

TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard *Cliff*
Executive Director

DATE: 29 August 2017

SUBJECT: Boat Titling—Update

Public Chapter 179, Acts of 2017, directs TACIR to study the potential creation and implementation of a boat titling system for Tennessee, which is one of 13 states that do not issue boat titles.¹ The motivation for this study stems, in part, from a 2015 incident in which a Pickwick Lake area boat dealer fraudulently sold the same boats to multiple people. According to court records, the illegal scheme resulted in over half a million dollars in total property loss with 12 reported victims. Victims believe that a boat titling system in Tennessee could have prevented this situation.

All 50 states, as required by federal law, have a boat registration system, and the large majority of states—37—also have a boat titling system. See attachment A for a summary of all 50 states' boat registration and titling requirements. In general, registration is imposed on a vehicle or boat operator as a recurring fee and is required for the lawful use of the public roads or waterways maintained by the government. A certificate of title is a legal document issued by the state for a one-time fee and used to authenticate ownership and note any liens. The rationale for requiring boat registration and titling is analogous to the rationale for requiring motor vehicle registration and titling.

¹ States that do not title boats include Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Georgia, Hawaii, Kansas, Maine, New Hampshire, North Dakota, and Tennessee.

Current Tennessee Law

Tennessee law requires all motorized and sail powered boats principally used in the state to be registered. In 2016, there were 254,480 boats registered in Tennessee. Attachment B shows the types and number of boats registered in 2016.

Registration Process

The Tennessee Wildlife Resource Agency (TWRA) administers the state's boat registration system, including the processing of boat registration applications. For the initial boat registration, an application form is obtained from either a county clerk's office or from the boat dealer who sold the boat. TWRA will not register the boat unless sales tax payment is certified on the application by a county clerk or the dealer.

If the boat is purchased from a dealer, the dealer collects the sales tax and provides the registration application to the customer with the dealer certification of sales tax payment. The customer then completes the registration application and mails the application form along with the appropriate registration fee to the TWRA.

If the boat is purchased from an individual, a bill of sale that includes information about the boat and is signed by both parties must be submitted to a county clerk's office. The clerk then collects the sales tax and provides certification of its collection on the registration application that is provided to the customer. The customer then completes the registration application and mails the application form along with the appropriate registration fee to the TWRA. Renewal of registration is a simple process that can be accomplished online or at any business that sells TWRA hunting and fishing licenses.

The boat registration application is formally called an "application for boat certificate of number" as the owner receives a registration number along with a validation decal that must be affixed to both sides of the boat. For an illustrative document on Tennessee's Legal Requirements of Boating, please refer to attachment C.

Registration Fees

Boat registration fees, as shown in the following table, vary based on the length of the vessel and duration of the registration period. In Tennessee, boats can be registered for one, two, or three-year periods.

Table 1. Tennessee’s Boat Registration Fee Schedule

Boat Length	1 Year	2 Years	3 Years
16 feet and under	\$13	\$24	\$35
Over 16 feet to less than 26 feet	\$25	\$48	\$71
26 feet to less than 40 feet	\$38	\$72	\$107
40 feet and over	\$51	\$97	\$142
Dealer / Manufacturer	\$32	\$64	\$95
Duplicate/Replacement	\$7		

Source: Tennessee Wildlife Resources Agency

Boat Dealer Regulation

Unlike with motor vehicle dealers and recreational vehicle (RV) dealers, Tennessee does not regulate boat dealers. Tennessee motor vehicle and RV dealers must meet several minimum requirements to be licensed in Tennessee, as Table 2 shows below.

Table 2. Tennessee’s Regulation of Motor Vehicle, Recreational Vehicle, and Boat Dealers

	Motor Vehicle and Recreational Vehicle Dealers	Boat Dealers
License Required	License Required. An extensive multi-page dealer application is required to be completed and approved.	No License Required
Who is required to be licensed?	Motor Vehicle Dealers, RV Dealers, Salesmen, Manufactures/Distributors, Representatives, Dismantlers/Recycler.	N/A
License Fees	Required. Various biennial license fees ranging from \$35 to \$1,600. ² For example, motor vehicle dealer selling new or used motor vehicles must pay a biennial license fee of \$400.	N/A
Surety Bond	\$50,000 Surety Bond Required	Not Required
Liability Insurance	\$300,000 Liability Insurance Required	Not Required
Financial Statement	\$10,000 Minimum Net Worth Required	Not Required
State Entity Charged With Regulation	Department of Commerce and Insurance, Motor Vehicle Commission	Not Regulated

