Chapter 837

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837.005 Exemptions of certain aircraft from requirements of registration. ORS 837.015 and 837.040 to 837.070 do not apply to:

(1) Aircraft owned by any person, firm or corporation and certificated by the appropriate federal agency for domestic or foreign scheduled air commerce; military aircraft of the United States of America, and aircraft licensed by a foreign country with which the United States has reciprocal relations exempting aircraft registered by the United States, or any political subdivision thereof, from registration within such foreign country; such classes of aircraft as may be designated by rules and regulations of the department.

(2) Aircraft owned by a nonresident of this state until such aircraft has been within Oregon for a period of 60 days and, during such period, has not engaged in repeated air transportation of persons, or property or for providing services for compensation within the state. [Formerly 493.010]

837.010 Federal pilot certificate required. No person shall fly aircraft in this state unless holding a pilot certificate of competency issued by the appropriate federal agency. [Formerly 493.020]

837.015 Registration of aircraft. Unless exempted by ORS 837.005, no person shall fail to register any aircraft when required by ORS 837.040 to 837.070. [Formerly 493.030]

837.020 Registration of pilots; renewal. (1) In the interest of public safety and the safety of those people traveling by air or receiving aeronautic instruction, every pilot operating within this state shall register with the division within 60 days of issuance of any appropriate effective federal certificate, permit, rating or license relating to competency as a pilot except that student pilots shall register prior to their first solo flight. A nonresident pilot of a scheduled or nonscheduled airline, certificated by the appropriate federal agency, is not required to register under the provisions of this section unless the nonresident pilot engages in the piloting of aircraft other than such certificated operation. Nonresidents operating within this state, other than in a commercial operation, shall register with the division within 60 days of the date of arrival within the state. Pilots operating commercially shall register prior to any commercial operation.

(2) Every registered pilot shall renew registration at the beginning of the calendar year following the initial registration of the pilot and at the beginning of each two-year period thereafter in which the pilot is active as a pilot.

(3) Every registered pilot shall notify the division in writing within 30 days of a change of address or name. The notification shall contain the old and new residence address or name and the pilot registration number. [Formerly 493.040]

837.025 Requirements for pilot registration; fee; certificates issued. (1) Possession of the appropriate effective federal certificate, permit, rating or license relating to competency of the pilot and payment of a fee of $4 for initial registration and $8 for each renewal of registration shall be the requisite for registration of the pilot under ORS 837.020. A filing of a written statement containing the information reasonably required by the division is sufficient to effect a registration. No originals or copies of federal certificates, permits, ratings or licenses shall be required of the applicant.

(2) The division may issue certificates of registration and may prescribe requirements for possession and exhibition of such certificates. [Formerly 493.050]

837.030 Exhibition of certificate on demand. 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. [Formerly 493.060]

837.035 Disposition of moneys received for registration of pilot licenses. All moneys received by the division for the registration of pilot licenses as prescribed in ORS 837.020 shall be paid by the division to the State Treasurer, who shall deposit it in the General Fund to a special account to be known as the Aeronautical Search and Rescue Account. The money in the account established under this section shall be used only for the following purposes or as otherwise provided by law:

(1) Such amount as may be necessary, and no more, is appropriated out of such account for the payment of all expenses incurred by the division in conducting activities authorized under ORS 835.075 to search for lost planes and lost persons, the rescue of lost persons, pilot survival education and training and all other expenses directly attributable to the search and rescue program and the registration of pilot licenses. The Executive Department, after approval of claims for such purposes by the Aeronautics Administrator, shall draw warrants on the State Treasurer for the payment

thereof, payable out of the Aeronautical Search and Rescue Account.

(2) The administrator may use money from the Aeronautical Search and Rescue Account to provide insurance to compensate any member of the division's volunteer air search and rescue organization for injuries or loss of life sustained in the scope of performing air search and rescue operations under the direction of the division. The insurance may be obtained from a public or private insurer. The scope, coverage and benefits provided under the insurance shall not exceed those provided for persons under ORS chapter 656. If the insurance is provided, the coverage provided by the insurance:

(a) Shall include all volunteer members accepted by the division.

