

SB 1035-1  
(LC 1673)  
3/27/25 (DFY/ps)

Requested by Senator NASH

**PROPOSED AMENDMENTS TO  
SENATE BILL 1035**

1 On page 1 of the printed bill, delete lines 5 through 25 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1. (1) As used in this section, ‘pilot program airports’**  
4 **means Burns Municipal Airport and La Grande/Union County Airport.**

5 **“(2) The Oregon Department of Emergency Management shall**  
6 **maintain the following vehicle fleets for use at pilot program airports:**

7 **“(a) A fleet of vehicles capable of transporting aviation fuel, in-**  
8 **cluding Jet A and low lead fuels, to and between pilot program air-**  
9 **ports;**

10 **“(b) A fleet of vehicles appropriate for transporting aviation per-**  
11 **sonnel, including pilots and crew members, to and between pilot pro-**  
12 **gram airports; and**

13 **“(c) A fleet of airport refuel trucks capable of transferring aviation**  
14 **fuel from storage to aircraft.**

15 **“(3) The department shall identify and procure vehicles appropriate**  
16 **for the functions described in subsection (2) of this section. The de-**  
17 **partment shall stage the vehicles at appropriate locations throughout**  
18 **this state such that the department can deploy the vehicles when**  
19 **necessary to augment existing resources at pilot program airports for**  
20 **firefighting purposes. The department shall retain ownership of the**  
21 **vehicles and shall be responsible for ongoing maintenance of the ve-**

1 **hicles.**

2 **“(4) As soon as practicable after procurement of the vehicles, the**  
3 **department shall enter into contracts, memoranda of understanding**  
4 **or other agreements with owners or operators of pilot program air-**  
5 **ports that govern the use of the vehicles.**

6 **“(5) The department may hire or contract for personnel to manage**  
7 **and operate the vehicle fleets described in this section.**

8 **“(6) The department may adopt rules necessary for the adminis-**  
9 **tration of this section.**

10 **“SECTION 2. In addition to and not in lieu of any other appropri-**  
11 **ation, there is appropriated to the Oregon Department of Emergency**  
12 **Management, for the biennium beginning July 1, 2025, out of the**  
13 **General Fund, the amount of \$2,180,000 to carry out the provisions of**  
14 **section 1 of this 2025 Act.**

15 **“SECTION 3. ORS 823.012 is amended to read:**

16 **“823.012. (1) If the Director of Transportation determines that an emer-**  
17 **gency, as defined in ORS 401.025, has occurred or is imminent, or when**  
18 **authority relating to a conflagration is exercised pursuant to ORS**  
19 **476.510 to 476.610, the director may suspend operation of one or more of the**  
20 **following statutes involving motor carriers for the purpose of expediting the**  
21 **movement of persons or property:**

22 **“(a) ORS 818.400, compliance with commercial vehicle enforcement re-**  
23 **quirements related to commercial vehicle weight, size, load, conformation or**  
24 **equipment.**

25 **“(b) ORS 825.100, certificate or permit requirement for commercial trans-**  
26 **portation of persons or property.**

27 **“(c) ORS 825.104, registration requirement for for-hire or private carrier**  
28 **engaged in interstate operations.**

29 **“(d) ORS 825.160, requirement for person operating as motor carrier to**  
30 **have policy of public liability and property damage insurance.**

1 “(e) ORS 825.162, requirement for person operating as for-hire carrier of  
2 freight or express to have cargo insurance.

3 “(f) ORS 825.250, requirement to stop and submit to an inspection of the  
4 driver, the cargo or the vehicle or combination of vehicles.

5 “(g) ORS 825.252, safety regulations for for-hire and private carriers.

6 “(h) ORS 825.258, rules for transportation of hazardous waste, hazardous  
7 material and PCB.

8 “(i) ORS 825.450, weight identifiers issued by Department of Transporta-  
9 tion.

10 “(j) ORS 825.470, temporary pass for single trip or short-time operation  
11 of vehicle.

12 “(k) ORS 825.474, assessment of tax for use of highways.

13 “(L) ORS 826.031, registration of certain vehicles not already registered  
14 with state.

