

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

FILED 3-15-17 9:36 AM ARCHIVES DIVISION SECRETARY OF STATE

<u>Oregon Department of Aviation</u> Agency and Division	<u>738</u> Administrative Rules Chapter Number
<u>Lauri Kunze</u> Rules Coordinator	<u>(503) 986-3171</u> Telephone
<u>Oregon Department of Aviation, 3040 25th St. SE, Salem, OR 97302-1125</u> Address	

RULE CAPTION

Temporary Exemption from Registration of Manned Aircraft
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
4-20-17	1:30 p.m.	Evergreen Aviation, 500 NE Capt. MK Smith Way, McMinnville OR	Staff

RULEMAKING ACTION

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

- ADOPT:**
- AMEND:**
738-080-0030
- REPEAL:**
- 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, 837.005

Other Authority:
None

Statutes Implemented:
ORS 835.035, 835.112

RULE SUMMARY

As currently written a letter requesting Temporary Exemption from Registration of Manned Aircraft is due on March 1 for each calendar year an exemption is claimed. State aircraft registration is due one year from the original date of registration and is renewed each year on that anniversary date. This rule change seeks to align the due date for requesting a Temporary Exemption from Registration of Manned Aircraft with the original registration date of the aircraft and not with the calendar year. The purpose of this rule change is to reduce duplication of efforts and staff costs associated with reconciling two separate systems.

Criteria for a Temporary Exemption from Registration of Manned Aircraft is based on the aircraft not being physically capable of operation and flight and that the aircraft is not capable of forward motion on the ground or in flight. Preventive maintenance does not qualify for Temporary Exemption and is described in Federal Aviation Regulations, PART 43, Appendix A (c) for guidance on "preventive maintenance."

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.

<u>04-21-2017 Close of Business</u> Last Day (m/d/yyyy) and Time for public comment	<u>Lauri Kunze</u> Rules Coordinator Name	<u>lauri.g.kunze@odot.state.or.us</u> Email Address
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*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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Oregon Department of Aviation
Agency and Division

738
Administrative Rules Chapter Number

Temporary Exemption from Registration of Manned Aircraft

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

In the Matter of:

the Amendment of 738-080-0030

Statutory Authority:

ORS 835.035, 835.112, 837.005

Other Authority:

None

Statutes Implemented:

ORS 835.035, 835.112

Need for the Rule(s):

As currently written a letter requesting Temporary Exemption from Registration of Manned Aircraft is due on March 1 for each calendar year an exemption is claimed. State aircraft registration is due one year from the original date of registration and is renewed each year on that anniversary date. This rule change seeks to align the due date for requesting a Temporary Exemption from Registration of Manned Aircraft with the original registration date of the aircraft and not with the calendar year. The purpose of this rule change is to reduce duplication of efforts and staff costs associated with reconciling two separate systems.

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Documents Relied Upon, and where they are available:

None

Fiscal and Economic Impact:

No significant changes from current levels of the Department's operations or expenditures are expected as a result of this change to the Temporary Exemption from Registration of Manned Aircraft rule.

Statement of Cost of Compliance:

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

This rule has no impact on other units of government. The Temporary Exemption from Registration of Manned Aircraft rule change will affect only the Oregon Department of Aviation records management unit.

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?

Small businesses were not involved in the development of this rule; however, the rulemaking process includes a period for public comment during which interested parties, which may include small businesses, may submit their views.

No

If not, why?:

The Department did not appoint an advisory committee for purposes of the Temporary Exemption from Registration of Manned Aircraft rule change. However, the Department will hold a public hearing for the proposed rulemaking and will require action from the State Aviation Board on the proposed rules.

04-21-2017 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