

NEWS

Oregon State Marine Board
Boat Oregon



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Marine Board 2019 Legislative Concepts Aim to Protect Waterways, Improve Access, Safety

The Oregon State Marine Board has an ambitious plate of legislative concepts for 2019. The concepts aim to improve efficiency and safety, while adapting to changing use and increasing costs to serve Oregon boaters. Several concepts come from the agency's 2017-2021 strategic plan which was crafted with diverse input from recreational boaters and stakeholders, statewide.

The Marine Board will be hosting several open houses in various locations where boaters can learn about each of the concepts from agency staff and can ask questions. The open houses will be scheduled through the summer and early fall in at least four locations around the state to gather input about the legislative concepts. The first open house was held in Central Point on July 10, and the next open house was held on September 19, at the Marine Board office in Salem. The third open house is scheduled for Redmond on October 16, at 7 pm at Eagle Crest Resort, 1522 Cline Falls Rd. The final open house is scheduled for Coos Bay on October 22, at 6:30 pm at Southwestern Community College, 1988 Newmark Ave.

The Waterway Access concept creates an account that can be used to improve boating access. "People want more access to the outdoors, and waterways in particular," says Larry Warren, Marine Board Director. "We're hoping to help meet the demand for improved access through this concept." According to the 2017 Oregon Resident Outdoor Recreation Survey from Oregon State Parks, "public access to the waterways" was ranked in the top five "priorities for the future" by Oregonians both in and outside their immediate communities. Surveys from the Marine Board's 2017 Boating Facility Six-Year Plan show increased needs for non-motorized boating access identified by facility providers and non-motorized boaters alike. Furthermore, the Marine Board has seen a dramatic increase in the number of grant requests to improve access for non-motorized boaters because their needs are different than those of boaters with trailered motorboats.

"In essence, the concept proposes taking the Aquatic Invasive Species permit and replacing it with a Waterway Access permit," Warren explains. The proposed permit fees are \$5 for one week (which is a new permit option), \$17 for an annual, and \$30 for a biennial permit. The permits would need to be carried on all boats 10 feet and longer except motorboats with valid registration decals. Permits would be transferrable to other non-motorized boats and children under 14 are exempt, which are the same provisions as the current aquatic invasive species permit law. "The same amount of revenue would still go into the Aquatic Invasive Species Prevention Program to fund Oregon Department of Fish and Wildlife boat inspection stations, and the additional money would fund the new Waterway Access Account," Warren adds.

This additional revenue will be used to support improved access in the form of grants to federal and state agencies, cities, counties, water improvement districts, park and recreation districts, ports, and tribal governments for the acquisition of property, leases, or easements in order for the public to access waterways; and, construction and maintenance of boating access facilities. Grant funding would also be available for public bodies and non-profit entities to develop safety education courses and to purchase boating equipment to reduce barriers for people in underserved communities who are wanting to enjoy Oregon's waterways. "The Marine Board is currently set up to be a funding source for facility providers through boating facility grants. Creating a waterway access account would allow the agency to meet the needs of *all* boaters and help meet demands on facility providers for access sites statewide," says Warren.

Another legislative concept builds on the Aquatic Invasive Species Prevention Program and would give more tools to law enforcement. In this concept, Law Enforcement could direct vehicles with trailered or mounted boats that fail to stop at an inspection station to return for inspection, if the vehicles are stopped within five miles of the station.

The concept would also require boaters to "pull the plug" and open any valves to drain any standing water while the boat is being transported over land. Failure to "pull the plug" would be a Class D violation with a fine of \$30 for a person transporting a nonmotorized boat and \$50 for a person trailering a motorized boat. "This concept makes a lot of sense and a lot of Oregon boaters already remove their boat's drain plug, but any steps we can take to solidify the practice, the more it will help protect our waterways," Warren says.

Further, a third concept is to increase the rate motorized boat owners pay to renew their boat registration. The agency raised fees in 2015 in hopes of maintaining service levels for six years, so this request moves the fee increase up earlier than the agency hoped for. The main driver for the fee increase comes from a 10% decline in motorboat registrations and subsequent lower fuel tax revenue, while at the same time, the number of boating trips are up. This creates a decline in revenue while the agency is seeing an increase demand for services. Since motorboat registrations are on a two year renewal cycle, boaters would not see any approved fee increase until 2020 or 2021. The concept proposes a \$1.45 increase (33%) from \$4.50 per foot to \$5.95 per foot. The concept also proposes increasing the cost of a new title or title transfer fee from \$50 to \$75 and boater education cards from \$10 to \$20 and replacement boater education cards from \$8 to \$16. These fees have remained the same for nearly two decades.

"The agency has eight concepts and many came about based on feedback from stakeholders over the last couple of years and are woven into the agency's strategic plan. It's a lot to hoist, but the Board is very responsive to the needs of recreational boaters, stakeholders and partners and we're always looking for ways to improve our services," Warren adds. "These concepts get the agency closer to fulfilling our mission; serving Oregon's recreational boaters through education, enforcement, access, and environmental stewardship for a safe and enjoyable experience."

Other concepts include:

Floating Properties: Updates the definitions of "floating home" and "boathouse" and adds a definition of "floating property" to include structures such as floating home, recreational cabin, floating restaurant, and floating combination property.

Livery Program: Requires boat liveries (boat rental businesses) to register with the Marine Board. Registration is free, but businesses will be required to provide basic information about the business and types of boats they rent. The information will be used for outreach and education in an effort to reduce accidents and fatalities. Failure to register would be a Class B violation (\$265).

Outfitter/ Guide/ Charter Boat Program Updates: Creates a crewman designation for deckhands and helpers (for fishing guides/charters) at a reduced fee of \$25 annually. The current fee is \$150 for anyone who assists with fishing. This concept also changes the registration cycle from one year to two years. Restructures the charter program to include outfitter guide registrations for the operators. Establishes \$10,000 bond requirement for hunting guides.

Boater Education Card: Requires all people to complete an approved boating safety course as defined in ORS 830.084 prior to operating a boat with a motor greater than 10 hp by removing the 60-day exemption for people who purchase a new or used boat. Out-of-state visitors would be required to complete the level of education required in their home state of registration. Additionally, commercial fishing licenses would no longer be an exemption from the boater education requirements when operating recreationally.

Boating Safety Laws: Enables courts and the Marine Board to suspend the Boater Education Card for one to three years for a conviction of boating under the influence and enables suspension of the boater education card for one year for a conviction of reckless boating. Updates the language for reckless boating to the standard used in the motor vehicle code. Changes fine for not carrying a life jacket from a B violation (\$265 fine) to a D violation (\$115 fine).

For legislative concept details, visit <https://www.oregon.gov/osmb/info/Pages/Legislative-Concepts.aspx>.

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*The Marine Board is funded by registration, title fees and marine fuel taxes paid by motorized boaters. **No lottery, general fund tax dollars or local facility parking fees** are used to support the agency or its programs. Boater-paid fees go back to boaters in the form of boating safety services (on-the-water enforcement, training and equipment), education/outreach materials and boating access facility grants (boat ramps, docks, parking, restrooms, and construction and maintenance). The Aquatic Invasive Species Prevention Permit program is dedicated funding to pay for border inspection stations, decontamination equipment, inspectors, and signage/outreach materials. The Mandatory Education Program is self-supporting and revenue helps pay for education materials and boater education cards. For more information about the Marine Board and its programs, visit www.boatoregon.com.*