

A-Engrossed
House Bill 2351

Ordered by the House April 3
Including House Amendments dated April 3

Sponsored by Representatives POWER, HELM; Representatives MCLAIN, NERON, WILDE (Presession filed.)

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.

Authorizes State Marine Board to adopt special regulations to protect shoreline in Willamette River Greenway.

A BILL FOR AN ACT

1
2 Relating to motorboats; amending ORS 830.175.

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

4 **SECTION 1.** ORS 830.175 is amended to read:

5 830.175. (1) The State Marine Board, upon consideration of the size of a body of water and
6 traffic conditions, may make special regulations consistent with the safety and the property rights
7 of the public or when traffic conditions become such as to create excessive congestion, relating to
8 the operation of boats in any waters within the territorial limits of any political subdivision of this
9 state. The regulations may include, but need not be limited to, the establishment of designated
10 speeds, the prohibition of the use of motorboats and the designation of areas and times for testing
11 racing motorboats.

12 (2) The governing body of a political subdivision of this state may apply to the board for special
13 regulations relating to the designation of moorage areas on lakes or reservoirs which are under the
14 jurisdiction of a public agency, or to the operation of boats on the waters within the territorial
15 limits of the political subdivision. Within a reasonable time, the board shall act upon the application
16 in the manner provided in subsection (1) of this section. When special regulations have been estab-
17 lished within a political subdivision in accordance with this subsection, the governing body shall
18 establish and maintain the navigational markers prescribed by the board.

19 (3) The board may make special regulations relating to the operation of boats, including the
20 establishment of designated speeds and prohibition of the use of motorboats for the protection of
21 game and game fish at the request of the State Fish and Wildlife Commission, or for carrying out
22 the provisions of the federal Wild and Scenic Rivers Act, Public Law 90-542, and the Oregon Scenic
23 Waterways Act, ORS 390.805 to 390.925. Action necessary to implement this section, including but
24 not limited to the operation and manner of operation of boats, shall be by a permit system initiated
25 by the board.

26 **(4)(a) The board may make special regulations relating to the operation of boats on the**
27 **Willamette River within the Willamette River Greenway, including the establishment of**
28 **designated speeds or other methods to manage boat wake energy, as may be needed for the**

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 **protection of the shoreline, public and private property, fish and wildlife habitat and vege-**
2 **tation. When adopting regulations under this subsection, the board shall take into consider-**
3 **ation the statewide land use planning goals and guidelines adopted by the Land Conservation**
4 **and Development Commission to protect, conserve and maintain the natural, scenic, histor-**
5 **ical, agricultural, economic and recreational qualities of lands along the Willamette River**
6 **Greenway.**

7 **(b) Paragraph (a) of this subsection does not apply to deep draft vessels, tugboats,**
8 **towboats, barges, launch vessels and other commercial vessels, as those terms are defined**
9 **by the board by rule, engaged in marine commerce or the transportation of cargo on the**
10 **Willamette River beginning at river mile 0 and ending at river mile 26.**

11 [(4)] (5) The board may designate certain rivers or sections of rivers as hazardous. In making
12 such designations, the board may consider recommendations of guide associations incorporated in
13 this state.

14 [(5)] (6) Regulations regarding operation of boats pursuant to this section shall be adopted in
15 accordance with the provisions of ORS chapter 183.

16 [(6)] (7) Any speeds in excess of the speeds designated by the board, as provided in this section,
17 shall be prima facie evidence of the violation of ORS 830.315.

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