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### FISCAL IMPACT REPORT

SPONSOR:	Smith	DATE TYPED:	02/07/00	HB	
SHORT TITLE:	Boat Registration for Non-Residents			SB	363
				ANALYST:	Segura

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
	See Narrative				

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB 268.

### SOURCES OF INFORMATION

Taxation Revenue Department (TRD)

Energy Minerals Natural Resources Department (EMNRD)

## **SUMMARY**

### Synopsis of Bill

Senate Bill 363 amends NMSA 1978, Section 66-12-4 of the Boat Act that would allow any person who is not a New Mexico resident, but who operates a boat on the waters of this state to "elect" to register the vessel in New Mexico, pursuant to the provisions of the Boat Act.

### Significant Issues

All vessels that have been in New Mexico for over 90 consecutive days are required to be registered in the state(NMSA, Section 66-12-8). This bill would allow non-resident vessel owners to obtain a New Mexico registration for their vessels. Currently, vessel owners have to prove residency in New Mexico before the Motor Vehicle Division allows them to obtain a title and vessel registration.

## **FISCAL IMPLICATIONS**

See attached narrative.

## **CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP**

Duplicates HB268.

## **TECHNICAL ISSUES**

According to EMNRD, " it is not clear that the bill will do what is intended. The Boat Act sections addressing titles appear to require residence in New Mexico. For instance, NMSA 1978 Section 66-12-6.1, D through F. If the goal is to allow out-of-state registration without titling, then more changes to the Act may be needed. The State Parks Division believes having a valid title issued from another state is essential before issuing registration to non-residents to prevent New Mexico from becoming a haven for stolen vessels."

## **OTHER SUBSTANTIVE ISSUES**

EMNRD recommends an amendment to address the issue of residency and titling a boat. The Division believes having a valid title from another state is essential before issuing non-resident registration to prevent New Mexico from becoming a haven for stolen vessels.

In addition, it would be helpful if titling or registration was required within 60 days of the boat being in the New Mexico instead of 90 days so this state's requirements are consistent with federal requirements.

The attached analysis by the Taxation and Revenue Department accurately reflects the fiscal and programmatic impact if Senate Bill 363 is enacted. The department addresses two technical issues.

RMS/sb/njw