

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

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SECRETARY OF STATE

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the
Department of Agriculture 603

Agency and Division Administrative Rules Chapter Number
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Rules Coordinator Telephone
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Address

To become effective 06/28/2016 Rulemaking Notice was published in the Oregon Bulletin.

RULE CAPTION

Rule requires aerial application licensing certification for persons that want to aerially apply pesticides.

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

RULEMAKING ACTION

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

- ADOPT:**
603-057-0108
- AMEND:**
- REPEAL:**
- RENUMBER:**
- AMEND AND RENUMBER:**

Statutory Authority:
ORS 634.106; 634.112; 634.116; 634.122 & 634.126

Other Authority:
634

Statutes Implemented:
ORS 634.128

RULE SUMMARY

These rules are a result of House Bill 3549, which passed through the Oregon Legislature last year, was signed by the Governor, and subsequently codified in Oregon Revised Statutes at ORS 634.128. The rules state that individuals may not spray or otherwise apply a pesticide by aircraft unless the individual holds a valid aerial pesticide applicator certificate issued by the Oregon Department of Agriculture. A certificate is a license, and certain conditions must be met to qualify for the certificate. An applicant must have at least 50 hours of experience on flights conducted for the purpose of carrying out, or training to carry out, spraying or otherwise applying pesticides by aircraft.

The proposed rules also have conditions that will not be in effect until January 1, 2017. These conditions will require all aerial pesticide applicators to take and pass an examination approved by ODA. The test will evaluate the knowledge of the individual regarding proper application of pesticides, which will include spraying. Furthermore, as House Bill 3549 states, aerial applicator certificate holders must complete a minimum of 10 credit hours of ODA approved instruction or educational courses related to the spraying and application of pesticides by aircraft during each five year certification period.

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