

**A-Engrossed**  
**Senate Bill 643**

Ordered by the Senate April 26  
Including Senate Amendments dated April 26

Sponsored by Senator MONNES ANDERSON, Representative GORSEK; Representative HUFFMAN (at the request of Robert Birge and Shawna Wellman Birge in memory of Sharon Birge)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Requires persons 17 years of age or younger and who are operating boat, or who are passengers in boat, on section of waters rated class III or higher to wear helmet. Punishes by maximum fine of \$1,000.]*

**Requires outfitters and guides to offer helmets to all passengers using boat on waters rated class III or higher.**

**A BILL FOR AN ACT**

1  
2 Relating to the use of helmets on certain river waters; creating new provisions; and amending ORS  
3 704.070.

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

5 **SECTION 1.** ORS 704.070 is amended to read:

6 704.070. (1) A person who acts or offers to act as an outfitter and guide using boats to carry  
7 passengers on the waters of this state shall:

8 (a) Equip each nonmotorized boat that is under the direct operation of an outfitter and guide  
9 or an employee of an outfitter and guide to carry passengers on waters rated as class III or higher  
10 on a commonly accepted scale of river difficulty with a rescue throw bag, complete with a length  
11 of artificial fiber rope and a buoyant bag;

12 (b) On any section of waters rated as class III or higher on a commonly accepted scale of river  
13 difficulty, require that all persons physically providing outfitting and guiding services and all pas-  
14 sengers wear a properly secured United States Coast Guard approved personal flotation device of  
15 a type prescribed by rules adopted by the State Marine Board;

16 (c) If the outfitter and guide operates nonmotorized boats carrying passengers on any section  
17 of waters rated as class III or higher on a commonly accepted scale of river difficulty, require that  
18 all persons physically providing outfitting and guiding services:

19 (A) Prior to providing the services, have completed at least one trip on that section of waters  
20 in a nonmotorized boat; and

21 (B) Have been trained in equipment preparation and boat rigging, understanding and recognizing  
22 river characteristics and hazards, methods of scouting rapids, methods of physically guiding boats  
23 through rapids, proper client communication, how to provide paddling and safety instruction and  
24 methods of river rescue techniques, including emergency procedures and equipment recovery; *[and]*

25 (d) If the outfitter and guide is a charter guide, ensure that the vessel used to carry passengers  
26 complies with the equipment requirements for charter vessels under ORS 830.450[.]; **and**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **(e) On any section of waters rated as class III or higher on a commonly accepted scale**  
2 **of river difficulty, offer to all passengers a helmet that meets the standards established by**  
3 **the board by rule.**

4       (2) Subsection (1)(b) of this section does not apply to motorized boats that are inspected by the  
5 United States Coast Guard.

6       **SECTION 2. The amendments to ORS 704.070 by section 1 of this 2017 Act apply to con-**  
7 **duct occurring on or after the effective date of this 2017 Act.**

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