



## **S.F. No. 2735 – Abandoned Watercraft (as Amended by the A-2 Amendment)**

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**SF 2735** provides a mechanism for identifying, removing, and disposing of abandoned watercraft from public accesses, public lands, and waters of the state. Costs for the removal of abandoned watercraft are recoverable from the registered owners of those watercraft, and those owners are also made subject to various other civil and criminal penalties.

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### **Section 1 [Abandoned Watercraft]**

**Subd. 1 [Tagging Authority; Notice to Owner]** authorizes peace officers and certain Department of Natural Resources (DNR) employees to place a tag on watercraft unlawfully located on waters of this state or property adjacent to waters of this state if the watercraft appears to be:

- Inoperative and neglected, wrecked, stranded, or substantially dismantled;
- In immediate danger of sinking; or
- Unmoored and unattended

Requires a tagging officer or employee to notify the DNR of the tagging within 48 hours. The notice must include a statement of the reason the watercraft was tagged. Upon receipt of the notice, the DNR must notify the registered owner of the watercraft by certified mail that (1) the watercraft has been tagged and that the condition that led to its tagging must be remedied immediately; and (2) failure to remedy the condition within 14 days of the notice being sent may result in civil and criminal penalties and the forfeiture of the watercraft.

**Subd. 2 [Failure to Remedy]** makes failure to remedy the condition that led to the tagging of the watercraft within 14 days of the DNR notice being sent a misdemeanor. Makes the registered owner liable to DNR for all costs incurred in the enforcement of

this section against the owner, and makes owner subject to a civil penalty of two to five times those costs.

**Subd. 3 [Seizure of Abandoned Watercraft]** requires the DNR to investigate tagged watercraft 14 days after sending the notice to the registered owner. If the condition that led to tagging has not been remedied, the watercraft is considered abandoned and must be seized and disposed of by the DNR.

**Subd. 4 [Relation to Other Law]** clarifies that a watercraft that becomes submerged must be disposed of in accordance with existing provisions of law that govern submerged watercraft.

**Subd. 5 [Exceptions]** exempts previously sunk watercraft of historical significance or that are a destination for scuba divers or commercial tourism from this section.

**Section 2 [Conforming Change]** modifies the statute that governs seizures of property by conservation officers to include seizures of abandoned watercraft, as required by the statute created by Section 1.

**Section 3 [Restrictions After Conviction]** makes a person who is convicted of failing to remedy a condition that led to the tagging of a watercraft subject to the following penalties until the person has reimbursed the DNR for all of its costs to enforce the statute created by section 1 against the person:

- All of the person's annual game and fish licenses are void;
- The person may not act under any lifetime game and fish license;
- All of the person's watercraft licenses and registrations are void;
- All of the person's off-highway vehicle and snowmobile licenses and registrations are void; and
- The person is ineligible to obtain any of these licenses or registrations.

Where a watercraft is abandoned in a boundary water of the state, the DNR must coordinate enforcement with neighboring jurisdictions to the maximum extent possible.



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