

**Research Plan: Public Chapter 179, Acts of 2017, Topic: Boat Titling**

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Deputy Executive Director Approval: Initial: *MMB* Date: *5-4-17*

Executive Director Approval: Initial: *(Signature)* Date: *5/5/17*

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**Purpose**

To study the effects of creating and implementing a system for the titling of boats in Tennessee.

**Background**

Public Chapter 179, Acts of 2017, directs the Commission to study the creation and implementation of a boat titling system in Tennessee and report its findings and recommendations, including any proposed legislation. According to the Senate sponsor, Chairman Norris, the study was prompted by events from 2015 when a Tennessee boat dealer was arrested and convicted following allegations that she sold the same boats to multiple people. Victims of the crime believe that a boat titling system in Tennessee would have prevented this situation. While most states have a boat titling system, Tennessee does not. States requiring boat titling often exclude smaller, lower value boats from titling requirements by means of size or engine-power criteria exemptions.

**Step 1. Define the Problem**

How to provide boat owners proof of ownership. To which types of boats should the boat titling requirement apply? Are there existing unique or identifying numbers that can be used to title a boat? What is the appropriate amount to charge to title a boat? Which government agency should have responsibility for boat titling if a process is implemented?

## Step 2. Assemble Some Evidence

- Review referred legislation.
  - Review Public Chapter 179, Acts of 2017, and related statues and regulations to determine what the Act does.
  - Review committee hearings on the bill and summarize comments and concerns of committee members, the bill sponsors, and others speaking for or against the bill.
  - Interview the bill sponsors, proponents, and other stakeholders to determine what is driving this issue.
  - Review the fiscal note. Consult with Fiscal Review Committee staff and follow up with agencies submitting support forms to determine the estimated cost and the method and rationale for the estimates.
  - Review similar bills from previous general assemblies.
  - Determine the estimated cost to the state to implement and administer a boat titling system and the method and rationale for the estimates.
- Consult with the Tennessee Wildlife Resources Agency, Department of Revenue, Department of Commerce and Insurance, law enforcement, and seek input from representatives of the boat industry, boat owners and sellers, and marina owners.
- Interview officials in other states regarding their experience with boat titling requirements.
- Review similar laws and regulations in other states.
- Review alternatives (e.g., proof with receipt from sale and hull number) to boat titling for deterring of boat theft and related fraud.
- Review the Uniform Law Commission and determine if any states have implemented all or part of their recommendations.
- Review issues regarding the titling of a boat trailer and motor.
- Review the literature and seek opinions of subject matter experts.

## Step 3. Construct Alternatives

Alternatives will be based on

- current law,
- proposed changes in the current law, and

- any additional alternatives drawn from the research and analysis in Step 2.

Each alternative will be described specifically enough to project outcomes in Step 5.

#### **Step 4. Select Criteria**

- Ease of administration
  - for state government
  - for local government
  - for boat dealers
  - for boat manufacturers
- Cost
  - boat purchasers and owners
  - boat dealers
  - boat manufacturers
  - state government
  - local governments
- Receptiveness
  - public
  - boat dealers
  - manufacturers
  - state government
  - local governments
- Effectiveness of titling in deterring or resolving boat theft
  - compare boat theft rates in states with a boat titling requirement to states without a boat titling requirement

#### **Step 5. Project Outcomes**

- Estimate cost of
  - title fees
  - administration

- enforcement
- Estimate the costs to
  - boat purchasers and owners
  - boat sellers
  - boat manufacturers
  - state government
  - local governments
- Estimate the effectiveness in deterring boat related fraud.
- Estimate the acceptability to
  - boat purchasers and owners
  - boat sellers
  - boat manufacturers
  - state and local officials

#### **Step 6. Confront Trade-offs**

- How will the differences between the current law and the other alternatives affect the public, businesses, and law enforcement?
- What are the pros and cons of the potential solutions?

