

# ***NASBLA Model Procedure for: Abandoned or Salvaged Recreational Vessel***

Adopted September 16, 1998

## **DEFINITION OF ABANDONED VESSEL**

*"Abandoned vessel" means any vessel that:*

- (a) Has remained on or immediately adjacent to private property (for more than [xx] days) without the consent of the owner(s) or person(s) in control of the property; or
- (b) Has been found adrift or unattended in or upon the waters of the State, and is found to constitute a hazard or obstruction to the use of the waters of the [State] or presents a potential health or environmental hazard; or
- (c) Is in a wrecked, submerged, inoperative or partially dismantled condition.

## **PROCEDURE:**

### **1. Notice to owner(s) and/or secured party(ies)**

- (a) If the vessel has a registration number assigned by [State Agency], or any other state, or if there are any other means of identifying the owner(s) and /or lien holder(s), the claimant [or state agency], must make a good faith effort, by certified mail/return receipt, to notify the owner(s) and/or lienholder(s) at their last known address.

### **2. Contents of notice must:**

- (a) Describe the vessel and include any identifying numbers;
- (b) Give location where vessel is located;
- (c) Inform the owner(s) and secured party(ies) of a right to reclaim the vessel within [xx] days;
- (d) State that failure to claim the vessel will constitute a waiver of all rights, title and interest in the vessel; and
- (e) If ownership is not claimed and vessel removed within [xx] days after receipt of the letter, claimant will apply to the [State Agency] for registration and/or title.

### **3. Notice by publication:**

- (a) If the [State Agency] is unable to determine the last registered owner(s) or the identity of any secured party(ies) of the abandoned/salvaged vessel, or if the certified mail notice is returned "undeliverable," the claimant shall place a notice/ad, to appear for three (3) consecutive days, in a newspaper of general circulation published in the county or city where the vessel is located. The notice by publication shall contain the information required under contents of notice and shall be published within 15 days of the return of the certified mail as undeliverable.

**4. Application for registration and/or title:**

- (a) If the owner(s) or secured party(ies) fails to claim the vessel within [xx] days after the certified mail or after the notice by publication is given, the claimant may apply to the {State Agency} for registration and/or title.

***1. The application must be accompanied by the following:***

- (i) The completed and notarized affidavit for [Registration/Titling and]Abandoned [and/or Salvaged] Recreational Vessels
- (ii) Receipts for certified mail to identified owner(s) and lienholders) or original copies of the notice of publication as required in 3(a) above; and
- (iii) A certificate of Deletion issued by the U.S. Coast Guard if the vessel bears an official number issued by the Coast Guard or there is other evidence that the vessel was documented by the Coast Guard.

**5. Issuance of Registration and/or Title:**

- (a) Upon receipt of the documents noted above, the {State Agency} shall issue a registration and/or title in the name of the applicant.
- (b) All cost incurred in obtaining registration and/or title shall be borne by the applicant.

**AFFIDAVIT FOR REGISTRATION/TITLING  
ABANDONED [AND/OR SALVAGED] RECREATIONAL VESSEL**

STATE OF \_\_\_\_\_

*I certify that I have complied with the provisions of the Code of [State] or Regulations of the [State] pertaining to an abandoned and/or salvaged vessel described below:*

Location of where vessel was found: \_\_\_\_\_

Condition of vessel: \_\_\_\_\_

Present Location of abandoned vessel: \_\_\_\_\_

Vessel Registration Number: \_\_\_\_\_ Make of vessel: \_\_\_\_\_

Hull Identification Number: \_\_\_\_\_ Year Built: \_\_\_\_\_ Length: \_\_\_\_\_ Color: \_\_\_\_\_

Hull Material: \_\_\_\_\_ Propulsion Type: \_\_\_\_\_

Type of vessel: \_\_\_\_\_

I hereby submit the following documentation to obtain a certificate of title and/or registration pursuant to Section [xx.xx] of the Code, or Regulation [xx.xx] of the [State Agency] for the vessel which is abandoned on [property or waters] for a period of at least [xx] months/days:

1. The receipts for and a copy of the certified mail, return receipt requested, which notified the last registered and/or titled owner(s) and all lienholder(s), if any, of the location of the vessel and my intention to apply for a certificate of title and/or registration if the vessel is unclaimed after 30 days notice. (If Post Office returns the notification as undeliverable, attach to this form).
2. Original copies of the public notice of intent published for three consecutive days in a newspaper of general circulation in the county or city where the lost/abandoned vessel was found.
3. If the vessel was registered and/or titled in another state, a letter from the registration authority stating the last known owner/lien holder name and address.
4. An application for certificate of number and/or title and all applicable fees.

\_\_\_\_\_  
Signature of Applicant

State of \_\_\_\_\_

County of \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

### **SAMPLE LETTER:**

Dear (Vessel Owner(s)/Lienholder(s)):

The following vessel, owned or secured by you, has apparently been abandoned for more than [xx] days or [xx] months on the property of: (list name, address and telephone number).

Description of Vessel: Registration Number, Hull Identification Number, Make, Model, Length, Year Built, color and other identifying features.

Notice is hereby given that application for title and/or registration will be made in accordance with the Code of {State} or Regulations of the [State Agency] if this vessel is not claimed and removed from the property listed above with in 30 days of this notice.

Notice if further given that failure to claim the vessel will constitute a waiver of all rights, title and interest in the vessel.

Sincerely,

### **SAMPLE NOTICE OF PUBLICATION:**

Notice is hereby given that the following vessel has apparently been abandoned for more than [xx] days or [xx] months on the property of: (list name, address and telephone number).

Description of vessel: Registration Number, Hull Identification Number, Make, Model, Length, Year Built, color and other identifying features.

Application for title and/or registration will be made in accordance with the Code of {State} or Regulations of the [State Agency] if this vessel is not claimed and removed from the property listed above within 30 days of this notice.

Notice is further given that failure to claim the vessel will constitute a waiver of all rights, title and interest in the vessel.