

A-Engrossed
House Bill 4039

Ordered by the Senate February 23
Including Senate Amendments dated February 23

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Agriculture and Natural Resources)

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.

Modifies definition of "rural airport" for purposes of through the fence operations pilot program.
Eliminates requirement that nonresident pilots register in this state before arrival.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to aviation; amending ORS 836.640 and 837.020; and declaring an emergency.

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

4 **SECTION 1.** ORS 836.640 is amended to read:

5 836.640. As used in this section and ORS 836.642:

6 (1) "Airport boundary" includes the combined public and private properties that are permitted
7 to have direct access to the airport runway by aircraft.

8 (2) "Customary and usual aviation-related activity" includes activities described in ORS 836.616
9 (2) and includes activities that a local government may authorize pursuant to ORS 836.616 (3).

10 (3) "Pilot site" means a rural airport identified to participate in the pilot program pursuant to
11 ORS 836.642.

12 (4) "Rural airport" means an airport described in ORS 836.610 (1) that[:]

13 [*(a) Does not have a permanent air traffic control tower; and*]

14 [*(b)*] principally serves a city or metropolitan statistical area with a population of 500,000 or
15 fewer.

16 (5) "Through the fence operation" means a customary and usual aviation-related activity that:

17 (a) Is conducted by a commercial or industrial user of property within an airport boundary; and

18 (b) Relies, for business purposes, on the ability to taxi aircraft directly from the property em-
19 ployed for the commercial or industrial use to an airport runway.

20 **SECTION 2.** ORS 837.020 is amended to read:

21 837.020. (1) **Except as provided in subsection (2) of this section**, in the interest of public
22 safety and the safety of those people traveling by air or receiving aviation instruction, every pilot
23 operating within this state shall register with the Oregon Department of Aviation within 60 days
24 of issuance of any appropriate effective federal certificate, permit, rating or license relating to
25 competency as a pilot except that student pilots shall register prior to their first solo flight.

26 (2) A nonresident pilot of a scheduled or nonscheduled airline, certificated by the appropriate
27 federal agency, is not required to register under the provisions of this section unless the nonresident

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.

1 pilot engages in the piloting of aircraft other than such certificated operation. [*Nonresidents oper-*
2 *ating within this state, other than in a commercial operation, shall register with the department within*
3 *60 days of the date of arrival within the state. Pilots operating commercially shall register prior to any*
4 *commercial operation.*]

5 [(2)] (3) Every registered pilot shall renew the first registration on the anniversary of the first
6 registration date. After the first renewal, each pilot shall renew registration on the anniversary of
7 the first registration date in the first year of each two-year period in which the pilot is active as a
8 pilot.

9 [(3)] (4) Every registered pilot shall notify the department in writing within 30 days of a change
10 of address or name. The notification shall contain the old and new residence address or name and
11 the pilot registration number.

12 **SECTION 3. This 2016 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**
14 **on its passage.**