

## HB 2558 A STAFF MEASURE SUMMARY

### House Committee On Agriculture, Land Use, Natural Resources, and Water

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**Action Date:** 03/03/25

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 8-0-1-0

**Yeas:** 8 - Boice, Helm, Levy B, Marsh, McDonald, McLain, Owens, Scharf

**Exc:** 1 - Hartman

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**Meeting Dates:** 2/19, 3/3

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#### WHAT THE MEASURE DOES:

The measure

- modifies the definition of "charter guide" and "crew member" in the context of outfitter and guide laws,
- modifies the current registration fee structure to increase fees for resident outfitters and guides, and
- creates a new registration fee for crew members.

The modified registration fee structure and new registration fees are to be applied uniformly, regardless of state of residence, on or after November 1, 2025. The measure also increases civil penalties for boating outfitters and guides that fail to comply with registration and safety requirements.

#### Detailed Summary

- Changes the definition of "charter guide" to an outfitter and guide who possesses a valid U.S. Coast Guard operator license and carries no more than six passengers for hire for outdoor recreational activities on federally navigable waterways.
- Defines "crew member" as person who assists with activities and operations while on a boat and works under direct supervision of a charter guide or an outfitter and guide.
- Requires crew members to register with the Oregon State Marine Board (OSMB) and provide
  - information about the applicants' employer,
  - proof of specified first aid certifications, and
  - an affidavit stating that the applicant has not been convicted of certain crimes, misdemeanors, and violations relevant to the applicant's outfitting or guiding activities.
- Authorizes OSMB to require an annual or biennial crew member registration, directs OSMB to establish registration renewal procedures through rulemaking, and sets the fee for the initial registration application and each registration renewal to \$50 per year.
- Adds crew members to current statutes related to outfitter and guide registrations.
- Adds an annual registration fee of \$500 for charter guides, regardless of residence.
- Increases the annual registration fee for outfitters and guides that are not otherwise a charter guide to \$350, regardless of residence.
- Increases civil penalties for boating outfitters and guides who fail to comply with registration and safety requirements from \$500 to \$1,000 for penalties imposed on or after the effective date of the measure.
- Takes effect on 91<sup>st</sup> day following adjournment sine die.

#### ISSUES DISCUSSED:

- Effect of the new fee structure on resident guides
- Provisions of the measure

## HB 2558 A STAFF MEASURE SUMMARY

### EFFECT OF AMENDMENT:

The amendment

- modifies the new definition of "charter guides,"
- adds a definition of "crew member," and
- establishes registration requirements for crew members.

The amendment also changes the proposed modification of the registration fee structure.

### Detailed Summary

- Narrows the definition of 'charter guide' to an outfitter and guide who possesses a valid U.S. Coast Guard operator license and carries no more than six passengers for hire for outdoor recreational activities on federally navigable waterways.
- Adds a definition of "crew member."
- Requires crew members to register with the Oregon State Marine Board (OSMB) and provide
  - information about the applicants' employer,
  - proof of specified first aid certifications, and
  - an affidavit stating that the applicant has not been convicted of certain crimes, misdemeanors, and violations relevant to the applicant's outfitting or guiding activities.
- Authorizes OSMB to require an annual or biennial crew member registration, directs OSMB to establish registration renewal procedures through rulemaking, and sets the fee for the initial registration application and each registration renewal to \$50 per year.
- Adds crew members to current statutes related to outfitter and guide registrations.
- Adds an annual registration fee of \$500 for charter guides, regardless of residence.
- Increases the annual registration fee for outfitters and guides that are not otherwise charter guides to \$350, regardless of residence.

### BACKGROUND:

The Outfitter and Guide Program was first established in 1984. The program focuses on registering outfitters (business entities) and guides (individuals) and requires liability protection for clients. The Oregon State Marine Board registers outfitters and guides annually to certify that they

- carry the minimum liability insurance required by law,
- have current First Aid and CPR training, and
- (if required) have a United States Coast Guard Operator License or Surety Bond.

Outfitters and guides are issued an annual registration card they are required to carry and show to anyone who asks. Under current law, Oregon imposes an annual registration fee of \$150 for resident outfitters and guides. For non-residents, the registration fee is equivalent to the amount charged by the outfitter's home state. Currently, employees are not issued separate registration cards.