(b) Regardless of negligence, is the exclusive remedy of a member of the division's air search and rescue organization against the State of Oregon, the Department of Transportation, the Aeronautics Division or any other person acting under the division's authority or direction for those injuries or losses resulting from the air search and rescue activities. [Formerly 493.070]

837.040 Application for registration of aircraft. Except as exempted by ORS 837.005 and except for aircraft subject to assessment and taxation under ORS 308.558, every resident owner of any civil aircraft, physically capable of operation or flight as determined by the administrator, when such aircraft is located in this state or before it is operated or flown over the lands or waters of this state, even though the aircraft has an appropriate effective certificate, permit or license issued by the United States, if such certificate, permit or license is required by the United States, shall cause to be filed in the office of the Aeronautics Division, an application for registration of the aircraft, duly signed by the owner, on a blank or blanks to be supplied by the Aeronautics Division for such purpose, containing:

(1) The name, residence and business address of the owner of the aircraft.

(2) The name of the county in which the owner resides.

(3) A brief description of the aircraft sufficiently explicit for identification thereof. [Formerly 493.080]

837.045 Fee; time of registration; penalty for late registration. (1) As used in subsection (2) of this section, except where the context otherwise requires:

(a) "Small multiengine fixed wing" means any multiengine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than 5,700 pounds.

(b) "Large multiengine fixed wing" means any multiengine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of 5,700 pounds or more.

(2) The annual registration fee to be paid by owners under ORS 837.040 shall be paid to the Aeronautics Division for each aircraft for which application for registration is made, and shall be as follows:

Months elapsed since aircraft manufactured Over	But not over	Type of aircraft	Registration fee
0	59	Single engine fixed wing	$ 60
0	59	Helicopter piston engine	60
0	59	Small multiengine fixed wing	75
0	59	Large multiengine fixed wing	100
0	59	Turboprop multiengine fixed wing	120
0	59	Helicopter turbine engine	120
0	59	Turbojet multiengine fixed wing	190
59	119	Single engine fixed wing	55
59	119	Helicopter piston engine	55
59	119	Small multiengine fixed wing	70
59	119	Large multiengine fixed wing	85
59	119	Turboprop multiengine fixed wing	90
59	119	Helicopter turbine engine	90
59	119	Turbojet multiengine fixed wing	150
119	179	Single engine fixed wing	45
119	179	Helicopter piston engine	45
119	179	Small multiengine fixed wing	60
119	179	Large multiengine fixed wing	70
119	179	Turboprop multiengine fixed wing	75
119	179	Helicopter turbine engine	75
119	179	Turbojet multiengine fixed wing	115
179	239	Single engine fixed wing	40
179	239	Helicopter piston engine	40
179	239	Small multiengine fixed wing	55
179	239	Large multiengine fixed wing	60
179	239	Turboprop multiengine fixed wing	70
179	239	Helicopter turbine engine	70
179	239	Turbojet multiengine fixed wing	75
239		Single engine fixed wing	30
239		Helicopter piston engine	30
239		Small multiengine fixed wing	45
239		Large multiengine fixed wing	55
239		Turboprop multiengine fixed wing	65
239		Helicopter turbine engine	65
239		Turbojet multiengine fixed wing	70
All ages		Sailplane	30
All ages		Lighter than air	30

All ages	Multiengine ex-military	150
All ages	Multiengine ex-air carrier	150
All ages	Home built	30
All ages	Gyrocopter	30
All ages	Ultralight	20

(3) Any aircraft subject to registration the previous year is subject to registration on January 1 of the current year unless otherwise exempt. Failure to register the aircraft prior to March 1 requires the payment of both the registration fee and a penalty in an amount equal to the registration fee before registration is complete.

(4) An aircraft which becomes subject to registration under ORS 837.040 after January 1 of the current year shall be registered within 60 days of such date; provided, that aircraft engaging in commercial operations must be registered as provided in ORS 837.040 prior to any repeated flight in such commercial operations. Failure to register said aircraft within 60 days requires the payment of both the registration fee and a penalty equal to the registration fee before registration is complete.

