

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 2038 A
CARRIER: Rep. Huffman

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/02/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 02/19, 04/02

Vote:

Yeas: 6 - Clem, Gilliam, Gomberg, Helm, McLane, Post

Exc: 1 - Witt

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Defines terms. Specifies landowner is not liable for any personal injury, death or property damage arising from use of land for purposes of aviation activity, unless owner intentionally causes injury, death or property damage. Does not apply to owner of public airstrip; owner of private airstrip if owner is contacted by operator before beginning of aircraft's flight, owner provides permission to use land, and gross negligence by owner causes injury, death or property damage related to aircraft's flight; or if owner imposes a charge for use of land for aviation purposes.

ISSUES DISCUSSED:

- Existence of similar laws in neighboring states
- Prevalence of planes landing on private property
- State of general aviation in Oregon
- Benefit of multitude of emergency landing strips

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

Current statute does not exempt landowners from liability for any personal injury, death or property damage arising from use of land for purposes of aviation activity.

House Bill 2038A would specify that landowners are not liable for any personal injury, death or property damage arising from use of their land for purposes of aviation activity except under specified circumstances.