

From: [ABRAHAMSON Andria](#)
To: [MORRIS Alexis](#)
Subject: FW: Comments on proposed rule changes 738-050-0005
Date: Monday, July 27, 2026 10:31:15 AM

From: Erik Andersen <erik.b.andersen@gmail.com>
Date: Tuesday, July 21, 2026 at 08:14
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Comments on proposed rule changes 738-050-0005

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On the changes to 738-050-0005:

I believe that making the person actually driving a vehicle in the areas controlled by ATC without ATC permission be at risk of a fine is fair.

However, I am against trying to make others 'on the hook' for it, and would say take that part out of the rule. Specifically (but not limited to):

738-050-0005 3(b) should be removed. While I fully think it should be removed, if you won't do that, at least remove the "allows" and only include direct causation ('causes'). 738-050-0005 6 (should not be targeting 3rd parties, so no need to have a section that specifies "each").

Further, there is a risk of selective enforcement based on "cooperation". That should not be written into laws, as it cuts against the due process rights. Thus, 738-050-0005 7 (d) should be struck, and any penalties should just simply be reduced to whatever 'discounted penalty' you would have given for "cooperation". This is to protect citizens who simply use their constitutional rights (such as against self-incrimination) from being abused by law enforcement who may be on a power trip or in a bad mood that day.

Thank you for your time,
Erik Andersen