

# House Bill 2387

Sponsored by Representative ESQUIVEL (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes failure to install smoke detector or required number of smoke alarms upon transfer or conveyance of interest in certain structures violation punishable by maximum fine of \$720.

## A BILL FOR AN ACT

1  
2 Relating to smoke detection; creating new provisions; and amending ORS 479.295 and 479.990.

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

4 **SECTION 1.** ORS 479.990 is amended to read:

5 479.990. (1) Violation of any provision of ORS 479.020 to 479.130 or 479.160 or rules adopted  
6 thereunder, or failure, neglect or refusal to comply with any requirements in these sections, is  
7 punishable by a civil penalty of not more than \$50. Each day's violation of or failure to comply with  
8 these provisions shall be deemed a separate violation.

9 (2) Violation of any provision of ORS 479.130 or rules adopted thereunder is punishable by a  
10 civil penalty of not more than \$50. Each day's violation shall be deemed a separate violation.

11 (3) Violation of ORS 479.150 or rules adopted thereunder is punishable by a civil penalty of not  
12 less than \$10 nor more than \$100. Each day of failure to comply with the provisions of ORS 479.150  
13 or rules adopted thereunder shall be deemed a separate violation.

14 (4) Any owner or occupant of any building or premises who fails to comply with any order  
15 provided for in ORS 479.170 and not appealed from, or with any such order of the State Fire Marshal  
16 upon appeal to the State Fire Marshal, shall be punished by a civil penalty of not more than \$500  
17 for each violation. All penalties, fees or forfeitures collected under the provisions of this subsection  
18 shall be paid into the State Treasury.

19 (5) Violation of ORS 479.255, *[479.260,]* 479.270, 479.280, 479.297 or 479.300, or rules adopted  
20 thereunder, is punishable by a civil penalty imposed by the State Fire Marshal in an amount not to  
21 exceed \$250.

22 **(6) Violation of ORS 479.260 is a Class A violation.**

23 *[(6)]* (7) Civil penalties under this section shall be imposed as provided in ORS 183.745.

24 **SECTION 2.** ORS 479.295 is amended to read:

25 479.295. Notwithstanding the provisions of ORS 476.030, the State Fire Marshal shall adopt, by  
26 rule:

27 (1) Standards for the installation and maintenance of smoke alarms and smoke detectors as the  
28 State Fire Marshal considers necessary to carry out the purposes of ORS 479.250 to 479.300; and

29 (2) Standards for the implementation of ORS 479.250 to 479.300 and 479.990 (5) **and** (6).

30 **SECTION 3. The amendments to ORS 479.295 and 479.990 by sections 1 and 2 of this 2007**  
31 **Act apply to conveyances or transfers that occur on or after the effective date of this 2007**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **Act.**

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