

Chapter 837

2013 EDITION

Aircraft Operation

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AVIATION

GENERALLY

837.005 Exemptions of certain aircraft from requirements of registration; rules. 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;

(2) Military aircraft of the United States of America;

(3) 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; or

(4) Classes of aircraft designated as exempt by rules adopted by the State Aviation Board. [Formerly 493.010; 2005 c.22 §520; 2005 c.75 §1]

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 aviation instruction, every pilot operating within this state shall register with the Oregon Department of Aviation 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 department 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 the first registration on the anniversary of the first registration date. After the first renewal, each pilot shall renew registration on the anniversary of the first registration date in the first year of each two-year period in which the pilot is active as a pilot.

(3) Every registered pilot shall notify the department 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; 1991 c.186 §1; 2007 c.768 §57]

837.025 Requirements for pilot registration; fees; certificates. (1) Possession of the appropriate effective federal certificate, permit, rating or license relating to competency of the pilot and payment of a fee of \$12 for initial registration and \$24 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 Oregon Department of Aviation is sufficient to effect a registration. No originals or copies of federal certificates, permits, ratings or licenses shall be required of the applicant. Duplicate certificates of pilot registration may be obtained upon proof of loss or destruction of the original by application to the department and the payment of \$5 for each additional certificate.

(2) The department may issue certificates of registration and may prescribe requirements for possession and exhibition of such certificates.

(3) Information submitted in any application for registration is a public record and is open to public inspection during normal office hours. [Formerly 493.050; 1991 c.206 §1; 1997 c.585 §3; 2009 c.694 §1]

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

(1) Such amount as may be necessary shall be used for the payment of all expenses incurred by the Office of Emergency Management in conducting activities authorized

under ORS 404.105 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 for the payment of expenses of the Oregon Department of Aviation relating to the registration of pilot licenses. The Oregon Department of Administrative Services, after approval of claims for the expenses referred to in this subsection, shall draw warrants on the State Treasurer for the payment thereof, payable out of the Aviation Search and Rescue Account.

(2) The Office of Emergency Management may use moneys from the Aviation Search and Rescue Account to provide insurance to compensate any member of a volunteer air search and rescue organization for injuries or loss of life sustained in the scope of performing air search and rescue operations while under the direction of the office. 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 Office of Emergency Management.

(b) Regardless of negligence, is the exclusive remedy of a member of the Office of Emergency Management air search and rescue organization against the State of Oregon, the office or any other person acting under the authority or direction of the office for those injuries or losses resulting from the air search and rescue activities. [Formerly 493.070; 1993 c.741 §94; 1997 c.263 §3; 1999 c.935 §38; 2007 c.740 §41]

837.040 Persons required to register aircraft; application; timing; late fees; rules. (1) Except as provided in subsection (2) of this section, the following are required to register civil aircraft with the Oregon Department of Aviation:

(a) The owner of a civil aircraft that is capable of flight and that is based in this state.

(b) The owner of a civil aircraft that is used for commercial operations in this state.

(2) An owner need not register a civil aircraft that is:

(a) Exempted by the provisions of ORS 837.005; or

(b) Subject to assessment and taxation under ORS 308.558.

(3) An owner who is otherwise required to comply with subsection (1) of this section is not exempt from compliance because the

aircraft has an appropriate, effective permit or license issued by the United States.

(4) An owner applying for registration of an aircraft under this section shall file an application form supplied by the department. The State Aviation Board may adopt rules specifying the information that may be required on the application form.

(5)(a) The owner of a civil aircraft that is based in Oregon shall register the aircraft within 60 days of the date the aircraft becomes subject to registration. The owner of a civil aircraft that is not based in Oregon but that is used in Oregon for commercial operations shall register the aircraft prior to the first time the aircraft is used in Oregon for commercial operations.

(b) The department may impose a late fee on a person who fails to register an aircraft within the time required by this subsection. The board may determine by rule the amount of late fees that may be imposed under this paragraph. The board may adopt a graduated schedule of late fees, but the maximum amount of a late fee may not be more than the amount of the registration fee.

