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.