Source: Rules of the Tennessee Motor Vehicle Commission, Chapter 0960-01, Sections .01 through .29 and the Department of Commerce and Insurance, Motor Vehicle Commission, “Minimum Requirements for Tennessee Vehicle Dealer License”

Tennessee Law and Pickwick Lake Boat Dealer Fraud

One of the issues that led the bill sponsors to request this study was that a victim of the Pickwick Lake boat scam was not allowed to recover his boat from the subsequent buyer. That buyer had purchased the boat in the ordinary course of business from the fraudulent boat dealer. Tennessee Code Annotated, Section 47-2-403(2), which is adopted from the Uniform Commercial Code (UCC), states that “Any entrusting of possession of goods to a merchant who deals in goods of that kind gives him power to

² See Rules of the Tennessee Motor Vehicle Commission, Section 0960-1-.14

transfer all rights of the entruster to a buyer in ordinary course of business.” The law makes a distinction between merchants and non-merchants to protect good faith buyers who purchase from merchants.

Section 2 is commonly known as the “entrustment doctrine” and addresses the specific situation where a person entrusts something to a merchant who deals in goods of that kind, and the merchant later sells the entrusted item to a good faith buyer in the ordinary course of business, even if that merchant did not have permission from the owner to sell it. This is exactly the situation that happened at Pickwick Lake. For example, a victim purchased a boat from the boat dealer and agreed to allow the dealer to maintain possession of the boat for maintenance purposes, i.e. entrusting possession of the boat to the dealer. The dealer then fraudulently sold the same boat to another unsuspecting good faith buyer, who is now the rightful owner under the law. While a boat titling requirement in Tennessee may have made this fraudulent scheme more difficult to accomplish, it’s not clear that it would have prevented it from occurring.

Related Federal Law

Federal law states that owners of large recreational boats that are five net tons in volume or more (approximately 26 feet or greater in length) may, but need not, obtain a certificate of documentation with the United State Coast Guard National Vessel Documentation Center.³ Commercial vessels over five net tons, on the other hand, are required to be federally documented.

In order to receive a loan, some lending institutions require federal documentation for those recreational boats large enough to qualify. Lenders require federal documentation because it is currently the only way to receive a “preferred mortgage,” which is a maritime lien that has priority over other liens in the event of a default.⁴

While recreational boats that are federally documented cannot be required to be titled by a state, many of the states, including Tennessee, can and do require those boats to be registered with the state.⁵ Though federal documentation of boats is a potentially useful

³ See 46 U.S.C., Section 12102 and 12103.

⁴ See 46 U.S.C., Sections 31301(6)(a), 31321, 31322, and 31321(a)(1).

⁵ Federal documentation of vessels was passed by the First Congress of the United States during its First Session in 1789 and is one of the oldest functions of the federal government.

alternative to boat titling, it is only available to a small percentage of Tennessee boat owners because of the size requirements to qualify.

As of December 31, 2016, there were 254,480 currently registered boats in Tennessee. According to the TWRA boat registration statistics, of the 254,480 registered boats, approximately 11,000 (four percent of registered boats) were boats that were 26 feet or greater, making them eligible to receive coast guard certification of documentation, also known as being federally documented. According to the United States Coast Guard, of that 11,000, approximately 2,800 are federally documented with hailing ports listed in Tennessee. In other words, approximately one percent of all recreational boats registered in Tennessee are also federally documented.

Prior Tennessee Boat Titling Legislation

Since 1995, the Tennessee legislature has considered, but has not passed, six bills regarding boat titling. Prior legislation varied in the scope of boats required to be titled, the state agency charged with administration, the titling fee, and whether or not titling would be mandatory or optional.

