

235.230 Duties of boat marina owner.

- (1) The owner of a boat marina shall keep a record of the name and address of the person or persons hiring any vessel which is designed or permitted by him to be operated as a motorboat; the identification number thereof; and the departure time and date, and the expected time of return. The record shall be preserved for at least six (6) months.
- (2) Neither the owner of a boat marina, nor his agent or employee shall permit any motorboat or any vessel owned or leased by him to be operated as a motorboat to depart from his premises unless it has been provided, either by the owner or the renter, with the equipment required pursuant to KRS 235.200 and any rules and regulations made pursuant thereto, except that the operator need not have the certificate of registration in his possession.
- (3) The certificate of registration and number for vessels leased or rented by a marina may be retained on shore by the owner of the marina or his representative at the place from which the vessel departs or returns to the possession of the livery or his representative; provided, however, the operator shall have with him a copy of the lease or rental agreement signed by the marina owner or an authorized representative of the marina and by the person leasing or renting the vessel that contains the vessel's number which appears on the certificate of number and the period of time for which the vessel is leased or rented.
- (4) By July 15, 2000, the owner of a marina shall provide access to sewage pumpout facilities for the owners of motorboats with marine toilet facilities. For the purpose of this subsection a sewage pumpout facility means equipment designed to receive the discharge of sewage from a marine sanitation device and allow the disposal of the sewage in a manner that prevents the sewage from entering the waters of the state. To provide access to sewage pumpout facilities a marina owner may, by way of illustration and not to limit the options available to a marina owner:
 - (a) Build and operate pumpout facilities;
 - (b) Contract with another marina owner with pumpout facilities, if the contracting marinas are not more than eight (8) water miles apart and accessible in a way that does not require motorboats to be trailered; and
 - (c) Contract with a person licensed under KRS 211.972 to provide pumpout facility service, if the service is available during normal business hours including holidays and if the service can be provided within a reasonable time upon request by a motorboat owner.
- (5) For any period of contracted mooring at a marina longer than twenty-four (24) hours, the owner of a boat shall provide to the marina owner or his or her agent or employee the title, or equivalent document, for the boat. The owner of the marina or his or her agent or employee shall retain the title or a copy of the title in the marina's records for the period of time, beyond twenty-four (24) hours, for which the marina is contracted to provide mooring to the boat.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 120, sec. 1, effective July 15, 2016. -- Amended

1998 Ky. Acts ch. 71, sec. 7, effective July 15, 1998. -- Amended 1978 Ky. Acts ch. 263, sec. 16, effective June 17, 1978. -- Created 1960 Ky. Acts ch. 68, Art. VIII, sec. 25, effective March 17, 1960.