

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2698**

1 On page 1 of the printed bill, delete lines 5 through 27 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part**  
4 **of ORS 455.715 to 455.740.**

5 **“SECTION 2. (1) As used in this section, ‘building code administra-**  
6 **tive region’ means a region established by the Director of the Depart-**  
7 **ment of Consumer and Business Services under ORS 455.042 for the**  
8 **uniform administration of the state building code.**

9 **“(2) The authority of the director under ORS 455.720 and section 2,**  
10 **chapter 593, Oregon Laws 2009, to specify terms, conditions and clas-**  
11 **sifications for the certification of inspectors includes the authority to**  
12 **certify an inspector to perform inspections under multiple specialty**  
13 **codes or parts of a specialty code.**

14 **“(3) The director may provide for an inspector who is likely to be**  
15 **employed within a specific building code administrative region to be**  
16 **certified to perform inspections throughout a building code adminis-**  
17 **trative region, whether within or outside of a municipality. The di-**  
18 **rector may recognize any training program certified by the director**  
19 **under ORS 455.725 or section 2, chapter 593, Oregon Laws 2009, for**  
20 **purposes of certifying an inspector to perform inspections throughout**  
21 **a building code administrative region. This subsection does not require**  
22 **a municipality administering and enforcing a building inspection pro-**

1 **gram under ORS 455.148 or 455.150 to allow an inspector certified under**  
2 **this subsection who is not employed by the municipality to perform**  
3 **building inspections on behalf of the municipality.**

4 **“(4) In determining the appropriate experience, training or other**  
5 **qualifications for an inspector under ORS 455.720 or section 2, chapter**  
6 **593, Oregon Laws 2009, the director shall consult with the appropriate**  
7 **advisory boards. The factors to be considered by the director may in-**  
8 **clude, but need not be limited to:**

9 **“(a) Any factors specific to, or of particular relevance to, a specialty**  
10 **code or to the types of buildings, structures, systems or equipment in**  
11 **a geographic area that are inspected under the specialty code;**

12 **“(b) Staffing levels or other specific criteria for building inspection**  
13 **programs established by a municipality where the inspector is likely**  
14 **to be employed or for building inspection programs established by the**  
15 **director; and**

16 **“(c) Any factors specific to, or of particular relevance to, the**  
17 **building code administrative region within which the inspector is**  
18 **likely to be employed.**

19 **“(5) In determining the scope of certifications and qualifications for**  
20 **an inspector, the director may utilize field training equivalency, inde-**  
21 **pendent evaluations or other methods the director deems appropriate.**

22 **“SECTION 3. ORS 455.112 is amended to read:**

23 **“455.112. Notwithstanding [ORS 455.030 and 455.110] any other provision**  
24 **of this chapter, the Director of the Department of Consumer and Business**  
25 **Services may initiate the adoption of rules the director considers necessary**  
26 **to interpret, harmonize, streamline, adjust, promote consistency within,**  
27 **reduce confusion regarding, administer or enforce the state building code**  
28 **or any requirement for a license, registration, certification, endorse-**  
29 **ment or other authorization to perform work related to the adminis-**  
30 **tration and enforcement of the state building code when any provision**

1 of the state building code **or a requirement for authorization to perform**  
2 **work** is unclear, duplicative or in conflict with another or when the code  
3 **or a requirement for authorization to perform work** does not adequately  
4 address a project of a unique type or scope. The director must obtain the  
5 approval of the appropriate advisory boards prior to adopting a rule under  
6 this section.

7 **“SECTION 4.** ORS 455.715, as amended by section 6, chapter 593, Oregon  
8 Laws 2009, is amended to read:

9 “455.715. As used in ORS 455.715 to 455.740, unless the context otherwise  
10 requires:

11 “(1) ‘Building official’ means a person charged by a municipality with  
12 responsibility for administration and enforcement of the state building code  
13 in the municipality.

14 “(2) ‘Business of providing prefabricated structure plan approvals and in-  
15 spections’ means an independent contractor providing prefabricated structure  
16 plan approval or inspection services, or both, under the following specialty  
17 codes, as provided in ORS 455.020, 455.705 and 455.715:

18 “(a) Structural;

19 “(b) Mechanical;

20 “(c) Plumbing;

21 “(d) Electrical; and

22 “(e) Low-rise residential dwelling.

23 “(3) ‘Inspector’ means:

24 “(a) A person, including a plans examiner, acting under the authority and  
25 direction of a building official and charged with the responsibility of routine  
26 enforcement of [*any specialty code*] **one or more specialty codes or parts**  
27 **of specialty codes; [or]**

28 “(b) A person, including a plans examiner, who provides enforcement of  
29 [*any specialty code,*] **one or more specialty codes or parts of specialty**  
30 **codes and** who is personally in the business of providing prefabricated

1 structure plan approvals or inspections or is employed by such a  
2 business[.];

3 **“(c) A specialized building inspector certified under section 2,**  
4 **chapter 593, Oregon Laws 2009, who is employed by a municipality or**  
5 **by the Department of Consumer and Business Services;**

6 **“(d) A person employed by a municipality or the department who**  
7 **is certified under section 2 of this 2013 Act to perform inspections un-**  
8 **der one or more specialty codes throughout a building code adminis-**  
9 **trative region; or**

10 **“(e) A person designated by the Director of the Department of**  
11 **Consumer and Business Services to ensure compliance with a specialty**  
12 **code or with any requirement for a license, registration, certification,**  
13 **endorsement or other authorization to perform work related to the**  
14 **administration and enforcement of the state building code.**

15 **“SECTION 5.** ORS 455.735, as amended by section 8, chapter 593, Oregon  
16 Laws 2009, is amended to read:

17 “455.735. (1) The Director of the Department of Consumer and Business  
18 Services may issue certificates for building officials and building inspectors  
19 under ORS 455.715 to 455.740.

20 “(2) Any person desiring issuance of an initial certificate as a building  
21 official or inspector shall make application to the director upon such forms  
22 as the director may prescribe for such purpose and pay an application fee.

23 “(3) If the director requires, by rule, an applicant for a particular certif-  
24 ication to pass an examination prepared by a national organization, the ap-  
25 plicant shall pay in addition to the fee required in subsection (2) of this  
26 section, the cost of the examination. If the director requires an applicant for  
27 certification to pass an examination administered by the Department of  
28 Consumer and Business Services, the department may charge the applicant  
29 an examination administration fee.

30 “(4) Upon determining that the applicant is qualified under ORS 455.715

1 to 455.740, the director shall issue a certificate or cause a certificate to be  
2 issued to the applicant.

3 “(5) A certificate issued under this section shall be valid for a term es-  
4 tablished by the department by rule. An applicant for renewal of a certificate  
5 shall submit an application on a form approved by the director and pay a  
6 renewal application fee.

7 “(6) The department may adopt rules establishing certificate renewal re-  
8 quirements and establishing reasonable fees under this section.

9 “(7) **The department may charge fees for participation in training**  
10 **programs approved or established by the department under ORS 455.220**  
11 **or 455.715 to 455.740.**

12 “SECTION 6. **Sections 3 and 10, chapter 593, Oregon Laws 2009, are**  
13 **repealed.**”.

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