

### **235.010 Definitions for chapter.**

As used in this chapter, unless the context clearly requires a different meaning:

- (1) "Vessel" means every description of watercraft, other than a seaplane on the water;
- (2) "Motorboat" means any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion, except for the following:
  - (a) Boats or vessels propelled totally by a direct current battery-powered motor when used on private waters;
  - (b) Boats propelled by human power employing the use of hand or foot operation; and
  - (c) Federally regulated commercial vessels;
- (3) "Owner" means a person, other than a lienholder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security;
- (4) "Personal watercraft" means a vessel which uses an internal combustion engine to power a jet pump for its primary source of propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than to be operated by a person sitting or standing inside the vessel;
- (5) "Safe boating certificate" means a document attesting the successful completion of instruction, approved by the department or given by the United States Coast Guard or Coast Guard Auxiliary or the United States Power Squadron, to prepare an individual to safely operate a motorboat or personal watercraft on the waters of the Commonwealth;
- (6) "Waters of this state" means any waters within the territorial limits of this state;
- (7) "Person" means an individual, partnership, firm, corporation, association, or other entity;
- (8) "Operate" means to navigate or otherwise use a motorboat or a vessel;
- (9) "Cabinet" means the Tourism, Arts and Heritage Cabinet;
- (10) "Department" means the Department of Fish and Wildlife Resources;
- (11) "License" and "certificate of number" as used herein are synonymous;
- (12) "Clerk" means county clerk;
- (13) "Division of Law Enforcement" means the Division of Law Enforcement, Department of Fish and Wildlife Resources within the Tourism, Arts and Heritage Cabinet;
- (14) "Title" means the certificate of title;
- (15) "Commissioner" means the commissioner of the Department of Fish and Wildlife Resources;
- (16) "Federally regulated commercial vessel" means any vessel holding a United States certificate of documentation with a coastwise trade endorsement;
- (17) "Marina" means a dock or basin providing moorings for motorboats and offering

supply, repair, or other services for remuneration; and

- (18) "Marine sanitation device" means equipment that is identified by the United States Coast Guard as meeting the standards of the United States Environmental Protection Agency or that is approved by the Energy and Environment Cabinet, to eliminate the discharge of untreated sewage from vessels into the waters of the Commonwealth and is a device that receives, treats, retains, or discharges sewage.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 513, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 16, sec. 59, effective June 25, 2009; and ch. 16, sec. 60, effective June 25, 2009. -- Amended 2005 Ky. Acts ch. 95, sec. 45, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 22, sec. 1, effective March 3, 1998; ch. 23, sec. 1, effective July 15, 1998; ch. 48, sec. 17, effective July 15, 1998; and ch. 71, sec. 1, effective July 15, 1998. -- Amended 1994 Ky. Acts ch. 118, sec. 1, effective July 15, 1994; and ch. 413, sec. 4, effective July 15, 1994. -- Amended 1988 Ky. Acts ch. 163, sec. 4, effective January 1, 1990. -- Amended 1984 Ky. Acts ch. 404, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 446, sec. 1, April 12, 1982. -- Amended 1980 Ky. Acts ch. 295, sec. 72, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 292, sec. 1. -- Created 1960 Ky. Acts ch. 68, Art. VIII, sec. 3, effective March 17, 1960.