(5) If an aircraft becomes subject to registration after January 1 during any calendar year, the registration fee required by this section shall be reduced 25 percent for each calendar quarter that has elapsed before the aircraft became subject to registration and shall be rounded up to the nearest full dollar amount. The date for determining the amount of the registration fee shall be the date the aircraft became subject to registration, and not the date the aircraft was actually registered.

(6) Any registration fees and penalties due in the previous year but not paid shall remain due and payable in the subsequent year, and may be collected by the division prior to registration of such aircraft in the current year. [Formerly 493.090]

837.050 Transfer of aircraft registration moneys to State Aeronautic Account. Notwithstanding ORS 293.445, the Aeronautics Division may transfer to the State Aeronautic Account any and all moneys paid for aircraft registration under ORS 837.040 and 837.045 if the registration is not completed due to the failure of the aircraft owner to pay the appropriate registration fee or penalty due. This section applies to all moneys paid, but not yet refunded and to future payments. [Formerly 493.095]

837.055 Action on application; number plate and certificate; duplicate certificates; applications as public records. (1) Upon receipt of an application for registration of any aircraft and payment of the required license fee, the Aeronautics Administrator shall file the application in the office of the administrator, assign to the application and the aircraft to be registered a distinctive number and register the facts stated in the application and the number in an index to be kept for that purpose.

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

(3) The following apply to the use and display of number plates, certificates of registration and other signs denoting registration for aircraft:

(a) The certificate of registration shall be carried in the aircraft at all times and the number plate shall at all times be displayed in a conspicuous position in or on the aircraft so as to be readily visible from the exterior of the aircraft.

(b) The administrator, by rule, may establish the place where the number plate shall be displayed.

(c) No sign to denote registration of aircraft by the State of Oregon, other than those furnished by the Aeronautics Administrator, shall be used.

(4) Duplicate certificates of registration may be obtained, upon proof of loss or destruction of the original, by application therefor to the department and the payment of $5 for each additional certificate. The facts stated in any application for registration shall be a public record and open to inspection by the public during reasonable office hours.

(5) Registration of an aircraft does not require, nor does it constitute evidence of legal ownership of the aircraft. [Formerly 493.100]

837.060 Expiration and renewal of registrations. All registrations under ORS 837.040 shall expire on December 31 of each year and shall be renewed annually in the same manner as an original application for registration and upon the payment of the fee required by ORS 837.045. The renewal shall take effect on January 1 of each year. All renewals shall be made prior to March 1 of each year, otherwise the aircraft shall be subject to the registration fee and penalty under ORS 837.045. [Formerly 493.110]

837.065 Effect of paying aircraft or pilot registration fee with worthless check. Whenever any bank check issued in payment of any aircraft or pilot registration fee is returned to the Aeronautics Administrator as uncollectible, the Aeronautics Administrator

shall charge to the person presenting such check to the administrator an additional fee of $10, plus all protest fees to cover the costs of collection. 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, the Aeronautics Administrator shall suspend the registration in payment of which the check was presented, and may delegate authority to any department employee or police officer to seize and recover the registration certificate and such other evidence of registration as has been issued. [Formerly 493.120]

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

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

(b) Sale, the seller shall notify the administrator of the sale with the name and address of the purchaser, registration number assigned to the aircraft and a brief description of the aircraft as required for an original registration.

(2) Upon the receipt of the application and the payment of a fee of $5, the administrator shall transfer the license and registration number to the purchaser, and shall record the transfer upon the records in the office of the administrator. No sale or transfer of any aircraft registered under ORS 837.040 shall be valid without compliance with the provisions of this section. If an aircraft is not registered at the time of purchase, even though the aircraft may have been purchased within the state, new or used, the purchaser shall register it in accordance with ORS 837.040 and 837.045. [Formerly 493.130]

837.075 Aircraft dealer's license. (1) Any dealer in new or used aircraft, or both, shall apply to the division for a dealer's license. Upon such application, the division shall issue an aircraft dealer's license to the applicant for an annual fee of $100. The dealer's license shall be in lieu of all other licenses or registration required by ORS 837.040 upon the dealer's aircraft within this state, so long as they are kept for resale and are not used in commercial operations within this state.

