

Enrolled
House Bill 2079

Sponsored by Representative HUFFMAN; Senator FERRIOLI (Pre-session filed.)

CHAPTER

AN ACT

Relating to personal flotation devices; amending ORS 830.215.

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

SECTION 1. ORS 830.215 is amended to read:

830.215. (1) All boats *[shall]* **must** carry at least one United States Coast Guard approved personal flotation device in good and serviceable condition for each person on board. Each device *[shall]* **must** be of an appropriate size for the person for whom it is intended and *[shall]* **must** be readily accessible whenever the boat is in use. As used in this subsection, a personal flotation device is not “readily accessible” if it is stowed in a locked compartment or locker or is otherwise not immediately, physically available to persons on board the boat in case of an emergency.

(2) The State Marine Board by *[regulation will]* **rule shall** classify types of **personal flotation** devices and specify which types are approved for various classes of vessels. The *[regulations will]* **rules must** be consistent with, but *[shall]* **may** not exceed those regulations promulgated by the United States Coast Guard.

(3) **Notwithstanding the classification by the State Marine Board of the types of personal flotation devices approved for various classes of vessels pursuant to subsection (2) of this section, a person operating a boat on any section of waters rated class III or higher on a commonly accepted scale of river difficulty, and all passengers in the boat, shall wear a properly secured personal flotation device. The personal flotation device must be of a type prescribed by rules adopted by the State Marine Board.**

Passed by House February 23, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate May 5, 2009

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President of Senate

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State