

HB 2352 STAFF MEASURE SUMMARY

House Committee On Natural Resources

Action Date: 04/04/19

Action: Do pass. Refer to Ways and Means.

Vote: 6-0-1-0

Yeas: 6 - Barreto, Gorsek, Reardon, Smith DB, Sprenger, Witt

Exc: 1 - McKeown

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/14, 3/7, 4/4

WHAT THE MEASURE DOES:

Establishes towed watersports program (Program) within Oregon State Marine Board (OSMB). Requires Program: provide towed watersports safety education; issue and renew towed watersports endorsements and certificates; address wave energy management techniques; and compile information regarding wave-producing boats. Authorizes OSMB to adopt rules designating portions of waters of the state as congested zones. Establishes Newberg Pool Congested Zone on the Willamette River. Requires motorboat operators engaged in towed watersports on specified congested waters in this state to hold towed watersports endorsement. Specifies operator must pay fee, provide information, pass examination, and hold a boating safety certificate to obtain watersports endorsement. Requires motorboat owners engaged in towed watersports on specified congested waters of this state to hold towed watersports motorboat certificate. Specifies owner must hold towed watersports endorsement and provide certain information to OSMB, and that motorboat must meet loading weight requirements. Requires OSMB to issue towed watersports motorboat certificate in decal form. Establishes towed watersports endorsement and certificate renewal process. Requires OSMB to establish and collect issuance and renewal fees for watersports endorsements and certificates, and requires fees be used to implement Program and assist law enforcement cost. Punishes failure to hold towed watersports endorsement and towed watersports certificate on specified congested waters by a maximum fine of \$1,000 (ORS 153.018). Punishes second or subsequent offense within three years by maximum of \$2,000 fine and requires court to order person to not operate boat for one year and to complete boating safety course (ORS 153.018). Directs OSMB to suspend person's towed watersports endorsement and motorboat certificate if OSMB receives notice from court that person has been convicted of certain boating offenses.

ISSUES DISCUSSED:

- Existing boating safety education program
- Capacity of Oregon State Marine Board (OSMB) to run program
- Availability of specific boat data
- OSMB rulemaking process

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 1993, the Oregon Legislative Assembly established regulations on water skiing, surfboarding, and similar activities (ORS 830.365). These regulations include the prohibition of wake sports before sunrise or after sunset, the requirement that a person in the boat, in addition to the operator, observe the person being towed, and the prohibition of participating in wave sports while under the influence of an intoxicant or controlled substance.

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The Oregon State Marine Board (OSMB) implemented a program to provide mandatory boating safety education (ORS 830.082). This program sets a minimum standard of boating safety education competency, creates an exam to test for the minimum standard of safety, and includes a fee for issuance of a boating safety certificate.

House Bill 2352 would create a towed watersports program within OSMB, require motorboat operators to hold a towed watersports endorsement and motorboat owners to hold a certificate decal if engaged in towed watersports in specified congested waters, punish failure to hold endorsement or certificate, and require OSMB to establish and collect fees.