

CHAPTER 649

AN ACT

HB 2206

Relating to emergency management; creating new provisions; and amending ORS 401.358.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “emergency” has the meaning given that term in ORS 401.025.

(2) The State Fire Marshal shall develop and administer a statewide program, as described in this section, to evaluate the condition of buildings after an emergency and determine whether the buildings may be safely occupied. The program shall be known as the Oregon Safety Assessment Program (OrSAP).

(3) Under the program:

(a) The State Fire Marshal shall develop standards and procedures for training and certifying building evaluators.

(b) The State Fire Marshal shall develop standards and procedures for determining whether buildings may be safely occupied after an emergency. Standards adopted under this paragraph must align with national standards.

(c) The State Fire Marshal shall work with local governments to designate local program coordinators who are responsible for implementing the program at the local government level, including authorizing certified building evaluators to perform work on behalf of the local government.

(d) The State Fire Marshal shall implement a statewide emergency registry system for registration of local program coordinators, certified building evaluators and approved trainers. The system must allow for efficient communication of information to registered individuals.

(e) The State Fire Marshal may enter into agreements with other states to provide mutual aid, which may include reciprocal recognition of certifications for skills related to building evaluation.

(4) In developing and implementing the program, the State Fire Marshal shall consult with:

(a) Local governments;

(b) Relevant state agencies or offices, including the Department of Consumer and Business Services; and

(c) Relevant professional organizations, including organizations representing architects, engineers and building safety professionals.

(5) The State Fire Marshal shall adopt rules to administer and implement the provisions of this section.

SECTION 2. (1) Local governments may enact local programs under which owners of buildings may, prior to an emergency, enter into

agreements with private qualified professionals to conduct building inspections following an emergency to determine whether buildings may be safely occupied.

(2) A local program enacted under this section must:

(a) Require that owners of buildings receive approval from the local government before entering into an agreement with a qualified professional under the program; and

(b) Require that qualified professionals receive approval from the local government before entering into an agreement with a building owner under the program.

(3) If a local government enacts a local program under this section, the local government shall provide the State Fire Marshal with all laws and regulations governing the program, as well as any other information requested by the State Fire Marshal.

(4) The State Fire Marshal may, by rule, impose additional restrictions on local programs enacted under this section as necessary or advisable to promote safe and efficient response and recovery after an emergency.

(5) As used in this section:

(a) “Emergency” has the meaning given that term in ORS 401.025.

(b) “Local government” has the meaning given that term in ORS 174.116.

(c) “Qualified professional” means an individual who is:

(A) Registered and has a valid certificate to practice engineering issued under ORS 672.002 to 672.325; or

(B) Qualified and registered to practice architecture under ORS 671.010 to 671.220.

SECTION 3. ORS 401.358 is amended to read:

401.358. As used in ORS 401.358 to 401.368:

(1) “Emergency service activities” means:

(a) The provision of emergency services; and

(b) Engaging in training under the direction of a public body, whether by reason of the training being conducted or approved by a public body, for the purpose of preparing qualified emergency service volunteers to perform emergency services.

(2) “Qualified emergency service volunteer” means a person who is:

(a) Registered with the Office of Emergency Management or other public body to perform emergency service activities;

(b) Acknowledged in writing as a qualified emergency service volunteer, at the time the person offers to volunteer during an emergency, by the Office of Emergency Management or by another public body; [or]

(c) A member of the Oregon Civil Defense Force[.]; or

(d) A building evaluator certified under the Oregon Safety Assessment Program established under section 1 of this 2019 Act.

Approved by the Governor August 9, 2019
Filed in the office of Secretary of State August 9, 2019
Effective date January 1, 2020
