

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	6 - 0 - 0
Yeas:	Edwards, Girod, Monroe, Starr, Thomsen, Beyer
Nays:	0
Exc.:	0
Prepared By:	Patrick Brennan, Administrator
Meeting Dates:	2/21, 3/11

WHAT THE MEASURE DOES: Specifies State Marine Board has authority over charter boats carrying seven or more passengers. Creates and modifies provisions related to the regulation of charter boats. Enhances punishment for certain violations regulating charter boats to maximum of one year in prison, \$6,250 fine, or both. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Occurrences of vessels that circumvent requirements of State Marine Board
- Reciprocity agreements between State of Oregon and State of Washington
- Review of State Marine Board requirements for charter boats

EFFECT OF COMMITTEE AMENDMENT: Revises definition of ‘charter boat’ to clarify that definition does not apply to ‘passenger vessel’ or ‘small passenger vessel’ as defined by State Marine Board by rule that is inspected by the United States Coast Guard, carries more than 12 passengers for hire, and operates east of the demarcation line on waters identified by the Board by rule. Clarifies language allowing person holding valid license or registration issued by the State of Washington to carry passengers for hire in Oregon without obtaining a charter boat license in certain circumstances.

BACKGROUND: The Oregon State Marine Board, established in 1959, is the state’s recreational boating agency. Funded by user fees, the Board provides services such as boating safety education programs, marine law enforcement and improved boating facilities. User fees are generated through titling and registering of more than 195,000 recreational vessels. The Board establishes statewide boating regulations, which are enforced by Oregon State Police and county sheriffs.

Under current law, charter boats are treated differently from boats utilized by guides and outfitters. Vessels carrying seven or more passengers for hire are required to be inspected by the U.S. Coast Guard. As a result, Board regulations for such vessels are less stringent. There have been occasions when vessels carrying fewer than seven passengers qualify as charter boats, however, and thus subject to less Board regulation, while also not being subject to Coast Guard inspection. Senate Bill 25-A redefines “charter boat” to clarify that the less stringent Board regulations apply only to vessels that carry seven or more passengers and are inspected by the Coast Guard. The measure also clarifies that vessels licensed in Washington may continue to operate in Oregon waters.

Senate Bill 25-A also grants the State Marine Board the authority to establish guidelines for charter boats operating on inland waters that are not under U.S. Coast Guard jurisdiction; this change is intended to allow the Board to ensure the seaworthiness of inland charter vessels. The measure also amends language to provide clarification of the difference between cost sharing and payment for services, provides the Board with a greater range of offenses for which it can suspend, revoke or deny a license, and increases minimum required liability coverage for charter boat licensees from \$300,000 to \$500,000.

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This summary has not been adopted or officially endorsed by action of the committee.