

1 March, 2017

Mark Taratoot
PO Box 264
Corvallis OR 97339

House Committee on Transportation Policy
Oregon State Legislature
Salem, Oregon

Dear Representatives McKeown, Meek, Vial, Barreto, Evans, McLain, Noble, Wilson and Pitt;

I live in South Corvallis less than a third of a mile from a boat ramp Willamette River. I am writing to urge you to vote NO on HB 2320. This bill would create a mandatory annual fee for operators of some, but not all, non-motorized crafts.

I am an avid paddler and rower. I own and regularly use whitewater kayaks, sea kayaks, solo and tandem canoes, and recently a whitewater gear raft. I believe I have a good perspective of safety on the water as well as the kinds of facilities non-motorized crafts need. I have been a participant, organizer, and instructor for whitewater safety training for a local kayak & canoe club. There are parts of HB 2320 I think are laudable. I could support a fee for non-motorized craft operators, but the one the OSMB is pushing isn't ready yet.

One thing they got right is that it would be an annual (or biennial) license that would transfer from boat to boat like the current invasive species license we are required to carry. Some past proposals would have required a separate fee for every canoe and kayak. I would even support a LICENSE requirement such as there is for operating power boats over 10hp. That license is for life, and there is an educational component and a small fee. Another thing they seem to have got right is that the bill would now REQUIRE folks floating pool toys down the river to wear PFDs just like any other watercraft. This is a smart move that was too long coming. In my experience, it is these floaters that are most in need of safety requirements. A multi-chambered raft won't sink if one chamber is punctured; an inner tube or swimming pool toy will. Whitewater kayaks and canoes have flotation bags to displace water and keep them from sinking, and a flip doesn't even mean a swim.

Here's what still needs to be fixed before I can get behind the non-motorized craft PERMIT:

1. The annual fee would not be levied against all individuals who use non-motorized watercraft. It exempts folks on pool toys and float tubes. This is just like the ~current~ PFD law. Some of the scariest things I see on the river are people in inappropriate craft who seem to be unaware of the hazards of river travel. If the goal is safety and education, any fee should be levied on ALL users, including splash-and-giggle folks and people on inner tubes and pool toys. The bill defines a non-motorized craft to include tubes and air mattresses, but they are not considered "boats." The requirement for a fee is limited to operating "boats." Interestingly, a stand-up paddle board is considered a boat, but a surfboard is not a boat. Fortunately this bill would not require board surfers to have to wear a PFD when they are surfing in the ocean, but it would should they bring their boards (no paddle) on rivers. Yes, I've seen them on the McKenzie.

2. Clarity is still lacking. With my invasive species permit, I just need to have ONE with me no matter what boat, and no matter how many people are on the boat. I can have another person, for example, in a tandem canoe with me. One permit covers both of us. The proposed bill says a non-motorized boater permit must be carried by anyone OPERATING a non-motorized boat. Which person in a tandem canoe is the "operator?" Both if you ask me. What does OSMB say? Would I need to have two licenses? What if I'm rowing a drift boat, dory, or oar raft? Do I need just one permit as the oarsman? What if I let someone else on the boat row for a little while? Now do they need a separate license? Can they use mine since I am not using it at that moment? What if I take my raft out as a paddle raft where everyone is paddling (or set up a stern frame with a number of paddlers in front)? Does everyone aboard need the permit? What if one is just a passenger and the rest are paddling but we have a spare paddle just in case? How would the law enforcement officer know that one person wasn't paddling? It's kind of a gray area from what I read. That means the Board will have to make up new rules to meet the law, and we don't get a vote on that.

3. The education part of this bill is used as a PENALTY. It says the OSMB will create a class and make it available to courts and law enforcement. It is only for people who are caught violating the rules. It seems if education is important to help keep people safe, it would simply require anyone who operates a non-motorized craft to pass a test (not necessarily take a class). Not just for folks who get caught without a PFD or their human powered boat fee tax stamp.

4. Fairness. What, specifically, will they do with the money? What facilities will be constructed? This seems to me to be a solution looking for a problem. It doesn't take much to get my kayak to the river. I just need legal access and a path. My raft can't do that so well. A ramp that I can back into the water makes launching much easier. Even more so when the boat has to go back ON the trailer. I don't know that it's appropriate for kayakers, canoeists, and splash-and-gigglers to pay a fee for a ramp that is only needed for driftboats and rafts. Oh, and power boats..... But powerboats already pay, so that's moot. The OSMB discusses having funding for whitewater parks. Great! Can

I row my raft at a whitewater park, or do I need a smaller boat like a kayak or canoe? Folks who paddle flat water or moving water may not see the value in spending millions of dollars for a whitewater park.

So in summary, this one still needs work before the OSMB asks for our support. It's getting closer, but it's not ready for prime time yet.

Thank you for considering my observations and perspectives as this bill moves through the legislature. Please vote no on HB 2320.

Sincerely,

Mark Taratoot
Corvallis, Oregon