

(b) Make updated information provided by the vessel owner, government agency or lienholder, available to VIS regarding a vessel that has been moved to a nonparticipating State; and

(c) Interact with nonparticipating States to make information available to, or request information from, VIS concerning a vessel or nationwide statistics.

Subpart D—Guidelines for State Vessel Titling Systems

§ 187.301 Eligibility for preferred mortgage status.

A State vessel titling system that meets the requirements of this subpart may be certified by the Commandant under 46 U.S.C. 31322 (d)(1)(A), in accordance with the procedures of § 187.9, as complying with the guidelines for vessel titling systems for the purpose of conveying preferred mortgage status on mortgages perfected after the date of certification, covering the whole of a vessel titled in that State, provided that the State also complies with the vessel identification system participation requirements of § 187.7 and subpart C of this part.

§ 187.303 Definitions.

A State must define the terms, “certificate of origin”, “dealer”, “department” or “division”, “documented vessel”, “issuing authority”, “lienholder”, “manufacturer”, “owner”, “person”, “security interest”, “titling authority”, and “vessel”, substantially as those terms are defined in § 187.3.

§ 187.305 Application for title.

(a) Except as provided in § 187.307, a State must require application for a title within a specified period of time, not to exceed 60 days, after a vessel is first purchased, ownership is transferred, or there is a change in vessel data listed on the certificate of title.

(b) A State must require disclosure of the existence of indebtedness covered by any security agreement pertaining to the vessel in its titling application form.

(c) The title application must include an entry for identification of the State or country in which the vessel was last numbered or titled, if applicable.

(d) A State must require that the title application include a signed certification that statements made are true and correct to the best of the applicant's knowledge, information and belief, under penalty of perjury.

§ 187.307 Dealer and manufacturer provisions.

A State must include the following provisions for dealers or manufacturers, building, buying, acquiring, or transferring vessels, in that State.

(a) Dealers must be required to either report acquisition of a used numbered vessel for resale, or, apply for certificate of title if such vessel is required to be titled.

(b) Dealers must be allowed to apply for a certificate of title for a new vessel acquired for resale.

(c) Dealers and manufacturers must be required to provide to the vessel owner a certificate of origin, or other document, at the time of delivery of a new vessel to initiate the chain of ownership.

(d) Dealers and manufacturers must be required to maintain for at least 3 years a record of any vessel bought, sold, exchanged, or received for sale or exchange, and have such records open for inspection by the State.

§ 187.309 Transfer of title.

Except for transfers by operation of law such as inheritance, order in bankruptcy, replevin, default judgment or execution sale, a State must require that to complete the sale, assignment or transfer of a titled vessel, a manufacturer, dealer or individual, must deliver the vessel's certificate of title to the new owner.

§ 187.311 Transfer by operation of law.

A State must require a new owner to apply for a certificate of title within a specified period of time, not to exceed 60 days, if ownership of a vessel is transferred by operation of law, such as inheritance, order in bankruptcy, replevin, default judgment or execution sale, and to include an original or certified copy of the legal transfer document along with the application.

§ 187.313 Title of another State.

A State must provide for honoring a current and valid title issued by another State, or a Certificate of Ownership issued by the Coast Guard, as proof of ownership for transfer or sale of a vessel, and for applying for certificates of number or title in a new State of principal operation.

§ 187.315 Surrender of title for purposes of documentation.

A State must deem a title issued by that State as invalid when a vessel owner surrenders it to the U.S. Coast Guard for vessel documentation purposes. Upon receipt of a title from the U.S. Coast Guard, a State must accept the returned title for

administrative processing and cancellation.

§ 187.317 Information on a certificate of title.

(a) A State must specify the following information on a certificate of title:

(1) Current owner(s) name(s).

(2) The address of the principal place of residence of an individual owner, and the address of the principal place of business of an owner that is not an individual, including zip code.

(3) Date of title issuance.

(4) Vessel description, including the vessel identification number required by § 187.05 of this part, name of manufacturer or model, year built or the model year, vessel length, vessel type, drive or propulsion type, vessel use, hull material and fuel type.

(5) Each lienholder's name and address.

(6) Recording or perfection date of new liens and original recording date of any liens outstanding.

(b) Space must be provided on the certificate of title form for assignment of interests in the vessel, with a certification that statements provided on the title assignment are true and correct to the best of the owner's knowledge, under penalty of perjury.

§ 187.319 Duplicate title.

(a) The term “DUPLICATE” must be clearly and permanently marked on the face of a duplicate certificate.

(b) A State must require the holder of an original title, whether the owner or lienholder, to apply for a duplicate title within a specified period of time after, or after the discovery of, the loss, theft, mutilation, or destruction of an original certificate of title; provide information concerning the original certificate and the circumstances of its loss, theft, mutilation, or destruction; and surrender to the department any recovered original title or remains.

§ 187.321 Hull identification number (HIN) provisions.

A State must—

(a) Assign an HIN and require that it be affixed to an undocumented vessel that does not have an HIN at the time of registration or application for title after transfer of ownership or change of State of principal operation;

(b) Assign an HIN to an undocumented vessel without an HIN at time of title application and record the HIN on the certificate of title; and

(c) Prohibit removal or alteration of an HIN without authorization from the Commandant.