

**PROPOSED AMENDMENTS TO  
SENATE BILL 602**

1 On page 1 of the printed bill, line 2, after “Lake;” delete the rest of the  
2 line and insert “creating new provisions; amending ORS 830.110, 830.990 and  
3 835.205; and declaring an emergency.”.

4 Delete lines 4 through 29.

5 Delete pages 2 and 3 and insert:

6 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part**  
7 **of ORS chapter 830.**

8 **“SECTION 2. (1) Except as provided in subsection (2) of this section,**  
9 **a person may not use a seaplane to land on or take off from Waldo**  
10 **Lake on Saturdays and Sundays beginning on August 1 and ending on**  
11 **September 7.**

12 **“(2) Subsection (1) of this section does not apply:**

13 **“(a) In the event of an emergency; or**

14 **“(b) To the Department of State Police and any other public body,**  
15 **as defined in ORS 174.109, that has jurisdiction over the lake.**

16 **“SECTION 3. ORS 830.990 is amended to read:**

17 **“830.990. (1)(a) Violation of ORS 830.565 by a person operating a manually**  
18 **propelled boat is a Class D violation. Notwithstanding ORS 153.019, the**  
19 **presumptive fine for a violation of ORS 830.565 is \$30.**

20 **“(b) Violation of ORS 830.565 by a person operating a motorboat is**  
21 **punishable as a Class D violation. Notwithstanding ORS 153.019, the**  
22 **presumptive fine for a violation of ORS 830.565 is \$50.**

1 “(2) A person who violates ORS 830.050, 830.088, 830.090, 830.092, 830.094,  
2 830.230, 830.415, 830.710, 830.720, 830.770, 830.780, 830.810, 830.850 or 830.855,  
3 or rules adopted to carry out the purposes of those statutes, commits a Class  
4 D violation.

5 “(3) A person who violates ORS 830.220, 830.240, 830.245, 830.250, 830.375,  
6 830.475 (4), 830.480, 830.785, 830.805 or 830.825, or rules adopted to carry out  
7 the purposes of those statutes, commits a Class C violation.

8 “(4) A person who violates ORS 830.110, 830.175, 830.180, 830.185, 830.195,  
9 830.210, 830.215, 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3), 830.335,  
10 830.340, 830.345, 830.350, 830.355, 830.360, 830.362, 830.365, 830.370, 830.410,  
11 830.420, 830.495, 830.560, 830.775, 830.795 or 830.830 **or section 2 of this 2013**  
12 **Act**, or rules adopted to carry out the purposes of those statutes, commits  
13 a Class B violation.

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

16 “(6) A person who violates ORS 830.383 or 830.909 commits a Class B  
17 misdemeanor.

18 “(7) A person who violates ORS 830.035 (2), 830.053, 830.315 (1), 830.325,  
19 830.475 (1), 830.730 or 830.955 (1) commits a Class A misdemeanor.

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

21 **“SECTION 4.** ORS 830.110 is amended to read:

22 “830.110. In addition to the powers and duties otherwise provided in this  
23 chapter, the State Marine Board shall have the power and duty to:

24 “(1) Make all rules necessary to carry out the provisions of this chapter.  
25 The rules shall be made in accordance with ORS chapter 183.

26 “(2) Devise a system of identifying numbers for boats, floating homes and  
27 boathouses. If an agency of the federal government has an overall system of  
28 identification numbering for boats within the United States, the system de-  
29 vised by the board shall conform with the federal system.

30 “(3) Cooperate with state and federal agencies to promote uniformity of

1 the laws relating to boating and their enforcement.

2 “(4) Make contracts necessary to carry out the provisions of ORS 830.060  
3 to 830.140, 830.700 to 830.715, 830.725, 830.730, 830.770, 830.780, 830.785, 830.795  
4 to 830.820 and 830.830 to 830.870.

5 “(5) Advise and assist county sheriffs and other peace officers in the  
6 enforcement of laws relating to boating.

7 “(6) Study, plan and recommend the development of boating facilities  
8 throughout the state which will promote the safety and pleasure of the pub-  
9 lic through boating.

10 “(7) Publicize the advantage of safe boating.

11 “(8) Accept gifts and grants of property and money to be used to further  
12 the purposes of this chapter.

