

Enrolled
House Bill 2267

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Office of the Legislative Counsel)

CHAPTER

AN ACT

Relating to applicability of boating laws; amending ORS 830.015.

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

SECTION 1. ORS 830.015 is amended to read:

830.015. (1) *[Except as provided in subsection (2) of this section,]* ORS 830.005, 830.015 to 830.050, 830.175, 830.210 to 830.420 and 830.475 to 830.490 apply to all boats operated in the waters of this state, *except where inconsistent with any applicable laws or regulations of an agency of the United States, in which case such laws or regulations shall prevail.*

(2) **Notwithstanding subsection (1) of this section,** ORS 830.005, 830.015 to 830.050, 830.175, 830.210 to 830.420 and 830.475 to 830.490 do not apply *[to the following boats, except as otherwise provided in this section:]* **to a boat when application of the statutes would be inconsistent with federal law or regulations or to a boat that is:**

[(a) A boat that has a valid document issued by the United States Coast Guard or any federal agency that succeeds to the duty of issuing marine documents.]

[(b)] (a) A foreign *[boats]* **boat** operated temporarily in the waters of this state.

[(c)] (b) A boat owned and operated by the United States or by an entity of the United States.

[(d)] (c) A ship's lifeboat used solely for lifesaving purposes.

[(e)] (d) A boat belonging to a class of boats that has been exempted from the provisions of ORS 830.705, 830.710, 830.770, 830.780, 830.785, 830.795 to 830.805 and 830.830 to 830.870 by the State Marine Board as provided in ORS 830.110 *[(9)].*

[(3) Subsection (2) of this section does not exempt the following boats:]

(3) Notwithstanding an exemption provided to a class of boats in subsection (2) of this section, a boat that would otherwise be exempt from regulation because the boat is of a class specified in subsection (2) of this section is not exempt if the boat is a:

(a) *[Small passenger vessels]* **Passenger vessel** of less than 100 gross tons;

(b) Commercial *[vessels that are]* **vessel that is** not required to be inspected under federal law;

or

(c) Publicly owned recreational *[vessels]* **vessel.**

Passed by House March 1, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate May 3, 2005

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President of Senate

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State