Senate Bill 864
Sponsored by Senators HANSELL, WOODS; Senator FINDLEY

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

A BILL FOR AN ACT

Relating to voluntarily fighting fire; amending ORS 477.123.

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

SECTION 1. ORS 477.123 is amended to read:

477.123. (1) As used in this section:

(a) “Voluntarily” means not undertaken as a condition of employment or with an expectation of remuneration.

(b) “Wildfire” means a fire burning uncontrolled:

(A) On private forestland;

(B) On private cropland, pasture, rangeland or other private agricultural land; or

(C) That threatens a structure on agricultural land.

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

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

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

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

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

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.