

## **DRAFT OPRD Drone Take-off and landing rules**

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

### **Proposed Park Area Rules**

#### **736-010-0015 Definitions**

(14) “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.

(21) “Public safety agency” means agency defined under ORS 181A.335(15).

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

#### **OAR 736-010-0040 Visitor Conduct**

(9) A person may take off or land an unmanned aircraft system, commonly known as a drone, on park property unless otherwise restricted in an “Unmanned Aircraft System/drone take-off and landing prohibition” zone published on the state park website.

- (a) Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety and the safety of all other park users.
- (b) As provided in OAR 736-010-0055, park visitors may not harass, disturb, pursue, or injure wildlife.
- (c) OPRD overnight facilities are “Unmanned Aircraft System/drone take-off and landing prohibition” zones.
- (d) Take-off and landing an unmanned aircraft system in an “Unmanned Aircraft System/drone take-off and landing prohibition” zone may only be conducted with a permit or written permission of the park manager or designated employee.
- (e) Public safety agencies may take off or land in emergencies without prior approval.
- (f) “Unmanned Aircraft System/drone take-off and landing prohibition” zones will be designated by the director or designee based on visitor safety, sensitive natural, scenic or cultural resources, or user conflict. Proposed zones will be posted on the department website for a minimum of 30 days prior to the effective date.
- (g) Take-off or landing of an unmanned aircraft system in a “Unmanned Aircraft System/drone take-off and landing prohibition” zone without permission is a class A violation.

(10) A person must obtain a special use 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 a park property that:

- (a) Is an organized group activity or event attended by over 50 people;
- (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, other than those designed for personal use;

- (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.
- (i) Involves the take-off and landing of unmanned aircraft system in “Unmanned Aircraft System/drone take-off and landing prohibition” zones as provided in section 736-010-0040(9).

## **Proposed Ocean Shore Rules**

### **736-021-0030 Definitions**

- (25) “Public safety agency” means agency defined under ORS 181A.335(15).
- (27) “Territorial Sea Plan” means plan defined under ORS 196.405(6).
- (28) “Unmanned Aircraft System” means device defined under ORS 837.300(4).

### **OAR 736-021-0100 Visitor Conduct**

- (5) A person may take off or land an unmanned aircraft system, commonly known as a drone, on the ocean shore unless otherwise restricted in an “Unmanned Aircraft System/drone take-off and landing prohibition” zone published on the state park website.
  - (a) Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety and the safety of all other park users.
  - (b) As provided in OAR 736-021-0090, ocean shore visitors may not disturb, harass, injure or pursue wildlife.
  - (c) Areas designated for protection as Marine Research Area, Marine Garden/Marine Education Area, Marine Conservation Area in the Territorial Sea Plan are restricted as “Unmanned Aircraft System/drone take-off and landing prohibition” zones.
  - (d) Restrictions for Western Snowy Plover Management areas described in OAR 736-021-0090(15) apply to the take-off and landing of an unmanned aircraft system.
  - (e) Take-off and landing an unmanned aircraft system in an “Unmanned Aircraft System/drone take-off and landing prohibition” zone may only be conducted with a permit or written permission of the park manager or designated employee.
  - (f) Public safety agencies may take off or land in emergencies without prior approval.
  - (g) “Unmanned Aircraft System/drone take-off and landing prohibition” zones will be designated by the director or designee based on visitor safety, sensitive natural, scenic or cultural resources, or user conflict. Proposed zones will be posted on the department website for a minimum of 30 days prior to the effective date.
  - (h) Take-off or landing of an unmanned aircraft system in a “Unmanned Aircraft System/drone take-off and landing prohibition” zone without permission is a class A violation.

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

2) A person must obtain a special use 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.
- (h) Involves the take-off and landing of unmanned aircraft system in “Unmanned Aircraft System/drone take-off and landing prohibition” zones as provided in section 736-021-0100(5).

*For Reference: ORS 837.300(4) “Unmanned aircraft system” means an unmanned flying machine, commonly known as a drone, 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.*