

250-010-0650 Aquatic Invasive Species Prevention Permit

Definitions

- (1) “Manually powered boat” means any watercraft as defined in ORS 830.005(2), but not a motorboat as defined in ORS 830.005(6).
- (2) “Aquatic Invasive Species Prevention Permit” means a document issued by the Oregon State Marine Board (Board) or through designated agents that certifies payment to the Aquatic Invasive Species Prevention Fund.
- (3) “Board” means the Oregon State Marine Board.
- (4) “Valid temporary permit” means a temporary aquatic invasive species prevention permit generated from a person purchasing a permit from a designated Internet agent.

Permit Rules

- (5) A person may not operate a manually powered boat that is 10 feet or more in length, or a motorboat of any length, or a sailboat 12 feet or more in length, on the waters of this state without first obtaining an aquatic invasive species prevention permit from the Board or designated agent.
- (6) The owner of a boat for which fees for a certificate of number or registration under ORS 830.790(1)(a)(b)(c) are required will pay an aquatic invasive species prevention permit surcharge of \$5 per biennium at the time of boat registration.
 - (a) The registration validation stickers are in lieu of an Aquatic Invasive Species Prevention Permit as described in (1).
 - (b) The validation stickers are non-transferable.
- (7) Manually powered boats that are 10 feet or more in length shall have a valid aquatic invasive species prevention permit or valid temporary permit on board when the boat is in use on the waters of this state.
- (8) Out-of-state motorboats and out-of-state sailboats 12 feet in length or more shall purchase and carry a non-resident aquatic invasive species prevention permit on board when in use on waters of the state.
- (9) Operators of manually powered boat liveries, and guides using manually powered watercraft for group-guided activities, may qualify to purchase aquatic invasive species prevention permits at a discounted rate described in ORS 830.990. To qualify for the discounted rate:
 - (a) These operators shall register with the Board by documenting current business status as a livery.
 - (b) All boats rented by the livery must be clearly labeled with the livery name.
- (10) Clubs or organizations that possess or own boats for communal use by members, participants, racing teams, or for public educational purposes except as exempted under ORS 830.790(2), may purchase aquatic invasive species prevention permits under the name of the organization or the club’s presiding officer or secretary.
 - (a) The aquatic invasive species prevention permit may be attached to the boat in a manner allowing it to be easily produced for inspection by a peace officer.
 - (b) For boats classified as university or college racing shells which compete in intercollegiate crew races, aquatic invasive species prevention permits numbering not less than the maximum number of boats in use on the water at any given time during a planned event may be held by the event organizer, coach or other designated person at the event site as long as the permits are readily available for inspection by a peace officer.
- (11) The Board or designated agent may issue a temporary aquatic invasive species prevention permit to an individual who pays for the permit using a Board designated Internet agent.

- (a) The temporary aquatic invasive species prevention permit will be valid for 14 days from the date of issue listed on the temporary permit.
 - (b) Each temporary permit shall contain a unique number that corresponds to the electronic record for the individual named on the permit and to the annual permit.
- (12) A person is considered in violation of the provisions contained in ORS 830.990. and subject to the penalties prescribed by law when they:
- (a) Alter an aquatic invasive species prevention permit; or
 - (b) Produce or possess an unauthorized replica of an aquatic invasive species prevention permit; or
 - (c) Exhibit an altered aquatic invasive species prevention permit to a peace officer.
- (13) The aquatic invasive species prevention permit expires on December 31 of the year indicated on the permit.
- (14) The following vessels or classifications are exempt from the requirement to carry an aquatic invasive species prevention permit:
- (a) State-owned boats
 - (b) County-owned boats
 - (c) Municipality-owned boats
 - (d) Eleemosynary-owned boats
 - (e) A ship's lifeboat used solely for lifesaving purposes
 - (f) Seaplanes
 - (g) The Lightship Columbia
- (15) Violation of the provisions contained in ORS 830.990 is punishable as a Class A Misdemeanor.

Policy Notes:

- (1) Discounted permits must be purchased directly through the Board so we can verify they are a livery
- (2) Who does LE cite if no one on a vessel has a permit?
- (3) Non-resident aquatic invasive species prevention permits are sold only through designated Internet agents. This prevents the need for dual manual permit books.
- (4) Documentation for livery registration includes what documents?
- (5) How do I capture border waters?
- (6) Do I need an OAR allowing designation of agents to issue manual permits, or describing the manual issue process?
- (7) Should we issue “e” stickers (or an e-permit) for manually powered boats owned by government? NO, only for titled boats. Instead, issue a no-cost permit.
- (8) Livery boats should be labeled to prevent them from loaning permits to non-labeled boats. Liveries already provide Certificate of Number with powerboats, should be easy to put permit with nonpower boats. Should the name on the boat match the name on the permit? Would make enforcement easy. Registration staff want to avoid a new sticker program.
- (9) Exemption question: “Foreign boats operated only temporarily in the waters of this state.” I dropped this because I would have to define “temporarily” and I don’t want to provide a loophole for foreign boats entering waters via trailer access.

Work Group Recommendations not recommended in this draft

- (1) Consider issuing stickers/decals instead of permits to clubs, racing groups, liveries or other special use groups defined in 250-010-0660(6). In these cases, the permit stays with the boat, not the person. It could be non-transferable in that instant.
- (2) Consider a livery-style discount for schools & universities.