(6) An application for registration must be accompanied by the registration fee specified in ORS 837.045 and, if a late fee is imposed under subsection (5) of this section, by the late fee.

(7) Registration under this section is not complete until the owner receives a notice of registration from the department. [Formerly 493.080; 1993 c.741 §95; 2005 c.75 §2]

837.045 Fee schedule. (1) The registration fee to be paid under ORS 837.040, and the fee to be paid upon renewal of registration under ORS 837.060, is as follows:

AIRCRAFT CLASSIFICATION AND FEE SCHEDULE	
Single engine fixed wing, piston	\$ 55
Single engine fixed wing, turboprop	200
Multiengine fixed wing, piston	90
Multiengine fixed wing, turboprop	200
Turbojet fixed wing	350
Helicopter piston engine	55
Helicopter turbine engine	110
Lighter than air, home built, sailplane, experimental or gyrocopter	40
Ultralight aircraft	30
Ex-military multiengine or turbojet/ex-air carrier	200

(2) Any registration fees and penalties due in a previous year but not paid remain due and payable and may be collected by the Oregon Department of Aviation prior to renewal of registration of the aircraft in the

current year. [Formerly 493.090; 1991 c.186 §2; 1997 c.585 §8; 2005 c.75 §3; 2009 c.693 §1]

837.050 Transfer of aircraft registration moneys to State Aviation Account. Notwithstanding ORS 293.445, the Oregon Department of Aviation may transfer to the State Aviation 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 Assignment of number; delivery of certificate of registration; 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 Director of the Oregon Department of Aviation shall 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 certificate of registration, bearing the same number assigned to the application, and in a form and design to be determined by the Oregon Department of Aviation, 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 certificates of registration and other signs denoting registration for aircraft:

(a) The certificate of registration shall be carried in the aircraft at all times.

(b) No sign to denote registration of aircraft by the State of Oregon, other than those furnished by the director, 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 \$15 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; 1993 c.161 §1; 1993 c.741 §96; 1997 c.585 §4]

837.060 Expiration and renewal of registrations; late fees. (1) All registrations under ORS 837.040 expire annually on the anniversary of the date the aircraft is originally registered with the Oregon Department of Aviation.

(2) The owner of an aircraft subject to renewal of registration shall renew the registration on or before the date of expiration by filing a form provided by the department and paying the fee for renewal of registration established in ORS 837.045. The department may impose a late fee on a person who fails to renew registration within the time required in the same manner and in the same amounts as late fees imposed under ORS 837.040. [Formerly 493.110; 1991 c.186 §3; 1997 c.585 §9; 2005 c.75 §4]

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 Director of the Oregon Department of Aviation as uncollectible, the director 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. 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 director shall suspend the registration in payment of which the check was presented, and may delegate authority to any Oregon Department of Aviation employee or police officer to seize and recover the registration certificate and such other evidence of registration as has been issued. [Formerly 493.120; 1997 c.585 §5]

837.070 Notice of sale of aircraft; transfer of registration; fee. (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 Oregon Department of Aviation 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 Director of the Oregon Department of Aviation 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 \$15, the director shall transfer the license and registration number to the purchaser, and shall record the transfer. 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; 1993 c.741 §97; 1997 c.585 §6]

837.075 Aircraft dealer's license; fee.

(1) Any dealer in new or used aircraft, or both, shall apply to the Oregon Department of Aviation for a dealer's license. Upon such application, the department shall issue an aircraft dealer's license to the applicant for an annual fee of \$250. 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; 1997 c.585 §7]

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 Director of the Oregon Department of Aviation 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 Issuance of citations for violations. In addition to any other persons permitted to enforce violations, the Director of the Oregon Department of Aviation and any employee specifically designated by the director may issue citations for violations established under ORS 837.990 in the manner provided by ORS chapter 153. [Formerly 493.225; 1991 c.460 §11; 1999 c.1051 §114; 2011 c.597 §148]

837.105 [Formerly 493.230; repealed by 1999 c.440 §1]

DRONES

(Definitions)

837.300 Definitions. As used in ORS 837.300 to 837.390 and 837.995 and section 11, chapter 686, Oregon Laws 2013:

(1) "Drone" means an unmanned flying machine. "Drone" does not include a model aircraft as defined in section 336 of the FAA Modernization and Reform Act of 2012 (P.L. 112-95) as in effect on July 29, 2013.

