

# House Bill 3042

Sponsored by Representative WILDE

## 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**.

Authorizes city, town, county or political subdivision to prohibit or regulate application of chemicals by aircraft.

## A BILL FOR AN ACT

1  
2 Relating to local control over the application of chemicals by aircraft.

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

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

5 (a) **"Aircraft" means a manned or unmanned contrivance used or designed for self-**  
6 **propelled, untethered navigation of or flight in the air.**

7 (b) **"Pesticide" has the meaning given that term in ORS 634.006.**

8 (c) **"Soil treatment" means an "agricultural amendment," "agricultural mineral,"**  
9 **"fertilizer" or "lime," as those terms are defined in ORS 633.311.**

10 (2) **Notwithstanding ORS 634.057, except as provided in this section, a city, town, county**  
11 **or other political subdivision of this state may, by initiative, referendum or action of the**  
12 **governing body, adopt and enforce prohibitions or regulations regarding the application by**  
13 **aircraft of a soil treatment or pesticide.**

14 (3) **Application regulation under this section may include, but need not be limited to,**  
15 **prohibitions or restrictions by area, weather conditions or treatment or pesticide type, and**  
16 **requirements for the preapplication or post-application provision of application information**  
17 **or notice.**

18 (4) **A county or other political subdivision of this state may not prohibit a city or town**  
19 **within that county or political subdivision from adopting or enforcing a prohibition or regu-**  
20 **lation under this section that is more restrictive than a prohibition or regulation adopted**  
21 **by the county or other political subdivision under this section.**

22 (5) **This section does not authorize the adoption of an ordinance, rule or regulation re-**  
23 **garding any subject listed under ORS 634.057 (1), (2), (4) to (7) or (9) to (12) or to the trans-**  
24 **port of pesticides by means other than aircraft.**

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**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.