

## SB 795 -1 STAFF MEASURE SUMMARY

### Senate Committee On Natural Resources and Wildfire

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**Meeting Dates:** 1/30, 2/18

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#### **WHAT THE MEASURE DOES:**

The measure modifies laws regarding the cleanup of abandoned or derelict vessels. The act expands the authorized agencies authority to seize, secure, or dispose of these vessels, with requirements for notice to the owner about costs and actions needed to prevent seizure and creates the offense of abandoning a vessel. The act increases the authorized agencies authority to immediately remove marine debris, use of funds and to oversee procurement for cleanup, and clarifies laws surrounding vessel abandonment and dereliction offenses.

Fiscal impact: May have fiscal impact, but no statement yet issued.

Revenue impact: No revenue impact.

#### Detailed Summary:

Revises definitions related to abandoned and derelict vessels. Includes definition of an authorized agency as a law enforcement agency, a federal agency, the State Marine Board, or any other public body. Updates the definition of marine debris to include unusable boats. Increases authorized agency authority to immediately remove and dispose of marine debris without notice.

Increases the authority of authorized agencies to secure and dispose of abandoned or derelict vessels and address environmental threats they may pose. Authorizes notice to be served by electronic mail if a vessel has a valid, effective certificate issued in the owner's name, as well as clearly visible identifying numbers on the vessel.

Revises notice requirements. Adds that the notice must inform the owner that if the vessel is seized, and any personal property inside may be destroyed or sold, and the owner could be responsible for the costs of salvage, towing, storage, and disposal. Directs the notice to also list accrued and estimated final costs. Clarifies that the vessel will be seized unless the issues in the notice are resolved and the vessel is moved to a lawful location. Specifies that the owner can reclaim the vessel by proving ownership and paying the costs, but also notes that the owner may also be cited for abandoning or possessing a derelict vessel. Details that owners may request a hearing within the timeframe specified on their notice, which must be at least 10 business days.

Stipulates an authorized agency can seize a vessel and dispose of any personal property if the vessels owner is absent and noncompliant. Authorizes agency to hold a person other than the owner liable if the agency has probable cause to believe that the nonowner knowingly, intentionally, or with criminal negligence abandoned or neglected a vessel.

Creates the offense of abandoning and vessel, revising Oregon Revised Statute 830.944 (2023) punishable by a maximum fine of \$2,000. Authorizes the State Marine Board to use funds to clean up marine debris and authorizes the Director of the Department of State Lands to oversee procurement for abandoned and derelict vessels.

#### **ISSUES DISCUSSED:**

- Criteria used when determining if a vessel is unusable
- State costs for vessel cleanup
- Maximum charges for towing, storage and disposal
- Documentation of abandoned and derelict vessels

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*This summary has not been adopted or officially endorsed by action of the committee.*

**EFFECT OF AMENDMENT:**

-1 Redefines terms related to abandoned and derelict vessels.

Fiscal impact: Has minimal fiscal impact

Revenue impact: No revenue impact

**BACKGROUND:**

Current law defines abandoned vessels as those left on state land or waterways for an extended period of time without authorization, with specific rules on how long vessels can remain in one location. Recreational vessels can stay for up to 30 consecutive days before needing to move at least five miles away for 12 months, while commercial vessels must move after 14 days. Derelict vessels are those in poor condition that may pose safety, environmental, or navigational risks. The Department of State Lands oversees a statewide program to manage abandoned and derelict vessels, with funding aimed at holding owners accountable for removal.