

# House Bill 2491

Sponsored by Representatives OWENS, LIVELY (at the request of Oregon Forest Industries Council) (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that person that voluntarily fights wildfire on private forestland is not civilly liable for injury to person or property resulting from good faith firefighting efforts.

## A BILL FOR AN ACT

1  
2 Relating to voluntarily fighting wildfires; amending ORS 477.123.

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

4 **SECTION 1.** ORS 477.123 is amended to read:

5 477.123. (1) As used in this section:

6 (a) "Voluntarily" means not undertaken as a condition of employment or with an expectation  
7 of remuneration.

8 (b) "Wildfire" means a fire **that is** burning uncontrolled on **private forestland or** private  
9 cropland, pasture, rangeland or other private agricultural land, or **that is** threatening a structure  
10 on agricultural land.

11 (2) Except as provided in subsection (4) of this section, a person that voluntarily undertakes the  
12 fighting of a wildfire is not civilly liable for any injury to person or property resulting from the good  
13 faith performance of firefighting efforts.

14 (3) Subsection (2) of this section applies to the performance of firefighting efforts that commence  
15 when the person arrives at the fire scene or a staging area and end when the person departs from  
16 the fire scene or staging area.

17 (4) Subsection (2) of this section does not apply to:

18 (a) Members of a volunteer fire department or fire district who have been trained in firefighting  
19 techniques; or

20 (b) The operation of a motor vehicle by a person.  
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**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.