

Senate Bill 792

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Tina Kotek 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows ODAV to establish fees by rule. (Flesch Readability Score: 75.5).

Authorizes the Oregon Department of Aviation to establish by rule fees related to airports and aircraft. Provides for adjustment of fees for inflation.

A BILL FOR AN ACT

1
2 Relating to aviation; creating new provisions; and amending ORS 836.085, 836.105, 837.040, 837.045,
3 837.055, 837.060, 837.070 and 837.075.

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

5 **SECTION 1.** ORS 836.085 is amended to read:

6 836.085. Except as provided in ORS 836.080, the Oregon Department of Aviation as authorized
7 by the State Aviation Board shall provide for the approval of proposed airport sites and the issuance
8 of certificates of such approval. The following apply to this section:

9 *[(1) A nonrefundable fee of \$75, together with an amount not to exceed \$300 established by the*
10 *department for the cost of inspecting and approving an airport site for potential approval, shall ac-*
11 *company the application for site approval.]*

12 **(1) A person submitting an application for approval of an airport site shall pay an appli-**
13 **cation fee, established by the department by rule, to cover the cost of inspecting and ap-**
14 **proving an airport site for potential approval.**

15 **(2) For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
16 **ment may adjust for inflation by modifying the amount of the fee described under subsection**
17 **(1) of this section, based on the Consumer Price Index for All Urban Consumers, West Re-**
18 **gion (All Items), as published by the Bureau of Labor Statistics of the United States De-**
19 **partment of Labor.**

20 **(3) The adjusted fees under subsection (2) of this section take effect on January 1 of the**
21 **year following the adjustment and apply for two years.**

22 *[(2)]* **(4) The department shall determine approval of airport sites under this section based on the**
23 **conditions under ORS 836.095.**

24 **SECTION 2.** ORS 836.105 is amended to read:

25 836.105. Except as provided in ORS 836.080, the Oregon Department of Aviation is authorized
26 to provide for the licensing of airports and the annual renewal of such licenses. The following apply
27 to this section:

28 **(1) The department may [charge] establish by rule license fees for each original license and for**
29 **each renewal. [The fee to be paid for each original license and each renewal is as follows:]**

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 [_____]

2

3

*AIRPORT CLASSIFICATION
AND FEE SCHEDULE*

4

5

6 *Category I Airport*

7 - *Commercial Service*.....\$ 150

8 *Category II Airport*

9 - *Urban General Aviation*.....\$ 100

10 *Category III Airport*

11 - *Regional General Aviation*.....\$ 75

12 *Category IV Airport*

13 - *Local General Aviation*.....\$ 50

14 *Category V Airport*

15 - *Remote Access*.....\$ 30

16 [_____]

17

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

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

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

26 (5) **For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
27 **ment may adjust for inflation by modifying the amount of the fees described under sub-**
28 **section (1) of this section, based on the Consumer Price Index for All Urban Consumers,**
29 **West Region (All Items), as published by the Bureau of Labor Statistics of the United States**
30 **Department of Labor.**

31 (6) **The adjusted fees under subsection (5) of this section take effect on January 1 of the**
32 **year following the adjustment and apply for two years.**

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

34 837.045. (1) The registration fee to be paid under ORS 837.040, and the fee to be paid upon re-
35 newal of registration under ORS 837.060, **shall be in accordance with the fee schedule estab-**
36 **lished by the Oregon Department of Aviation by rule.** [is as follows:]

37 [_____]

38

39

*AIRCRAFT CLASSIFICATION
AND FEE SCHEDULE*

40

41

42 *Single engine fixed wing, piston* \$ 65

43 *Single engine fixed wing, turboprop* 250

44 *Multiengine fixed wing, piston* 150

45 *Multiengine fixed wing, turboprop* 300

1	<i>Turbojet fixed wing</i>	700
2	<i>Helicopter piston engine</i>	65
3	<i>Helicopter turbine engine</i>	175
4	<i>Lighter than air, home built,</i>	
5	<i>sailplane, experimental or gyrocopter</i>	55
6	<i>Ultralight aircraft</i>	55
7	<i>Ex-military multiengine or turbojet /</i>	
8	<i>ex-air carrier</i>	300

9 [_____]

10
 11 (2) Any registration fees and penalties due in a previous year but not paid remain due and
 12 payable and may be collected by the [Oregon Department of Aviation] **department** prior to renewal
 13 of registration of the aircraft in the current year.

14 (3) **For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
 15 **ment may adjust for inflation by modifying the amount of the fees described under sub-**
 16 **section (1) of this section, based on the Consumer Price Index for All Urban Consumers,**
 17 **West Region (All Items), as published by the Bureau of Labor Statistics of the United States**
 18 **Department of Labor.**

19 (4) **The adjusted fees under subsection (3) of this section take effect on January 1 of the**
 20 **year following the adjustment and apply for two years.**

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

22 837.055. (1) Upon receipt of an application for registration of any aircraft and payment of the
 23 required license fee, the Director of the Oregon Department of Aviation shall assign to the appli-
 24 cation and the aircraft to be registered a distinctive number and register the facts stated in the
 25 application and the number in an index to be kept for that purpose.

