

Analysis

Department of Aviation

Unmanned Aerial Systems Fee Ratification

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Request: Approve unmanned aerial systems fees adopted by administrative rule by the Department of Aviation.

Recommendation: The Legislative Fiscal Office recommends that the fees adopted by the Department of Aviation be included in a fee ratification bill during the 2016 legislative session.

Analysis: ORS 291.055(1) (e) mandates that all new state agency fees or fee increases adopted between regular sessions of the Legislative Assembly are rescinded upon adjournment of the next regular session unless authorized by enabling legislation setting forth the approved fees.

House Bill 2710 (2013) created the statutory framework regulating the public use of Unmanned Aerial Systems (UAS) in Oregon. This legislation requires public bodies to register all UAS with the Department of Aviation and authorizes the department to administratively establish registration fees sufficient to defray the costs of maintaining the registry. "Public bodies" refers to most public entities, including state government departments, public universities and community colleges, and local units of government. The proposed fees do not apply to private recreational or commercial use of UAS, which will require registration by the Federal Aviation Administration pending the adoption of federal rules.

These statutory provisions take effect on January 2, 2016, and the agency estimates that annual fees of \$25 for UAS weighing less than 55 pounds and \$50 for UAS weighing more than 55 pounds will be adequate to cover the costs of registry. The Department will leverage the system used for manned aircraft registrations to register UAS and use the UAS registration fee revenue to support staff time and maintenance of the registry. The UAS fee is estimated to increase Other Funds fee revenue to the Department of Aviation by \$9,000 during the 2015-17 biennium and by \$21,000 during the 2017-19 biennium.

The Legislative Fiscal Office recommends approval of this fee restructuring as part of the 2016 fee ratification bill.