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CHAPTER 736

PARKS AND RECREATION DEPARTMENT

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RULES:

736-010-0015, 736-021-0030, 736-021-0100, 736-021-0130

AMEND: 736-010-0015

NOTICE FILED DATE: 12/23/2025

RULE SUMMARY: Definitions used in this division

CHANGES TO RULE:

736-010-0015

Definitions ¶¶

As used in this division, unless the context requires otherwise:¶¶

(1) "Bicycle" means a vehicle as defined in ORS 801.150.¶¶

(2) "Boat" means all watercraft as defined in ORS 830.005-(2).¶¶

(3) "Camping" means the setting up of a tent or shelter, preparing bedding for use, parking of a motor vehicle, recreational vehicle, or other similar equipment or mooring of a vessel for the purpose of overnight occupancy.¶¶

(4) "Camping Unit" means a tent, camper, camping trailer, recreational vehicle, or other shelter designed to be used as a personal living space while camping. ¶¶

(5) "Closed Area" means a park or portion of a park that the public is prohibited from entering. Closures will be

identified by signs at the park, notices placed on the state park website, or by verbal instruction from park staff.¶

(6) "Criminal Trespass" means the crime of remaining or unlawfully re-entering a park property during the period of time in which a violator has been ordered to leave, or be excluded. Criminal trespass in the second degree, ORS 164.245, is a Class C misdemeanor, citable only by law enforcement.¶

(7) "Commission" means the Oregon State Parks and Recreation Commission.¶

(8) "Dawn" means 30 minutes prior to sunrise as calculated by the National Oceanic and Atmospheric Administration.¶

(9) "Day Use" means those activities which are authorized to occur in an area between dawn and dusk.¶

(10) "Day Use Area" is a park property or portion of a park property that the department has designated for day use only.¶

(11) "Department" means the Oregon State Parks and Recreation Department.¶

(12) "Designate" means administratively assigned and approve for a specific status or activity.¶

(13) "Director" means the department director.¶

(14) "District Manager" means the immediate supervisor of park managers within a specified geographic region of the state.¶

(15) "Domestic Animals" means an animal, other than livestock or equines, that is owned or possessed by a person.¶

(16) "Dusk" means 30 minutes after sunset as calculated by the National Oceanic and Atmospheric Administration.¶

(17) "Electric assisted bicycle" means class 1, class 2 and class 3 electric assisted bicycles as defined under ORS 801.258. Electric assisted bicycles that do not fit under the classifications as outlined under ORS 801.258 or have been modified out of the classification criteria, will be considered "Motor Vehicles" as defined below, and only allowed where motor vehicles are allowed.¶

(18) "Enforcement Officer" means a peace officer or park employee specifically designated by the director under ORS 390.050 to investigate observed or reported state park rule violations and to issue oral or written warnings or citations to enforce state park rules.¶

(19) "Exclusion" means the administrative action that prohibits a violator from entering a specific park property, or properties for a specific period of time of one month or more. The violator may appeal the exclusion.¶

(20) "Handler" means any person who either brings a domestic animal or livestock into a park property or keeps a domestic animal at a park property.¶

(21) "Highway" means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right, as describe in ORS 801.305.¶

(22) "Livestock" means birds, avians, horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, domesticated fowl and any fur-bearing animal bred and maintained commercially or otherwise, within pens, cages and hutches.¶

(23) "Motor Vehicle" means a vehicle that is self-propelled or designed for self-propulsion as defined in ORS 801.360.¶

(24) "Order to Leave" means the administrative action that orders a violator to leave a specific park property, or properties, for up to 72 hours (3 nights).¶

(25) "Other Agency" means local, state, federal, or tribal government entity that provides mental health, law enforcement, or human services.¶

~~(26)~~ "Other power-driven mobility device" or "OPDMD" means any mobility device powered by batteries, liquid fuel, or other engines, whether or not designed primarily for use by individuals with mobility disabilities, that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, e-assisted bicycles, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning defined in section ~~(428)~~ below.¶

~~(267)~~ "Overnight facility" means everything within the campground including showers, campsites, cabins, yurts, parking areas associated with camping and other facilities for use by overnight visitors.¶