Table 3. Prior Tennessee Boat Titling Bills

Year Introduced	Prior Bill Information	Bill Summaries
2007	Senate Bill 785 by Burchett and House Bill 1921 by Rinks	The bill would have required titling for all motorized boats and sailboats with TWRA as the administrative entity with title fee of \$13.50. County clerk would receive a separate fee of \$6.50 for each title application received and forwarded.
2001	Senate Bill 1784 by Burchett and House Bill 243 by Patton	The bill would have required titling for all motorized boats and sailboats over 16 feet in length and not primarily used for fishing with the Department of Safety as the administrative entity and a title fee of \$8. County clerks would be paid \$4.50 of the fee for receiving and forwarding the title applications.
1999	Senate Bill 885 by Atchley and House Bill 819 by Rinks	The bill would have required personal watercraft (e.g., "jet skis") and watercraft with inboard motors to be titled; permits other watercraft to be titled with the Department of Safety as the administrative entity with a title fee of \$8. County clerks would be paid \$4.50 of the fee for receiving and forwarding the title applications.
1999	Senate Bill 636 by Springer and House Bill 959 by Tidwell	The bill would have created a voluntary system of boat titling with the Department of Safety as the administrative entity with a title fee of \$8. County clerks would be paid \$4.50 of the fee for receiving and forwarding the title applications.
1998	Senate Bill 385 by Atchley and House Bill 1120 by Rinks	The bill would have required titling for all motorized boats and all sail boats with the Department of Safety as the administrative entity with a title fee of \$8. County clerks would be paid \$4.50 of the fee for receiving and forwarding the title applications.
1995	Senate Bill 470 by Atchley and House Bill 217 by Rinks	The bill would have required titling for all motorized boats and all sail boats with the Department of Safety as the administrative entity with a title fee of \$8. County clerks would be paid \$4.50 of the fee for receiving and forwarding the title applications.

Purported Benefits of Boat Titling

In general, boat titling is widely supported among the many stakeholders interviewed. Implementation of a mandatory boat titling system is widely favored over an optional titling system by the stakeholders interviewed, and 36 of the 37 states that title boats. Stakeholders say that optional titling could create confusion among lenders and buyers regarding which boats have titles and could potentially cause problems with perfecting a lender's security interest in the boat. Proponents argue that boat titling provides many benefits for a relatively small one-time fee, and recommend it to

- provide the owner legally sufficient proof of ownership;
- potentially reduce financing costs and conform the process for obtaining and perfecting a security interest in a Tennessee boat to that for motor vehicles by noting the lien on the title instead of the current method of filing a UCC-1 financing statement;
- deter thieves from using the state as a “dumping ground” for boats stolen from other states that title boats;
- improve recovery of stolen boats by establishing a paper trail via the title that proves ownership;
- reduce fraud perpetrated against insurance companies, and thereby potentially reduce insurance premiums; and
- help prevent Tennesseans from unwittingly purchasing a stolen vessel.

Stakeholders interviewed supporting boat titling include the following:

- Boat Owners Association of the United States (BoatUS),
- National Marine Manufacturers Association (NMMA),
- National Association of State Boating Law Administrators (NASBLA),
- Uniform Law Commission (ULC),
- National Marine Lenders and Banks,
- Insurance industry,
- Tennessee Wildlife Resource Agency,
- Tennessee county clerks, and
- United States Coast Guard.

Table 4. Other States' Boat Titling Fees

Boat Titling Fee Amount	Number of States
\$2 to \$10	16 states
\$11 to \$20	9 states
Over \$20	10 states
Fee Schedule	2 states

Source: Commission staff analysis of other states' laws

Model Legislation—Uniform Certificate of Title for Vessels Act

Virginia and Connecticut have enacted modified versions of the Uniform Certificate of Title for Vessels Act (UCOTVA), which the Uniform Law Commission (ULC) began promoting in 2011. According to the ULC, the UCOTVA regulates the titling of boats in a similar manner to the way that all states now regulate titles for automobiles, and by ensuring that a boat's rightful owner is easily identifiable, the uniform law promotes financing of boats and deters theft. The model law also establishes title branding, which is promoted as a way to protect consumers by requiring disclosure on the boat's title of any damage that affects the vessel's integrity.

According to the ULC, the UCOTVA will modernize and standardize the law of titling of boats, resulting in the following advantages for enacting states:

- *UCOTVA can promote new commercial activity in your state.* UCOTVA facilitates vessel financing because security interests perfected pursuant to the act should receive the status of a preferred ship mortgage under federal law. No current state certificate of title statute for vessels has the same effect.
- *UCOTVA prevents unnecessary litigation.* UCOTVA integrates seamlessly with the Uniform Commercial Code, particularly Articles 2 and 9. It provides clear rules on all matters relating to a security interest in a vessel, meaning fewer disputes will go to court.
- *UCOTVA protects consumers from buying unsafe boats.* UCOTVA aids consumers and facilitates boating safety by requiring the title of a vessel to be branded if the integrity of the vessel's hull has been compromised.