15 “(2) A suspension under this section may occur prior to a declaration of  
16 a state of emergency under ORS 401.165, but may not exceed 72 hours unless  
17 a state of emergency is declared under ORS 401.165. If a state of emergency  
18 is declared under ORS 401.165, the suspension shall last until the state of  
19 emergency is terminated as provided under ORS 401.204.

20 “(3) The director may designate by rule a line of succession of deputy  
21 directors or other employees of the department who may suspend operations  
22 of statutes under this section in the event the director is not available. Any  
23 suspension by a person designated by the director under this subsection has  
24 the same force and effect as if issued by the director, except that, if the di-  
25 rector can be reached, the suspension must be affirmed by the director when  
26 the director is reached. If the director does not set aside a suspension within  
27 24 hours of being reached, the suspension shall be considered affirmed by the  
28 director.

29 “(4) **A suspension under this section may apply to geographic areas**  
30 **other than the area in which the emergency or conflagration occurs**

1 if the suspension applying to such areas is reasonably necessary to  
2 address the emergency or conflagration.

3 **“SECTION 4.** (1) Members of the Oregon National Guard, as de-  
4 scribed in ORS 396.105, and the Oregon Civil Defense Force, as de-  
5 scribed in ORS 399.035, are authorized to transport aviation fuel to and  
6 between airports in this state for firefighting purposes if the Director  
7 of the Oregon Department of Emergency Management determines that  
8 such transportation is necessary due to an insufficiency of commercial  
9 carriers.

10 **“(2)** Nothing in this section suspends or nullifies generally applica-  
11 ble statutes, rules or regulations relating to transportation of aviation  
12 fuel.

13 **“SECTION 5.** (1) The Oregon Department of Emergency Manage-  
14 ment shall issue grants to owners or operators of pilot program air-  
15 ports to be used for capital projects to increase the capacity of the  
16 airports to store aviation fuel, including Jet A and low lead fuels.

17 **“(2)** Owners or operators of pilot program airports shall submit  
18 plans to the department for increasing fuel storage capacity. The de-  
19 partment must approve a recipient’s plans before issuing a grant to  
20 the recipient under this section.

21 **“(3)** The department may hire or contract for personnel to manage  
22 the grant program described in this section.

23 **“(4)** As used in this section, ‘pilot program airports’ has the mean-  
24 ing given that term in section 1 of this 2025 Act.

25 **“SECTION 6.** (1) The Pilot Program Airport Fund is established in  
26 the State Treasury, separate and distinct from the General Fund. In-  
27 terest earned by the Pilot Program Airport Fund must be credited to  
28 the fund. The fund consists of moneys deposited in the fund under  
29 section 7 of this 2025 Act and may include moneys appropriated, allo-  
30 cated, deposited or transferred to the fund by the Legislative Assembly

1 or otherwise and interest earned on moneys in the fund.

2 “(2) Moneys in the fund are continuously appropriated to the  
3 Oregon Department of Emergency Management to carry out the grant  
4 program described in section 5 of this 2025 Act. The department may  
5 expend up to 20 percent of the moneys deposited in the fund under  
6 section 7 of this 2025 Act for management and administration of the  
7 grant program.

8 “SECTION 7. In addition to and not in lieu of any other appropri-  
9 ation, there is appropriated to the Oregon Department of Emergency  
10 Management, for the biennium beginning July 1, 2025, out of the  
11 General Fund, the amount of \$240,000 for deposit in the Pilot Program  
12 Airport Fund established under section 6 of this 2025 Act.

13 “SECTION 8. (1) Sections 5 and 6 of this 2025 Act are repealed on  
14 January 2, 2029.

15 “(2) Any moneys remaining in the Pilot Program Airport Fund es-  
16 tablished under section 6 of this 2025 Act on the date specified in sub-  
17 section (1) of this section that are unexpended, unobligated and not  
18 subject to any conditions shall be transferred to the General Fund for  
19 general governmental purposes.

20 “SECTION 9. This 2025 Act takes effect on the 91st day after the  
21 date on which the 2025 regular session of the Eighty-third Legislative  
22 Assembly adjourns sine die.”.