~~(278)~~ "Pack Animal" means equines, llamas, alpacas, and goats.¶

~~(289)~~ "Park Property" means any state park, natural area, greenway, wayside, corridor, scenic area, monument, historic structure or area, trail, or recreation area under the jurisdiction of the department.¶

~~(2930)~~ "Park Employee" means an employee of the department while on duty.¶

~~(301)~~ "Park Manager" means the supervisor or designated employee in charge of a park property.¶

~~(312)~~ "Park Resource" means any natural feature, wildlife, vegetation, water, cultural artifact, archaeological remains, or human-made structure or feature of a park area.¶

~~(323)~~ "Peace Officer" means a sheriff, constable, marshal, municipal police officer, member of the Oregon State Police, and other persons as may be designated by law.¶

~~(334)~~ "Person" includes individuals, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality, or a non-profit entity.¶¶

~~(345)~~ "Public" includes all persons visiting or intending to visit a park property that are not park employees.¶¶

~~(356)~~ "Public Indecency" has the meaning defined in ORS 163.465.¶¶

~~(367)~~ "Recreational Vehicle (RV)" means motor vehicles, campers or trailers or similar type vehicles with living areas intending for temporary sleeping including vehicles converted to serve this purpose, such as sprinter vans, buses, and utility trailers.¶¶

~~(378)~~ "Service Animal" means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.¶¶

~~(389)~~ "State Park Rules" mean the rules, regulations, restrictions, prohibitions, or limitations established by this division for the use or protection of park properties.¶¶

~~(3940)~~ "State Park Website" means the internet resource with the host name <http://www.oregonstateparks.org> and its associated links.¶¶

~~(40)~~¶¶

(41) "UAS Operation Area" means a specific site or zone within a park property designated by the department and shown on an official map published on the department's website, where an unmanned aircraft system may be operated from, in accordance with conditions established by the department. In accordance with Federal Aviation Administration regulations, the department does not regulate UAS while in flight.¶¶

(42) "UAS Pass" means a department authorization allowing one unmanned aircraft system to operate within a designated UAS Operation Area on a specific date indicated on the pass.¶¶

(43) "Unmanned Aircraft System" has the meaning provided in ORS 837.300(4).¶¶

(44) "Violate" includes failure to comply.¶¶

~~(415)~~ "Violator" means a person or visitor who violates any state park rule, federal, state, county, or city law; or court order while on state park property.¶¶

~~(426)~~ "Visitor" means any member of the public who arrives at or is present at a park property.¶¶

~~(437)~~ "Wildlife" means fish, shellfish, amphibians and reptiles, wild birds and other wild mammals.¶¶

~~(448)~~ "Wheelchair" means a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion.¶¶

~~(45) "Other Agency" means local, state, federal or tribal government entity that provides mental health, law enforcement or human services.~~

Statutory/Other Authority: 390.124, 496.004

Statutes/Other Implemented: ORS 390.050, 390.111, 390.124

AMEND: 736-021-0030

NOTICE FILED DATE: 12/23/2025

RULE SUMMARY: Definitions for this division

CHANGES TO RULE:

736-021-0030

Definitions ¶¶

For purposes of this division, the definitions in ORS 358.905 and ORS 390.605 shall apply. In addition, the following definitions apply, unless the context requires otherwise:¶¶

(1) "ATV" means All-Terrain Vehicle as described and defined in OAR 736-004-0015. ATV may also be referred to interchangeably as Off-Highway Vehicle (OHV).¶¶

(2) "Bicycle" means any vehicle as defined under ORS 801.150.¶¶

(3) "Cobble" means a rock fragment between about 2.5 inches and 10.2 inches wide, especially one that has been naturally rounded.¶¶

(4) "Commission" means the Oregon Parks and Recreation Commission.¶¶

(5) "Department" means the Oregon Parks and Recreation Department.¶¶

(6) "Director" means the director of the Oregon Parks and Recreation Department.¶¶

(7) "Domestic animal" means those animals whose food and shelter are provided by a human custodian.¶¶

(8) "Electric assisted bicycle" means any class 1, class 2 and class 3 electric assisted bicycles as defined under ORS 801.258. Electric assisted bicycles that do not fit under the classifications as outlined under ORS 801.258 or have been modified out of the classification criteria, will be considered "Motor Vehicles" as defined below, and only allowed where motor vehicles are allowed.¶¶

