

DRAFT OPRD UAS Take-off and landing rules

Text in red would be an addition to the current rule. Black text is currently in rule.

Proposed Park Area Rules

736-010-0015 Definitions

(40) “Unmanned Aircraft System” means device defined under ORS 837.300(4).

(41) “UAS Operation Area” means a specific site or zone within a park property that the department has designated, shown on an official map published on the department’s website, where an unmanned aircraft system may be operated from, subject to any conditions the department establishes.

(42) “UAS Pass” means a department authorization that allows one unmanned aircraft system to operate within a designated UAS Launch Area on a specific date stated on the pass.

(26) “Overnight Facilities” means everything within the campground including showers, campsites, cabins, yurts, parking areas associated with camping and other facilities for use by overnight visitors.

OAR 736-010-0040 Visitor Conduct

(13) A person may only operate an unmanned aircraft system from park property wholly within a UAS Operation Area designated under subsection (b). The person must comply with all conditions set by the department, including any UAS Pass requirements under subsection (e).

(a) A person must operate an unmanned aircraft system in compliance with applicable federal aviation laws and regulations and in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, and the safety of all park users and wildlife. Harassment of wildlife is prohibited under OAR 736-010-0055.

(b) The director or their designee may designate, modify, suspend, or rescind a UAS Operation Area at any time based on visitor safety, resource protection, user conflict, operational constraints, or other management objectives.

(c) UAS Operation Area designations may cover an entire park property or any sub-area and may be year-round or limited by season, time of day, or other conditions.

(d) The department will publish a map of each UAS Operation Area and its conditions for use on its website at least 30 days before the designation becomes effective, except when immediate action is required in an emergency. UAS operation areas may also be identified through signage or other public communication methods.

(A) Designations may be added, modified, suspended, or rescinded on a temporary or long-term basis based on visitor safety, resource protection, seasonal conditions, or operational needs.

(B) The department will document the basis for designation or modification.

(e) The department may require a UAS Pass as a condition of using a UAS Operation Area based on seasonal resource sensitivity, high visitation, user conflict, or operational capacity. The department may limit the number of UAS passes issued per day or impose other use limits as needed. Failure to obtain or comply with a required UAS Pass may result in enforcement action up to and including a Class A violation.

(f) The following areas remain closed to UAS operations and may not be designated as UAS Operation Areas:

(A) Overnight facilities as defined in OAR 736-010-0015(14); and

(B) Any area explicitly closed to unmanned aircraft systems by statute or other rule.

(g) Public safety agencies and other governmental entities acting within official duties may operate unmanned aircraft systems during emergencies without prior approval.

(h) Operation of an unmanned aircraft system in Violation of this section may result in enforcement action up to and including a Class A violation.

(14) A person must obtain a permit from the department for any activity or-use within a park property that:

(a) Is an organized group activity or event attended by over 50 people, outside of a traditional park use as defined in OAR 736-016-0012(14);

(b) Uses a portion of a park property to the exclusion of other persons or the department;

(c) Modifies or embellishes the park property, or places structures, such as tents, chairs, arches, and similar structures on the park property in a manner outside of normal recreational use, as determined by the park manager or enforcement officer;

(d) Uses public-address, amplification or lighting systems,

(e) Charges money for participation or admission;

(f) Involves the sale of products or services;

(g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas;

(h) Could pose a safety or access concern for other park users or for those involved in the event or activity; or

(i) Involves the operation of an unmanned aircraft system outside a designated UAS Operation Area as provided in section (13).

(j) Involves the operation of an unmanned aircraft system for commercial or research purposes on any portion of park property.

Proposed Ocean Shore Rules

736-021-0030 Definitions

(29) “Unmanned Aircraft System” means device defined under ORS 837.300(4).

OAR 736-021-0100 Visitor Conduct

(5) A person may only operate an unmanned aircraft system from the ocean shore within a UAS Operation Area designated under subsection (b). The person must meet any UAS Pass requirement under subsection (f).

(a) A person must operate an unmanned aircraft system in compliance with applicable federal aviation laws and regulations and in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, and the safety of all park users and wildlife. Harassment of wildlife is prohibited under OAR 736 010 0055.

(b) The director or designee may designate, modify, suspend, or rescind a UAS Operation Area at any time based on visitor safety, resource protection, user conflict, operational constraints, or other management objectives.

(c) UAS Operation Area designations may cover an entire ocean shore area or any section and may be year-round or limited by season, time of day, or other conditions. Designations may be added, modified, suspended, or rescinded on a temporary or long-term basis based on visitor safety, resource protection, seasonal conditions, or operational needs.

(d) The department will publish a map of each UAS Operation Area and its conditions on its website at least 30 days before the designation becomes effective, except when immediate action is required in an emergency. UAS operation areas may also be identified through signage or other public communication methods.

(A) Designations may be added, modified, suspended, or rescinded on a temporary or long-term basis based on visitor safety, resource protection, seasonal conditions, or operational needs.

(B) The department will document the basis for designation or modification.

(e) Restrictions for Western Snowy Plover Management areas described in OAR 736-021-0090(15) apply to the operation of an unmanned aircraft system.

(f) The department may require a UAS Pass as a condition of using a UAS Operation Area based on seasonal resource sensitivity, high visitation, user conflict, or operational capacity. The department may limit the number of UAS passes issued per day or impose other use limits as needed. Failure to obtain or comply with a required UAS Pass may result in enforcement action up to and including a Class A violation.

(g) Public safety agencies and other governmental entities acting within official duties may operate unmanned aircraft systems during emergencies without prior approval.

(h) Operating an unmanned aircraft system in violation of this section may result in enforcement action up to and including a Class A violation.

736-021-0130 Commercial Activities and Non-traditional Activities

(2) A person must obtain a permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within the ocean shore state recreation area that:

- (a) Is an organized group activity or event attended by over 50 persons;
- (b) Uses a portion of the ocean shore state recreation area to the exclusion of other persons or the department;
- (c) Modifies or embellishes the natural ocean shore state recreation area, or places structures, such as tents, chairs, arches, etc. on the ocean shore state recreation area in a manner outside of normal recreational use, as determined by the department;
- (d) Uses public-address, amplification or lighting systems, other than those designed for personal use;
- (e) Charges money for participation or admission, or they sell products or services;
- (f) Could disturb the natural, cultural, scenic and recreational resources in the ocean shore state recreation area or adjacent areas;
- (g) Could pose a safety or access concern for other ocean shore state recreation area users or for those involved in the event or activity; or
- (h) Involves the operation of an unmanned aircraft system outside a designated UAS Operation Area as provided in OAR 736-021-0100(5).
- (i) Involves the operation of an unmanned aircraft system for commercial or research purposes on any portion of the ocean shore.

For Reference: ORS 837.300(4) "Unmanned aircraft system" means an unmanned flying machine, commonly known as a UAS, and its associated elements, including communication links and the components that control the machine.

ORS 181A.355(15) "Public or private safety agency" means a unit of state or local government, a special purpose district or a private firm that provides, or has authority to provide, fire fighting, police, ambulance or emergency medical services.