

April 10, 2013

Rep. Tobias Read, Chairman

and Members of the House Transportation and Economic Development Committee

Dear Rep. Read,

I urge your support of HB 2016. The passage of this bill will encourage further use of Oregon's fantastic recreational opportunities by giving owners of both private and public use airports clarification in their liability exposure arising from the use of their personal use airports for recreational enjoyment.

ORS 105.672 (5) indicates "Recreational purposes" includes, but not limited to, outdoor activities such as "hunting, fishing, swimming, boating, camping, hiking, waterskiing, winter sports,.....". While non-commercial recreational aviation is truly, by definition, recreational, the exclusion of this activity within the listed activities creates a question in the mind of the reader. This question is most likely caused by the words "but not limited to" and then continues to list some specific activities.

The simple solution to the problem is to follow the lead of many states across the country, including the regional states of Washington, Idaho, Montana and Utah, who have recognized the issue and amended their statutes to specifically include "aviation activities" in the definition section of their Recreational Use Statutes.

I own a personal use airport in the wine country area of Yamhill County and another in Harney County. On several occasions I have had friends call me and ask to fly into my strip near Amity to visit area wineries. Other times I've had requests to land on my Harney County strip to hike and explore on some of the vast BLM ground in the area. I've been reluctant to grant permission to these requests.

We need to amend the law to grant airstrip owners the same liability protection granted to owners of other recreational land uses such as hunting and fishing. This bill doesn't grant permission for the use of aircraft landing surfaces. It merely helps to encourage the owners of these strips to grant the approval to use them. With the passage of the bill it will also have the benefit of removing one of the hurdles a land owner considers when contemplating the establishment of a new airstrip.

HB2016 is fully in line with Public Policy ORS 105.676 which states, "The Legislative Assembly hereby declares it is in the public policy of the State of Oregon to encourage owners of land to make their land available to the public for recreational purposes, ....."

Thank you for your support of HB 2016!

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