

House Bill 2071

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor Theodore R. Kulongoski for State Marine Board)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Increases service charge that agents of State Marine Board may impose for issuing temporary permit to operate boat.

A BILL FOR AN ACT

1
2 Relating to fees assessed for boat permits; creating new provisions; and amending ORS 830.110.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 830.110 is amended to read:

5 830.110. In addition to the powers and duties otherwise provided in this chapter, the State Ma-
6 rine Board shall have the power and duty to:

7 (1) Make all rules necessary to carry out the provisions of this chapter. The rules shall be made
8 in accordance with ORS chapter 183.

9 (2) Devise a system of identifying numbers for boats, floating homes and boathouses. If an
10 agency of the federal government has an overall system of identification numbering for boats within
11 the United States, the system devised by the board shall conform with the federal system.

12 (3) Cooperate with state and federal agencies to promote uniformity of the laws relating to
13 boating and their enforcement.

14 (4) Make contracts necessary to carry out the provisions of ORS 830.060 to 830.145, 830.700 to
15 830.715, 830.725, 830.730, 830.770, 830.780, 830.785, 830.795 to 830.820 and 830.830 to 830.870.

16 (5) Advise and assist county sheriffs and other peace officers in the enforcement of laws relating
17 to boating.

18 (6) Study, plan and recommend the development of boating facilities throughout the state which
19 will promote the safety and pleasure of the public through boating.

20 (7) Publicize the advantage of safe boating.

21 (8) Accept gifts and grants of property and money to be used to further the purposes of this
22 chapter.

23 (9) Exempt from any provisions of this chapter any class of boats if it determines that the safety
24 of persons and property will not be materially promoted by the applicability of those provisions to
25 the class of boats[, *but*]. The board [*shall*] **may** not exempt from numbering any class of boats unless
26 [*it*]:

27 (a) **The board** determines that the numbering will not materially aid in their identification; and
28 [*unless*]

29 (b) The secretary of the department of the federal government under which the United States
30 Coast Guard is operating has exempted from numbering the same boats or classes of boats.

31 (10) Appoint and require the bonding of agents to issue a temporary permit to operate a boat.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 The agents may charge, in addition to the prescribed fees, [~~\$1~~] **\$2.50** per transaction for their ser-
2 vices in issuing the temporary permit.

3 (11) Publish and distribute to the interested public the boating laws of this state and resumes
4 or explanations of those laws.

5 (12) Publish and distribute forms for any application required under this chapter and require the
6 use of such forms.

7 (13) Make rules for the uniform navigational marking of the waters of this state. Such rules shall
8 not conflict with markings prescribed by the United States Coast Guard. No political subdivision
9 or person shall mark the waters of this state in any manner in conflict with the markings prescribed
10 by the board.

11 (14) Make rules regarding marine toilets and their use consistent with the prevention and con-
12 trol of pollution of the waters of this state and not in conflict with the rules of the Department of
13 Human Services or the Environmental Quality Commission.

14 (15) Institute proceedings to enjoin unlawful obstructions injuring free navigation on the waters
15 of this state.

16 (16) Make rules regulating water ski course markers, ski jumps and other special use devices
17 placed in the waters of this state. Such rules may regulate the installation and use of the devices
18 and may require a permit.

19 (17) Adopt rules necessary to carry out and enforce the provisions of ORS 830.950 and 830.955.
20 The rules shall include but need not be limited to:

21 (a) The kinds of protective covering or physical barriers that are acceptable to be used between
22 a submersible polystyrene device and the water.

23 (b) Guidelines for the use of submersible polystyrene devices for the repair or maintenance of
24 existing docks or floats.

25 (18) Adopt rules providing for establishment of a Safe Boating Education Course to be made
26 available to courts and law enforcement agencies within this state for use as a sentencing option
27 for those individuals convicted of boating offenses. The board shall specify the content of the Safe
28 Boating Education Course and shall prescribe procedures for making the course available to local
29 courts and law enforcement agencies, including procedures for promptly notifying such courts
30 whether individuals required to enroll in the course have taken and successfully passed the course.
31 Such rules may provide for administration of the course through nonprofit organizations, such as the
32 United States Coast Guard Auxiliary, United States Power Squadrons or similar groups.

33 (19) For purposes of ORS 830.175, 830.180, 830.185 and 830.195, in cooperation with the State
34 Aviation Board, regulate boats that are seaplanes as provided in ORS 830.605 and 835.200.

35 **SECTION 2. The amendments to ORS 830.110 by section 1 of this 2007 Act apply to per-**
36 **mits issued on or after the effective date of this 2007 Act.**

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