

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	10 - 0 - 0
<b>Yeas:</b>	Barton, Fagan, Holvey, Kennemer, Matthews, Thatcher, Thompson, Weidner, Witt, Doherty
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jan Nordlund, Administrator
<b>Meeting Dates:</b>	5/22

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**WHAT THE MEASURE DOES:** Allows Director of Department of Consumer and Business Services or local building official administering building inspection program to determine whether structure, as set forth in plans and specifications or as constructed, meets standards of state building code, including fire and life safety standards. Specifies that State Fire Marshal or local fire official may provide advice to building officials, inspectors, or Department employees concerning state building code standards. Requires local building officials and Department employees give consideration to advice given by State Fire Marshal or local fire officials that does not conflict with state building code.

**ISSUES DISCUSSED:**

- Contractors caught in the middle of disagreement between building code official and fire official
- Need to clarify in statute when authority of State Fire Marshal and local fire officials begins
- History of issue dating back to 1985 Attorney General opinion

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The Office of the State Fire Marshal, housed within the Oregon State Police Department, is charged with protecting citizens, their property and the environment from fire and hazardous materials. The Office's Fire and Life Safety Services Branch conducts inspections, investigates fires, provides technical assistance to community organizations, industry associations and local fire and building officials on fire and life safety issues, and manages the youth fire prevention and intervention program. The Office oversees 18 deputy state fire marshals across Oregon, whose responsibilities include conducting inspections of schools and correctional facilities, reviewing building plans and providing code consultations. State law provides authority for deputy state fire marshals to inspect any structure except for private residences.

Senate Bill 625-A allows the Director of the Department of Consumer and Business Services (DCBS) or local building officials to determine whether a building, completed or in plans, meets the state building code standards. The measure allows the State Fire Marshal or local fire officials to provide advice to local building officials or DCBS employees concerning state building code standards and requires the consideration of such advice, so long as it does not conflict with state building codes. The measure does not affect residential building plans or inspections.