(2) "Law enforcement agency" means an agency that employs police officers, as defined in ORS 133.525, or that prosecutes offenses.

(3) "Public body" has the meaning given that term in ORS 174.109.

(4) "Warrant" means a warrant issued under ORS 133.525 to 133.703. [2013 c.686 §1]

Note: 837.300 to 837.390 and 837.995 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 837 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

(Use of Drones by Law Enforcement Agencies)

837.310 Restrictions; exceptions. (1) Except as otherwise provided in ORS 837.310 to 837.345, a law enforcement agency may not operate a drone, acquire information through the operation of a drone or disclose information acquired through the operation of a drone.

(2) Any image or other information that is acquired through the use of a drone by a law enforcement agency in violation of ORS 837.310 to 837.345, and any evidence derived from that image or information:

(a) Is not admissible in, and may not be disclosed in, a judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding; and

(b) May not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed. [2013 c.686 §2]

Note: See note under 837.300.

837.320 Authorized use upon issuance of warrant; exigent circumstances. (1) A law enforcement agency may operate a drone, acquire information through the operation of a drone, or disclose information acquired through the operation of a drone, if:

(a) A warrant is issued authorizing use of a drone; or

(b) The law enforcement agency has probable cause to believe that a person has committed a crime, is committing a crime or is about to commit a crime, and exigent circumstances exist that make it unreasonable for the law enforcement agency to obtain a warrant authorizing use of a drone.

(2) A warrant authorizing the use of a drone must specify the period for which operation of the drone is authorized. In no event may a warrant provide for the operation of a drone for a period of more than 30 days. Upon motion and good cause shown, a court may renew a warrant after the expiration of the 30-day period. [2013 c.686 §3]

Note: See note under 837.300.

837.330 Written consent. A law enforcement agency may operate a drone for the purpose of acquiring information about an individual, or about the individual's property, if the individual has given written consent to the use of a drone for those purposes. [2013 c.686 §4]

Note: See note under 837.300.

837.335 Search and rescue; use in emergencies. (1) A law enforcement agency may operate a drone, acquire information through the operation of a drone, or disclose information acquired through the operation of a drone, for the purpose of search and rescue activities, as defined in ORS 404.200.

(2) A law enforcement agency may operate a drone, acquire information through the operation of a drone, or disclose information acquired through the operation of a drone, for the purpose of assisting an individual in an emergency if:

(a) The law enforcement agency reasonably believes that there is an imminent

threat to the life or safety of the individual, and documents the factual basis for that belief; and

(b) Not more than 48 hours after the emergency operation begins, an official of the law enforcement agency files a sworn statement with the circuit court that describes the nature of the emergency and the need for use of a drone.

(3) A law enforcement agency may operate a drone, acquire information through the operation of a drone, or disclose information acquired through the operation of a drone, during a state of emergency that is declared by the Governor under ORS chapter 401 if:

(a) The drone is used only for the purposes of preserving public safety, protecting property or conducting surveillance for the assessment and evaluation of environmental or weather related damage, erosion or contamination; and

(b) The drone is operated only in the geographical area specified in a proclamation pursuant to ORS 401.165 (5). [2013 c.686 §5]

Note: See note under 837.300.

837.340 Criminal investigations. (1) A law enforcement agency may operate a drone, acquire information through the operation of a drone, or disclose information acquired through the operation of a drone, for the purpose of reconstruction of a specific crime scene, or similar physical assessment, related to a specific criminal investigation.

