

STAFF MEASURE SUMMARY

Senate Committee On Rules

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 05/21/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 05/21

Vote:

Yeas: 3 - Beyer, Boquist, Rosenbaum

Exc: 2 - Burdick, Ferrioli

Prepared By: Erin Seiler, Committee Administrator

WHAT THE MEASURE DOES:

Requires State Fire Marshal, deputy or assistant of State Fire Marshal, or person acting for governmental subdivision who inspects structure and issues citation or order for nonconformity with federal, state or local fire safety standard, to include on citation or order: exact reference to law, regulation, rule or other source of authority that establishes the fire safety standard and plain statement of facts upon which citation or order is based.

ISSUES DISCUSSED:

- Importance of identifying law, regulation or rule when issuing citations
- Agreement amongst work group members
- Preventing subjective enforcement by requiring specific reference to code
- Impact on businesses when cited for nonconformity with safety standard, without obvious safety benefit

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

The Office of the State Fire Marshal (Office), 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 886-A requires State Fire Marshal, deputy or assistant of State Fire Marshal, or person acting for governmental subdivision who inspects structure and issues citation or order for nonconformity with fire safety standards, to include reference to specific law, regulation, rule or other source of authority that establishes the fire safety standard and plain statement of facts upon which citation or order is based.