

SB 643 -2, -4, -5 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

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Meeting Dates: 2/23, 4/17

WHAT THE MEASURE DOES:

Requires persons 17 years of age and younger who are either operating a boat or are a passenger in a boat, on any section of water rated Class III or higher, to wear a properly secured helmet. Requires helmet to be a type prescribed by rules adopted by the Marine Board. Adds improper or insufficient helmet to list of especially hazardous conditions that authorize a peace officer to order a boat operator to take immediate and reasonable steps to remedy. Applies to conduct occurring on or after effective date of Act.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 2 Replaces measure. Requires all outfitters and guides to require persons age 12 and under to wear properly secured helmet when on any section of waters rated class III or higher on commonly accepted scale of river difficulty. Requires outfitter or guide to provide helmet to all persons over age 12 who are either providing outfitting and guiding services or who are passengers in waters rated class III or higher on scale of river difficulty.
- 4 Replaces measure. Requires person who acts or offers to act as an outfitter or guide using boats to carry passengers to require that all persons 12 years of age or younger wear a properly secured helmet of a type prescribed by the State Marine Board by rule on any section of waters rated class III or higher on a commonly accepted scale of river difficulty.
- 5 Replaces measure. Requires outfitter or guide using boats to carry passengers on any section of river rated Class III or higher to offer to all passengers a helmet that meets the standards established by the Marine Board by rule.

BACKGROUND:

Rivers and river segments are rated using roman numerals I to VI according to an International Scale of River Difficulty. Class III waters are described, in part, as having "rapids with moderate, irregular waves which may be difficult to avoid and which can swamp an open canoe." (American Whitewater) ORS 830.215 requires a person operating a boat on any section of water rated Class III or higher, and all passengers in the boat, to wear a properly secured personal floatation device. ORS 704.070 requires an outfitter and guide operating a non-motorized boat carrying passengers on waters rated as Class III or higher, and all passengers in the boat, to wear personal floatation devices.

Senate Bill 643 would require anyone 17 years of age or younger in a boat on waters rated as Class III or higher to wear a properly secured helmet.