

HB 2170-3
(LC 3909)
3/14/25 (HE/ps)

Requested by Representative HELM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2170**

1 On page 1 of the printed bill, line 2, after “830.587,” insert “830.589,”.

2 Delete lines 5 through 21 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Local government’ and ‘local service district’ have the**
5 **meanings given those terms in ORS 174.116.**

6 **“(b) ‘Tribal government’ means a federally recognized sovereign**
7 **tribal government whose borders lie within this state.**

8 **“(2) The State Department of Fish and Wildlife, the State Marine**
9 **Board or the State Department of Agriculture may enter into an**
10 **intergovernmental agreement with a tribal government, local govern-**
11 **ment or local service district for the purpose of assisting the agency**
12 **with:**

13 **“(a) Operating check stations and inspecting recreational or com-**
14 **mercial watercraft for the presence of aquatic invasive species; and**

15 **“(b) Decontaminating, or ordering the decontamination of, any**
16 **recreational or commercial watercraft that the tribal government, lo-**
17 **cal government or local service district inspects at a check station**
18 **operated under authority of this section.**

19 **“(3) Check stations operated under this section must comply with**
20 **the requirements that govern check stations under ORS 830.589.**

21 **“(4) An agreement under this section shall specify the functions or**

1 activities to be performed by a tribal government, local government
2 or local service district. The agreement shall provide for monitoring
3 and review of performance of services under the agreement.

4 “(5) Failure to cooperate with the ordered decontamination process
5 is subject to penalties under ORS 830.998.”.

6 On page 2, delete lines 38 through 45.

7 On page 3, delete lines 1 through 3 and insert:

8 “**SECTION 5.** ORS 830.998 is amended to read:

9 “830.998. (1) A person who is transporting a recreational or commercial
10 watercraft and fails to stop and submit to an inspection or complete the or-
11 dered decontamination at an aquatic invasive species check station operated
12 by the State Department of Fish and Wildlife, the State Marine Board or the
13 State Department of Agriculture **or a tribal government, local govern-**
14 **ment or local service district** as provided under ORS 830.589 **or section**
15 **1 of this 2025 Act** commits a Class D violation.

16 “(2) Notwithstanding ORS 153.042, a peace officer may issue a citation
17 under subsection (1) of this section when the conduct alleged to constitute
18 a violation has not taken place in the presence of the peace officer, if the
19 peace officer has reasonable grounds to believe that the conduct constitutes
20 a violation on the basis of information received from an employee of an
21 agency, **tribal government, local government or local service district**
22 authorized to operate an aquatic invasive species check station who observed
23 the violation.

24 “(3) As used in this section, ‘tribal government’ has the meaning
25 given that term in section 1 of this 2025 Act.”.

26 After line 22, insert:

27 “**SECTION 7.** ORS 830.589 is amended to read:

28 “830.589. (1) The State Department of Fish and Wildlife, the State Marine
29 Board or the State Department of Agriculture may require a person trans-
30 porting a recreational or commercial watercraft to stop at a check station

1 to inspect the watercraft for the presence of aquatic invasive species. The
2 purpose of the administrative search authorized under this section is to
3 prevent and limit the spread of aquatic invasive species within Oregon.

4 “(2)(a) The State Department of Fish and Wildlife, the State Marine
5 Board or the State Department of Agriculture may decontaminate, or order
6 the decontamination of, any recreational or commercial watercraft that the
7 agency inspects at a check station operated under authority of this section.
8 If the State Department of Fish and Wildlife, the State Marine Board or the
9 State Department of Agriculture orders decontamination, the person trans-
10 porting the watercraft shall cooperate with the agency to complete the de-
11 contamination.

12 “(b) Failure to cooperate with the ordered decontamination process is
13 subject to penalties under ORS 830.998.

14 “[*(3) All check stations operated under authority of this section must be*
15 *plainly marked by signs that comply with all state and federal laws and must*
16 *be staffed by at least one uniformed employee of the State Department of Fish*
17 *and Wildlife, the State Marine Board or the State Department of Agriculture*
18 *trained in inspection and decontamination of recreational or commercial*
19 *watercraft.*.]

20 “**(3) All check stations operated under authority of this section**
21 **must be:**

22 “**(a) Plainly marked by signs that comply with all state and federal**
23 **laws; and**

24 “**(b) Staffed by at least one uniformed employee, trained in in-**
25 **spection and decontamination of recreational or commercial**
26 **watercraft, of:**

27 “**(A) The State Department of Fish and Wildlife;**

28 “**(B) The State Marine Board;**

29 “**(C) The State Department of Agriculture; or**

30 “**(D) A tribal government, local government or local service district**

1 **as provided under section 1 of this 2025 Act.**

2 “(4) An agency that operates a check station under this section shall re-
3 quire all persons transporting recreational or commercial watercraft to stop
4 at the check station, and the agency shall inspect every recreational or
5 commercial watercraft that goes through the check station.

6 “(5) Notwithstanding ORS 496.992, a person transporting a recreational
7 or commercial watercraft who stops at a check station for inspection and
8 who cooperates in the decontamination process is not subject to criminal
9 sanctions for possessing or transporting aquatic invasive species.

10 “(6) The State Department of Fish and Wildlife, the State Marine Board
11 and the State Department of Agriculture may adopt rules to carry out the
12 provisions of this section.

13 **“(7) As used in this section:**

14 **“(a) ‘Local government’ and ‘local service district’ have the**
15 **meanings given those terms in ORS 174.116.**

16 **“(b) ‘Tribal government’ has the meaning given that term in sec-**
17 **tion 1 of this 2025 Act.”.**