

HOUSE AMENDMENTS TO HOUSE BILL 2170

By COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND
WATER

March 21

1 On page 1 of the printed bill, line 2, after “830.587,” insert “830.589.”

2 Delete lines 5 through 21 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Local government’ and ‘local service district’ have the meanings given those terms**
5 **in ORS 174.116.**

6 **“(b) ‘Tribal government’ means a federally recognized sovereign tribal government whose**
7 **borders lie within this state.**

8 **“(2) The State Department of Fish and Wildlife, the State Marine Board or the State**
9 **Department of Agriculture may enter into an intergovernmental agreement with a tribal**
10 **government, local government or local service district for the purpose of assisting the**
11 **agency with:**

12 **“(a) Operating check stations and inspecting recreational or commercial watercraft for**
13 **the presence of aquatic invasive species; and**

14 **“(b) Decontaminating, or ordering the decontamination of, any recreational or commer-**
15 **cial watercraft that the tribal government, local government or local service district inspects**
16 **at a check station operated under authority of this section.**

17 **“(3) Check stations operated under this section must comply with the requirements that**
18 **govern check stations under ORS 830.589.**

19 **“(4) An agreement under this section shall specify the functions or activities to be per-**
20 **formed by a tribal government, local government or local service district. The agreement**
21 **shall provide for monitoring and review of performance of services under the agreement.**

22 **“(5) Failure to cooperate with the ordered decontamination process is subject to penalties**
23 **under ORS 830.998.”.**

24 On page 2, delete lines 38 through 45.

25 On page 3, delete lines 1 through 3 and insert:

26 **“SECTION 5. ORS 830.998 is amended to read:**

27 **“830.998. (1) A person who is transporting a recreational or commercial watercraft and fails to**
28 **stop and submit to an inspection or complete the ordered decontamination at an aquatic invasive**
29 **species check station operated by the State Department of Fish and Wildlife, the State Marine Board**
30 **or the State Department of Agriculture or a tribal government, local government or local ser-**
31 **vice district as provided under ORS 830.589 or section 1 of this 2025 Act commits a Class D vio-**
32 **lation.**

33 **“(2) Notwithstanding ORS 153.042, a peace officer may issue a citation under subsection (1) of**
34 **this section when the conduct alleged to constitute a violation has not taken place in the presence**
35 **of the peace officer, if the peace officer has reasonable grounds to believe that the conduct consti-**

1 tutes a violation on the basis of information received from an employee of an agency, **tribal gov-**
2 **ernment, local government or local service district** authorized to operate an aquatic invasive
3 species check station who observed the violation.

4 **“(3) As used in this section, ‘tribal government’ has the meaning given that term in**
5 **section 1 of this 2025 Act.”.**

6 After line 22, insert:

7 **“SECTION 7.** ORS 830.589 is amended to read:

8 **“830.589. (1)** The State Department of Fish and Wildlife, the State Marine Board or the State
9 Department of Agriculture may require a person transporting a recreational or commercial
10 watercraft to stop at a check station to inspect the watercraft for the presence of aquatic invasive
11 species. The purpose of the administrative search authorized under this section is to prevent and
12 limit the spread of aquatic invasive species within Oregon.

13 **“(2)(a)** The State Department of Fish and Wildlife, the State Marine Board or the State Depart-
14 ment of Agriculture may decontaminate, or order the decontamination of, any recreational or com-
15 mercial watercraft that the agency inspects at a check station operated under authority of this
16 section. If the State Department of Fish and Wildlife, the State Marine Board or the State Depart-
17 ment of Agriculture orders decontamination, the person transporting the watercraft shall cooperate
18 with the agency to complete the decontamination.

19 **“(b)** Failure to cooperate with the ordered decontamination process is subject to penalties under
20 ORS 830.998.

21 *“(3) All check stations operated under authority of this section must be plainly marked by signs*
22 *that comply with all state and federal laws and must be staffed by at least one uniformed employee of*
23 *the State Department of Fish and Wildlife, the State Marine Board or the State Department of Agri-*
24 *culture trained in inspection and decontamination of recreational or commercial watercraft.]*

25 **“(3) All check stations operated under authority of this section must be:**

26 **“(a) Plainly marked by signs that comply with all state and federal laws; and**

27 **“(b) Staffed by at least one uniformed employee, trained in inspection and decontam-**
28 **ination of recreational or commercial watercraft, of:**

29 **“(A) The State Department of Fish and Wildlife;**

30 **“(B) The State Marine Board;**

31 **“(C) The State Department of Agriculture; or**

32 **“(D) A tribal government, local government or local service district as provided under**
33 **section 1 of this 2025 Act.**

34 **“(4)** An agency that operates a check station under this section shall require all persons trans-
35 porting recreational or commercial watercraft to stop at the check station, and the agency shall
36 inspect every recreational or commercial watercraft that goes through the check station.

37 **“(5)** Notwithstanding ORS 496.992, a person transporting a recreational or commercial
38 watercraft who stops at a check station for inspection and who cooperates in the decontamination
39 process is not subject to criminal sanctions for possessing or transporting aquatic invasive species.

40 **“(6)** The State Department of Fish and Wildlife, the State Marine Board and the State Depart-
41 ment of Agriculture may adopt rules to carry out the provisions of this section.

42 **“(7) As used in this section:**

43 **“(a) ‘Local government’ and ‘local service district’ have the meanings given those terms**
44 **in ORS 174.116.**

45 **“(b) ‘Tribal government’ has the meaning given that term in section 1 of this 2025**

1 **Act.”**
2

