

## HOUSE AMENDMENTS TO HOUSE BILL 2038

By COMMITTEE ON RURAL COMMUNITIES, LAND USE, AND WATER

April 7

- 1 In line 2 of the printed bill, delete “; amending ORS 105.672”.  
2 Delete lines 4 through 25 and insert:  
3 **“SECTION 1. (1) As used in this section:**  
4 **“(a) ‘Airstrip’ means land that contains a runway or heliport operated and maintained**  
5 **for the takeoff and landing of motorized aircraft and that is registered with the Oregon De-**  
6 **partment of Aviation or the Federal Aviation Administration at the time of the flight at is-**  
7 **sue.**  
8 **“(b) ‘Aviation activity’ includes but is not limited to hang gliding, parachuting,**  
9 **paragliding and operating airplanes or ultralight aircraft.**  
10 **“(c) ‘Charge’ has the meaning given that term in ORS 105.672.**  
11 **“(d) ‘Land’ has the meaning given that term in ORS 105.672.**  
12 **“(e) ‘Nonpublic airstrip’ means an airstrip that is registered as a private use airport with**  
13 **the Oregon Department of Aviation or the Federal Aviation Administration at the time of**  
14 **the flight at issue.**  
15 **“(f) ‘Owner’ has the meaning given that term in ORS 105.672.**  
16 **“(g) ‘Public airstrip’ means an airstrip that is not a nonpublic airstrip.**  
17 **“(2) An owner of land is not liable for any personal injury, death or property damage**  
18 **arising from the use of land for purposes of aviation activity, unless the owner intentionally**  
19 **causes the injury, death or property damage.**  
20 **“(3) Subsection (2) of this section does not apply to any of the following:**  
21 **“(a) An owner of a public airstrip.**  
22 **“(b) An owner of a nonpublic airstrip if:**  
23 **“(A) The owner is contacted by the operator of a motorized aircraft prior to the begin-**  
24 **ning of the aircraft’s flight;**  
25 **“(B) The owner provides permission to the operator to use the owner’s land for activities**  
26 **related to the aircraft’s flight; and**  
27 **“(C) Gross negligence of the owner causes injury, death or property damage related to**  
28 **the aircraft’s flight.**  
29 **“(c) An owner of land who imposes a charge for the use of the land for aviation purposes.**  
30 **“SECTION 2. Section 1 of this 2015 Act applies to personal injuries, death and property**  
31 **damage that occur on or after the effective date of this 2015 Act.”.**  
32
-