

Senate Bill 56

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Marine Board)

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**.

Prohibits person from operating motorboat while any person holds on to or occupies any portion of boat aft of transom. Provides exceptions. Punishes by maximum fine of \$360.

A BILL FOR AN ACT

1
2 Relating to boating safety; creating new provisions; and amending ORS 830.990.

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

4 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS 830.210 to**
5 **830.420.**

6 **SECTION 2. (1) A person may not operate a motorboat while any person holds on to or**
7 **occupies any portion of the motorboat that is located aft of the transom of the motorboat,**
8 **including a step, ladder, platform or deck, in order to:**

9 (a) **Ride on that portion of the motorboat while the motorboat is under way at any speed;**
10 **or**

11 (b) **Be pulled by the motorboat through the wake of the motorboat.**

12 (2) **Notwithstanding subsection (1) of this section, a person may operate a motorboat with**
13 **a person holding on to or occupying a step, ladder, platform or deck that is located aft of the**
14 **transom if that person is:**

15 (a) **Assisting in the docking or departure of the motorboat;**

16 (b) **Exiting or entering the motorboat; or**

17 (c) **Engaging in law enforcement activities.**

18 **SECTION 3. ORS 830.990 is amended to read:**

19 830.990. (1) A person who violates [*one of the following statutes, or any rule adopted by the State*
20 *Marine Board pursuant to those statutes, commits a Class D violation.*] ORS 830.050, 830.088, 830.090,
21 830.092, 830.094, 830.230, 830.415, 830.710, 830.720, 830.770, 830.780, 830.810, 830.850 [*and*] **or**
22 **830.855, or rules adopted to carry out the purposes of those statutes, commits a Class D vi-**
23 **olation.**

24 (2) A person who violates [*one of the following statutes, or any rule adopted by the State Marine*
25 *Board pursuant to those statutes, commits a Class C violation.*] ORS 830.220, 830.240, 830.245, 830.250,
26 830.375, 830.475 (4), 830.480, 830.785, 830.805 [*and*] **or** 830.825, **or rules adopted to carry out the**
27 **purposes of those statutes, commits a Class C violation.**

28 (3) A person who violates [*one of the following statutes, or any rule adopted by the State Marine*
29 *Board pursuant to those statutes, commits a Class B violation.*] ORS 830.110, 830.175, 830.180, 830.185,
30 830.195, 830.210, 830.215, 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3), 830.335, 830.340,

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.

1 830.345, 830.350, 830.355, 830.360, 830.365, 830.370, 830.410, 830.420, 830.495, 830.775, 830.795 [*and*]
2 **or 830.830 or section 2 of this 2005 Act, or rules adopted to carry out the purposes of those**
3 **statutes, commits a Class B violation.**

4 (4) A person who violates [*one of the following statutes commits a Class A violation:*] ORS 830.305
5 [*and*] **or 830.390, [*and*] or rules adopted [*thereunder*] to carry out the purposes of those statutes,**
6 **commits a Class A violation.**

7 (5) A person who violates [*one of the following statutes commits a Class B misdemeanor:*] ORS
8 830.383 [*and*] **or 830.909 commits a Class B misdemeanor.**

9 (6) A person who violates [*one of the following statutes commits a Class A misdemeanor:*] ORS
10 830.035 (2), 830.053, 830.315 (1), 830.325, 830.475 (1), 830.730 [*and*] **or 830.955 (1) commits a Class**
11 **A misdemeanor.**

12 (7) A person who violates ORS 830.475 (2) commits a Class C felony.
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