(9) "Enforcement Officer" means a peace officer or park employee specifically designated by the director under ORS 390.050 to investigate observed or reported violations and to issue oral or written warnings or citations to enforce the ocean shore state recreation area rules.¶¶

(10) "Habitat Conservation Plan for Western (Coastal) Snowy Plovers" is a multi-agency, multi-jurisdictional recovery effort for the Western Snowy Plover. The full text of the "Habitat Conservation Plan for Western (Coastal) Snowy Plovers" is available from the State Parks and Recreation Department.¶¶

(11) "Handler" means a person who brings a domestic animal onto the ocean shore state recreation area.¶¶

(12) "Holdfast" means the part of a seaweed by which it fastens to the surface on which it grows.¶¶

(13) "Marine Protected Area" means any area of the marine environment within Oregon's Territorial Sea that has been reserved by the state to provide lasting protection for part or all of the natural and cultural resources in it. A marine protected area is an area established by the State Land Board and identified in OAR chapter 141, division 142.¶¶

(14) "Marine Reserve" is an area within Oregon's Territorial Sea or adjacent rocky intertidal area that is protected from all extractive activities, including the removal or disturbance of living and non-living marine resources, except as necessary for monitoring or research to evaluate reserve condition, effectiveness, or impact of stressors. A marine reserve is an area established by the State Land Board and identified in OAR chapter 141, division 142.¶¶

(15) "Motorized vehicle or device" means any self-propelled means moving on wheels, runners, tracks or the like by which a person could travel or carry something, whether or not designed exclusively to transport or typically used on roads. This definition includes but is not limited to a motor vehicle as defined in ORS 825.005(9), motorized bicycles, motor scooters, ATVs, OHVs, recreational vehicles, trailers, electric bicycles outside of the definition in ORS 801.258 and other mobile equipment.¶¶

(16) "Natural Product" means living and non-living natural products on the ocean shore, including but not limited to marine plants, minerals, shells, rocks, and sand.¶¶

(17) "Non-Traditional Park Use" means any organized activity, gathering or use conducted in whole or in part within the boundaries of the ocean shore state recreational area, that is not a recreational use allowed by the posted park regulations or permitted under the provisions of this rule or divisions 10, 15 and 20 and which requires a special use permit under division 16.¶¶

(18) "Occupied site" means a department-owned or leased area, a privately or locally-owned area or an area adjacent to federal lands that has at least one nest or nesting attempt as identified by the department at the beginning of each western snowy plover nesting season in accordance with the Habitat Conservation Plan for Western (Coastal) Snowy Plover.¶¶

(19) "Ocean shore state recreation area" means the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line or the line of established upland vegetation, whichever is farther inland, under the

jurisdiction of the department that is used by the public for recreational purposes per ORS 390.605-(2) and (3).¶
(20) "Ocean shore resources" means any natural or human-made property, material, product, feature or structure in the ocean shore state recreation area.¶

(21) "OHV" means Off Highway Vehicle, also called ATV, see definition (1).¶

(22) "Other power-driven mobility device" or "OPDMD" means any mobility device powered by batteries, liquid fuel, or other engines, whether or not designed primarily for use by individuals with mobility disabilities, that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, e-assisted bicycles, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning defined in section (336) below.¶

(23) "Park Employee" means an employee of the department.¶

(24) "Park Manager" means the supervisor or designated employee in charge of an ocean shore state recreation area.¶

(25) "Peace Officer" means a sheriff, constable, marshal, municipal police officer, member of the Oregon State Police, and other persons as may be designated by law.¶

(26) "Person" includes an individual, a public or private corporation, an unincorporated association, a partnership, a government or a governmental unit, or a non-profit entity.¶

(27) "Personal Use" means use that is directly by the individual for purposes other than monetary reward and not involving sale, barter, resale, or exchange of money.¶

(28) "Territorial Sea" as defined in ORS 196.405(5) means the waters and seabed extending three geographical miles seaward from the coastline in conformance with federal law.¶

(29) "UAS Operation Area" means a specific site or zone within a park property designated by the department and shown on an official map published on the department's website, where an unmanned aircraft system may be operated from, in accordance with conditions established by the department. In accordance with Federal Aviation Administration regulations, the department does not regulate UAS while in flight.¶

