

Suggested Amendments to HB 2352

SECTION 5. (1) As used in this *section*(?), “**Congested Zone**” means:

- (a) **“Newberg Pool Congested Zone” means the portion of the Willamette River beginning at river mile 30 and ending at river mile 50;**
 - (b) **“Ross Island Congested Zone” means the portion of the Willamette River between the Hawthorne Bridge and the Selwood Bridge;**
 - (c) **Any area within 1000 feet of a floating home or boat marina containing 5 or more homes or boats;**
 - (d) **Portions of waters of this state designated by as congested zones by the State Marine Board.**
- (2) A person shall carry a towed watersports endorsement if the person is:
- (a) Engaged in towed watersports; and
 - (b) On waters within ~~a the Newberg Pool Congested Zone. or in a congested zone designated by the board under this section.~~
- (3) The owner of a motorboat shall display a towed watersports motorboat certificate decal if the motorboat is engaged in towed watersports within ~~the Newberg Pool a Congested Zone or in a congested zone designated by the board under this section.~~
- (4) ~~The State Marine Board may adopt rules designating portions of waters of this state as congested zones.~~ (5) The person shall present proof of a towed watersports endorsement and towed watersports motorboat certificate upon request by a peace officer.

SECTION 8. (1) As used in this section, “~~Newberg Pool Congested Zone~~” **means any zone so designated in Section 5.(1)**

- (2) Subject to subsection (3) of this section, the court shall, in addition to the penalties imposed under ORS 830.990 for the offenses listed in subsection (3) of this section: (a) Order the person not to operate a boat for a period of one year after the date of conviction; and (b) Order the person to complete a boating safety course approved by the State Marine Board.
- (3) Subsection (2) of this section applies when:
- (a) The peace officer who issued the citation notes on the citation that the offense occurred within a ~~the Newberg Pool Congested Zone or a congested zone designated by the State Marine Board;~~ and
 - (b) The person has at least one prior conviction for violating any of the following statutes within a three-year period preceding the date of the person’s current ~~conviction~~ **convicted offense** and the prior offense also occurred within a ~~the Newberg Pool Congested Zone or a congested zone designated by the board:~~
- (A) ORS 830.305. (B) ORS 830.315. (C) ORS 830.335. (D) ORS 830.340. (E) ORS 830.345. (F) ORS 830.355. (G) ORS 830.360. (H) ORS 830.362. (I) ORS 830.365.

SECTION 9. (1) Upon conviction for an offense listed in section 8 of this 2019 Act, a court shall issue a notice of suspension to the State Marine Board.

- (2) After receiving the notice of suspension, the board shall suspend for a period of one year from the date of conviction the person’s: (a) Towed watersports endorsement; and (b) Towed watersports motorboat certificate.

Rational for changes to follow.

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