(2) The period that a law enforcement agency may operate a drone under this section may not exceed five days for the purpose of reconstruction of a specific crime scene, or similar physical assessment, related to a specific criminal investigation. [2013 c.686 §6]

Note: See note under 837.300.

837.345 Training. (1) A law enforcement agency may operate a drone for the purpose of training in:

(a) The use of drones; and

(b) The acquisition of information through the operation of a drone.

(2) Any image or other information that is acquired through the use of a drone by a law enforcement agency under this section, and any evidence derived from that image or information:

(a) Is not admissible in, and may not be disclosed in, a judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding; and

(b) May not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed. [2013 c.686 §7]

Note: See note under 837.300.

(Public Bodies)

837.360 Restrictions; civil penalties; registration; fees; rules. (1) A public body may not operate a drone in the airspace over this state without registering the drone with the Oregon Department of Aviation.

(2) The Oregon Department of Aviation may impose a civil penalty of up to \$10,000 against a public body that violates subsection (1) of this section.

(3) Evidence obtained by a public body through the use of a drone in violation of subsection (1) of this section is not admissible in any judicial or administrative proceeding and may not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

(4) The Oregon Department of Aviation shall establish a registry of drones operated by public bodies and may charge a fee sufficient to reimburse the department for the maintenance of the registry.

(5) The Oregon Department of Aviation shall require the following information for registration of a drone:

(a) The name of the public body that owns or operates the drone.

(b) The name and contact information of the individuals who operate the drone.

(c) Identifying information for the drone as required by the department by rule.

(6) A public body that registers one or more drones under this section shall provide an annual report to the Oregon Department of Aviation that summarizes:

(a) The frequency of use of the drones by the public body during the preceding calendar year; and

(b) The purposes for which the drones have been used by the public body during the preceding calendar year.

(7) The State Aviation Board may adopt all rules necessary for the registration of drones in Oregon that are consistent with federal laws and regulations. [2013 c.686 §8]

Note: 837.360 becomes operative January 2, 2016. See section 9, chapter 686, Oregon Laws 2013.

Note: Section 9, chapter 686, Oregon Laws 2013, provides:

Sec. 9. (1) Except as provided in subsection (2) of this section, section 8 of this 2013 Act [837.360] becomes operative January 2, 2016.

(2) The Oregon Department of Aviation and the State Aviation Board may take any action before January 2, 2016, including the adoption of rules, that is necessary to allow implementation of section 8 of this 2013 Act on January 2, 2016. [2013 c.686 §9]

Note: See note under 837.300.

837.365 Weaponized drones. A public body may not operate a drone that is capable of firing a bullet or other projectile, directing a laser or otherwise being used as a weapon. [2013 c.686 §10]

Note: See note under 837.300.

Note: Sections 11 and 12, chapter 686, Oregon Laws 2013, provide:

Sec. 11. Any image or other information that is acquired by a public body through the use of a drone that has not been approved by the Federal Aviation Administration, and any evidence derived from that image or information:

(1) Is not admissible in, and may not be disclosed in, a judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding; and

(2) May not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed. [2013 c.686 §11]

Sec. 12. Section 11 of this 2013 Act is repealed January 2, 2016. [2013 c.686 §12]

(Civil Remedies)

837.375 Interference with a drone; unauthorized control. In addition to any other remedies allowed by law, a person who intentionally interferes with, or gains unauthorized control over, a drone licensed by the Federal Aviation Administration, or operated by the Armed Forces of the United States as defined in ORS 351.642, an agency of the United States or a federal, state or local law enforcement agency, is liable to the owner of the drone in an amount of not less than \$5,000. The court shall award reasonable attorney fees to a prevailing plaintiff in an action under this section. [2013 c.686 §14]

Note: See note under 837.300.

