

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Williamson offered the following:

3  
4 **Amendment**

5 Remove lines 481-529 and insert:

6 (c) In making application for transfer of title from a  
7 deceased titled owner, the new owner or surviving coowner shall  
8 establish proof of ownership by submitting with the application  
9 the original certificate of title and the decedent's probated  
10 last will and testament or letters of administration appointing  
11 the personal representative of the decedent. In lieu of a  
12 probated last will and testament or letters of administration, a  
13 copy of the decedent's death certificate, a copy of the  
14 decedent's last will and testament, and an affidavit by the  
15 decedent's surviving spouse or heirs affirming rights of  
16 ownership may be accepted by the department. If the decedent

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17 died intestate, a court order awarding the ownership of the  
18 vessel or an affidavit by the decedent's surviving spouse or  
19 heirs establishing or releasing all rights of ownership and a  
20 copy of the decedent's death certificate shall be submitted to  
21 the department.

22 (d) An owner or coowner who has made a bona fide sale or  
23 transfer of a vessel and has delivered possession thereof to a  
24 purchaser shall not, by reason of any of the provisions of this  
25 chapter, be considered the owner or coowner of the vessel so as  
26 to be subject to civil liability for the operation of the vessel  
27 thereafter by another if the owner or coowner has fulfilled  
28 either of the following requirements:

29 1. The owner or coowner has delivered to the department,  
30 or has placed in the United States mail, addressed to the  
31 department, either the certificate of title, properly endorsed,  
32 or a notice in the form prescribed by the department; or

33 2. The owner or coowner has made proper endorsement and  
34 delivery of the certificate of title as provided by this  
35 chapter. As used in this subparagraph, the term "proper  
36 endorsement" means:

37 a. The signature of one coowner if the vessel is held in  
38 joint tenancy, signified by the vessel's being registered in the  
39 names of two or more persons as coowners in the alternative by  
40 the use of the word "or." In a joint tenancy, each coowner is  
41 considered to have granted to each of the other coowners the

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42 absolute right to dispose of the title and interest in the  
43 vessel, and, upon the death of a coowner, the interest of the  
44 decedent in the jointly held vessel passes to the surviving  
45 coowner or coowners. This sub-subparagraph is applicable even if  
46 the coowners are husband and wife; or

47 b. The signatures of every coowner or of the respective  
48 personal representatives of the coowners if the vessel is  
49 registered in the names of two or more persons as coowners in  
50 the conjunctive by the use of the word "and."  
51 The department shall adopt suitable language that must appear  
52 upon the certificate of title to effectuate the manner in which  
53 the interest in or title to the vessel is held.