

House Bill 2038

Sponsored by Representative HUFFMAN (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies definition of "recreational purposes" for purpose of limiting liability of owners of land that allow public use of land for recreational activity, including aviation activity.

A BILL FOR AN ACT

1
2 Relating to limited liability for aviation use of land; amending ORS 105.672.

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

4 **SECTION 1.** ORS 105.672 is amended to read:

5 105.672. As used in ORS 105.672 to 105.696:

6 (1) "Charge":

7 (a) Means the admission price or fee requested or expected by an owner in return for granting
8 permission for a person to enter or go upon the owner's land.

9 (b) Does not mean any amount received from a public body in return for granting permission for
10 the public to enter or go upon the owner's land.

11 (c) Does not include the fee for a winter recreation parking permit or any other parking fee of
12 \$15 or less per day.

13 (2) "Harvest" has that meaning given in ORS 164.813.

14 (3) "Land" includes all real property, whether publicly or privately owned.

15 (4) "Owner" means the possessor of any interest in any land, such as the holder of a fee title,
16 a tenant, a lessee, an occupant, the holder of an easement, the holder of a right of way or a person
17 in possession of the land.

18 (5) "Recreational purposes" includes, but is not limited to, outdoor activities such as hunting,
19 fishing, swimming, boating, camping, picnicking, hiking, **hang gliding, parachuting, paragliding,**
20 **operating airplanes or ultralight aircraft, engaging in other aviation activity,** nature study,
21 outdoor educational activities, waterskiing, winter sports, viewing or enjoying historical,
22 archaeological, scenic or scientific sites or volunteering for any public purpose project.

23 (6) "Special forest products" has that meaning given in ORS 164.813.

24 (7) "Woodcutting" means the cutting or removal of wood from land by an individual who has
25 obtained permission from the owner of the land to cut or remove wood.

26

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.