

Enrolled
House Bill 2459

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for State Marine Board)

CHAPTER

AN ACT

Relating to fees assessed by the State Marine Board; amending ORS 830.790, 830.810, 830.830, 830.850, 830.855, 830.860 and 830.870.

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

SECTION 1. ORS 830.790 is amended to read:

830.790. (1) The biennial fee for the original or renewal certificate of number or registration is:

(a) [~~\$3~~] **\$4.50** per foot, or portion thereof, for all sailboats 12 feet in length or more and for all motorboats.

(b) \$6, for boats that are assessed by the Department of Revenue under ORS 308.505 to 308.665.

(c) \$6, for amphibious vehicles that are licensed by the Department of Transportation.

(2) Notwithstanding subsection (1) of this section, no fee is required for boats owned by eleemosynary organizations which are operated primarily as a part of organized activities for the purpose of teaching youths scoutcraft, camping, seamanship, self-reliance, patriotism, courage and kindred virtues.

(3) Except for the assessment referred to in subsection (1)(b) of this section, the fees provided by this section are in lieu of any other tax or license fee.

(4) The operator of a boat livery holding five or more boats ready for hire may pay a biennial certificate of number fee of [~~\$55 plus \$6~~] **\$90 plus \$10** for each boat instead of the fee otherwise provided in this section.

SECTION 2. ORS 830.810 is amended to read:

830.810. (1) Except as otherwise provided in this subsection, a person may not operate a boat for which an identifying number is required under ORS 830.705, 830.710, 830.770, 830.780 to 830.805 and 830.830 to 830.870, unless the owner has secured from the State Marine Board a certificate of title for the boat. This subsection does not apply to operation of:

(a) Amphibious vehicles that have a valid title issued by the Department of Transportation.

(b) A boat for which an identifying number issued under ORS 830.830 is required.

(2) A certificate of title is prima facie evidence of the ownership of a boat or a security interest therein. A certificate of title is good for the life of the boat so long as the certificate is owned or held by the legal holder of the certificate.

(3) The board may assess the following application fees:

(a) Original title or title transfer, [~~\$30~~] **\$50**.

(b) Duplicate title, [~~\$15~~] **\$25**.

(c) Duplicate certificate of number or registration, [~~\$10~~] **\$15**.

(d) Duplicate validation stickers, [~~\$10~~] **\$15**.

(4) The board shall establish, by rule, penalty fees for late application for certificates required by this section or ORS 830.710. A penalty fee may not exceed \$50.

(5) Rules adopted pursuant to this section shall be in accordance with the provisions of ORS chapter 183.

SECTION 3. ORS 830.830 is amended to read:

830.830. (1) A dealer or boat manufacturer:

(a) May apply to the State Marine Board for one or more identifying numbers issued under this section.

(b) Shall display an identifying number issued under this section on a boat while operating or using the boat for a purpose related to the testing, buying, selling or exchanging of the boat.

(2) The application for a number under this section shall include the name and the business address of the dealer or boat manufacturer. Any number of identifying numbers may be requested in the same application.

(3) An application for a number under this section shall be accompanied by the following fees:

(a) For the first number applied for, [~~\$28~~] **\$45**.

(b) For each additional number applied for in any application and all renewals, [~~\$6~~] **\$10**.

(4) The board shall issue a certificate of number or registration for each identifying number awarded under this section in the same manner as provided in ORS 830.795. Numbers and certificates issued under this section are subject to the following:

(a) An identifying number is valid for not more than two years.

(b) [~~No boat shall~~] **A boat may not** be described in the certificate and each certificate [~~shall~~] **must** state that the identifying number has been awarded to a dealer or boat manufacturer.

(c) A certificate of number issued under this section expires on December 31 of the year indicated on the certificate.

(5) The provisions of ORS 830.800 (2) and (4) apply to a certificate of number issued under this section.

(6) An identifying number issued under this section shall be displayed on a boat of a dealer or boat manufacturer in the same manner as provided in ORS 830.780, except that the number may be temporarily attached.

(7) [~~No person other than~~] **Unless a person is** a dealer or boat manufacturer or a representative of a dealer or boat manufacturer, [~~shall~~] **the person may not** display or use an identifying number issued under this section.

(8) [~~No person shall~~] **A person may not** use an identifying number issued under this section for any purpose other than the purpose described in subsection (1) of this section.

SECTION 4. ORS 830.850 is amended to read:

830.850. (1) [~~No person shall~~] **A person may not** use a floating home or boathouse on the waters of this state unless there is affixed to the floating home or boathouse in plain sight an identifying plate with a unique number awarded to the floating home or boathouse by this state.

(2) [~~No person shall~~] **A person may not** use a floating home or boathouse for which an identifying plate is required unless the owner has secured from the State Marine Board a certificate of title for the floating home or boathouse. A certificate of title is prima facie evidence of the ownership of the floating home or boathouse or a security interest therein. A certificate of title is good for the life of the floating home or boathouse so long as the certificate is owned or held by the legal holder of the certificate. The board shall charge a fee of [~~\$20~~] **\$100** for issuing each certificate of title.

SECTION 5. ORS 830.855 is amended to read:

830.855. (1) The owner of a floating home or boathouse that is used principally on the waters of this state shall apply to the State Marine Board for an identifying plate. The application shall include the true name of the owner, the residence or business address of the owner, a description of the floating home or boathouse, the location of the floating home or boathouse and any other information required by the board. The application shall be signed by the owner and be accompanied by a fee of [~~\$20~~] **\$50**.

(2) Subject to ORS 830.860, if the application is in order, the board shall issue to the owner a certificate of title. The title shall contain the name and address of the owner, a description of the floating home or boathouse, the issue date, the location of the floating home or boathouse and a statement that the title is valid and effective only so long as ownership and location remain the same.

SECTION 6. ORS 830.860 is amended to read:

830.860. (1) A certificate of title for a floating home or boathouse is valid and effective only as long as ownership and location remain the same.

(2) The State Marine Board shall require the surrender of the certificate of title before issuing a new certificate of title unless the floating home was abandoned by a tenant under ORS chapter 90.

(3) The identifying plate issued by the board shall remain the same when a new certificate of title is issued.

(4) Application for a new certificate of title shall be made in the manner provided in ORS 830.855. The application shall be accompanied by a fee of [~~\$20~~] **\$100**. The board shall issue the new certificate of title in the manner provided in ORS 830.855.

SECTION 7. ORS 830.870 is amended to read:

830.870. Upon receipt of proof satisfactory to the State Marine Board from the holder of a certificate **of title** issued pursuant to ORS 830.850 to 830.860 that the certificate **of title** has been lost, mutilated, destroyed or stolen, the board shall issue to the holder a duplicate certificate **of title** for a fee of [~~\$20~~] **\$50**.

Passed by House June 11, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 22, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State