

**PROPOSED AMENDMENTS TO
HOUSE BILL 2038**

1 In line 2 of the printed bill, delete “; amending ORS 105.672”.

2 Delete lines 4 through 25 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Airstrip’ means land that contains a runway or heliport oper-**
5 **ated and maintained for the takeoff and landing of motorized aircraft**
6 **and that is registered with the Oregon Department of Aviation or the**
7 **Federal Aviation Administration at the time of the flight at issue.**

8 **“(b) ‘Aviation activity’ includes but is not limited to hang gliding,**
9 **parachuting, paragliding and operating airplanes or ultralight aircraft.**

10 **“(c) ‘Charge’ has the meaning given that term in ORS 105.672.**

11 **“(d) ‘Land’ has the meaning given that term in ORS 105.672.**

12 **“(e) ‘Nonpublic airstrip’ means an airstrip that is registered as a**
13 **private use airport with the Oregon Department of Aviation or the**
14 **Federal Aviation Administration at the time of the flight at issue.**

15 **“(f) ‘Owner’ has the meaning given that term in ORS 105.672.**

16 **“(g) ‘Public airstrip’ means an airstrip that is not a nonpublic**
17 **airstrip.**

18 **“(2) An owner of land is not liable for any personal injury, death**
19 **or property damage arising from the use of land for purposes of avi-**
20 **ation activity, unless the owner intentionally causes the injury, death**
21 **or property damage.**

22 **“(3) Subsection (2) of this section does not apply to any of the fol-**

1 **lowing:**

2 **“(a) An owner of a public airstrip.**

3 **“(b) An owner of a nonpublic airstrip if:**

4 **“(A) The owner is contacted by the operator of a motorized aircraft**
5 **prior to the beginning of the aircraft’s flight;**

6 **“(B) The owner provides permission to the operator to use the**
7 **owner’s land for activities related to the aircraft’s flight; and**

8 **“(C) Gross negligence of the owner causes injury, death or property**
9 **damage related to the aircraft’s flight.**

10 **“(c) An owner of land who imposes a charge for the use of the land**
11 **for aviation purposes.**

12 **“SECTION 2. Section 1 of this 2015 Act applies to personal injuries,**
13 **death and property damage that occur on or after the effective date**
14 **of this 2015 Act.”.**

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