

Enrolled Senate Bill 27

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CHAPTER

AN ACT

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

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

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 ORS 837.020, 837.025 and 837.035 are repealed.

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

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

SECTION 3. ORS 837.030 is amended to read:

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

SECTION 4. ORS 835.060 is amended to read:

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

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

SECTION 5. ORS 837.065 is amended to read:

837.065. *[Whenever any bank check issued in payment of any aircraft or pilot registration fee is returned to the Director of the Oregon Department of Aviation]* **If any person pays the aircraft registration fee to the Oregon Department of Aviation with a bank check and the check is returned to the department** as uncollectible, the Director **of the Oregon Department of Avi-**

ation shall charge [to the person presenting such check to the director an additional fee of \$25, plus all protest fees to cover the costs of collection] **the person the fee for dishonored checks under ORS 30.701 (5)**. If the [fee and the charges for collecting the check, as provided in this section, and the proceeds of the check then are not paid] **person does not pay the fee charged under this section**, the director [shall] **may do all of the following**:

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

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

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

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

Passed by Senate April 19, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 23, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State