WEST VIRGINIA CODE: §20-7-12

§20-7-12. Motorboat identification numbers required; application for numbers; fee; displaying; reciprocity; change of ownership; conformity with United States regulations; records; renewal of certificate; transfer of interest, abandonment, etc.; change of address; unauthorized numbers; information to be furnished assessors.

Every motorboat, as defined in this section, operating upon public waters whose principal operation is within the territorial limits of this state shall be numbered as provided in this section:

(a) The owner of each motorboat requiring numbering by this state shall file an application for a number with the commissioner on forms approved by the Division of Motor Vehicles. The application shall be signed by the owner of the motorboat and shall be accompanied by the appropriate fee for a three-year registration period if the motorboat is propelled by a motor of three or more horsepower or 70 or more pounds of thrust. There is no fee for motorboats propelled by motors of less than three horsepower or less than 70 pounds of thrust. The fee schedule for a three-year registration period is as follows, and may be prorated by the commissioner for periods of less than three years:

(1) Class A motorboats less than 16 feet in length, $30;

(2) Class 1 motorboats 16 feet or over and less than 26 feet in length, $45;

(3) Class 2 motorboats 26 feet or over and less than 40 feet in length, $60; and

(4) Class 3 motorboats 40 feet in length or over, $75.

All fees, including those received under §20-7-12(b) of this code, shall be deposited in the State Treasury. All moneys deposited pursuant to this section and credited to the Division of Motor Vehicles and 50 percent of all fees collected thereafter shall be credited to the State Road Fund. The remaining 50 percent shall be credited to the Division of Natural Resources and shall be used and paid out upon order of the director solely for the enforcement and safety education of the state boating system.

Upon receipt of the application in approved form, the commissioner shall enter the application upon the records of the division and issue to the applicant a number awarded to the motorboat and the name and address of the owner. The owner shall paint on or attach to each side of the bow of the motorboat the identification number in the manner prescribed by rules of the commissioner in order that it is clearly visible. The owner shall maintain the number in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the motorboat for which it is issued, whenever the motorboat is in operation.

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(b) To permit a motorboat sold to a purchaser by a dealer to be operated pending receipt of the certificate of number from the commissioner, the commissioner may deliver to dealers temporary certificates of number to in turn be issued to purchasers of motorboats, upon application by the dealer and payment of $1 for each temporary certificate. Every person who is issued a temporary certificate by a dealer shall, under the provisions of §20-7-12(a) of this code, apply for a certificate of number no later than 10 days from the date of issuance of the temporary certificate. A temporary certificate expires upon receipt of the certificate, upon rescission of the contract to buy the motorboat in question, or upon the expiration of 40 days from the date of issuance, whichever occurs first. It is unlawful for any dealer to issue any temporary certificate knowingly containing any misstatement of fact or knowingly to insert any false information on the face of the temporary certificate. The commissioner may by rule prescribe additional requirements upon the dealers and purchasers that are consistent with the effective administration of this section.

(c) The owner of any motorboat already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the motorboat on the waters of this state in excess of the 60-day reciprocity period provided for in 33 C.F.R. § 173.17 et seq. once its state of principal operation changes to the State of West Virginia. The recordation shall be in the manner and pursuant to procedure required for the award of a number under §20-7-12(a) of this code, except that the commissioner shall not issue an additional or substitute number.

(d) If the ownership of a motorboat changes, the new owner shall file a new application form with the required fee with the commissioner who shall award a new certificate of number in the same manner as provided for in an original award of number.

(e) If an agency of the United States government has in force an overall system of identification numbering for motorboats within the United States, the numbering system employed pursuant to this article by the Division of Motor Vehicles shall be in conformity with the federal system.

(f) The license is valid for a maximum period of three years. If at the expiration of that period ownership has remained unchanged, the commissioner shall, upon application and payment of the proper fee, grant the owner a renewal of the certificate of number for an additional three-year period.

(g) The owner shall furnish the commissioner notice of the transfer of any part of an interest, other than the creation of a security interest, in a motorboat numbered in this state pursuant to §20-7-12(a) and §20-7-12(b) of this code or of the destruction or abandonment of the motorboat within 15 days of the transfer of interest, destruction, or abandonment. The transfer, destruction, or abandonment shall terminate the certificate of number for the motorboat, except that in the case of a transfer of a part interest which does not affect the owner’s right to operate the motorboat, the transfer shall not terminate the certificate of number.

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(h) Any holder of a certificate of number shall notify the commissioner within 15 days if his or her address no longer conforms to the address appearing on the certificate and shall, as a part of the notification, furnish the commissioner with his or her new address. The commissioner may provide by rule for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

(i) An owner shall not paint, attach or otherwise display a number other than the number awarded to a motorboat or granted reciprocity pursuant to this article on either side of the bow of the motorboat.

(j) The commissioner shall on or before August 30 of each year forward to the assessor of each county a list of the names and addresses of all persons, firms, and corporations owning vessels and operating the vessels or other boats registered with the commissioner under the provisions of this article. In furnishing this information to each county assessor, the commissioner shall include information on the make and model of the vessels and other equipment required to be registered for use by the owner or operator of the boats under the provisions of this article: Provided, That the commissioner is not required to furnish the information to the assessor if the true and actual value of the vessel does not exceed $500 or the cost of the motor does not exceed $250.

(k) No person may operate an unlicensed motorboat upon any waters of this state without first acquiring a certificate of number or license as required by law.

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