

D R A F T

SUMMARY

Authorizes individuals acting under authority of broadcasters to enter geographic area subject to declaration of emergency to report news or public safety information or to maintain essential broadcast equipment.

Requires Office of Emergency Management to establish procedure for issuing or approving credentials of individuals acting under authority of broadcasters. Allows office to approve credentials issued by private entity representing majority of broadcasters in state.

A BILL FOR AN ACT

1
2 Relating to access of broadcasters to geographic area subject to declaration
3 of emergency.

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

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part**
6 **of ORS chapter 401.**

7 **SECTION 2. (1) As used in this section:**

8 (a) **“Broadcaster” means a person that holds a license issued by the**
9 **Federal Communications Commission under 47 C.F.R. parts 73, 74, 76**
10 **or 78.**

11 (b) **“First informer” means an individual, acting under the author-**
12 **ity of a broadcaster, who is:**

13 (A) **Engaging in the process of gathering or reporting news or**
14 **public safety information, providing a public service or traveling to**
15 **or from a location at which the individual will broadcast or has**
16 **broadcasted;**

17 (B) **Maintaining, including repairing or resupplying, transmitters,**
18 **generators or other essential equipment at a broadcast station or fa-**

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 cility; or

2 (C) Providing technical support services to a broadcaster or to an-
3 other first informer.

4 (2) Unless prohibited by state or federal law or, in the discretion
5 of the incident commander during an emergency declared under ORS
6 401.165, public safety is endangered or recovery efforts are inhibited,
7 a first informer with credentials issued or approved by the Office of
8 Emergency Management under subsection (4) of this section may:

9 (a) Travel on public roads within a geographic area subject to a
10 declaration of emergency under ORS 401.165;

11 (b) Access the geographic area for the purposes of gathering or re-
12 porting news or public safety information, providing a public service
13 or maintaining transmitters, generators or other essential equipment
14 at a broadcast station or facility used to acquire, produce or transmit
15 news or public safety information related to the emergency; and

16 (c) Access the distribution of fuel, food, water, supplies, equipment
17 and any other materials necessary for producing a broadcast or a
18 broadcasting signal.

19 (3) An emergency service agency may not seize a vehicle, fuel, food,
20 water or other essential materials in the possession of a first informer
21 who is in the geographic area subject to a declaration of emergency
22 under ORS 401.165 in the performance of the duties of the first infor-
23 mer.

24 (4) The Office of Emergency Management shall establish a proce-
25 dure for issuing or approving credentials of a first informer. If the
26 office finds that a private entity organized under the laws of this state
27 represents a majority of the broadcasters in this state, the office may
28 approve credentials issued to a first informer by the entity if the cri-
29 teria for issuance of the credentials include a program of training for
30 first informers regarding:

31 (a) The risks associated with entering a geographic area subject to

1 **a declaration of an emergency under ORS 401.165;**

2 **(b) Best practices for working safely in the geographic area; and**

3 **(c) Best practices for working in the geographic area without**
4 **hindering or interfering with the conduct of emergency services by an**
5 **emergency service agency.**

6 **(5) In performing the duties assigned under subsection (4) of this**
7 **section, the office:**

8 **(a) May consult with the private entity described in subsection (4)**
9 **of this section.**

10 **(b) Shall, if the office participates in the program of training de-**
11 **scribed in subsection (4) of this section, recover any costs of partic-**
12 **ipation from first informers who receive the training.**

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