#### **Step 7. Decide which alternatives to present to the Commission**

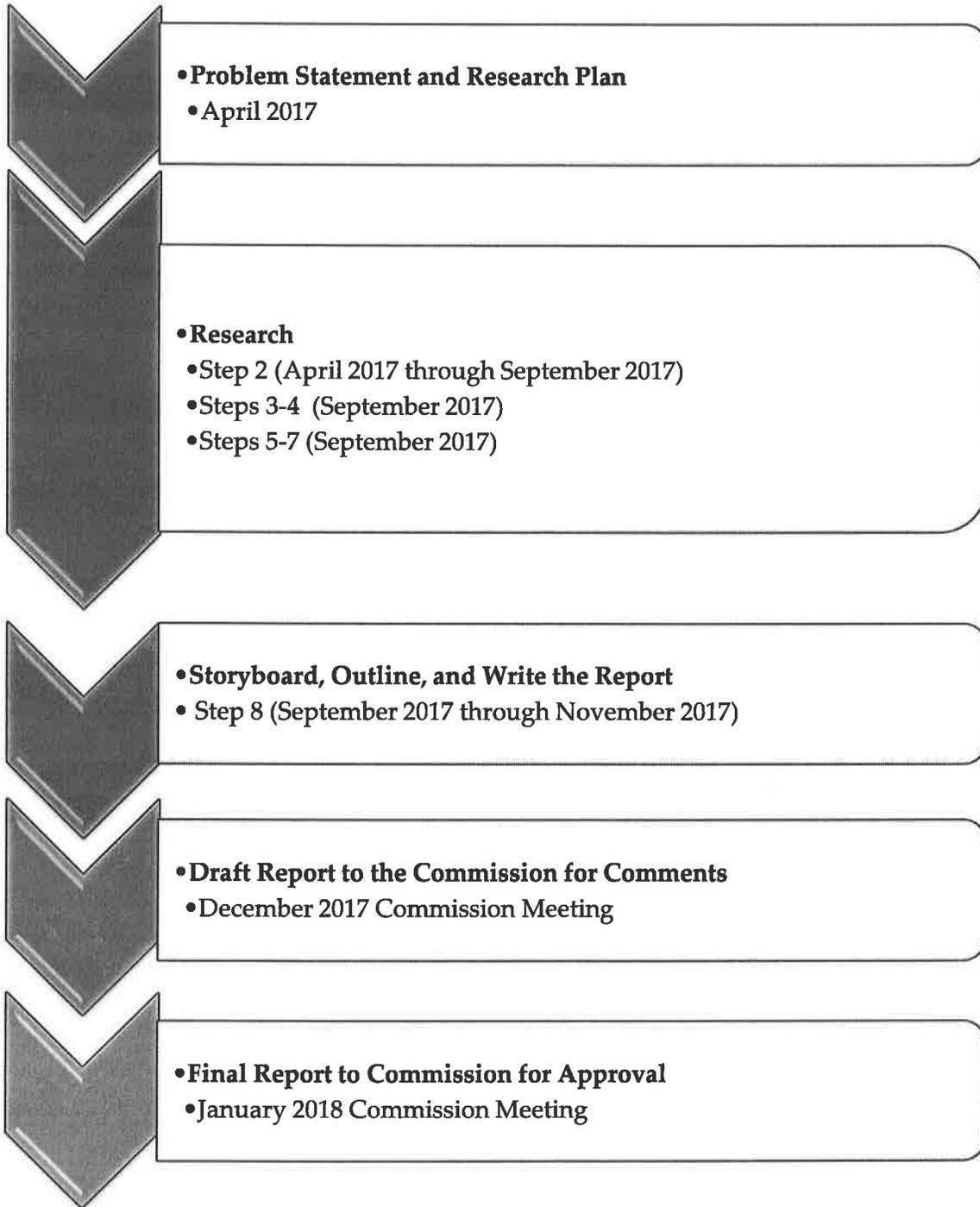
Based on the results of Step 6, choose the alternatives that most practically and realistically resolve the problem

#### **Step 8. Produce the Draft Report**

Develop and present a draft for review and comment to the Commission

#### **Revisit Steps 5-8.**

- Respond to feedback from Commission regarding outcome projections, trade-offs, and selection of alternatives.
- Revise and edit the draft to reflect comments of the Commission.  
Submit final report to the Commission for approval.





# *State of Tennessee*

## **PUBLIC CHAPTER NO. 179**

**SENATE BILL NO. 1261**

**By Norris, Southerland**

Substituted for: House Bill No. 1068

By Moody

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 10, to direct the Tennessee advisory commission on intergovernmental relations to conduct a study on the titling of boats.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 10, is amended by adding the following as a new section:

(a) The Tennessee advisory commission on intergovernmental relations (TACIR) is directed to perform a study of the creation and implementation of a system for the titling of boats in this state. This study must be conducted from TACIR's existing resources.

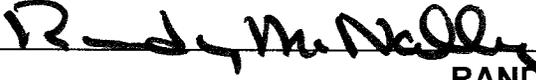
(b) All appropriate state departments and agencies shall provide assistance to TACIR in connection with the study required by subsection (a).

(c) TACIR shall report its findings and recommendations, including any proposed legislation or interim reports upon conclusion of its study.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

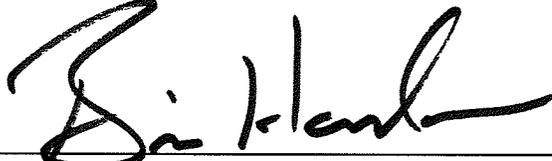
SENATE BILL NO. 1261

PASSED: April 10, 2017

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24<sup>th</sup> day of April 2017

  
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BILL HASLAM, GOVERNOR