

House Bill 3447

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes nonmotorized boat registration and permit system.
Sets registration, renewal and other fees.
Punishes violation by maximum of \$90 fine.
Becomes operative on January 1, 2012.

A BILL FOR AN ACT

1
2 Relating to nonmotorized boat registration; creating new provisions; and amending ORS 830.990.

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

4 **SECTION 1. Sections 2 to 6 of this 2009 Act are added to and made a part of ORS chapter**
5 **830.**

6 **SECTION 2. As used in sections 2 to 6 of this 2009 Act:**

7 (1) "Nonmotorized boat" does not include:

8 (a) A sailboat that is 12 feet or more in length.

9 (b) A nonmotorized boat owned and operated by the United States or by an entity or
10 political subdivision of the United States or a state.

11 (c) A boat not owned in this state operated only temporarily in the waters of this state.

12 (d) A ship's lifeboat used solely for lifesaving purposes.

13 (2) "Nonmotorized boat permit" or "permit" means a document that displays a unique
14 registration number and registration expiration date and that is issued upon registration of
15 a nonmotorized boat.

16 (3) "Operate" has the meaning given the term in ORS 830.700.

17 (4) "Owner" has the meaning given the term in ORS 830.700.

18 **SECTION 3. (1) Except as provided in subsection (2) of this section, a person shall reg-**
19 **ister each nonmotorized boat the person owns and operates on the waters of this state under**
20 **this section and:**

21 (a) Conspicuously display a nonmotorized boat permit sticker on the nonmotorized boat;

22 **or**

23 (b) Carry a nonmotorized boat permit card on the nonmotorized boat.

24 (2) A nonmotorized boat owned by two or more persons must be registered by only one
25 of the owners.

26 **SECTION 4. (1) A nonmotorized boat registration application must include the following**
27 **information:**

28 (a) The name of the owner of the nonmotorized boat;

29 (b) The owner's address and telephone number; and

30 (c) Any other information the State Marine Board considers necessary.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (2) The board by rule shall prescribe the forms to be used for the nonmotorized boat
 2 registration, registration renewals, forms to be submitted to the board by the agent collect-
 3 ing the permit fees and any other forms the board determines are necessary.

4 (3) The board shall issue one permit for each nonmotorized boat registered under section
 5 3 of this 2009 Act.

6 (4) A nonmotorized boat permit must be in the form of a sticker that may attach to a
 7 nonmotorized boat or a card that may be carried on the boat.

8 (5) A person registering a nonmotorized boat may choose to have the permit issued in
 9 either sticker or card form.

10 **SECTION 5.** (1) The State Marine Board may appoint agents to receive nonmotorized boat
 11 registration applications and to issue nonmotorized boat permits.

12 (2) Agents shall issue permits in accordance with procedures prescribed by the board by
 13 rule and shall charge and collect the permit fees prescribed by law.

14 (3) The board may authorize an agent other than a board employee to charge a service
 15 fee of \$2.50, in addition to the nonmotorized boat permit fee, for the issuance service per-
 16 formed by the agent.

17 (4) The board shall supply the agents with nonmotorized boat registration application
 18 forms, nonmotorized permit stickers and cards and any other forms the board determines
 19 are necessary.

20 **SECTION 6.** (1) The biennial fee for issuance or renewal of a nonmotorized boat permit
 21 is \$50.

22 (2) The biennial fee for issuance or renewal of a nonmotorized boat permit is \$300 for an
 23 owner who owns five or more nonmotorized boats and who is:

24 (a) An outfitter and guide, as defined in ORS 704.010 or an ocean guide, as defined in ORS
 25 704.010; or

26 (b) An outdoor recreation group or organization.

27 (3) The fees described in subsections (1) and (2) of this section do not apply to the fifth
 28 or any additional nonmotorized boats owned at any one time by an individual required to hold
 29 a nonmotorized boat permit or to register under section 3 of this 2009 Act.

30 (4) The fees described in subsections (1) and (2) of this section do not apply to persons
 31 younger than 13 years of age or 65 years of age or older who own one or more nonmotorized
 32 boats.

33 **SECTION 7.** The State Marine Board shall adopt rules for the implementation and ad-
 34 ministration of sections 2 to 6 of this 2009 Act. Nothing in sections 2 to 6 of this 2009 Act
 35 prevents the board from contracting any service provided under sections 2 to 6 of this 2009
 36 Act to any private person or entity or other unit of government.

37 **SECTION 8.** ORS 830.990 is amended to read:

38 830.990. (1) A person who violates ORS 830.050, 830.088, 830.090, 830.092, 830.094, 830.230,
 39 830.415, 830.710, 830.720, 830.770, 830.780, 830.810, 830.850 or 830.855 or section 3 of this 2009
 40 Act, or rules adopted to carry out the purposes of those statutes, commits a Class D violation.

41 (2) A person who violates ORS 830.220, 830.240, 830.245, 830.250, 830.375, 830.475 (4), 830.480,
 42 830.785, 830.805 or 830.825, or rules adopted to carry out the purposes of those statutes, commits a
 43 Class C violation.

44 (3) A person who violates ORS 830.110, 830.175, 830.180, 830.185, 830.195, 830.210, 830.215,
 45 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3), 830.335, 830.340, 830.345, 830.350, 830.355,

1 830.360, 830.362, 830.365, 830.370, 830.410, 830.420, 830.495, 830.775, 830.795 or 830.830, or rules
2 adopted to carry out the purposes of those statutes, commits a Class B violation.

3 (4) A person who violates ORS 830.305 or 830.390, or rules adopted to carry out the purposes
4 of those statutes, commits a Class A violation.

5 (5) A person who violates ORS 830.383 or 830.909 commits a Class B misdemeanor.

6 (6) A person who violates ORS 830.035 (2), 830.053, 830.315 (1), 830.325, 830.475 (1), 830.730 or
7 830.955 (1) commits a Class A misdemeanor.

8 (7) A person who violates ORS 830.475 (2) commits a Class C felony.

9 **SECTION 9. (1) Sections 1 to 7 of this 2009 Act and the amendments to ORS 830.990 by**
10 **section 8 of this 2009 Act become operative on January 1, 2012.**

11 **(2) Notwithstanding subsection (1) of this section, prior to January 1, 2012 the State**
12 **Marine Board may adopt rules and take all other measures determined by the board to be**
13 **necessary for implementation of sections 1 to 7 of this 2009 Act and the amendments to ORS**
14 **830.990 by section 8 of this 2009 Act on January 1, 2012.**

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