- *UCOTVA prevents criminal activity.* UCOTVA deters and impedes the theft of boats by providing both government officials and interested buyers with a simple means of identifying vessels. Uniform adoption of UCOTVA will help prevent “title-washing” by relocating stolen watercraft to another state.
- *UCOTVA is administratively simple.* UCOTVA imposes few new burdens or costs on state titling offices.
- *UCOTVA is popular with stakeholders.* UCOTVA was drafted with extensive input from state boat law administrators, boat manufacturers, financiers, insurers, and the United States Coast Guard.

Attachment A: 50 State Review - Boat Registration and Titling Requirements

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Alabama	261, 741	All motorboats, sailboats, and rental boats	No Boat Titling	-
Alaska	51,144	All undocumented motorized boats	No Boat Titling	-
Arizona	123, 263	All motorized watercraft	No Boat Titling	-
Arkansas	189,514	All watercraft	No Boat Titling	-
California	697,412	All motorboats; sailboats over 8 feet in length	All sail-powered vessels over 8 feet in length and every motor-driven vessel, regardless of length, which is used or on the waters of this state are subject to registration.	\$20
Colorado	84,676	All watercraft powered by motor or sail- sailboards are exempt	No Boat Titling	-
Connecticut	93, 364	All motorboats; sailboats 19.5 feet in length or greater	Required to title and register the following types of vessels with a manufacturing date of 2017 and later: All boats with motors, sailboats that are 19 1/2 feet or longer, personal watercraft (e.g. Jet Skis)	\$25
Delaware	61,901	All motorboats	No Boat Titling	-

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Florida	905, 298	All motorboats	All boats must be titled except those under 16 feet without motors	\$5.25 for electronic title and \$7.75 for paper title.
Georgia	335, 723	All motorboats; sailboats 12 feet in length or greater	No Boat Titling	-
Hawaii	11,238	All motorboats; sailboats 8 feet in length or greater	No Boat Titling	-
Idaho	87, 211	All motorboats and sailboats	Title required for model year 2000 or newer with a permanently attached mode of propulsion (i.e. sail or inboard), and for all vessels more than 12 feet in length with an outboard motor. For all types listed that are required to be titled that are model year 1999 and older, titling is optional unless the vessel is being financed, in which case it must be titled.	\$14
Illinois	242, 275	All watercraft, except non-powered vessels on private waters	All machine and sail powered vessels require titling.	Fee Schedule by Length.
Indiana	209, 622	All motorboats on public waterways	Titling is required for any vessel equipped with a motor, including sailboats with motors.	\$15

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Iowa	205, 145	All watercraft except inflatables under 7 feet in length and canoes/kayaks under 13 feet in length	All vessels 17 feet or more must be titled, exempting canoes, kayaks, and inflatable vessels.	\$11.50
Kansas	81, 243	All motorboats and sailboats	No Boat Titling	-
Kentucky	173, 881	All motorboats, except electric motors 1 horsepower or less	Titling is required for all motorized boats whether or not such machinery is the principal source of propulsion.	\$9
Louisiana	306, 689	All motorboats; sailboats more than 12 feet in length	Titling is <i>required</i> for vessels or outboard engines 25 horsepower and above that are being financed. Titling is <i>optional</i> for the following: (1) vessels valued in excess of \$2,500 and required to be numbered and transferred for the first time after July 2008; and (2) an outboard motor transferred for the first time on or after January 2011.	\$18
Maine	111, 116	All motorboats	No Boat Titling	-
Maryland	176, 207	All motorboats	Titling is required for all motorized boats.	\$2

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Massachusetts	140, 008	All motorboats	Titling is required for any vessel of 14 feet or greater in length propelled or designed to be propelled by machinery whether or not such machinery is permanently or temporarily affixed or is the principal source of propulsion.	\$15
Michigan	794, 137	All watercraft except manually propelled vessels 16 feet or less in length, and privately owned non-motorized rafts, canoes, and kayaks	Titling is required for all vessels that are 20 feet in length or greater; and all vessels that have a permanently affixed engine must be titled. All other boats may be titled at the owner's option.	\$5
Minnesota	817, 560	All watercraft except non-motorized boats ten feet or less in length, duck-boats during duck hunting season, and rice-boats during harvest season and seaplanes	Titling required for all vessels over 16 feet in length. The following are excluded: kayaks, canoes, row-type fishing boats, water fowl boats, and life boats.	\$22
Mississippi	132,441	All motorboats and sailboats	Boat titling is entirely optional.	\$10

