

House Bill 2982

Sponsored by Representatives HELM, OWENS, MCLAIN, Senator GORSEK; Representatives CHAICHI, HARTMAN, WALTERS, Senators CAMPOS, FREDERICK, GOLDEN (Pre-session filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act increases some boat fees. The money raised will be put into a fund to prevent and control plants and animals that do not belong in the waters of this state. (Flesch Readability Score: 79.5).

Increases boating fees and deposits moneys into the Aquatic Invasive Species Prevention Fund.

Provides that a waterway access permit is required while operating a nonmotorized boat of any length.

A BILL FOR AN ACT

1 Relating to small watercraft; amending ORS 830.575, 830.624, 830.627 and 830.790.

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

3 **SECTION 1.** ORS 830.575 is amended to read:

4 830.575. (1) Notwithstanding ORS 830.790 (3), the annual fee for issuance and renewal of an
5 aquatic invasive species prevention permit for a sailboat that is at least 12 feet in length and not
6 registered in Oregon or a motorboat that is not registered in Oregon is [~~\$20~~] **\$30**.

7 (2) All fees collected under this section shall be deposited into the Aquatic Invasive Species
8 Prevention Fund established under ORS 830.585.

9 **SECTION 2.** ORS 830.790 is amended to read:

10 830.790. (1) The biennial fee for the original or renewal certificate of number or registration is:

11 (a) [~~\$5~~] **\$8** plus \$5.95 per foot, or portion thereof, for all sailboats 12 feet in length or more and
12 for all motorboats.

13 (b) \$6, for boats that are assessed by the Department of Revenue under ORS 308.505 to 308.674.

14 (c) \$6, for amphibious vehicles that are licensed by the Department of Transportation.

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

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

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

24 (4) **Instead of the fee otherwise provided in this section, the operator of a boat livery**
25 **holding five or more boats ready for hire may pay:**

26 (a) **A biennial certificate of number fee of \$90; and**

27 (b) **A \$13 fee for each boat.**

28 **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 (5) For each original or renewal certificate fee collected under subsection (1)(a) of this section,
 2 the State Marine Board shall deposit [~~\$5~~] **\$8** of the amount collected into the Aquatic Invasive
 3 Species Prevention Fund established under ORS 830.585.

4 **(6) For each original or renewal certificate fee collected under subsection (4)(b) of this**
 5 **section, the State Marine Board shall deposit \$13 of the amount collected into the Aquatic**
 6 **Invasive Species Prevention Fund established under ORS 830.585.**

7 **SECTION 3.** ORS 830.627 is amended to read:

8 830.627. (1) Notwithstanding ORS 830.790 (3), fees for issuance of a waterway access permit are
 9 as follows:

10 (a) [~~\$5~~] **\$6** for a one-week permit.

11 (b) [~~\$17~~] **\$20** for an annual permit.

12 (c) [~~\$30~~] **\$35** for a biennial permit.

13 (d) The annual fee for an operator of a boat livery that offers nonmotorized boats at least 10 feet
 14 in length or sailboats at least 10 feet but less than 12 feet in length is:

15 (A) [~~\$90~~] **\$100** for an operator who owns 6 to 10 nonmotorized boats or sailboats.

16 (B) [~~\$165~~] **\$185** for an operator who owns 11 to 20 nonmotorized boats or sailboats.

17 (C) [~~\$300~~] **\$340** for an operator who owns 21 or more nonmotorized boats or sailboats.

18 (2) The State Marine Board shall deposit fees received under this section into the Waterway
 19 Access Fund established under ORS 830.615 as follows:

20 (a) \$4 for every one-week permit fee paid.

21 (b) \$12 for every annual permit fee paid.

22 (c) \$20 for every biennial permit fee paid.

23 (d) \$60 for every permit fee paid by an operator of a boat livery who owns 6 to 10 nonmotorized
 24 boats or sailboats.

25 (e) \$110 for every permit fee paid by an operator of a boat livery who owns 11 to 20 nonmotor-
 26 ized boats or sailboats.

27 (f) \$200 for every permit fee paid by an operator of a boat livery who owns 21 or more nonmo-
 28 torized boats or sailboats.

29 (3) The board shall deposit fees received under this section into the Aquatic Invasive Species
 30 Prevention Fund established under ORS 830.585 as follows:

31 (a) [~~\$1~~] **\$2** for every one-week permit fee paid.

32 (b) [~~\$5~~] **\$8** for every annual permit fee paid.

33 (c) [~~\$10~~] **\$15** for every biennial permit fee paid.

34 (d) [~~\$30~~] **\$40** for every permit fee paid by an operator of a boat livery who owns 6 to 10 non-
 35 motorized boats or sailboats.

36 (e) [~~\$55~~] **\$75** for every permit fee paid by an operator of a boat livery who owns 11 to 20 non-
 37 motorized boats or sailboats.

38 (f) [~~\$100~~] **\$140** for every permit fee paid by an operator of a boat livery who owns 21 or more
 39 nonmotorized boats or sailboats.

40 **SECTION 4.** ORS 830.624 is amended to read:

41 830.624. (1) Except as provided in subsections (3) and (4) of this section, a person 14 years of
 42 age or older shall carry a waterway access permit while operating a nonmotorized boat [*that is at*
 43 *least 10 feet in length*] or a sailboat that is [*at least 10 feet but*] less than 12 feet in length, in the
 44 manner provided by the State Marine Board by rule. The person shall present proof of a permit upon
 45 request by a peace officer.

1 (2) A waterway access permit under this section is transferrable to any nonmotorized boat [*that*
2 *is at least 10 feet in length*] or a sailboat that is [*at least 10 feet but*] less than 12 feet in length.

3 (3) Subsection (1) of this section does not apply to:

4 (a) Days that the board designates, by rule, as free boating days and on which the board allows
5 individuals to operate a boat described in subsection (1) of this section without holding an otherwise
6 required waterway access permit.

7 (b) A person operating a boat owned by an operator of a boat livery if the operator of a boat
8 livery displays proof of holding a waterway access permit according to rules adopted by the board.

9 (c) A person operating a boat on a federally designated wild and scenic river for which a sepa-
10 rate fee system is in place.

11 (d) A person operating a boat if the person is engaged in law enforcement, public safety or of-
12 ficial business of a federal, state or municipal agency, as defined by the board by rule.

13 (e) A resident of a bordering state who launches a boat from that bordering state into bordering
14 waters, as defined by the board by rule.

15 (f) A person operating a boat if the person holds a nonmotorized boating permit, a registration
16 or a similar authorization that is issued by another state and accepted by the board by rule.

17 (g) A person who is a member of a federally recognized Indian tribe in this state and who is
18 engaged in tribal fishing or a tribal ceremony.

19 (4) The board may adopt rules that provide additional exemptions from the requirement to obtain
20 a permit under subsection (1) of this section.

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