

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
10-15-15 3:56 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Oregon Department of Aviation  
Agency and Division

738  
Administrative Rules Chapter Number

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**RULE CAPTION**

Public Agency Registration of Unmanned Aircraft System (UAS)

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

**ADOPT:** 738-080-0015, 738-080-0045

**AMEND:** 738-080-0010, 738-080-0020, 738-080-0030

**REPEAL:** 738-080-0040

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 835.035, 835.112, 837.360

**Other Authority:**

None

**Statutes Implemented:**

ORS 835.035, 835.112, 837.360

**RULE SUMMARY**

ORS 837.360(4), which was enacted during the 2013 legislative session, requires the Department of Aviation (ODA) to register all Public Use Unmanned Aerial Systems (UAS) by January 1, 2016. ODA is permitted by statute to charge a fee sufficient to reimburse the department for the maintenance of the registry.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

11-23-2015 Close of Business	Lauri Kunze	lauri.g.kunze@odot.state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Public Agency Registration of Unmanned Aircraft System (UAS)

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: the Adoption of 738-080-0015, 738-080-0045; the Amendment of OAR 738-080-0010, 738-080-0020, 738-080-0030; and the Repeal of 738-080-0040

**Statutory Authority:**

ORS 835.035, 835.112, 837.360

**Other Authority:**

None

**Statutes Implemented:**

ORS 835.035, 835.112, 837.360

**Need for the Rule(s):**

ORS 837.360(4), which was enacted during the 2013 legislative session, requires the Department of Aviation (ODA) to register all Public Use Unmanned Aerial Systems (UAS) by January 1, 2016. ODA is permitted by statute to charge a fee sufficient to reimburse the department for the maintenance of the registry.

**Documents Relied Upon, and where they are available:**

ORS 837.360

**Fiscal and Economic Impact:**

See statements below.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

During the 2015-2017 Biennium, we estimate that public agencies will register 300 UAS weighing less than 55lbs at a cost of \$25 each, and 30 UAS weighing 55lbs or over at a cost of \$50 each, amounting to a total of \$9,000 total revenue derived from public agency UAS registration.

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

None

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None

**c. Equipment, supplies, labor and increased administration required for compliance:**

None

**How were small businesses involved in the development of this rule?**

Organizations representing small business interests participated in the legislative UAS Stakeholders meetings. These organizations include Oregon Aviation Industries, SOAR Oregon, ATI Ship Consortia, Business Oregon, and Academy of Model Aeronautics.

**Administrative Rule Advisory Committee consulted?: Yes**

**If not, why?:**

Several UAS stakeholder meetings were conducted by members of the legislature and the ODA Director. Stakeholders include members of the Washington County Sheriff's Department, Oregon State University, ODOT, Department of Parks and Recreation, and Department of Agriculture, et al. Work groups were formed from these stakeholders, and recommendations were made directly to the Director. Additional comments may result from the upcoming rulemaking public comment period forecasted to occur starting early November.

11-23-2015 Close of Business	Lauri Kunze	lauri.g.kunze@odot.state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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