



Oregon

Kate Brown, Governor

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Senate Committee on Environment and Natural Resources

Senator Michael Dembrow, Chair
Senator Alan Olsen, Vice-Chair
Senator Herman Baertschiger Jr.
Senator Floyd Prozanski
Senator Arnie Roblan

Dear Chair Dembrow, Vice-Chair Olsen, and Committee Members,

Thank you for the opportunity to provide input on SB 643. This bill would amend Marine Board statutes to require persons 17 and under who are operating a boat or who are passengers in a boat on sections of waters rated Class III or higher to wear a helmet.

The Marine Board has no position on this bill. However, since it would be a change to ORS 830, we would have the responsibility to educate the public and enforce the requirement.

Current law requires mandatory life jacket wear when operating in Class III whitewater rapids or higher. This applies to everyone on the boat, so it is easy to identify as a boat passes whether the law is being followed.

The age requirement for the helmet law would be a bit more difficult for law enforcement to assess who in the raft is required to wear a helmet and who is not.

The Marine Board contracts with county sheriff's offices and the Oregon State Police for marine law enforcement services. For some context, there have been 27 citations and two warnings under the mandatory lifejacket law on class III whitewater from 2012 through 2016. This is partly due to good compliance rates in these waters, but also the difficulty in enforcing laws on whitewater rivers. To cite the violators, law enforcement must observe them going through a rapid and then contact the boat somewhere downstream.

The Marine Board does not have dedicated funding for non-motorized enforcement. While some enforcement does occur in predominantly non-motorized areas, patrols either need to occur from shore or they are from a similar non-motorized boat, so contacts are limited to those in the vicinity as the officer progresses downstream.

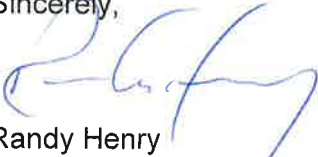
All 27 of the citations for failure to wear a lifejacket on a class III or higher rapid have been made by Wasco County on the Deschutes River. The reason for this is that some whitewater areas on the Deschutes are accessible from the road and the officer can witness the violation and then contact the boater at the put-in downstream. Additionally, Boater Pass dollars fund law enforcement services on the Wild and Scenic Section of the Deschutes River, allowing focused enforcement in this specific area. It's also easy to anticipate high usage there.



The Marine Board is an advocate for safe boating and supports boaters being properly equipped, scouting ahead and having the skills to operate in the area where they are boating. We will enforce the laws to the best of our ability and make every effort to educate the public in the normal course of duties. The Marine Board lacks funding for targeted enforcement for non-motorized boating or specific education, but will work within our normal patrols to carry out these functions.

I am happy to answer any questions that you have.

Sincerely,



Randy Henry
Boating Law Administrator
Boating Safety Section Manager