

## SENATE AMENDMENTS TO SENATE BILL 133

By COMMITTEE ON BUSINESS AND TRANSPORTATION

February 23

1 On page 1 of the printed bill, line 3, after the first semicolon insert “creating new provisions;”  
2 and after “455.095,” insert “455.097,”.

3 Delete lines 6 through 22 and insert:

4 **“SECTION 1. As used in ORS 455.095, 455.097 and 455.185, ‘construction-related’ means**  
5 **consisting of, or involving the approving, enabling, expediting or facilitating of, the alter-**  
6 **ation, construction, demolishing, development, improvement, inspection, moving, operation,**  
7 **repair or wrecking of, or the addition to or subtraction from, public improvements, real**  
8 **property or a structure.**

9 **“SECTION 2.** ORS 455.095 is amended to read:

10 **“455.095. (1)** The Department of Consumer and Business Services shall develop and implement  
11 a system that provides electronic access to building codes information. The department shall make  
12 the system accessible for use by municipalities in carrying out the building inspection programs  
13 administered and enforced by the municipalities.

14 **“(2) The department may also make the system available for use by other public bodies**  
15 **that provide construction-related services including, but not limited to, public bodies de-**  
16 **scribed in ORS 455.185 (4).** The [*building codes*] information and services available through the  
17 system may include, but need not be limited to:

18 **“[(1)] (a)** Licensing, permit, inspection and other relevant information;

19 **“[(2)] (b)** Access to forms;

20 **“[(3)] (c)** Electronic submission of permit applications;

21 **“[(4)] (d)** Electronic submission of plans for review;

22 **“[(5)] (e)** Electronic issuance of minor label or other appropriate permits;

23 **“[(6)] (f)** Access to permit and inspection processes; [*and*]

24 **“[(7)] (g)** Scheduling of inspections, tracking of corrections and granting of approvals[.]; **and**

25 **“(h) The coordination and tracking of construction-related services.**

26 **“(3) The use of the system described in this section by a municipality or other public body**  
27 **is voluntary. Nonparticipation in the system by a municipality or other public body is not**  
28 **grounds for the department to suspend, revoke authorization for or assume the adminis-**  
29 **tration of a building inspection program described in ORS 455.148 or 455.150 or to impose**  
30 **other disciplinary actions or sanctions against a municipality or other public body.**

31 **“SECTION 3.** ORS 455.097 is amended to read:

32 **“455.097. (1)** As used in this section, ‘form and format’:

33 **“(a)** Means the arrangement, organization, configuration, structure or style of, or method of de-  
34 **livery for, providing required information or providing the substantive equivalent of required infor-**  
35 **mation.**

1 “(b) Does not mean altering the substance of information or the addition or omission of infor-  
2 mation.

3 “(2) The purpose of this section and ORS 455.095 is to enable the Department of Consumer and  
4 Business Services to develop and implement a system that:

5 “(a) Provides electronic access to building codes information;

6 “(b) Is designed to offer a full range of electronic building permits services;

7 “(c) Allows the streamlining of building inspection services;

8 “(d) Provides a uniform form and format for submitting building codes information electronically;  
9 *[and]*

10 “(e) Is available for use by any municipality administering and enforcing a building inspection  
11 program[.]; **and**

12 **“(f) At the discretion of the department:**

13 **“(A) Is available for use by other public bodies that provide construction-related services;**  
14 **and**

15 **“(B) Supports access for other purposes that may include, but need not be limited to,**  
16 **access for the coordination and tracking of construction-related services.**

17 “(3) The department shall adopt rules to govern the form and format of building permit appli-  
18 cations, building plans, specifications, *[and]* other building program information **and any other in-**  
19 **formation** exchanged through the electronic building codes information system described in ORS  
20 455.095.

21 “(4) The department may waive a contrary form and format requirement imposed by statute or  
22 ordinance or by the rules of another agency for the submission of information in physical form to  
23 the extent the waiver is necessary to facilitate the submission of the information electronically. The  
24 department may accept an electronic reproduction of a signature, stamp, seal, certification or  
25 notarization as the equivalent of the original or may accept the substitution of identifying informa-  
26 tion for the signature, stamp, seal, certification or notarization. The department may not waive a  
27 requirement imposed by statute or ordinance or by the rules of another agency, other than a form  
28 and format requirement.

29 “(5) A person exchanging information through the electronic building codes information system  
30 in a form and format acceptable to the department is not subject to any licensing sanction, civil  
31 penalty, fine, permit disapproval or revocation or other sanction for failure to comply with a form  
32 or format requirement imposed by statute, ordinance or rule for submission of the information in  
33 physical form, including but not limited to any requirement that the information be in a particular  
34 form or of a particular size, be submitted with multiple copies, be physically attached to another  
35 document, be an original document or be signed, stamped, sealed, certified or notarized.”.

36 In line 23, delete “2” and insert “4”.

37 On page 2, line 26, delete “3” and insert “5”.

38 On page 4, line 3, delete “4” and insert “6”.