

**Enrolled**  
**Senate Bill 147**

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CHAPTER .....

AN ACT

Relating to pilotage; creating new provisions; and amending ORS 776.025, 776.405 and 776.880.

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

**SECTION 1.** ORS 776.025 is amended to read:

776.025. Except as may be established by the Oregon Board of Maritime Pilots under ORS 776.115 (3), bar and river pilotage grounds shall be as follows:

(1) The Columbia River bar pilotage ground extends from [*the uppermost dock or wharf at the Port of Astoria or Knappton to the open sea in at least 30 fathoms of water*] **a line across the Columbia River along 123° 44' 00" west longitude, then downstream to the open ocean at the entrance to the Columbia River, and includes the navigable waters encompassed by the following boundaries: Beginning at the ocean shore at a point that is 46° 19' 06" north latitude, 124° 04' 06" west longitude; then proceeding due west a distance of five miles to a point that is 46° 19' 06" north latitude, 124° 11' 42" west longitude; then proceeding on an arc in a southerly and southeasterly direction that is two miles west of and parallel to the Three Nautical Mile Line, as determined by the National Oceanic and Atmospheric Administration's Office of Coast Survey, to a southernmost point that is 46° 09' 06" north latitude, 124° 05' 36" west longitude; then due east to shore.**

(2) The Columbia and Willamette River pilotage ground extends from the [*lowermost dock or wharf at the Port of Astoria to the*] head of navigation on the Columbia and Willamette Rivers and their tributaries; **then downstream to the line across the Columbia River 123° 55' 00" west longitude.**

(3) The Coos Bay bar pilotage ground extends from the head of navigation on Coos Bay and its tributaries [*to the open sea in at least 30 fathoms of water*]; **then downstream to the open ocean at the entrance to Coos Bay and includes the navigable ocean area encompassed by the following boundaries: Beginning at the ocean shore; then west along the line of latitude 43° 24' 00" north to the intersection with the line of longitude 124° 22' 00" west; then southwest on a line to the point that is 43° 22' 00" north latitude, 124° 24' 00" west longitude; then southeast on a line to the point that is 43° 20' 00" north latitude, 124° 22' 00" west longitude.**

(4) The Yaquina Bay bar pilotage ground extends from the head of navigation on Yaquina Bay and its tributaries [*to the open sea in at least 30 fathoms of water*]; **then downstream to the open ocean at the entrance to Yaquina Bay and includes the navigable ocean area encompassed by the following boundaries: Beginning at the ocean shore; then west along the line of lati-**

tude 44° 39' 00" north to the intersection with the line of longitude 124° 08' 00" west; then south along the line of longitude 124° 08' 00" west to the intersection with the line of latitude 44° 35' 00" north; then east along the line of latitude 44° 35' 00" north to the ocean shore.

**SECTION 2.** Section 3 of this 2011 Act is added to and made a part of ORS chapter 776.

**SECTION 3.** The Columbia River bar precautionary zone is established. The Columbia River bar precautionary zone extends seaward of the Columbia River bar pilotage ground, lying between the western boundary of the Columbia River bar pilotage ground, and the line drawn as follows: Beginning on shore at a point that is 46° 26' 00" north latitude, 124° 03' 24" west longitude; then proceeding due west to a point that is 46° 26' 00" north latitude, 124° 20' 48" west longitude; then proceeding southwesterly and then southeasterly along the United States 12 nautical mile territorial sea boundary line to a point on that boundary that is 46° 04' 18" north latitude, 124° 14' 06" west longitude; then due east to shore.

**SECTION 4.** ORS 776.405 is amended to read:

776.405. (1)(a) Except as set forth in paragraph [(b)] (c) of this subsection, [no] a person [shall] **may not** pilot any vessel upon any of the pilotage grounds established under ORS 776.025 or 776.115 without being a licensee under this chapter or a trainee under the onboard supervision of a licensee under this chapter.

**(b) Except as set forth in paragraph (c) of this subsection, a person may not pilot any vessel in the Columbia River bar precautionary zone, either to enter or depart the Columbia River bar pilotage ground, except pursuant to instructions from a licensee under this chapter for the Columbia River bar pilotage ground, provided however that the master of a vessel transiting the Columbia River bar precautionary zone remains at all times in full command of the vessel and is responsible to take all reasonable steps to safely navigate the Columbia River bar precautionary zone.**

[(b)] (c) [Paragraph] **Paragraphs (a) and (b)** of this subsection [does] **do** not apply to:

(A) The master of a vessel under fishery, recreational or coastwise indorsement provided under 46 U.S.C. chapter 121;

(B) A vessel registered with the State Marine Board or a similar licensing agency of another state; or

(C) The master of a foreign registered fishing or recreational vessel, exempted by the Oregon Board of Maritime Pilots, of not more than 100 feet in length or 250 gross tons international.

(2) A licensee under this chapter is at all times the servant of the vessel being piloted and its owners and operators.

**SECTION 5.** ORS 776.880 is amended to read:

776.880. (1) In addition to any other penalty provided by law, any licensee or trainee who commits any act for which the Oregon Board of Maritime Pilots could revoke, suspend or refuse to issue or renew a license is subject to a civil penalty in an amount determined by the board of not more than \$250 for each offense.

(2) Any person who violates the provisions of ORS 776.405 (1)(a) is subject to a civil penalty in an amount as determined by the board of not less than \$5,000 and not more than \$50,000.

**(3) Any person who violates the provisions of ORS 776.405 (1)(b) is subject to a civil penalty in an amount as determined by the board of not more than \$5,000 for each offense.**

[(3)] (4) Civil penalties under this section shall be imposed as provided in ORS 183.745.

[(4)] (5) All amounts recovered under this section are subject to ORS 776.365.

**Passed by Senate February 24, 2011**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 16, 2011**

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State