

**Testimony to the House Committee on Agriculture, Land Use, Natural Resources,
and Water****May 5, 2025****Jay Ward, Interim Director of Programs
Oregon Environmental Council**

Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations.

Re: Oregon Environmental Council opposition to SB 360

Dear Co-Chairs Helm and Owens, Vice-Chair Finger-McDonald and members of the committee:

Thank you for the opportunity to submit testimony on behalf of Oregon Environmental Council (OEC) and our members throughout the state. OEC works to identify and promote collaborative solutions which protect Oregon's air, land and water and the people who live and work in our state.

Properly applied and handled, some pesticides including those non-regulated pesticides referenced in Senate Bill 360, may be an effective management tool in agricultural, forestry, municipal and residential applications. However, as is noted in ORS 634.005, *'Such materials... may injure health, property, wildlife or environment by being distributed, stored, transported, applied or used in an improper or careless manner.'*

As addressed in Oregon statutes, pesticides used in the state can be divided into two classifications: Restricted Use Products (RUPs) and the rest which are non-restricted. Due to their higher toxicity and increased risk of injury, RUPs require entities seeking to utilize them to undergo training and certification. Conversely, non-restricted pesticides do not—UNLESS they are applied by *'a machine-powered device'* or applied on a school campus or by an employee of the school.

ORS 634.116 prescribes:

(15) The provisions of subsection (13) of this section apply only to:

- (a) The application of restricted-use pesticides;
- (b) The application of any pesticide by using a machine-powered device; or
- (c) The application of any pesticide at the campus of a school, as defined in ORS 634.700, by an employee of the school.

This prescription recognizes the fact that machine powered devices have the potential to cause more harm to both users and non-users including people and animals engaging with the treated environment. There are other examples where a machine powered device can be more dangerous than its human powered analog: a chainsaw is more dangerous than a handsaw, a motorcycle more so than a bicycle, a nail gun more dangerous than a hammer. Either can do damage, but the scale of the potential harm is increased by the automation of the tool.

Adding a battery and motor to a backpack pesticide sprayer tank will almost certainly be a labor-saving device for the person applying the pesticide. Almost as certain, by nature of its power supply, electrifying the sprayer will result in more pesticides being applied to Oregon homes, lawns and gardens. For example, some battery powered pesticide sprayers claim to be able to apply for [11 continuous hours](#). While this additional capacity is not in and of itself dangerous, it certainly enables excessive use—a risk that is best addressed by the training and licensing currently in statute.

OEC doesn't claim to be a subject matter expert in pesticide application techniques or equipment. But given the risks and benefits presented by automating of small-scale sprayers and the minimal testimony presented in the Senate, it would be prudent to maintain licensing requirements while Oregon Department of Agriculture and others study the issue.

Thank you for considering Oregon Environmental Council's perspective in this matter and for your commitment to a cleaner, healthier and more resilient Oregon.

Sincerely,

Jay Ward
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