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Missouri	293,185	All motorboats, sailboats over 12 feet in length	Titling is required for sailboats over 12 feet in length and for all motorized boats. Titling is required for all outboard motors regardless of horsepower, excluding electric trolling motors.	\$7.50
Montana	68, 229	All motorboats; sailboats over 12 feet in length	Titling is required for sailboats over 12 feet in length and for all motorized boats.	\$10
Nebraska	87, 596	All motorboats	Titling is required for all motorized vessels, except those manufactured prior to 11/1/1972.	\$10
Nevada	42, 426	All motorboats	Titling is required for all motorized vessels.	\$20
New Hampshire	94, 806	All motorboats; sailboats 12 feet in length or greater	No Boat Titling	-

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
New Jersey	150, 968	All watercraft except non-motorized boats less than 12 feet in length and canoes, kayaks, racing shells, and rowing sculls	All boats over 12 feet in length must be titled, except for lifeboats, canoes, kayaks, inflatable boats, surfboards, rowing sculls, racing shells, and dinghies used solely for direct transportation between a vessel and shore.	\$60 (\$85 for a financed boat)
New Mexico	33, 780	All motorboats and sailboats	Titling is required for motorized vessels 10 feet and over and sailboats 10 feet and over. Titling is optional for all over vessels.	\$10
New York	448, 480	All motorboats	Titling is required for all motorized vessels 14 feet and over with model year 1987 and newer.	\$10
North Carolina	367, 225	All motorboats; sailboats more than 14 feet in length	Titling is required for the following vessels purchased or transferred after 1/1/2007: motorized vessel or sailboats 14 feet or longer and any personal watercraft (e.g., jet skis). Any other vessel may be titled at the owner's option. [Note that from 1990 to 2006, boat titling was optional in North Carolina]	\$35
North Dakota	67, 022	All watercraft	No Boat Titling	-

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Ohio	505, 082	All watercraft	Titling is required for all watercraft 14' or more, for watercraft less than 14' with permanently affixed engines with 10 horsepower or greater, and for outboard motors 10 horsepower or greater.	\$15
Oklahoma	202, 388	All watercraft	Titling is required for all vessels (excluding canoes, kayaks, and paddleboats) and for outboard motors greater than 10 horsepower.	\$2.25
Oregon	156, 168	All motorboats; sailboats more than 12 feet in length	Titling is required for all motorized vessels and for sailboats 12 feet or greater.	\$50
Pennsylvania	315, 503	All motorboats and certain non-powered craft using lakes or access areas owned by the PA State Fish & Boat Commission	Titling is required for all power-driven boats with a model year of 1997 or newer, excluding boats less than 14 feet in length that are powered by an outboard motor and all inboard vessels (including PWCs) with a model year of 1997 or newer, regardless of length. Titling is optional for all non-required vessels.	\$15

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Rhode Island	40, 178	All motorboats and rowboats over 12 feet	Titling is required for all vessels 14 feet and greater, except for human-powered inflatable vessels, surfboards, and rowboats.	\$25
South Carolina	518, 269	All watercraft	Title is required for all sailboats and motorized boats.	Fee Schedule
South Dakota	59, 485	All motorboats; all other boats over 12 feet in length	Titling is required for all motorized boats of any length and for all other boats over 12 feet, excluding canoes, kayaks, inflatable vessels, sailboards, and seaplanes.	\$10
Tennessee	254, 091	All motorboats and sailboats	No Boat Titling	-
Texas	573, 425	All motorboats and sailboats over 14 feet in length	Titling is required for all motorized boats, regardless of length, all sailboats 14 feet or greater, and all outboard motors.	\$25

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Utah	65,873	All motorboats and sailboats	Titling is required for all vessels with a model year of 1985 or newer, except for canoes and inflatables vessels with outboard motors of 25 horsepower or less. Titling is required for all outboard motors with a model year of 1985 or newer and more than 25 horsepower.	\$6
Vermont	29,353	All motorboats	Titling is required for motorized vessels that are 16 feet or more and less than 15 years old. Canoes, kayaks, or similar vessels that are manually propelled or equipped with a motor less than 10 horsepower are exempt.	\$22
Virginia	233,236	All motorboats	Titling is required all motorized vessels of any length and for sailboats over 18 feet.	\$7

