fees, etc.) AS 30.30.060
- Jurisdiction may sell, donate or destroy if not repossessed within 30 days after postmark on written notice AS30.30.055(b) after posting disposition. AS 30.30.045

Appropriation of Title Fees and Barge Fees created through this legislation

Title Fees

Donations, Fund income

Money from disposition

<u>Derelict Vessel Prevention</u>

Program Fund
AS 30.30.096

Money is appropriated into the fund, no further appropriation is needed to move funds out.

Appropriations do not lapse.

Barge fees

Other appropriations

Civil Penalties



Department of Natural Resources

Reimburse state agencies and municipalities for expenses of removal







Pay for programs that incentivize compliance

Subsidize projects