

**HB 2605 A STAFF MEASURE SUMMARY**Carrier: Rep. Gomberg, Rep.  
Smith DB**House Committee On Rules**


---

**Action Date:** 04/01/21  
**Action:** Do pass with amendments. (Printed A-Eng.)  
**Vote:** 6-1-0-0  
**Yeas:** 6 - Bonham, Drazan, Holvey, Salinas, Smith Warner, Zika  
**Nays:** 1 - Fahey  
**Fiscal:** Has minimal fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Melissa Leoni, LPRO Analyst  
**Meeting Dates:** 3/18, 4/1

---

**WHAT THE MEASURE DOES:**

Imposes American Society of Civil Engineers Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE 7) tsunami loads and effects design standards on Risk Category III and IV buildings and structures, as defined in Oregon Structural Specialty Code. Allows local government to adopt ASCE 7 standards for refuge structures for vertical evacuation for buildings or other structures as part of a local tsunami plan. Allows Department of Consumer and Business Services to adopt rules requiring new building sites, for major structures or Risk Category III and IV buildings and structures, to be evaluated for vulnerability to seismic geologic hazards. Requires developer of proposed Risk Category III or IV buildings to request consultation from the State Department of Geology and Mineral Industries (DOGAMI) on potential tsunami impacts. Requires DOGAMI to respond to the developer and official responsible for approving the development within 45 days with determination of likely impact and design recommendations. Requires DOGAMI to report annually to the Legislative Assembly regarding requests, determinations, and recommendations. Makes the ASCE 7 tsunami design standards and DOGAMI consultation requirements applicable to initial building permits on or after January 1, 2022.

**ISSUES DISCUSSED:**

- Removal of the moratorium on new essential building construction (House Bill 3309 (2019))
- Oregon Seismic Safety Policy Advisory Commission composition and membership
- Building code references in statute requiring statutory amendments when they change
- Department of Geology and Mineral Industries existing authority and consultation role in measure
- Amendments addressing the concerns of the American Society of Civil Engineers (House Bill 4119 (2020))

**EFFECT OF AMENDMENT:**

Removes version date for Oregon Structural Specialty Code reference. Requires developer of any proposed Risk Category III or IV building to request consultation from the State Department of Geology and Mineral Industries on potential tsunami impacts. Clarifies that "essential facility" means Risk Category IV buildings or structures and "special occupancy structure" means Risk Category III buildings or structures in structural engineer registration statutes. Changes effective date to January 1, 2022.

**BACKGROUND:**

The American Society of Civil Engineers Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE/SEI 7-16) describes minimum tsunami and earthquake design standards for certain buildings and structures.

## **HB 2605 A STAFF MEASURE SUMMARY**

Under the Oregon Structural Specialty Code, Table 1604.5, Risk Category III buildings include buildings that would pose a substantial hazard to human life in the event of failure, such as public assembly buildings, educational institutions, residential care facilities, power-generating stations, water and wastewater treatment facilities, certain public utility facilities, and any building with more than 5,000 people. Risk Category IV buildings are essential facilities such as surgery or emergency treatment facilities; fire, rescue, ambulance, and police stations; designated emergency preparedness and response facilities; power-generating stations or other utility facilities required as emergency backup facilities; structures containing quantities of highly toxic materials; aviation control towers, air traffic control centers, and emergency aircraft hangars; buildings with critical national defense functions; and water storage facilities and pump structures for fire suppression.

In 1995, the Legislative Assembly established a moratorium on constructing new essential buildings, like schools and hospitals, in the tsunami inundation zone. In 2019, the Legislative Assembly enacted House Bill 3309, lifting the moratorium on January 1, 2020. The State Building Code does not currently include tsunami resilient design provisions for new facilities that may be built in the tsunami inundation zone.

House Bill 2605 A imposes the ASCE/SEI 7-16 tsunami design standards on certain buildings and structures identified in the Oregon Structural Specialty Code, allows the Department of Consumer and Business Services to require that sites for certain new structures be evaluated for seismic vulnerability, and requires developers of certain buildings to consult with the Department of Geology and Mineral Industries.