

HOUSE AMENDMENTS TO HOUSE BILL 2072

By COMMITTEE ON TRANSPORTATION

February 16

1 On page 1 of the printed bill, line 3, delete “and 830.435; and” and insert “, 830.435 and
2 830.440;” and after “2005” insert “; and declaring an emergency”.

3 On page 3, after line 2, insert:

4 “**SECTION 3.** ORS 830.440 is amended to read:

5 “830.440. (1) An individual who desires to obtain an ocean charter vessel license shall make
6 written application therefor to the State Marine Board. The application shall include such informa-
7 tion regarding the vessel and copies of such documents and licenses regarding operation of the
8 vessel as the board may require. The application shall be accompanied by proof that the applicant
9 has protection against liability imposed by law covering occurrences by the operator of the ocean
10 charter vessel, and the employees of the operator, for the payment of damages for bodily injuries,
11 including death resulting therefrom, in the minimum amount of \$300,000 per occurrence, at any time
12 while engaged in carrying passengers for hire. The applicant shall certify that the vessel complies
13 with the equipment requirements established by the board under ORS 830.450.

14 “(2) The annual fee for an ocean charter vessel license is:

15 “(a) For vessels owned by residents of this state if the vessel has license, title and number issued
16 pursuant to ORS chapter 830, \$50.

17 “(b) For vessels owned by residents of this state if the vessel has a valid marine document issued
18 by an agency of the federal government, \$100.

19 “(c) For vessels owned by persons who reside in a state that requires Oregon residents to pay
20 a license fee to operate an ocean charter vessel in the waters of that state, such fee as is charged
21 Oregon residents to operate an ocean charter vessel in the state where the nonresident applicant
22 resides.

23 “(d) For all vessels owned by nonresidents other than those described in paragraph (c) of this
24 subsection, \$100.

25 “(3)(a) A person who applies for a license to operate an ocean charter vessel and who accepts
26 deposits from clients in excess of \$100 per person or whose agent accepts such deposits, shall submit
27 a bond or other financial security in the amount of \$5,000 to the board at the time of application.
28 The bond or other financial security shall be held by the board for the benefit of clients of the
29 licensee who pay a money deposit to the licensee or the licensee’s agent in anticipation of services
30 to be received. The bond or other financial security amount shall be released to such client or
31 clients conditioned upon a failure of the licensee or the licensee’s agent to return the deposit fol-
32 lowing cancellation of services or other failure to provide agreed upon services.

33 “(b) The board shall release or retain all or any portion of a bond or other financial security
34 as described in paragraph (a) of this subsection according to the provisions of ORS chapter 183.

35 “(4) A license issued pursuant to this section is transferable to a replacement vessel of the li-

1 cense holder and is transferable to the purchaser of the vessel when the vessel is sold.

2 **“(5) For the purposes of reciprocity under ORS 704.025 and 830.435, the board may adopt**
3 **rules to waive the annual fees required under subsection (2)(a) and (b) of this section for a**
4 **person who possesses a current Oregon outfitter and guide registration under ORS chapter**
5 **704 and operates in the waters of the Columbia River downstream from the Lewis and Clark**
6 **Bridge. The board may specify conditions for the waiver of fees under this subsection.”.**

7 In line 3, delete “3” and insert “4”.

8 After line 3, insert:

9 **“SECTION 5. This 2007 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
11 **on its passage.”.**

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