

House Bill 2652

Sponsored by Representative GORSEK (Pre-session filed.)

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**.

Requires outfitters and guides to rent, sell or otherwise make available helmets to all passengers.

A BILL FOR AN ACT

Relating to the use of helmets on boats; amending ORS 704.070.

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

SECTION 1. ORS 704.070 is amended to read:

704.070. (1) A person who acts or offers to act as an outfitter and guide using boats to carry passengers on the waters of this state shall:

(a) Equip each nonmotorized boat that is under the direct operation of an outfitter and guide or an employee of an outfitter and guide to carry passengers on waters rated as class III or higher on a commonly accepted scale of river difficulty with a rescue throw bag, complete with a length of artificial fiber rope and a buoyant bag;

(b) On any section of waters rated as class III or higher on a commonly accepted scale of river difficulty, require that all persons physically providing outfitting and guiding services and all passengers wear a properly secured United States Coast Guard approved personal flotation device of a type prescribed by rules adopted by the State Marine Board;

(c) If the outfitter and guide operates nonmotorized boats carrying passengers on any section of waters rated as class III or higher on a commonly accepted scale of river difficulty, require that all persons physically providing outfitting and guiding services:

(A) Prior to providing the services, have completed at least one trip on that section of waters in a nonmotorized boat; and

(B) Have been trained in equipment preparation and boat rigging, understanding and recognizing river characteristics and hazards, methods of scouting rapids, methods of physically guiding boats through rapids, proper client communication, how to provide paddling and safety instruction and methods of river rescue techniques, including emergency procedures and equipment recovery; *[and]*

(d) If the outfitter and guide is a charter guide, ensure that the vessel used to carry passengers complies with the equipment requirements for charter vessels under ORS 830.450[.]; **and**

(e) Rent, sell or otherwise make available to all passengers helmets that meet the standards established by the board by rule.

(2) Subsection (1)(b) of this section does not apply to motorized boats that are inspected by the United States Coast Guard.

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.