

Implementation

of the

Uniform Certificate of Title Act (UCOTA)

for

Watercraft

Revised: 12/31/2007

Background

The Uniform Certificate of Title Act (UCOTA) was first conceived in the early 1950s by the National Conference of Commissioners of Uniform State Laws (NCCUSL). The UCOTA would standardize procedures among the states for issuing certificates of titles and the recording of liens on motor vehicles. The UCOTA did not gain much support among the states, resulting in only three fully implementing its provisions. However, other states have implemented portions of the UCOTA.

With new technologies and changes in the ways that business is conducted, NCCUSL believed that a new act was needed to provide uniformity in the recording and discharging of liens on vehicles as well as recognition of electronic certificates of title. NCCUSL began the effort to rewrite UCOTA in 2003, approved the final draft of UCOTA in August 2005, and later published UCOTA in November 2005.

The American Association of Motor Vehicle Administrators (AAMVA), which is a similar organization to vehicles as NASBLA is to watercraft, developed a position paper regarding the UCOTA that outlined several implementation issues. NCCUSL met with AAMVA to discuss those concerns which were focused mostly on the additional work that UCOTA could create for the states. In January 2007, NCCUSL gave a written response to AAMVA's position paper and followed up with a conference call that indicated a willingness to discuss changes to UCOTA to address AAMVA's concerns.

In October 2007, the Wisconsin DMV hosted a UCOTA peer exchange where several states attended along with industry representatives from dealerships and lending institutions. The consensus of the states present was that UCOTA was not a high priority and that most of the provisions of UCOTA already existed in most states.

Vessel Identification, Registration & Titling Committee Activity

- The Vessel Identification, Registration & Titling Committee to this point has taken a “wait and see” approach in regards to how UCOTA will impact motor vehicle title procedures. The committee has accomplished this by closely monitoring activity between AAMVA and NCCUSL. This approach could enable the committee to be better prepared to participate in the drafting process for the UCOTA for watercraft.
- Committee member Boyd Walden, from Florida, attended a NCCUSL conference in Portland, Oregon, in 2004 for the first reading of UCOTA to the general NCCUSL delegation.

- Committee member Dave Barber, from Massachusetts, attended several drafting sessions in Chicago in 2004.
- Committee member Boyd Walden attended a drafting session in Phoenix, Arizona, in February 2005.
- In February 2006, the UCOTA subcommittee of the Numbering and Titling Committee met at the 2006 IAMI Conference in Virginia Beach to discuss specific differences of watercraft and motor vehicles as they relate to UCOTA. The subcommittee reviewed the UCOTA and documented where changes could be made to accommodate watercraft.
- In March 2007, committee member Dave Barber responded to NCCUSL regarding an announcement that watercraft may be added to UCOTA. In that response, the committee requested that representation from NASBLA be present during drafting sessions.
- In April 2007, committee member Dave Barber responded to a questionnaire from NCCUSL regarding expanding UCOTA for watercraft. The purpose of the questionnaire was to assist NCCUSL in determining whether the current (motor vehicle) UCOTA could be expanded to include watercraft or if a new UCOTA would be required for watercraft.
- In February 2008 at the Vessel Identification, Registration & Titling Committee meeting in Baton Rouge, the UCOTA subcommittee recommended that a letter to NCCUSL be drafted to remind them of our commitment to such a project.

Next Steps

- Continue to monitor AAMVA and NCCUSL activity.
- Respond to requests from NCCUSL for participation.
- Determine whether states will have implementation issues.
- Conduct legal review of proposed watercraft UCOTA.