

A-Engrossed
Senate Bill 863

Ordered by the Senate May 24
Including Senate Amendments dated May 24

Sponsored by Senator GELSER

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.

Authorizes rural fire protection district to acquire real property or easement for purpose of establishing fire evacuation route, to construct or maintain fire evacuation route or to participate in agreement related to fire evacuation route.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to rural fire protection districts; amending ORS 478.260; and declaring an emergency.

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

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

5 478.260. (1) The district board shall select a fire chief qualified by actual experience as a fire-
6 fighter and [*fire precautionist*] **person who is trained in fire prevention**, or otherwise, and assist-
7 ants, volunteer or otherwise, and fix their compensation. The fire chief shall be responsible for the
8 equipment and properties of the district. Under the direction of the board, the fire chief shall be
9 responsible for the conduct of the fire department.

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

20 **(3) A district may:**

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

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

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

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

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.

1 **the person or governmental entity.**

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

4 [(3)] (4) A district may operate or acquire and operate, or contract for the operation of, emer-
5 gency medical service equipment and vehicles both within and without the boundaries of the district.
6 A district may conduct ambulance operations only in conformance with a county plan adopted under
7 ORS 682.062 for ambulance services and ambulance service areas and with rules of the Oregon
8 Health Authority relating to such services and service areas. Service authorized under a county
9 plan includes authorization for a district to provide ambulance services by intergovernmental
10 agreement with any other unit of local government designated by the plan to provide ambulance
11 services.

12 [(4)] (5) As used in this section, “ambulance services” has the meaning given that term in ORS
13 682.027.

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

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