

Submitter: Robin Brown

On Behalf Of:

Committee: Senate Committee On Natural Resources

Measure: SB812

The building and flying of remote-controlled model aircraft, now commonly referred to as unmanned aerial/aircraft systems (UAS), began more than 100 years ago. Over the years untold numbers of people have participated in this activity including many thousands who, influenced by model aviation, went on to become teachers, engineers, scientists, aviation pioneers, commercial pilots, military pilots, and astronauts.

Following the more recent proliferation of easily controlled multi-rotor aircraft, the Oregon state legislature first enacted laws specific to UAS in 2013 through House Bill 2710 (ORS 837.300 to 837.390). One of the most important among those statutes was the preemption of local laws aimed at regulating the use of UAS. Local governments were prohibited from enacting legislation related to UAS and that authority remained vested in the Legislative Assembly (ORS 837.385).

In 2021, the legislature enacted Senate Bill 109 (ORS 837.350) which permitted a state government entity to develop rules for the use of UAS on state lands. This statute directed the Oregon Parks and Recreation Department (OPRD) Commission to adopt rules managing the use of UAS by people in state parks to “protect natural, cultural, scenic and recreational resources” in park property, while “providing for enjoyment and recreational use of unmanned aircraft systems”. In order to accomplish this objective, OPRD established an independent technical working group (including agency, academic, NGO, and tribal experts) to consider the legislative directive provided by ORS 837.350 and to make recommendations to the OPRD Commission that would result in straightforward rules allowing both pilots and the general public to use public lands safely and appropriately. Going into the second year of this process, due in part to the complexity of issues being considered, the OPRD Commission has yet to adopt final rules as directed under SB 109.

If the Oregon Legislative Assembly should pass a law permitting local governments to enact regulations pertaining to UAS in parks or other areas, the law must include a guarantee that in there would be, in each case, a thorough public and technical review process like the one undertaken by OPRD to regulate UAS on state lands. As currently drafted, SB 812 requires no action by the local governments other than the option to simply prohibit the taking off and landing of UAS in parks within their jurisdictions.

SB 812 is poorly crafted, local public input is not required, and the complex related issues are not thoroughly considered. I oppose a bill that would create a tangle of

confusing and conflicting UAS regulations across the 36 counties and 241 incorporated cities in Oregon. The authority to regulate UAS in Oregon should remain with the Legislative Assembly.