

**Title 14. Natural Resources**  
**Division 4. Department of ~~Boating and Waterways~~ Parks and Recreation**  
**Chapter 1. Department of ~~Boating and Waterways~~ Parks and Recreation**  
**Article 1.5 Quagga and Zebra Mussel Infestation Prevention Fee Regulations**

***Article 1.5, Sections 5200.5, 5201, 5202, and 5207 of Chapter 1 of Division 4 of Title 14 of the California Code of Regulations are amended, Article 1.5, Sections 5203 and 5209 of Chapter 1 of Division 4 of Title 14 of the California Code of Regulations are deleted, and Article 1.5, Section 5212 of Chapter 1 of Division 4 of Title 14 of the California Code of Regulations is added to read:***

Article 1.5. Quagga and Zebra Mussel Infestation Prevention Fee Regulations

**5200.5. Definitions.**

The following definitions shall be used in article 1.5 and 1.6:

- (a) ~~“Biennial Period” occurs every two years.~~
- (b) “Dreissenid” are a family of small fresh water mussels specifically the non-native quagga and zebra mussel for the purpose of this article.
- (c) “Mussel Fee Exemption” means no fee is due for the Quagga and Zebra Mussel Infestation Prevention Fee.
- (d) “Mussel Fee” is the Quagga and Zebra Mussel Infestation Prevention Fee ~~which shall be paid along with vessel registration pursuant to section 5201.~~
- (e) “Prevention Plan” is an organized approach to prevent the spread of dreissenid mussels into a defined reservoir and shall include public education, monitoring and inspecting for infestation.
- (f) “Quagga Mussel” (*Dreissena rostriformis bugensis*) is a non-native dreissenid mussel.
- (g) “Regional-Scale *Dreissenid Mussel Infestation Prevention Plan*” this plan shall include the impact such as an economic, ecological, recreational and/or other regional impact from a dreissenid mussel infestation in a regional area which involves multiple agencies within that region.

- (h) "Reservoir" means a body of water which contains or will contain the water impounded by a dam as defined in Section 6004.5 of the Water Code.
- (i) "*Mussel Fee Stickers*" ~~are~~ *is* an indication of a paid mussel fee and ~~are~~ *is* issued by the Department of Motor Vehicles to be displayed on a registered vessel.
- ~~(j) "Undocumented Vessel" is a vessel require to be registered through the California Department of Motor Vehicles and not through the federal vessel documenting system.~~
- (k) "Zebra Mussel" (*Dreissena polymorpha*) is a non-native dreissenid mussel.

NOTE: Authority cited: Sections 675 and 676, Harbors and Navigation Code; and Section 6004.5, Water Code. Reference: Section 60.8, Harbors and Navigation Code; and Sections 9853.4 and 9863, Vehicle Code.

#### **5201. Mussel Fee Amount.**

~~Upon application for a new vessel number, the~~ *The mussel fee amount shall be \$8 when payable when first paid during an even-numbered calendar year and \$16 when payable when first paid during an odd-numbered calendar year. The mussel fee amount shall be \$16 thereafter and shall be valid for a period of two calendar years. and shall be payable upon vessel registration renewal on* ~~The mussel fee sticker shall be valid through~~ December 31 of every odd-numbered year.

NOTE: Authority cited: Section 675, Harbors and Navigation Code. Reference: Sections 61.8, 63.9, Harbors and Navigation Code.

#### **5202. Mussel Fee Due Dates Payment.**

*Payment of mussel fees to the Department of Motor Vehicles must be made prior to issuance of a mussel fee sticker. Payment of the mussel fee may be made:*

~~The mussel fee shall become payable under any one of the following conditions:~~

- (a) Upon application for a new vessel number;

(b) Upon renewal of any California vessel registration;~~or~~

~~(c) At any such time that a marine water exemption, as defined in this article, is no longer applicable and the vessel remains registered in California.~~

*(c) Upon requesting issuance of a mussel fee sticker;*

*(d) When a marine water exemption, as defined in this article, no longer applies; or*

*(e) When requesting substitute mussel fee stickers;*

NOTE: Authority cited: Section 675, Harbors and Navigation Code. Sections 9853, 9860 Vehicle Code. Reference: Sections 61.8, 63.9, Harbors and Navigation Code.

### **5203. Late Payment of Mussel Fee.**

~~When vessel registration fees are past due, up to two years of mussel fees shall also be payable if they were due with registration fees.~~

~~NOTE: Authority cited: Section 675, Harbors and Navigation Code. Sections 9853, 9860 Vehicle Code. Reference: Sections 61.8, 63.9a, Harbors and Navigation Code.~~

### **5207. Marine Water Exemption.**

(a) For purposes of this section, "marine water" is defined as California coastal and bay waters, which includes Suisun Bay. "Marine water" shall not include inland waterways, rivers, lakes, reservoirs, wetlands or the Sacramento-San Joaquin Delta.

(b) Vessels used exclusively in marine waters shall be exempt from payment of the mussel fee.

~~(c) The vessel owner shall indicate that his or her vessel is entitled to the marine water exemption by one of the following:~~

- ~~(1) Placing a mark in the designated portion of the Application for Registration Number Certificate of Ownership and Certificate of Number for Undocumented Vessel (DMV Form BOAT 101); or~~
- ~~(2) Placing a mark in the designated portion of the Renewal Notice for Vessel Registration (DMV Form ISD 83VR); or~~
- ~~(3) Placing a mark in the appropriate field in the Vessel Registration Internet Renewal webpage; or~~
- ~~(4) Notifying the Department of Motor Vehicles through its Interactive Voice Response system.~~

~~(d) The marine water mussel fee exemption applies only during the current vessel registration cycle. The vessel owner must *may* re-apply for the marine water exemption on each Renewal Notice for Vessel Registration received.~~

~~(c) The Department of Motor Vehicles shall include in an annual report to the department the number of vessels registered and the number of vessels receiving a mussel sticker ~~claiming the marine water exemption.~~~~

NOTE: Authority cited: Section 675, Harbors and Navigation Code. Sections 9853, 9860, 9863 Vehicle Code. Reference: Sections 60.2, 61.8, 63.9, Harbors and Navigation Code.

#### **~~5209. Payment of Mussel Fee with Marine Water Exemption Status Change.~~**

~~When the marine water exemption no longer applies, a \$16 fee for a "Mussel Fee Paid" sticker shall be imposed and generated by the Department of Motor Vehicles.~~

~~NOTE: Authority cited: Section 675, Harbors and Navigation Code. Reference: Sections 61.8 and 63.9, Harbors and Navigation Code.~~

#### **~~5212. Nonpayment of Mussel Fee~~**

~~*Failure to pay required mussel fees per the Quagga and Zebra Mussel Infestation Prevention Fee Regulations, shall not prohibit the issuance of valid vessel registration by the Department of Motor Vehicles, if all required vessel registration fees are paid.*~~

*Vessel operators may be cited for operating a recreational vessel in non-marine waters without a valid mussel fee sticker, unless exempt per Section 5211 of this Article.*

*NOTE: Authority cited: Section 675, Harbors and Navigation Code. Sections 9853, 9860 Vehicle Code. Reference: Sections 60.2, 60.8, 63.9, Harbors and Navigation Code.*