

SB 38 STAFF MEASURE SUMMARY

Joint Committee On Transportation

Action Date: 05/06/21

Action: Do pass and requesting referral to Ways and Means.

Senate Vote

Yeas: 4 - Beyer, Findley, Frederick, Gorsek

Nays: 1 - Boquist

House Vote

Yeas: 7 - Boshart Davis, Evans, Lewis, McLain, Nathanson, Noble, Power

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Patrick Brennan, LPRO Analyst

Meeting Dates: 2/2, 5/6

WHAT THE MEASURE DOES:

Authorizes the Oregon Department of Aviation to establish a fee to cover the cost of tall structure evaluations.

ISSUES DISCUSSED:

- Types of structures that are inspected for possible obstruction
- Roughly 1,100 evaluations each year
- Whether proper zoning can address the issue
- Flat fee structure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon statutes prohibit construction of objects or structures that constitute a physical hazard to air navigation (ORS 836.535). Such hazards are determined by the Oregon Department of Aviation in coordination with governing bodies with land use jurisdiction over the property in question. Exceptions are provided for structures related to commercial mobile radio service providers and for persons approved for, or who have applied for approval for, construction of objects by the Federal Aviation Administration or the Energy Facility Siting Council.

The Oregon Department of Aviation is responsible for making determinations, based on a variety of federal, state, and local regulations, whether existing or planned buildings or structures impose on airspace around airports in ways that create navigational hazards. Such hazards may include permanent structures like buildings, towers, signage, or wind turbines; they may also include temporary structures such as construction equipment, materials, or cranes.

Senate Bill 38 provides authorization to the Oregon Department of Aviation to establish a fee to cover the cost of tall structure evaluations as part of the department's efforts to mitigate hazards to air navigation.