13 “(9) Exempt from any provisions of this chapter any class of boats if it  
14 determines that the safety of persons and property will not be materially  
15 promoted by the applicability of those provisions to the class of boats. The  
16 board may not exempt from numbering any class of boats unless:

17 “(a) The board determines that the numbering will not materially aid in  
18 their identification; and

19 “(b) The secretary of the department of the federal government under  
20 which the United States Coast Guard is operating has exempted from num-  
21 bering the same boats or classes of boats.

22 “(10) Appoint and require the bonding of agents to issue a temporary  
23 permit to operate a boat. In addition to the prescribed fees, the agents may  
24 charge the following for their services in issuing the temporary permit:

25 “(a) \$2.50 per transaction for calendar years 2008, 2009 and 2010;

26 “(b) \$3.75 per transaction for calendar years 2011, 2012 and 2013; and

27 “(c) Beginning in 2014, and every three years thereafter, the board shall  
28 issue an order revising the fee specified in paragraph (b) of this subsection  
29 on January 1, based on changes in the Portland-Salem, OR-WA, Consumer  
30 Price Index for All Urban Consumers for All Items, as published by the Bu-

1 reau of Labor Statistics of the United States Department of Labor. The board  
2 shall round the amount of the fee to the nearest half-dollar. The revised fee  
3 takes effect on January 1 and applies for the following three years.

4 “(11) Publish and distribute to the interested public the boating laws of  
5 this state and resumes or explanations of those laws.

6 “(12) Publish and distribute forms for any application required under this  
7 chapter and require the use of such forms.

8 “(13) Make rules for the uniform navigational marking of the waters of  
9 this state. Such rules shall not conflict with markings prescribed by the  
10 United States Coast Guard. No political subdivision or person shall mark the  
11 waters of this state in any manner in conflict with the markings prescribed  
12 by the board.

13 “(14) Make rules regarding marine toilets and their use consistent with  
14 the prevention and control of pollution of the waters of this state and not  
15 in conflict with the rules of the Oregon Health Authority or the Environ-  
16 mental Quality Commission.

17 “(15) Institute proceedings to enjoin unlawful obstructions injuring free  
18 navigation on the waters of this state.

19 “(16) Make rules regulating water ski course markers, ski jumps and  
20 other special use devices placed in the waters of this state. Such rules may  
21 regulate the installation and use of the devices and may require a permit.

22 “(17) Adopt rules necessary to carry out and enforce the provisions of  
23 ORS 830.950 and 830.955. The rules shall include but need not be limited to:

24 “(a) The kinds of protective covering or physical barriers that are ac-  
25 ceptable to be used between a submersible polystyrene device and the water.

26 “(b) Guidelines for the use of submersible polystyrene devices for the re-  
27 pair or maintenance of existing docks or floats.

28 “(18) Adopt rules providing for establishment of a Safe Boating Education  
29 Course to be made available to courts and law enforcement agencies within  
30 this state for use as a sentencing option for those individuals convicted of

1 boating offenses. The board shall specify the content of the Safe Boating  
2 Education Course and shall prescribe procedures for making the course  
3 available to local courts and law enforcement agencies, including procedures  
4 for promptly notifying such courts whether individuals required to enroll in  
5 the course have taken and successfully passed the course. Such rules may  
6 provide for administration of the course through nonprofit organizations,  
7 such as the United States Coast Guard Auxiliary, United States Power  
8 Squadrons or similar groups.

9 “(19) For purposes of ORS 830.175, 830.180, 830.185 and 830.195 **and sec-**  
10 **tion 2 of this 2013 Act**, in cooperation with the State Aviation Board, reg-  
11 ulate boats that are seaplanes as provided in ORS 830.605 and 835.200.

12 **“SECTION 5.** ORS 835.205 is amended to read:

13 “835.205. For purposes of ORS 830.175, 830.180, 830.185 and 830.195 **and**  
14 **section 2 of this 2013 Act**, the Oregon Department of Aviation, in cooper-  
15 ation with the State Marine Board, shall regulate boats that are seaplanes  
16 as provided in ORS 830.605 and 835.200.

17 **“SECTION 6. This 2013 Act being necessary for the immediate**  
18 **preservation of the public peace, health and safety, an emergency is**  
19 **declared to exist, and this 2013 Act takes effect on its passage.”.**

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