

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 368 By: Guthrie

6 AS INTRODUCED

7 An Act relating to the Oklahoma Vessel and Motor
8 Registration Act; amending 63 O.S. 2021, Section
9 4002, as amended by Section 199, Chapter 282, O.S.L.
10 2022 (63 O.S. Supp. 2024, Section 4002), which
relates to definitions; modifying certain definition;
updating statutory language; and providing an
effective date.

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 63 O.S. 2021, Section 4002, as
14 amended by Section 199, Chapter 282, O.S.L. 2022 (63 O.S. Supp.
15 2024, Section 4002), is amended to read as follows:

16 Section 4002. As used in the Oklahoma Vessel and Motor
17 Registration Act:

18 1. "Boat livery" means a business establishment engaged in
renting or hiring out vessels for profit;

19 2. "Canoe" means a light narrow vessel with both ends typically
20 tapered to a sharp point which is propelled solely by its occupants,
21 using a single-bladed paddle as a lever without the aid of a fulcrum
22 provided by oarlocks, thole pins, crutches, or similar arrangements;

3. "Certificate of documentation" means a document issued by the United States Coast Guard which is legal proof of ownership of a vessel;

4. "Certificate of registration" means a document which is legal proof of registration of a vessel or motor;

5. "Certificate of title" means a document which is proof of legal ownership of a vessel ~~and/or~~ or motor;

6. "Service Oklahoma" means:

a. Service Oklahoma, or

b. the equivalent vessel registration and licensing

agency of a federally recognized Indian tribe in this state;

7. "Dealer" means any person engaged in the business of selling, trading, renting with option to purchase, or attempting to negotiate or negotiating sales or exchanges of interests in new or used vessels or motors, or new and used vessels or motors, or any combination thereof;

8. "Dealer agreement" means the agreement, authorization, or written contract between a manufacturer and distributor and a new vessel dealer which purports to establish the legal rights and obligations of the parties to the agreement, authorization, or written contract with regard to the purchase and sale of new vessels or new motors;

1 9. "Designated successor" means one or more persons nominated
2 by the new vessel dealer, in a written document filed by the dealer
3 with the manufacturer or distributor at the time the dealer
4 agreement is executed, to succeed the dealer in the event of the
5 dealer's death or incapacity. If a designated successor is not able
6 to succeed the new vessel dealer because of the designated
7 successor's death or legal incapacity, the dealer shall execute a
8 new document nominating a designated successor within sixty (60)
9 calendar days after the date of the death or incapacity;

10 10. "Distributor" means a person, resident or nonresident, who
11 in whole or in part offers for sale, sells, or distributes a new
12 vessel or new motor to a new vessel dealer or who maintains a
13 factory representative, resident or nonresident, or who controls a
14 person, resident or nonresident, who in whole or in part offers for
15 sale, sells, or distributes a new vessel or new motor to a new
16 vessel dealer;

17 11. "Distributor branch" means a branch office similarly
18 maintained by a distributor or wholesaler for the same purposes a
19 factory branch is maintained;

20 12. "Distributor representative" means any person, firm,
21 association, corporation, or trust and each officer and employee
22 thereof engaged as a representative of a distributor or distributor
23 branch of vessels or motors, for the purpose of making or promoting
24 the sale of his ~~or~~, her, its, or their vessels or motors, or for

1 supervising or contacting his, her, its, or their dealers or
2 prospective dealers;

3 13. "Documented vessel" means any vessel in this state which
4 shall have and carry on board the original certificate of
5 documentation in legible form as issued by the United States Coast
6 Guard or federal agency successor thereto. All documented vessels
7 shall be required to display a current State of Oklahoma annual
8 registration decal;

9 14. "Factory branch" means a branch office maintained by a
10 person, firm, association, corporation, or trust who manufactures or
11 assembles vessels or motors for the sale of vessels or motors to
12 distributors, or for the sale of vessels or motors to dealers, or
13 for directing or supervising, in whole or in part, its
14 representatives;

15 15. "Factory representative" means any person, firm,
16 association, corporation, or trust and each officer and employee
17 thereof engaged as a representative of a manufacturer of vessels or
18 motors or by a factory branch, for the purpose of making or
19 promoting the sale of his, her, its, or their vessels or motors, or
20 for supervising or contacting his, her, its, or their dealers or
21 prospective dealers;

22 16. "Hull identification number" means the serial number
23 affixed to the outside of the hull of a vessel on the upper
24

1 starboard side (right) corner of the transom (back wall) which is
2 assigned by the manufacturer or Service Oklahoma;

3 17. "Inboard motor" means an internal combustion engine mounted
4 inside a vessel which provides the transfer of power to move a
5 vessel through the water;

