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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 856  
PUBLIC UTILITY COMMISSION  
OREGON BOARD OF MARITIME PILOTS

**FILED**

05/22/2024 10:53 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Accepts certificates of completion of a simulator course, or courses, to meet training requirements.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/01/2024 3:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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Filed By:  
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**NEED FOR THE RULE(S)**

There has been a gap in training opportunities when physical training is not readily available. This new rule will allow use of simulators to meet training requirements.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE**

Rules committee meeting notes dated 4/3/2024; Board meeting minutes dated 5/16/2024.

**STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE**

These rules have no effect on racial equity in the state.

**FISCAL AND ECONOMIC IMPACT:**

There will be costs associated with use of the simulators at a third-party marine education and training facility. Based on a class size of three, the cost estimate is as follows: Rental of simulator with operator \$2,150, mileage reimbursement \$190, lodging \$350, per diem \$110, and two unlimited pilots serving as coach/mentor including travel costs \$1735 for a total of \$4,535 per trainee.

**COST OF COMPLIANCE:**

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

The Board has no authority over any entity other than its licensees, trainees, and applicants.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The Board has no authority over any entity other than its licensees, trainees, and applicants.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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ADOPT: 856-015-0036

RULE SUMMARY: Accepts completion of simulator course, or courses, to meet training requirements.

CHANGES TO RULE:

856-015-0036

Certificate in Lieu of Training - Columbia & Willamette River Pilotage Ground

Up to one-half of the turns required by OAR 856-015-0011(2)(d), OAR 856-015-0035(2)(e), and OAR 856-015-0035(6)(i) may be satisfied by a trainee who delivers to the Training Course Monitor and to the Board's administrator one or more certificates evidencing satisfactory completion of a course, or courses, designed by the Training Course Monitor to simulate the specific turns described in those rules on a vessel simulator at a nationally recognized, independent, marine education and training facility designated by the Board. The simulator training must have been scheduled by the Training Course Monitor.

Statutory/Other Authority: ORS 776, ORS 670

Statutes/Other Implemented: ORS 776