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ARCHIVES DIVISION
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SALEM, OR 97310
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NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 250 OREGON STATE MARINE BOARD

FILED

10/30/2025 12:01 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Waterway Access Permit whitewater exemption per 2025 HB2982

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/15/2025 11:55 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Jennifer Cooper
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/04/2025

TIME: 11:00 AM - 1:00 PM

OFFICER: Alan Hanson

IN-PERSON HEARING DETAILS

ADDRESS: Oregon State Marine Board Office, 435 Commercial St NE Suite 400, Salem, OR 97301

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 199698632

NEED FOR THE RULE(S)

These rules implement the whitewater exemption made available through HB2982 of the Oregon Legislature, 2025. It is available to boats under 10 feet in length that engage in class IV or high whitewater runs that are not accessible from an improved boating facility.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

HB 2982 - Oregon Legislature, 2025

American Whitewater Oregon River List - <https://www.americanwhitewater.org/content/River/view/river-index/state/USA-ORE>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

These rules will have minimal effect on racial equity. This rule will create an exemption from the requirement to

purchase a waterway access permit for whitewater boating activities in certain waterways and will benefit all whitewater boaters engaging in the identified waterways.

FISCAL AND ECONOMIC IMPACT:

These rules create an exemption from the requirement to purchase a waterway access permit for certain waterways. These include waterways that have class 4 or greater rapids that are not accessible through an improved access facility. These locations are generally remote and do not support economic activity. It is not anticipated that there will be any fiscal or economic impact.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The cost of compliance is minimal. This exemption is applicable to boats under 10' in length on waterbodies containing class 4 or higher rated whitewater runs, that are not accessible from improved boating access facilities. Small businesses are not expected to be impacted.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Due to the technical nature of the activity, there are not small businesses that are impacted by the proposed exemptions. OSMB has reached out to various organizations and clubs whose membership may be impacted.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

No, the agency consulted with the Oregon Chapter of American Whitewater to develop the criteria to base the exempt waterways as part of passage of HB 2982.

AMEND: 250-010-0760

RULE SUMMARY: Implements HB2982 requirement to identify certain vessel exempt from the requirement to obtain a Waterway Access Permit.

CHANGES TO RULE:

250-010-0760

Waterway Access Permit

(1) The following vessels or classifications are exempt from the requirement to carry a Waterway Access Permit:¶

(a) Eleemosynary-owned boats which a supervising adult can confirm through documentation are engaged in an organization-related activity.¶

(b) A ship's lifeboat used solely for lifesaving purposes.¶

(c) Surfboards, sailboards and kiteboards.¶

(d) Boats owned and operated by liveries and those used for group-guided activities by Outfitters and Guides which have purchased discounted permits and have received a certificate of compliance from the Board.¶

(e) Nonmotorized boats operating on the Snake River with a valid Idaho Invasive Species Permit.¶

(f) Nonmotorized boats less than 10 feet in length engaged in whitewater recreation activities operating in Whitewater Exempt Waterways as identified on the OSMB Boat Oregon Online Map.¶

(A) Division 010 incorporates by reference the current Boat Oregon Online Maps Whitewater Exempt Waterway layer. Therefore, persons must consult the current Boat Oregon Online Maps Whitewater Exempt Waterway layer to determine all applicable whitewater exempt waterways¶

(B) Changes to exempt waterways may be adopted in this rule division from time to time.¶

(2) Clubs or organizations that possess or own boats for communal use by members, participants, racing teams, or for public educational purposes except as exempted under this rule, may purchase Waterway Access Permits

under the name of the organization.¶¶

(3) For nonmotorized boats engaged in competitive events, Waterway Access Permits numbering not less than the maximum number of boats in use on the water at any given time may be held by the event organizer, coach or other designated person at the event site as long as the permits are readily available for inspection by a law enforcement officer.¶¶

(4) A person is considered in violation of the provisions contained in this rule and subject to the penalties prescribed by law when they:¶¶

(a) Alter a Waterway Access Permit; or¶¶

(b) Produce or possess an unauthorized replica of a Waterway Access Permit; or¶¶

(c) Exhibit an altered Waterway Access Permit to a peace officer.¶¶

(5) The Waterway Access Permit expires on December 31 of the year indicated on the permit.

Statutory/Other Authority: ORS 830

Statutes/Other Implemented: 2019 SB 47, 2025 HB2982