

A-Engrossed
Senate Bill 27

Ordered by the Senate April 17
Including Senate Amendments dated April 17

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 Kate Brown 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.

Eliminates aircraft pilot state registration.
Abolishes Aviation Search and Rescue Account.
[Takes effect on 91st day following adjournment sine die.]
Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1
2 Relating to aviation registration; creating new provisions; amending ORS 835.060, 837.030 and
3 837.065; repealing ORS 837.020, 837.025 and 837.035; and declaring an emergency.

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

5 **SECTION 1. ORS 837.020, 837.025 and 837.035 are repealed.**

6 **SECTION 2. (1) The Aviation Search and Rescue Account is abolished.**

7 **(2) Any moneys remaining in the Aviation Search and Rescue Account on the effective**
8 **date of this 2017 Act that are unexpended, unobligated and not subject to any conditions shall**
9 **be transferred to the State Aviation Account.**

10 **SECTION 3. ORS 837.030 is amended to read:**

11 837.030. Every pilot operating within this state shall present a federal certificate of competency
12 [*and state certificate of registration*] on demand. The certificate [*of registration*] shall be kept in the
13 personal possession of the licensee when operating aircraft within this state and must be presented
14 for inspection upon demand of any passenger, peace officer, official manager in charge of any air-
15 port, other aircraft operator or federal or state agent.

16 **SECTION 4. ORS 835.060 is amended to read:**

17 835.060. (1) All fees and other moneys received by the Oregon Department of Aviation under
18 ORS chapter 835, 836 or 837, except moneys received under the provisions of ORS 835.025[,] **and**
19 836.070 [*and 837.035*], shall be paid into the State Treasury monthly. The State Treasurer shall credit
20 such payments to the State Aviation Account in the General Fund. Moneys in the account are
21 continuously appropriated to the department for the purpose of carrying out the provisions of this
22 chapter. None of the funds in this section appropriated or hereafter made available for aviation
23 purposes shall be expended upon any aviation project that is not carried out under the supervision
24 and direction of the State Aviation Board. Fees paid into the account pursuant to ORS 837.045 shall
25 be expended only for airport maintenance and capital construction and for payment of expenses of
26 air search and rescue.

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) The fiscal officer of the department shall keep a true and accurate account of all sums re-
2 ceived and all vouchers issued by the department under this section.

3 **SECTION 5.** ORS 837.065 is amended to read:

4 837.065. [*Whenever any bank check issued in payment of any aircraft or pilot registration fee is*
5 *returned to the Director of the Oregon Department of Aviation*] **If any person pays the aircraft**
6 **registration fee to the Oregon Department of Aviation with a bank check and the check is**
7 **returned to the department** as uncollectible, the Director **of the Oregon Department of Avi-**
8 **ation** shall charge [*to the person presenting such check to the director an additional fee of \$25, plus*
9 *all protest fees to cover the costs of collection*] **the person the fee for dishonored checks under**
10 **ORS 30.701 (5).** If the [*fee and the charges for collecting the check, as provided in this section, and*
11 *the proceeds of the check then are not paid*] **person does not pay the fee charged under this sec-**
12 **tion,** the director [*shall*] **may do all of the following:**

13 (1) Suspend the registration in payment of which the check was presented[, *and may delegate*
14 *authority to*]; **and**

15 (2) **Authorize** any [*Oregon Department of Aviation*] **department** employee or police officer to
16 seize and recover the registration certificate and [*such*] **any** other evidence of **the suspended reg-**
17 **istration certificate** [*as has been issued*].

18 **SECTION 6.** The amendments to ORS 837.065 by section 5 of this 2017 Act apply to checks
19 received by the Oregon Department of Aviation on or after the effective date of this 2017
20 Act.

21 **SECTION 7.** This 2017 Act being necessary for the immediate preservation of the public
22 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
23 July 1, 2017.
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