

Enrolled
House Bill 2080

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for State Marine Board)

CHAPTER

AN ACT

Relating to fees assessed by the State Marine Board; creating new provisions; and amending ORS 830.084, 830.575, 830.790 and 830.810.

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

SECTION 1. ORS 830.084 is amended to read:

830.084. In establishing the mandatory boating safety education program pursuant to ORS 830.082, the State Marine Board shall:

- (1) Set a minimum standard of boating safety education competency. The standard shall be consistent with the applicable standard established by the National Association of State Boating Law Administrators. The board may update the minimum standard of competency as necessary.
- (2) Create a boating safety course of instruction and examination designed to educate and test for the minimum standard of safety established pursuant to subsection (1) of this section.
- (3) Create an equivalency exam that may substitute for taking the boating safety course.
- (4) Incorporate volunteer boating safety education programs to the maximum extent possible.
- (5) Allow use of commercially provided boating safety courses, provided they meet the standard adopted by the board.
- (6) Accept proof of prior completion of any approved boating safety course as meeting the requirement for a boating safety course.
- (7) Establish a fee for the boating safety certificate issued under ORS 830.086 that may not exceed [~~\$10~~] **\$20**.
- (8) Establish a temporary boating safety certificate that is valid for 60 days and issued in conjunction with a temporary certificate of number for newly acquired boats.
- (9) Promote the fact that insurance discounts of 10 percent to 15 percent are widely available for taking a boating safety course that meets the minimum standard established pursuant to subsection (1) of this section.

SECTION 2. ORS 830.790 is amended to read:

830.790. (1) The biennial fee for the original or renewal certificate of number or registration is:
[*(a) \$4.50 per foot, or portion thereof, for all sailboats 12 feet in length or more and for all motorboats.*]

- (a) **\$5 plus \$5.95 per foot, or portion thereof, for all sailboats 12 feet in length or more and for all motorboats.**
- (b) \$6, for boats that are assessed by the Department of Revenue under ORS 308.505 to 308.681.
- (c) \$6, for amphibious vehicles that are licensed by the Department of Transportation.

(2) Notwithstanding subsection (1) of this section, no fee is required for boats owned by eleemosynary organizations which are operated primarily as a part of organized activities for the purpose of teaching youths scoutcraft, camping, seamanship, self-reliance, patriotism, courage and kindred virtues.

(3) Except for the assessment referred to in subsection (1)(b) of this section, the fees provided by this section are in lieu of any other tax or license fee.

(4) The operator of a boat livery holding five or more boats ready for hire may pay a biennial certificate of number fee of \$90 plus \$10 for each boat instead of the fee otherwise provided in this section.

(5) For each original or renewal certificate fee collected under subsection (1)(a) of this section, the State Marine Board shall deposit \$5 of the amount collected into the Aquatic Invasive Species Prevention Fund established under ORS 830.585.

SECTION 3. ORS 830.810 is amended to read:

830.810. (1) Except as otherwise provided in this subsection, a person may not operate a boat for which an identifying number is required under ORS 830.705, 830.710, 830.770, 830.780 to 830.805 and 830.830 to 830.870, unless the owner has secured from the State Marine Board a certificate of title for the boat. This subsection does not apply to operation of:

(a) Amphibious vehicles that have a valid title issued by the Department of Transportation.

(b) A boat for which an identifying number issued under ORS 830.830 is required.

(2) A certificate of title is prima facie evidence of the ownership of a boat or a security interest therein. A certificate of title is good for the life of the boat so long as the certificate is owned or held by the legal holder of the certificate.

(3) The board may assess the following application fees:

(a) Original title or title transfer, [~~\$50~~] **\$75**.

(b) Duplicate title, \$25.

(c) Duplicate certificate of number or registration, \$15.

(d) Duplicate validation stickers, \$15.

(4) The board shall establish, by rule, penalty fees for late application for certificates required by this section or ORS 830.710. A penalty fee may not exceed \$50.

(5) Rules adopted pursuant to this section shall be in accordance with the provisions of ORS chapter 183.

SECTION 4. The amendments to ORS 830.084, 830.790 and 830.810 by sections 1 to 3 of this 2019 Act apply to fees imposed on or after the effective date of this 2019 Act.

SECTION 5. ORS 830.575 is amended to read:

830.575. Notwithstanding ORS 830.790 (3), fees for issuance and renewal of an aquatic invasive species prevention permit are as follows:

[~~(1) The biennial fee for a motorboat issued a certificate of number under ORS 830.795 is \$5.~~]

[~~(2)~~] (1) The annual fee for a manually propelled boat 10 feet or more in length is \$5.

[~~(3)~~] (2) The annual fee for a motorboat operated by a nonresident is \$20.

[~~(4)~~] (3) The annual fee for an operator of a boat livery is:

(a) \$30 for an operator who owns 6 to 10 manually propelled boats;

(b) \$55 for an operator who owns 11 to 20 manually propelled boats; or

(c) \$100 for an operator who owns 21 or more manually propelled boats.

Passed by House May 16, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 6, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State