

SB 360 STAFF MEASURE SUMMARY
Senate Committee On Energy and Environment

Carrier: Sen. Smith DB

Action Date: 03/26/25
Action: Do pass.
Vote: 4-1-0-0
Yeas: 4 - Pham, Robinson, Smith DB, Sollman
Nays: 1 - Golden
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
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Meeting Dates: 3/17, 3/26

WHAT THE MEASURE DOES:

The measure creates a pesticide licensing exemption for certain employees using a battery-powered device to apply pesticides and requires the Department of Agriculture to develop standards and materials for training individuals to safely apply pesticides using machine-powered devices.

Detailed Summary

Stipulates employees of agencies, instrumentalities, subdivisions, counties, cities, towns, municipal corporations, districts, governmental bodies, Indian tribes, or utilities are not required to hold a license as a public applicator or a certificate as a public trainee when applying pesticides using a machine powered device if

- pesticide is not restricted use,
- device is powered by electric battery and holds no more than five gallons of pesticides, and
- employee has completed training.

Requires the Department of Agriculture to develop standards and materials for training individuals to safely apply pesticides using machine-powered devices. Requires an employer to provide training to employee prior to the employee using the machine-powered device. Authorizes ODA to take any action necessary to implement Act prior to Act taking effect. Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Current regulation of battery-powered applicators
- Act would not include drones
- Enforcement process of pesticide application complaint
- Difference between restricted use and not restricted use pesticides

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Department of Agriculture (ODA) licenses both businesses and individuals prior to performing certain pesticide-related activities. The type of license a pesticide applicator would need depends on the employer, for example

- private applicator is either employed by or own/lease a farm;
- commercial applicator is employed by business, or pesticide operator, that applies pesticides to other people's property; and
- public applicators are employed by federal, state, or other governmental bodies.

Under current law, there are some instances where a pesticide license is not required, for example

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- when applying general use pesticides to property owned or leased by employer, except on a school campus;
- as public employee, applying general use pesticides using application equipment that is not power-driven, except on a school campus; and
- when applying general use pesticides as part of a landscape maintenance service if certain criteria are met.