State	Boats Registered, 2016	Scope of Boat Registration System	Scope of Boat Titling System	Boat Titling Fee
Washington	234,035	All motorboats except motorboats less than 16 feet with motors less than 10 horsepower	Titling is required for all sailboats over 16 feet and for all motorized boats over 16 feet in length and with an engine of 10 horsepower or greater. Boats less than 16 feet in length with a motor of 10 horsepower or less are exempt if used only on non-federal waters.	\$17
West Virginia	57,305	All motorboats	Titling is required for all motorized vessels purchased in West Virginia by the current owner after July 1, 1989.	\$22
Wisconsin	611, 240	All motorboats; sailboats over 12 feet in length	Titling is required for vessels 16 feet or great in length.	\$5
Wyoming	27, 288	All motorboats and sailboats	Titling is required for all motorized boats.	-

Source of State Recreational Boat Registration Numbers: United States Coast Guard, Recreational Boating Statistics, 2016. Note that commercial vessels are not counted in this table. Tennessee's registration total would include an additional 391boats if commercial boats were included. All other information comes from staff analysis of other states' laws.

Attachment B: Tennessee Boat Registration Statistics. 2016 TWRA Annual Report

STATE REGISTRATION DATA CGHQ-3923	DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD
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Instructions: This form references data outlined in 33 CFR 174.19. Section 1 represents recreational vessel registration where the primary operation was "pleasure", "rent or lease", or "dealer or manufacturer demonstration". Section 2 represents commercial vessel registration where the primary operation was "charter fishing", "commercial fishing", "commercial passenger carrying", or "other commercial operation". Section 3 represents the scope of your registration system and Section 4 represents administrative information. Please fill in these sections for the calendar year. Please direct form questions to CG-BSX-21 at 202-372-1103.

Section 1 * Recreational vessels registered by length category

Motorized Vessel Types	Length category (ft)				
	<16	16-<26	26-<40	40-<65	65 and over
Airboat					
Auxiliary sail	280	559	238	6	1
Cabin motorboat	29	2,064	2,570	605	19
Houseboat	10	60	553	1,524	855
Inflatable boat	2				
Open motorboat	57,082	155,923	4,319	208	97
Personal watercraft	24,909	316	8		
Pontoon boat		20	1		
Other	65	117	2		1

Non-Motorized Vessel Types	Length category (ft)				
	<16	16-<26	26-<40	40-<65	65 and over
Paddlecraft	2				
Rowboat	4				
Sail	275	304	23		
Other	854	178	6		2

Section 2 * Commercial vessels registered

	Total
Charter fishing	
Commercial fishing	374
Commercial passenger carrying	14
Other commercial operation	1

Section 3 * Scope of registration system (what vessels your State registers.
Examples: all watercraft, all motorboats, etc)
 TN registers all vessels propelled by sail or machinery.

Section 4 * Administrative	
Calendar year represented: 2016	Name: Barry Sumners
State: Tennessee	Agency: TN Wildlife Resources Agency
	Phone: 615-781-6555
	Email: barry.sumners@tn.gov
	Date submitted: 1/31/2017

Tennessee: The Legal Requirements of Boating

Your Vessel's Certificate of Number and Validation Decals

- ◆ Requirements for vessel registration vary from state to state. In Tennessee, you must have a Tennessee Certificate of Number and validation decals to operate your vessel legally on public waters in Tennessee. The only exceptions are:
 - Vessels propelled only by paddles or oars
 - Vessels registered in other states using Tennessee waters for 60 days or less
- ◆ An application for the Certificate of Number is obtained after paying sales tax to the dealer or county clerk's office. The application then is mailed to the Tennessee Wildlife Resources Agency or dropped off at the Nashville TWRA sales office.
- ◆ *The Certificate of Number (pocket-sized registration card) must be on board and available for inspection by an enforcement officer whenever the vessel is operated.*
- ◆ The registration number and validation decals must be displayed as follows.
 - Number must be painted, applied as a decal, or otherwise affixed to both sides of the bow where no other number may be displayed.
 - Number must read from left to right on both sides of the bow.
 - Number must be in at least three-inch-high, plain, vertical **BLOCK** letters.
 - Number's color must contrast with its background.
 - Letters must be separated from the numbers by a hyphen or a space:
TN-3717-ZW or **TN 3717 ZW**.
 - Decals may be placed to the left or right of the registration number on both sides of the bow.
- ◆ If your vessel requires registration, it is illegal to operate it or allow others to operate your vessel unless it is registered and numbered as described above.

