

Enrolled
House Bill 4039

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

CHAPTER

AN ACT

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

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

SECTION 1. ORS 836.640 is amended to read:

836.640. As used in this section and ORS 836.642:

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

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

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

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

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

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

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

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

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

SECTION 2. ORS 837.020 is amended to read:

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

(2) A nonresident pilot of a scheduled or nonscheduled airline, certificated by the appropriate federal agency, is not required to register under the provisions of this section unless the nonresident pilot engages in the piloting of aircraft other than such certificated operation. *[Nonresidents operating within this state, other than in a commercial operation, shall register with the department within 60 days of the date of arrival within the state. Pilots operating commercially shall register prior to any commercial operation.]*

[(2)] (3) Every registered pilot shall renew the first registration on the anniversary of the first registration date. After the first renewal, each pilot shall renew registration on the anniversary

of the first registration date in the first year of each two-year period in which the pilot is active as a pilot.

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

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

Passed by House February 8, 2016

Received by Governor:

Repassed by House February 29, 2016

.....M.,....., 2016

Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2016

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate February 26, 2016

Filed in Office of Secretary of State:

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Peter Courtney, President of Senate

.....M.,....., 2016

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Jeanne P. Atkins, Secretary of State