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

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

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

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

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

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

39 [(5)] (6) Registration of an aircraft does not require, nor does it constitute, evidence of legal
 40 ownership of the aircraft.

41 (7) **For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
 42 **ment may adjust for inflation by modifying the amount of the fees described under sub-**
 43 **section (4) of this section, based on the Consumer Price Index for All Urban Consumers,**
 44 **West Region (All Items), as published by the Bureau of Labor Statistics of the United States**
 45 **Department of Labor.**

1 **(8) The adjusted fees under subsection (7) of this section take effect on January 1 of the**
 2 **year following the adjustment and apply for two years.**

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

4 837.060. (1) All registrations under ORS 837.040 expire annually on the anniversary of the date
 5 the aircraft is originally registered with the Oregon Department of Aviation.

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

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

12 837.070. (1) Upon the purchase of any aircraft registered in accordance with ORS 837.040, title
 13 to the certificate of registration assigned thereto shall vest in the purchaser. Within 10 days after
 14 the date of:

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

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

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

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

29 **(4) For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
 30 **ment may adjust for inflation by modifying the amount of the fees described under sub-**
 31 **section (2) of this section, based on the Consumer Price Index for All Urban Consumers,**
 32 **West Region (All Items), as published by the Bureau of Labor Statistics of the United States**
 33 **Department of Labor.**

34 **(5) The adjusted fees under subsection (4) of this section take effect on January 1 of the**
 35 **year following the adjustment and apply for two years.**

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

37 837.075. (1) Any dealer in new or used aircraft, or both, shall apply to the Oregon Department
 38 of Aviation for a dealer's license. Upon such application, the department shall issue an aircraft
 39 dealer's license to the applicant for an annual fee [*of \$250*] **established by the department by**
 40 **rule.** The dealer's license shall be in lieu of all other licenses or registration required by ORS
 41 837.040 upon the dealer's aircraft within this state, so long as they are kept for resale and are not
 42 used in commercial operations within this state.

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

44 (3) Upon the sale by a dealer of an aircraft which is not registered under ORS 837.040, the
 45 dealer shall advise the purchaser of the registration requirements under ORS 837.040 to 837.070 and

1 furnish the purchaser with the proper application forms.

2 (4) **For the biennium beginning July 1, 2027, and each biennium thereafter, the depart-**
 3 **ment may adjust for inflation by modifying the amount of the fees described under sub-**
 4 **section (1) of this section, based on the Consumer Price Index for All Urban Consumers,**
 5 **West Region (All Items), as published by the Bureau of Labor Statistics of the United States**
 6 **Department of Labor.**

7 (5) **The adjusted fees under subsection (4) of this section take effect on January 1 of the**
 8 **year following the adjustment and apply for two years.**

9 **SECTION 8.** ORS 837.040 is amended to read:

10 837.040. (1) Except as provided in subsection (2) of this section, the following are required to
 11 register civil aircraft with the Oregon Department of Aviation:

12 (a) The owner of a civil aircraft that is capable of flight and that is based in this state.

13 (b) The owner of a civil aircraft that is used for commercial operations in this state.

14 (2) An owner need not register a civil aircraft that is:

15 (a) Exempted by the provisions of ORS 837.005; or

16 (b) Subject to assessment and taxation under ORS 308.558.

17 (3) An owner who is otherwise required to comply with subsection (1) of this section is not ex-
 18 empt from compliance because the aircraft has an appropriate, effective permit or license issued by
 19 the United States.

20 (4) An owner applying for registration of an aircraft under this section shall file an application
 21 form supplied by the department. The State Aviation Board may adopt rules specifying the infor-
 22 mation that may be required on the application form.

23 (5)(a) The owner of a civil aircraft that is based in Oregon shall register the aircraft within 60
 24 days of the date the aircraft becomes subject to registration. The owner of a civil aircraft that is
 25 not based in Oregon but that is used in Oregon for commercial operations shall register the aircraft
 26 prior to the first time the aircraft is used in Oregon for commercial operations.

27 (b) The department may impose a late fee on a person who fails to register an aircraft within
 28 the time required by this subsection. The board may determine by rule the amount of late fees that
 29 may be imposed under this paragraph. The board may adopt a graduated schedule of late fees, but
 30 the maximum amount of a late fee may not be more than the amount of the registration fee.

31 (6) An application for registration must be accompanied by the registration fee specified [*in ORS*
 32 *837.045*] **by rule** and, if a late fee is imposed under subsection (5) of this section, by the late fee.

33 (7) Registration under this section is not complete until the owner receives a notice of regis-
 34 tration from the department.

35 **SECTION 9. The amendments to ORS 836.085, 836.105, 837.040, 837.045, 837.055, 837.060,**
 36 **837.070 and 837.075 by sections 1 to 8 of this 2025 Act apply to amounts collected on or after**
 37 **July 1, 2026.**