Other Facts About Registering Your Vessel

- ◆ The Certificate of Number is valid for one, two, or three years, at the option of the owner.
- ◆ The owner of a numbered vessel must notify TWRA within 15 days if:
 - You change your address.
 - The vessel is lost, stolen and/or recovered, destroyed, abandoned, or sold.
- ◆ Vessels registered in another state may operate on Tennessee waters for 60 consecutive days before Tennessee registration is required.
- ◆ If you lose or destroy your Certificate of Number or validation decals, you must apply to the TWRA for a duplicate and submit a processing fee.
- ◆ Larger recreational vessels owned by U.S. citizens may (at the option of the owner) be documented by the U.S. Coast Guard (USCG). Call the USCG at **1-800-799-8362** for more information.
 - Documented vessels must be registered in Tennessee and carry the Certificate of Number on board, but are not required to display the registration number.
 - The validation decals issued by the TWRA must be placed on both sides of the documented vessel on the windows closest to the main operator station.
 - If the vessel does not have windows, the decals must be placed in the immediate vicinity of the operator and must be clearly visible to enforcement officers.
 - Sailboats may place the decals on both sides of the bottom of the main mast.



Certificate of Number

The Certificate of Number (pocket-sized registration card) must be carried on board the vessel whenever the vessel is operated.



Spaces or hyphens should appear here.



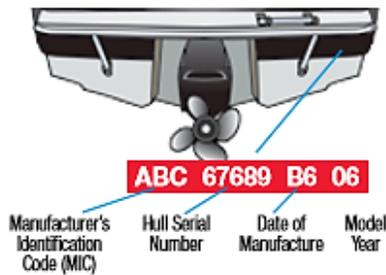
Validation Decal

(May be placed to left or right of the registration number)



PWCs also are required to display the certificate's number and validation decal.

Hull Identification Number



TENNESSEE WILDLIFE RESOURCES AGENCY BOATING SAFETY EDUCATION CERTIFICATE			
03/15/2005	999-999-999	01/19/1990	
Jane H. Doe 1331 Boater Lane Boatsville, TN 33311			
F	Caucasian	BR	BR

TWRA Boating Safety Education Certificate

Those born after January 1, 1989, must have on board the Boating Safety Education Certificate issued by TWRA (shown above) whenever the vessel is in operation. This is the only certificate that will be recognized as meeting the requirements of the law for those born after January 1, 1989. The certificate will not expire but may be revoked in a court of law.

Hull Identification Number

- ◆ The Hull Identification Number (HIN) is a unique 12-digit number assigned by the manufacturer to vessels built after 1972.
- ◆ Hull Identification Numbers:
 - Distinguish one vessel from another—the same as serial numbers distinguish one car from another.
 - Are engraved in the fiberglass or on a metal plate permanently attached to the transom.
- ◆ You should write down your HIN and put it in a place separate from your vessel in case warranty problems arise or your vessel is stolen.

Who May Operate a Vessel

- ◆ **Those born after January 1, 1989**
 - Tennessee residents must successfully complete the TWRA Boating Safety Exam and carry on board the Boating Safety Education Certificate issued by the Tennessee Wildlife Resources Agency (TWRA) when operating a vessel on Tennessee waters. Only the TWRA-issued certificate will be accepted as meeting the requirements of Tennessee law. This does not apply to non-residents or persons who rent a vessel.
 - Non-residents within this age category must show proof of successful completion of a NASBLA (National Association of State Boating Law Administrators) approved boating safety course.
 - Operators of vessels powered by engines of 8.5 horsepower or less and operators of sailboats under sail alone are not required to possess the Boating Safety Education Certificate.
- ◆ **To operate a motorized vessel of more than 8.5 horsepower**
 - Those less than 12 years old must have a supervisor on board who is at least 18 years old and able to take immediate control of the vessel. The supervisor, if born after January 1, 1989, also must have a Boating Safety Education Certificate issued by TWRA.
 - Those 12 years old or older operating alone must have a Boating Safety Education Certificate issued by TWRA.
- ◆ **Those less than 16 years of age** may not *rent* a personal watercraft (PWC).

Source: Boat Tennessee Course at <https://www.boat-ed.com/tennessee/>