House Bill 2269

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Governor Kate Brown for Oregon Department of Aviation)

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 Oregon Department of Aviation to establish by rule fees related to airports and aircraft.

A BILL FOR AN ACT

Relating to aviation; creating new provisions; and amending ORS 836.085, 836.105, 837.045, 837.055, 837.060, 837.070 and 837.075.

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

SECTION 1. ORS 836.085 is amended to read:

836.085. Except as provided in ORS 836.080, the Oregon Department of Aviation as authorized by the State Aviation Board shall provide for the approval of proposed airport sites and the issuance of certificates of such approval. The following apply to this section:

(1) A nonrefundable fee of $75, together with an amount not to exceed $300 established by the department for the cost of inspecting and approving an airport site for potential approval, shall accompany the application for site approval.

(1) A person submitting an application for approval of an airport site shall pay an application fee, established by the department by rule, to cover the cost of inspecting and approving an airport site for potential approval.

(2) The department shall determine approval of airport sites under this section based on the conditions under ORS 836.095.

SECTION 2. ORS 836.105 is amended to read:

836.105. Except as provided in ORS 836.080, the Oregon Department of Aviation is authorized to provide for the licensing of airports and the annual renewal of such licenses. The following apply to this section:

(1) The department may charge license fees for each original license and for each renewal.

AIRPORT CLASSIFICATION

AND FEE SCHEDULE

Category I Airport
- Commercial Service..........................$ 150

Category II Airport
- Urban General Aviation....................$ 100

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.

LC 351
Category III Airport
- Regional General Aviation..................$  75

Category IV Airport
- Local General Aviation.........................$  50

Category V Airport
- Remote Access......................................$  30

(2) Upon the adoption of a rule providing for such licensing, the department shall with reasonable dispatch, upon receipt of an application for an original license and the payment of the required fee, issue an appropriate license if it is satisfied that the airport conforms to minimum standards of safety and that safe air traffic patterns can be worked out for such airport and for all existing airports and approved airport sites in its vicinity.

(3) All licenses shall be renewable annually upon payment of the required fees.

(4) Licenses and renewals may be issued subject to any reasonable conditions that the department may deem necessary to effectuate the purposes of ORS 836.085 to 836.120.

SECTION 3. ORS 837.045 is amended to read:

837.045. (1) The registration fee to be paid under ORS 837.040, and the fee to be paid upon renewal of registration under ORS 837.060, shall be in accordance with the fee schedule established by the Oregon Department of Aviation by rule. [is as follows:]

AIRCRAFT CLASSIFICATION
AND FEE SCHEDULE

Single engine fixed wing, piston $  65
Single engine fixed wing, turboprop 250
Multiengine fixed wing, piston 150
Multiengine fixed wing, turboprop 300
Turbojet fixed wing 700
Helicopter piston engine 65
Helicopter turbine engine 175
Lighter than air, home built, sailplane, experimental or gyrocopter 55
Ultralight aircraft 55
Ex-military multiengine or turbojet/ex-air carrier 300

(2) Any registration fees and penalties due in a previous year but not paid remain due and payable and may be collected by the [Oregon Department of Aviation] department prior to renewal of registration of the aircraft in the current year.

SECTION 4. ORS 837.055 is amended to read:

837.055. (1) Upon receipt of an application for registration of any aircraft and payment of the required license fee, the Director of the Oregon Department of Aviation shall assign to the appli-
cation and the aircraft to be registered a distinctive number and register the facts stated in the application and the number in an index to be kept for that purpose.

(2) A certificate of registration, bearing the same number assigned to the application, and in a form and design to be determined by the Oregon Department of Aviation, shall be delivered to the owner of the aircraft without further expense to such applicant.

(3) The following apply to the use and display of certificates of registration and other signs denoting registration for aircraft:

(a) The certificate of registration shall be carried in the aircraft at all times.
(b) No sign to denote registration of aircraft by the State of Oregon, other than those furnished by the director, shall be used.

(4) Duplicate certificates of registration may be obtained, upon proof of loss or destruction of the original, by application therefor to the department and the payment of $15 for each additional certificate. The department shall establish by rule the amount of the fee.

(5) The facts stated in any application for registration shall be a public record and open to inspection by the public during reasonable office hours.

(6) Registration of an aircraft does not require, nor does it constitute, evidence of legal ownership of the aircraft.

SECTION 5. ORS 837.060 is amended to read:

837.060. (1) All registrations under ORS 837.040 expire annually on the anniversary of the date the aircraft is originally registered with the Oregon Department of Aviation.
(2) The owner of an aircraft subject to renewal of registration shall renew the registration on or before the date of expiration by filing a form provided by the department and paying the fee for renewal of registration established by the department by rule pursuant to ORS 837.045. The department may impose a late fee on a person who fails to renew registration within the time required in the same manner and in the same amounts as late fees imposed under ORS 837.040.

SECTION 6. ORS 837.070 is amended to read:

837.070. (1) Upon the purchase of any aircraft registered in accordance with ORS 837.040, title to the certificate of registration assigned thereto shall vest in the purchaser. Within 10 days after the date of:
(a) Purchase, the purchaser shall file with the Oregon Department of Aviation an application to transfer the registration, stating the name and business address of the purchaser, the name of the seller, the registration number assigned to the aircraft, and a brief description of the aircraft as required for an original registration.
(b) Sale, the seller shall notify the Director of the Oregon Department of Aviation of the sale with the name and address of the purchaser, registration number assigned to the aircraft and a brief description of the aircraft as required for an original registration.
(2) Upon the receipt of the application and the payment of a fee [of $15] established by the department by rule, the director shall transfer the license and registration number to the purchaser, and shall record the transfer.
(3) No sale or transfer of any aircraft registered under ORS 837.040 [shall be] is not valid without compliance with the provisions of this section. If an aircraft is not registered at the time of purchase, even though the aircraft may have been purchased within the state, new or used, the purchaser shall register it in accordance with ORS 837.040 and 837.045.

SECTION 7. ORS 837.075 is amended to read:

837.075. (1) Any dealer in new or used aircraft, or both, shall apply to the Oregon Department
of Aviation for a dealer's license. Upon such application, the department shall issue an aircraft
dealer's license to the applicant for an annual fee [of $250] established by the department by
rule. The dealer's license shall be in lieu of all other licenses or registration required by ORS
837.040 upon the dealer's aircraft within this state, so long as they are kept for resale and are not
used in commercial operations within this state.

(2) This section does not prohibit the registering of a dealer's aircraft under ORS 837.040.
(3) Upon the sale by a dealer of an aircraft which is not registered under ORS 837.040, the
dealer shall advise the purchaser of the registration requirements under ORS 837.040 to 837.070 and
furnish the purchaser with the proper application forms.

SECTION 8. The amendments to ORS 836.085, 836.105, 837.045, 837.055, 837.060, 837.070 and
837.075 by sections 1 to 7 of this 2023 Act apply to amounts collected on or after the effective
date of this 2023 Act.