

Senate Bill 857

Sponsored by Senator KENNEMER

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**.

Provides that maximum loading weight of motorboat must be less than 4,000 pounds to obtain towed watersports motorboat certificate.

Authorizes State Marine Board to conduct study related to increasing prescribed maximum loading weight.

Provides that person shall carry towed watersports endorsement if engaged in any towed watersports within Newberg Pool Congested Zone.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to motorboats; creating new provisions; amending ORS 830.643 and 830.649; and prescribing
3 an effective date.

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

5 **SECTION 1.** ORS 830.643 is amended to read:

6 830.643. (1) A person may obtain a towed watersports endorsement if:

7 (a)(A) The person is a resident of this state and the person holds a boating safety [*certificate*]
8 **education card** issued under ORS [*830.084*] **830.086**; or

9 (B) The person is not a resident of this state and the person holds a current out-of-state boating
10 certificate;

11 (b) The person passes the towed watersports endorsement examination, or the equivalency ex-
12 amination, as described in ORS 830.640;

13 (c) The person pays the fee established by the State Marine Board under ORS 830.646; and

14 (d) The person provides any other information required by the board by rule.

15 (2) A person may obtain a towed watersports motorboat certificate if the person is the owner
16 of a registered motorboat and:

17 (a) The person holds a towed watersports endorsement issued under this section;

18 (b) [*The motorboat loading weight meets the requirements for maximum loading weight established*
19 *by the board by rule*] **The maximum loading weight of the motorboat is less than 4,000 pounds,**
20 **which is the sum of the factory-specified dry gross weight of the motorboat and the**
21 **factory-specified maximum factory ballast capacity of the motorboat;**

22 (c) The person provides the board with information regarding the motorboat's make, model,
23 length, dry gross weight and maximum factory ballast capacity specifications as listed by the man-
24 ufacturer; and

25 (d) The person provides any other information required by the board by rule.

26 (3) A towed watersports endorsement and towed watersports motorboat certificate issued under
27 this section starts on the day the endorsement or certificate is issued and expires on December 31
28 of the last year in the two-year period.

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 (4) A person issued a towed watersports endorsement or towed watersports motorboat certificate
 2 under this section may renew the endorsement or certificate by:

- 3 (a) Paying the towed watersports endorsement renewal fee established under ORS 830.646; and
- 4 (b) Completing an application in the form and manner required by the board by rule.

5 (5) The board shall issue a towed watersports motorboat certificate in the form of a decal. [*The*
 6 *decal must be affixed to the motorboat in accordance with rules adopted by the board.*] **The decal**
 7 **must be affixed to the forward portion of the motorboat, visible above the waterline and in**
 8 **accordance with rules adopted by the board.**

9 (6) The board may appoint agents to issue towed watersports endorsements and towed
 10 watersports motorboat certificates.

11 (7) Agents shall issue towed watersports endorsements and towed watersports motorboat certif-
 12 icates in accordance with procedures prescribed by the board by rule and shall charge and collect
 13 the endorsement fees prescribed by law.

14 (8) The board may authorize an agent other than a board employee to charge a service fee of
 15 \$2, in addition to the towed watersports endorsement fee, for the issuance service performed by the
 16 agent.

17 (9) The board shall supply the agents with towed watersports endorsements and towed
 18 watersports motorboat certificates, if applicable.

19 **SECTION 2.** ORS 830.649 is amended to read:

20 830.649. (1) As used in this section, “Newberg Pool Congested Zone” means the portion of the
 21 Willamette River beginning at river mile 30 and ending at river mile 50.

22 (2) A person shall carry a towed watersports endorsement if the person is:

- 23 (a) Engaged in [*wake surfing or wakeboarding as defined by the State Marine Board*] **towed**
 24 **watersports**; and
- 25 (b) On waters within the Newberg Pool Congested Zone.

26 (3) The owner of a motorboat shall display a towed watersports motorboat certificate decal if
 27 the motorboat is engaged in towed watersports within the Newberg Pool Congested Zone.

28 (4) The person shall present proof of a towed watersports endorsement and towed watersports
 29 motorboat certificate upon request by a peace officer.

30 **SECTION 3.** (1) **The State Marine Board may conduct a study on increasing the maximum**
 31 **loading weight prescribed in ORS 830.643. If the board undertakes a study, the board shall**
 32 **determine on the basis of objective, peer reviewed scientific research whether increasing the**
 33 **maximum loading weight is likely to:**

- 34 (a) **Have an adverse effect on the waters, beds and banks of this state;**
- 35 (b) **Have an adverse effect on aquatic, nearshore and shoreline habitats, fish and wildlife**
 36 **habitats and salmonid habitats; or**
- 37 (c) **Exceed or violate state or federal turbidity limits.**

38 (2) **Before making a determination, the board shall consult with and receive comments**
 39 **from the Department of State Lands, the State Department of Fish and Wildlife and the**
 40 **Department of Environmental Quality.**

41 (3) **If the board undertakes a study under this section, the board shall report to the in-**
 42 **terim committees of the Legislative Assembly related to the environment, in the manner**
 43 **provided in ORS 192.245, on the board’s research, findings, determinations and recommen-**
 44 **dations, including recommendations for legislative changes, if any.**

45 **SECTION 4.** (1) **The amendments to ORS 830.643 by section 1 of this 2021 Act apply to**

1 towed watersports motorboat certificates issued, renewed or replaced on or after the effec-
2 tive date of this 2021 Act.

3 (2) The amendments to ORS 830.649 by section 2 of this 2021 Act apply to actions occur-
4 ring on or after the effective date of this 2021 Act.

5 SECTION 5. This 2021 Act takes effect on the 91st day after the date on which the 2021
6 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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