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 as introduced.

Prohibits person from operating motorboat with wake-enhancing device between river mile 30 and river mile 50 on Willamette River. Requires person to operate wakeboard boat at slow, no-wake speed between river mile 30 and river mile 50 on Willamette River.

Punishes by maximum of $2,000 fine. Punishes third or subsequent offense within three years by maximum of 30 days' imprisonment, $5,000 fine, or both, and requires court to order person to not operate boat for two years and to complete boating safety course.

A BILL FOR AN ACT

Relating to motorboats; creating new provisions; and amending ORS 830.990.

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

SECTION 1. Sections 2 and 4 of this 2018 Act are added to and made a part of ORS chapter 830.

SECTION 2. (1) A person operating a motorboat on the Willamette River between river mile 50 and river mile 30 may not use a wake-enhancing device.

(2) A person operating a wakeboard boat within 200 feet of a dock, boathouse or moorage on the Willamette River between river mile 50 and river mile 30 shall operate the wakeboard boat at a slow, no-wake speed, as defined by the State Marine Board by rule.

(3) For the purposes of this section, “wake-enhancing device” includes ballast tanks, ballast bags, surf gates, wakesurf shapers, wedges, hydrofoils, other mechanical devices that enhance the size of a motorboat's wake or the placement of people or things to enhance the size of a motorboat's wake.

SECTION 3. ORS 830.990 is amended to read:

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

(b) Violation of ORS 830.565 by a person operating a motorboat is a Class D violation. Notwithstanding ORS 153.019, the presumptive fine for a violation of ORS 830.565 by a person operating a motorboat is $50.

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

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

(4) A person who violates ORS 830.110, 830.175, 830.180, 830.185, 830.187, 830.195, 830.210, 830.215, 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3), 830.335, 830.340, 830.345, 830.350,
830.355, 830.360, 830.362, 830.365, 830.370, 830.410, 830.495, 830.560, 830.775, 830.795 or
830.830, or rules adopted to carry out the purposes of those statutes, commits a Class B violation.
(5) A person who violates ORS 830.305, [or] 830.390 or **830.944 or section 2 of this 2018 Act**, or
rules adopted to carry out the purposes of those statutes, commits a Class A violation.
(6) Notwithstanding subsection (5) of this section, a person who violates section 2 of this
2018 Act and has two or more prior convictions for violation of section 2 of this 2018 Act that
were entered within the previous three years commits a Class C misdemeanor. Notwithstanding ORS 161.635, the minimum fine the court may impose under this subsection
is **$2,000 and the maximum fine is $5,000.**
[(6)] (7) A person who violates ORS 830.383 commits a Class B misdemeanor.
[(7)] (8) A person who violates ORS 830.035 (2), 830.053, 830.315 (1), 830.325, 830.475 (1), 830.730
or 830.955 (1) commits a Class A misdemeanor.
[(8)] (9) A person who violates ORS 830.475 (2) commits a Class C felony.
[(9) A person who violates ORS 830.944 commits a Class A violation.]
SECTION 4. When a person is convicted of a violation of section 2 of this 2018 Act and
a penalty is imposed under ORS 830.990 (6), the court shall, in addition to the penalty imposed
under ORS 830.990 (6):
(1) Order the person not to operate a boat for a period of two years after the date of
conviction; and
(2) Order the person to complete a boating safety course approved by the State Marine
Board.