

# 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]* **establish by rule** license fees for each original license and for each renewal. *[The fee to be paid for each original license and each renewal is as follows:]*

[ \_\_\_\_\_ ]

## 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.

1	<i>Category III Airport</i>	
2	- <i>Regional General Aviation</i> .....\$	75
3	<i>Category IV Airport</i>	
4	- <i>Local General Aviation</i> .....\$	50
5	<i>Category V Airport</i>	
6	- <i>Remote Access</i> .....\$	30
7	[ _____ ]	

8

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

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

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

17 **SECTION 3.** ORS 837.045 is amended to read:

18 837.045. (1) The registration fee to be paid under ORS 837.040, and the fee to be paid upon re-  
19 newal of registration under ORS 837.060, **shall be in accordance with the fee schedule estab-**  
20 **lished by the Oregon Department of Aviation by rule.** *[is as follows:]*

21 [ \_\_\_\_\_ ]

22

23 *AIRCRAFT CLASSIFICATION*  
24 *AND FEE SCHEDULE*

25		
26	<i>Single engine fixed wing, piston</i>	\$ 65
27	<i>Single engine fixed wing, turboprop</i>	250
28	<i>Multiengine fixed wing, piston</i>	150
29	<i>Multiengine fixed wing, turboprop</i>	300
30	<i>Turbojet fixed wing</i>	700
31	<i>Helicopter piston engine</i>	65
32	<i>Helicopter turbine engine</i>	175
33	<i>Lighter than air, home built,</i>	
34	<i>sailplane, experimental or gyrocopter</i>	55
35	<i>Ultralight aircraft</i>	55
36	<i>Ex-military multiengine or turbojet /</i>	
37	<i>ex-air carrier</i>	300
38	[ _____ ]	

39

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

43 **SECTION 4.** ORS 837.055 is amended to read:

44 837.055. (1) Upon receipt of an application for registration of any aircraft and payment of the  
45 required license fee, the Director of the Oregon Department of Aviation shall assign to the appli-

1 cation and the aircraft to be registered a distinctive number and register the facts stated in the  
 2 application and the number in an index to be kept for that purpose.

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

6 (3) The following apply to the use and display of certificates of registration and other signs de-  
 7 noting registration for aircraft:

8 (a) The certificate of registration shall be carried in the aircraft at all times.

9 (b) No sign to denote registration of aircraft by the State of Oregon, other than those furnished  
 10 by the director, shall be used.

11 (4) Duplicate certificates of registration may be obtained, upon proof of loss or destruction of  
 12 the original, by application therefor to the department and the payment of [*\$15*] **a fee** for each ad-  
 13 ditional certificate. **The department shall establish by rule the amount of the fee.**

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

16 [*5*] (6) Registration of an aircraft does not require, nor does it constitute, evidence of legal  
 17 ownership of the aircraft.

18 **SECTION 5.** ORS 837.060 is amended to read:

19 837.060. (1) All registrations under ORS 837.040 expire annually on the anniversary of the date  
 20 the aircraft is originally registered with the Oregon Department of Aviation.

21 (2) The owner of an aircraft subject to renewal of registration shall renew the registration on  
 22 or before the date of expiration by filing a form provided by the department and paying the fee for  
 23 renewal of registration established [*in*] **by the department by rule pursuant to** ORS 837.045. The  
 24 department may impose a late fee on a person who fails to renew registration within the time re-  
 25 quired in the same manner and in the same amounts as late fees imposed under ORS 837.040.

26 **SECTION 6.** ORS 837.070 is amended to read:

27 837.070. (1) Upon the purchase of any aircraft registered in accordance with ORS 837.040, title  
 28 to the certificate of registration assigned thereto shall vest in the purchaser. Within 10 days after  
 29 the date of:

30 (a) Purchase, the purchaser shall file with the Oregon Department of Aviation an application to  
 31 transfer the registration, stating the name and business address of the purchaser, the name of the  
 32 seller, the registration number assigned to the aircraft, and a brief description of the aircraft as  
 33 required for an original registration.

34 (b) Sale, the seller shall notify the Director of the Oregon Department of Aviation of the sale  
 35 with the name and address of the purchaser, registration number assigned to the aircraft and a brief  
 36 description of the aircraft as required for an original registration.

37 (2) Upon the receipt of the application and the payment of a fee [*of \$15*] **established by the**  
 38 **department by rule**, the director shall transfer the license and registration number to the pur-  
 39 chaser, and shall record the transfer.

40 (3) [*No*] **The** sale or transfer of any aircraft registered under ORS 837.040 [*shall be*] **is not** valid  
 41 without compliance with the provisions of this section. If an aircraft is not registered at the time  
 42 of purchase, even though the aircraft may have been purchased within the state, new or used, the  
 43 purchaser shall register it in accordance with ORS 837.040 and 837.045.

44 **SECTION 7.** ORS 837.075 is amended to read:

45 837.075. (1) Any dealer in new or used aircraft, or both, shall apply to the Oregon Department

1 of Aviation for a dealer's license. Upon such application, the department shall issue an aircraft  
2 dealer's license to the applicant for an annual fee [of \$250] **established by the department by**  
3 **rule**. The dealer's license shall be in lieu of all other licenses or registration required by ORS  
4 837.040 upon the dealer's aircraft within this state, so long as they are kept for resale and are not  
5 used in commercial operations within this state.

6 (2) This section does not prohibit the registering of a dealer's aircraft under ORS 837.040.

7 (3) Upon the sale by a dealer of an aircraft which is not registered under ORS 837.040, the  
8 dealer shall advise the purchaser of the registration requirements under ORS 837.040 to 837.070 and  
9 furnish the purchaser with the proper application forms.

10 **SECTION 8. The amendments to ORS 836.085, 836.105, 837.045, 837.055, 837.060, 837.070 and**  
11 **837.075 by sections 1 to 7 of this 2023 Act apply to amounts collected on or after the effective**  
12 **date of this 2023 Act.**