

Civil Penalties and Rules Governing Safe and Orderly Use of Airports

Need and Justification

- Rules are needed to ensure a safe and controlled aircraft operations area at the Aurora State Airport (UAO), by providing the Department of Aviation (Department) the means to enforce rules against Vehicle/Pedestrian Deviations (V/PD).
- ORS 836 grants authority for the controlling officials, subject to Aviation Board approval, to make rules promoting the safe and orderly use of their airports, and issue civil penalties for violations of such rules.

Proposed Adoptions to OAR Chapter 738-140

- A civil penalty may be imposed for Vehicle/Pedestrian Deviations committed at an airport operated by the Department that has an air traffic control tower.
- For each occurrence of a V/PD, the Department may impose a civil penalty of \$2,500 on the person or non-pilot who committed the V/PD.

V/PD Temporary Rulemaking

OAR 738-140 0010,20,30

Summary of Proposed Revisions to OAR Chapter 738

738-140-0010

Definitions

(11) “Vehicle/Pedestrian Deviation” (“V/PD”) means any entry or movement on the Movement Area by a vehicle (including aircraft operated by non- pilots) or pedestrian that has not been authorized by air traffic control.

(12) “Movement Area” means the runways, taxiways, and other areas of an airport that aircraft use for taxiing, takeoff, and landing, exclusive of loading ramps and parking areas, and that are under the control of an air traffic control tower.

738-140-0020

Violations for Which a Civil Penalty May be Imposed

(9) A Vehicle/Pedestrian Deviation committed at an airport operated by the Department that has an air traffic control tower.

738-140-0030

Formula to Determine Amount of Civil Penalties for Violations of Chapter 837

(1) For each occurrence of a V/PD in violation of OAR 738-140-0020 (9), the Department may impose a civil penalty of \$2,500 on the person or non-pilot who committed the V/PD.

(2) For all other violations of this Chapter, the civil penalty shall be determined according to the formula set forth in Formula to Determine Amount of civil Penalty for Violations of Chapter 837.



Approval of Temporary Rulemaking OAR 738-140 0010,20,30

Approve Temporary Rulemaking

ODAV requests approval from the Aviation Board to file the proposed Temporary Rules for V/PDs and Civil Penalties at state-owned airports with an air traffic control tower.



Request to Initiate Rulemaking OAR 738-140

Authorize Initiation of Permanent Rulemaking Process

ODAV requests authorization from the Aviation Board to initiate the permanent rulemaking process for V/PDs and Civil Penalties at state-owned airports with an air traffic control tower.