6 18. "Inboard/outboard motor" means an internal combustion
7 engine mounted inside a vessel and an external stern drive attached
8 through the transom of the vessel providing the transfer of power to
9 move the vessel through the water;

10 19. "John boat" "Johnboat" means a narrow, flat-bottomed
11 square-ended vessel propelled by a pole, paddle,_ or a motor of less
12 than ten (10) horsepower;

13 20. "Kayak" means a light,_ narrow vessel with both ends
14 typically tapered to a sharp point and propelled by ~~double-bladed~~
15 ~~paddles as a lever without the aid of a fulcrum provided by~~
16 ~~earlocks, thole pins, crutches or similar arrangements by~~ human
17 muscular effort by one or more individuals seated inside or on top
18 of the vessel ~~and facing the direction of travel using double-bladed~~
19 paddles, hand cranks, or pedals;

20 21. "Kiteboard" means a vessel, similar in appearance to a
21 surfboard, with or without foot straps or bindings, combined with a
22 large controllable kite to propel the rider and board across the
23 water;

1 22. "Lifeboat" means a vessel carried on another vessel in
2 excess of sixty-five (65) feet for use if such other vessel has to
3 be abandoned;

4 23. "Manufacturer" means a person who manufactures or assembles
5 new vessels or new motors, or a distributor, factory branch, or
6 factory representative;

7 24. "Motor" means any internal combustion engine mounted at the
8 stern of a vessel or placed inside a vessel which provides the
9 transfer of power to move the vessel through the water;

10 25. "New vessel dealer" means a person who holds a dealer
11 agreement granted by a manufacturer or distributor for the sale of
12 the manufacturer's or distributor's vessels or motors, who is
13 engaged in the business of purchasing, selling, exchanging, or
14 dealing in new vessels or new motors, and who has an established
15 place of business;

16 26. "Operate" means to navigate or be in actual physical
17 control of a vessel or otherwise use a vessel or motor;

18 27. "Outboard motor" means an internal combustion engine
19 capable of being externally mounted at the stern of a vessel which
20 provides the transfer of power to move a vessel through the water;

21 28. "Owner" means a person, other than a lienholder, having a
22 property interest in or title to a vessel or motor. The term
23 includes a person entitled to the use or possession of a vessel or
24 motor subject to an interest in another person, reserved or created

1 by agreement and securing payment or performance of an obligation,
2 but the term excludes a lessee under a lease not intended as
3 security;

4 29. "Paddleboard" means a vessel, similar in appearance to a
5 surfboard, intended to be propelled only by its occupants using a
6 single- or double-bladed paddle as a lever without the aid of a
7 fulcrum provided by oarlocks, thole pins, crutches, or similar
8 arrangements;

9 30. "Paddleboat" means a vessel less than eight (8) feet in
10 length designed to be propelled solely by human power through a
11 belt, chain, or gears;

12 31. "Permanent number" means the distinctive and unique number
13 which:

14 a. Service Oklahoma permanently assigns to a vessel,
15 irrespective of any change of ownership of said the
16 vessel. The permanent number shall begin with the
17 letters "OK", followed by four numerals, and then
18 followed by two letters, or

19 b. any federally recognized Indian tribe in this state
20 assigns to a vessel;

21 provided, the number is configured as prescribed in 33 C.F.R., Parts
22 173 and 174;

23 32. "Person" means a natural person, partnership, corporation,
24 association, trust, estate, or other legal entity;

1 33. "Proposed new vessel dealer" means a person who has an
2 application pending for a new dealer agreement with a manufacturer
3 or distributor. Proposed new vessel dealer does not include a
4 person whose dealer agreement is being renewed or continued;

5 34. "Purchase date" means the purchase date on a bill of sale
6 or the date of complete assignment of title by the current owner;

7 35. "Sailboard" means a vessel, similar in appearance to a
8 surfboard, equipped with a swivel-mounted mast and sail not secured
9 to a hull by guys or stays;

10 36. "State" means the State of Oklahoma;

11 37. "State of principal use" means the state where the vessel
12 or motor is used, is to be used, or remains for any period in excess
13 of sixty (60) calendar days;

14 38. "Vessel" means every device, other than a seaplane on the
15 water, used or capable of being used as a means of transportation on
16 water;

17 39. "Waters of this state" means and includes all waters within
18 the territorial limits of this state; provided, such phrase shall
19 not mean or include waters which are entirely owned by a private
20 person or persons, and to which the public is not permitted access;
21 and

22 40. "Water-thrust device" means a device tethered to the water
23 jet mechanism of a vessel in a manner so that the water jet of the
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1 powering vessel provides propulsion for the attached device. Such
2 devices shall be considered a component of the powering vessel.

3 SECTION 2. This act shall become effective November 1, 2025.

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