

**Enrolled**  
**Senate Bill 863**

Sponsored by Senator GELSER; Representatives HAYDEN, HOLVEY, WILDE

CHAPTER .....

AN ACT

Relating to rural fire protection districts; amending ORS 478.260; and declaring an emergency.

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

**SECTION 1.** ORS 478.260 is amended to read:

478.260. (1) The district board shall select a fire chief qualified by actual experience as a fire-fighter and [*fire precautionist*] **person who is trained in fire prevention**, or otherwise, and assistants, volunteer or otherwise, and fix their compensation. The fire chief shall be responsible for the equipment and properties of the district. Under the direction of the board, the fire chief shall be responsible for the conduct of the fire department.

(2) The board, with advice and counsel of the fire chief, shall select the location of the fire house or houses or headquarters of the fire department of the district. Such sites shall be chosen with a view to the best service to the residents and properties of the whole district and may be acquired by purchase or exercise of the powers of eminent domain in the manner provided by ORS chapter 35. The board may purchase apparatus and equipment as needed by the district, and provide a water system, ponds or reservoirs for the storage of water for fire-fighting purposes. Or the board may contract with water companies or districts, or both, for water service and facilities at a rate of compensation mutually agreed upon. The board also may divide the district into zones or subdivisions and provide an adequate system or code of fire alarms or signals by telephone, bell, whistle, siren or other means of communication.

**(3) A district may:**

**(a) Acquire real property or an easement, by purchase or other voluntary agreement, for the purpose of establishing a fire evacuation route.**

**(b) Construct or maintain a fire evacuation route on property:**

**(A) Owned by the district or over which the district has an easement for the purpose of a fire evacuation route; or**

**(B) Owned by a person or governmental entity or over which a person or governmental entity has an easement for the purpose of a fire evacuation route, with authorization from the person or governmental entity.**

**(c) Participate in an agreement related to the construction, maintenance or use of a fire evacuation route.**

[3] (4) A district may operate or acquire and operate, or contract for the operation of, emergency medical service equipment and vehicles both within and without the boundaries of the district. A district may conduct ambulance operations only in conformance with a county plan adopted under ORS 682.062 for ambulance services and ambulance service areas and with rules of the Oregon Health Authority relating to such services and service areas. Service authorized under a county

plan includes authorization for a district to provide ambulance services by intergovernmental agreement with any other unit of local government designated by the plan to provide ambulance services.

[(4)] (5) As used in this section, "ambulance services" has the meaning given that term in ORS 682.027.

**SECTION 2. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.**

**Passed by Senate May 26, 2021**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 23, 2021**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2021

**Approved:**

.....M.,....., 2021

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2021

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Shemia Fagan, Secretary of State