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

(3) Upon the sale by a dealer of an aircraft which is not registered under ORS 837.040, the dealer shall advise the purchaser of the registration requirements under ORS 837.040 to 837.070 and furnish the purchaser with the proper application forms. [Formerly 493.140]

837.080 Prohibited operation of aircraft. (1) A person commits the offense of prohibited operation of an aircraft if the person operates an aircraft in the air, or on the ground or water:

(a) While the person is under the influence of intoxicating liquor, drugs or controlled substances.

(b) In a careless or reckless manner so as to endanger the life or property of another.

(2) The offense described in this section, prohibited operation of an aircraft, is punishable as provided under ORS 837.990. [Formerly 493.160]

837.085 Dropping articles without permit prohibited; exceptions. (1) Unless a permit is granted by the Aeronautics Administrator or except in an emergency, no person shall throw or drop any missile or other article or substance from any aircraft in flight, except over ground temporarily or permanently devoted to flying, or over open water.

(2) This section does not prohibit, or require a permit for, the use of an airplane for crop dusting or any other agricultural purposes or for seeding any agricultural or horticultural crop or for dusting or spraying in furtherance of insect and pest control. Any such use of an airplane shall be made with due regard for the safety of others. [Formerly 493.170]

837.090 Landings on public highways and grounds prohibited. Except in an emergency, no person shall land aircraft on highways or public parks or other public grounds without permission from the authorities in charge thereof. [Formerly 493.180]

837.095 Flying over military and naval establishments; photographs from airplanes. No person shall fly over a government fort or tract of land set aside for military or naval purpose, nor shall any person make any photograph or map of such fort or land from any aircraft without written permission having been obtained from the person in command of the fort or land. [Formerly 493.190]

837.100 Infraction procedure. (1) The aeronautics infractions that are established

by this chapter and ORS chapters 835 and 836 are infractions that are subject to ORS 8.665, 153.110 to 153.310 and 153.990. Except as otherwise specifically provided in this chapter or ORS chapter 835 or 836 any offense that is designated as aeronautics infraction is subject to citation and enforcement as provided under ORS 8.665, 153.110 to 153.310 and 153.990.

(2) In addition to any other persons permitted to enforce infractions under ORS 8.665, 153.110 to 153.310 and 153.990, the Aeronautics Administrator and any employee of the Aeronautics Division specifically designated by the administrator have jurisdiction of and may enforce infractions established under ORS 837.990 (3) in the manner provided under ORS 8.665, 153.110 to 153.310 and 153.990 for the enforcement of infractions.

(3) All fines and court costs recovered from violations of aeronautics infractions shall be paid to the clerk of the court involved. The clerk, after deductions of court costs provided by law for the proceeding, shall pay the remainder of the money to the State Treasurer to be deposited in the State Aeronautic Account in the General Fund. [Formerly 493.225]

837.105 Notice of insurance coverage for rented or leased aircraft. (1) Any person who, in the ordinary course of business, rents or leases an aircraft to another person shall deliver a written notice to the renter or lessee which states whether or not insurance coverage is provided for the renter or lessee and if so, the nature of the coverage.

(2) The notice shall:

(a) Contain the name of the person giving notice;

(b) State the insurance coverage as to loss of or damage to hull of the aircraft;

(c) State the insurance coverage for liability arising out of the ownership, operation, maintenance or use of the aircraft; and

(d) Be in the form prescribed by rule adopted by the Aeronautics Division. [Formerly 493.230]

837.990 Penalties. (1) Except as otherwise provided in this section, any person commits a Class A aeronautics infraction if the person violates any provision of this chapter and ORS chapters 835 and 836, except those provisions governing official regulatory actions of governmental bodies, or any rule adopted thereunder.

(2) The offense described in ORS 837.080, prohibited aircraft operation, is a Class B misdemeanor.

(3) A person commits the offense of failure to register if the person fails to register an aircraft as required by ORS 837.040. [Formerly 493.991]