



# Oregon

Kate Brown, Governor

## State Marine Board

435 Commercial St NE Ste 400

PO Box 14145

Salem, OR 97309-5065

Main (503) 378-8587

Fax (503) 378-4597

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### House Committee on Natural Resources

Representative Brad Witt, Chair  
Representative Chris Gorsek, Vice-Chair  
Representative Sherrie Sprenger, Vice-Chair  
Representative Greg Barreto  
Representative Caddy McKeown  
Representative Jeff Reardon  
Representative David Brock Smith

Dear Chair Witt, Vice-Chairs Gorsek and Sprenger, and Committee Members,

Thank you for the opportunity to provide input on HB 2652. This bill would amend Marine Board statutes to require all outfitter guides registered in Oregon using boats to carry passengers for hire to "Rent, sell or otherwise make available to all passengers' helmets that meet the standards established by the board by rule."

The Marine Board has no position on this bill. However, since the Marine Board implements ORS 704, we would have the responsibility to educate outfitter guides, develop the rules and enforce the requirement.

Head injuries do occur annually to Oregon boaters, but rarely lead to death. Among all recreational incidents, our statistics indicate: One recreational fatality in 2019 related to a pontoon raft going over a small waterfall and ejecting the occupant into rocks; three concussion/brain injuries in 2016, one in 2015, and two in 2014. In 2016, two of the three involved recreational motorboat operations at night, while impaired. One involved a recreational raft on the lower Deschutes in July when the occupant fell out of the raft and hit her head on a hard object resulting in a minor injury. In 2015 the one reported head injury was in a guide boat, resulting from a fall inside the raft and did eventually lead to death. The 2014 head injuries were both concussion related to inner tubes being pulled by a recreational motorboat.

Current life jacket requirements for outfitter guides might be the most comparable to the proposed helmet requirement. In 2007 after a slate of drownings, the legislature required guides operating on a section of river with class III-V whitewater to ensure that clients were wearing a properly fitted life jacket. For some context, there have been seven citations under the mandatory lifejacket law on class III whitewater in 2017 and 2018, all in Wasco County on the Deschutes River. Citations are low partly because compliance is good, but also because enforcing these laws on white-water rivers is challenging. To cite the violators, law enforcement must observe them going through a rapid and then contact the boater downstream.

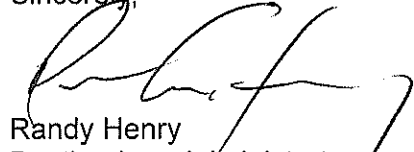
Additional rules have been placed in recent years to enhance the safety of clients using outfitter guide services, including carrying throw bags, first aid kits, communication devices such as personal locator beacons, satellite telephones or VHF radios, and GPS units if operating in wilderness areas. Outfitter Guides have supported these updates balancing them carefully against limited cargo space in these small craft.



The Marine Board is an advocate for safe boating and supports boaters being properly equipped, scouting ahead and having the skills to operate in the area where they are boating. We will enforce laws to the best of our ability and make every effort to educate the public in the normal course of duties.

I am happy to answer any questions that you have.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Henry", written over the typed name and title.

Randy Henry  
Boating Law Administrator  
Boating Safety Section Manager