(30) "UAS Pass" means a department authorization allowing one unmanned aircraft system to operate within a designated UAS Operation Area on a specific date indicated on the pass.¶

(31) "Unmanned Aircraft System" has the meaning provided in ORS 837.300(4).¶

(32) "Unoccupied sites" means actively managed department-owned or leased areas, privately or locally-owned areas or areas adjacent to federal lands that have been identified as potential nesting sites for western snowy plovers in concurrence with the Habitat Conservation Plan for Western (Coastal) Snowy Plover.¶

(303) "Upland" means the land lying shoreward or generally easterly of the ocean shore state recreation area.¶

(344) "Violate" includes failure to comply.¶

(325) "Wet sand" means the area seaward of symbolic fencing (roping), signs, or both that are placed on the dry sand area.¶

(336) "Wheelchair" means a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor locomotion.

Statutory/Other Authority: ORS 390.660

Statutes/Other Implemented: ORS 390.124, 390.635, 390.660

AMEND: 736-021-0100

NOTICE FILED DATE: 12/23/2025

RULE SUMMARY: UAs use along the ocean shore

CHANGES TO RULE:

736-021-0100

Visitor Conduct ¶¶

- (1) A person may not mutilate, deface, damage, or remove any property, structure or facility of any kind in the ocean shore state recreation area, except as provided in OAR 736-021-0090.¶¶
- (2) A person may not leave any material not found naturally on the ocean shore, including garbage, recyclables, sewage, or waste, on the ocean shore state recreation area.¶¶
- (3) A person may not engage in the following activities on the ocean shore state recreation area:¶¶
 - (a) Possessing or using alcoholic beverage(s) if the person is under 21 years of age;¶¶
 - (b) Fighting or promoting, instigating or encouraging fighting or similar violent conduct that would threaten the physical well-being of any person;¶¶
 - (c) Activities or conduct that constitutes a public nuisance or hazard; or¶¶
 - (d) Public indecency as defined in ORS 163.465;¶¶
- (4) A person may only engage in the following activities on the ocean shore state recreation area as authorized in a special use permit that they obtain from the department pursuant to OAR chapter 736, division 16 or written permission from the park manager:¶¶
 - (a) Use or operation of any noise or light-producing machine, vehicle, device or instrument in a manner that may disturb persons or wildlife;¶¶
 - (b) Possessing, discharging, or causing to be discharged, any firecracker, explosives, torpedoes, rockets, or fireworks or other substances;¶¶
 - (c) Using a metal detector or similar device in any property not listed on the "Detecting Allowed" list, published on the department website;¶¶
 - (d) Blocking, obstructing or interfering with pedestrian or vehicular traffic;¶¶
 - (e) Descending, scaling or technical rock climbing on rock formations and cliffs;¶¶
 - (f) Entering or occupying any portion of the ocean shore state recreation area that has been closed to public access, including fenced areas; and¶¶
 - (g) Constructing a structure or sign.¶¶
- (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 will prohibit UAS operation within a half mile of a boundary to federally or state protected areas explicitly prohibiting UAS takeoff and landing unless with permission from the adjacent land manager.¶¶
 - (g) 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 allowed per day or impose other use limits. Failure to obtain or comply with a required UAS Pass may result in enforcement action up to and including a Class A violation.¶

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

(i) Public safety agencies and utility providers acting within their official capacity may operate an unmanned aircraft system for non-emergency purposes on park property, provided the agency notifies OPRD in advance.¶

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

Statutory/Other Authority: ORS 390.660

Statutes/Other Implemented: ORS 390.635, 390.655, 390.660

AMEND: 736-021-0130

NOTICE FILED DATE: 12/23/2025

RULE SUMMARY: UAS rules along the ocean shore

CHANGES TO RULE:

736-021-0130

Commercial Activities and Non-Traditional Activities ¶¶

(1) A person may only engage in a commercial activity or non-traditional park use on the ocean shore state recreation area as authorized in a special use permit that they obtain from the department pursuant to OAR chapter 736, division 16.¶¶

(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 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.¶¶

(3) A person who obtains a special use permit under OAR 736, division 16 must comply with all the provisions of division 16, special use permit conditions, and with instructions from the department.

Statutory/Other Authority: ORS 390.660

Statutes/Other Implemented: ORS 390.635, 390.660