837.380 Owners of real property; Attorney General. (1) Except as provided in subsection (2) of this section, a person who owns or lawfully occupies real property in this state may bring an action against any person or public body that operates a drone that is flown at a height of less than 400 feet over the property if:

(a) The operator of the drone has flown the drone over the property at a height of less than 400 feet on at least one previous occasion; and

(b) The person notified the owner or operator of the drone that the person did not want the drone flown over the property at a height of less than 400 feet.

(2) A person may not bring an action under this section if:

(a) The drone is lawfully in the flight path for landing at an airport, airfield or runway; and

(b) The drone is in the process of taking off or landing.

(3) A prevailing plaintiff may recover treble damages for any injury to the person or the property by reason of a trespass by a drone as described in this section, and may be awarded injunctive relief in the action.

(4) A prevailing plaintiff may recover attorney fees under ORS 20.080 if the amount pleaded in an action under this section is \$10,000 or less.

(5) The Attorney General, on behalf of the State of Oregon, may bring an action or claim for relief alleging nuisance or trespass arising from the operation of a drone in the airspace over this state. A court shall award reasonable attorney fees to the Attorney General if the Attorney General prevails in an action under this section. [2013 c.686 §15]

Note: See note under 837.300.

(Preemption)

837.385 Preemption of local laws regulating drones. Except as expressly authorized by state statute, the authority to regulate the ownership or operation of drones is vested solely in the Legislative Assembly. Except as expressly authorized by state statute, a local government, as defined ORS 174.116, may not enact an ordinance or resolution that regulates the ownership or operation of drones or otherwise engage in the regulation of the ownership or operation of drones. [2013 c.686 §17]

Note: See note under 837.300.

(Armed Forces of the United States)

837.390 Applicability. ORS 837.300 to 837.390 and 837.995 and section 11, chapter 686, Oregon Laws 2013, do not apply to the Armed Forces of the United States as defined in ORS 351.642. [2013 c.686 §16]

Note: See note under 837.300.

Note: Section 18, chapter 686, Oregon Laws 2013, provides:

Sec. 18. On or before November 1, 2014, the Oregon Department of Aviation shall report to a joint interim committee of the Legislative Assembly related to the judiciary, or other appropriate interim committees, on:

(1) The status of federal regulations relating to unmanned aerial vehicles; and

(2) Whether unmanned aerial vehicles operated by private parties should be registered in Oregon in a

manner similar to that required for other aircraft. [2013 c.686 §18]

PENALTIES

837.990 Penalties. (1) Except as otherwise provided in this section and subject to ORS 153.022, a person commits a Class A violation if the person violates any provision of this chapter or any rule adopted, or order issued, under this chapter.

(2) The offense described in ORS 837.080, prohibited operation of an aircraft, is a Class B misdemeanor. [Formerly 493.991; 1999 c.1051 §115; 2005 c.75 §5; 2007 c.71 §248]

837.995 Crimes involving drones; penalties. (1) A person commits a Class A felony if the person possesses or controls a drone and intentionally causes, or attempts to cause, the drone to:

(a) Fire a bullet or other projectile at an aircraft while the aircraft is in the air;

(b) Direct a laser at an aircraft while the aircraft is in the air; or

(c) Crash into an aircraft while the aircraft is in the air.

(2) A person who intentionally interferes with, or gains unauthorized control over, a drone licensed by the Federal Aviation Administration, or operated by the Armed Forces of the United States as defined in ORS 351.642, an agency of the United States or a federal, state or local law enforcement agency, commits a Class C felony. [2013 c.686 §13]

Note: See note under 837.300.

837.998 Civil penalties. (1) Except as provided in subsection (2) of this section, in addition to any other penalty provided by law, the Director of the Oregon Department of Aviation may impose a civil penalty not to exceed \$720 for each violation of any provision of this chapter or any rule adopted, or order issued, under this chapter.

(2) The director may impose a civil penalty not to exceed \$2,500 for violation of ORS 837.080 or any rule adopted, or order issued, under this chapter to enforce ORS 837.080.

(3) The director shall impose civil penalties under this section in the manner provided in ORS 183.745. [2013 c.403 §2]

