

**HOUSE COMMITTEE ON EMERGENCY MANAGEMENT,
GENERAL GOVERNMENT, AND VETERANS**

WRITTEN TESTIMONY IN SUPPORT OF AMENDED HOUSE BILL 2522-3

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I hereby submit this written testimony in support of HB2522-3.

Next month I will retire after 50 years as a firefighter in the state of Oregon. At the time I joined, ORS 478 (Structural Rural Fire Protection) and I were both 16 years old, but unlike myself and the rest of the fire service, ORS 478 remains largely as it was.

As amended, HB2522-3 proposes an examination of ORS 478. While the statute can be updated one section at a time, for reasons outlined below I believe an in-depth review of structural fire protection is imperative. HB2522-3 was crafted in collaboration with the Oregon Fire Chiefs Association, with technical advice provided by the Department of the State Fire Marshal (DSFM).

Fifty Years of Change Without Modernizing Rural Fire Protection

Fifty years ago, building materials, furniture and other combustible contents were all heavier, and were primarily made from natural – slow burning and less toxic materials. By contrast, modern lightweight building materials and contents exhibit explosive fire growth while producing a deadly cocktail of chemicals in the smoke. As a result, firefighters are more likely to be caught in deadly phenomenon like backdrafts and flashovers and are much more susceptible to cancer than the general population.

Fifty years ago, most able-bodied citizens in small communities volunteered with their local fire department. Today the volunteer fire service is desperate for members. There are two reasons. First, we are suffering from a general apathy toward volunteerism, and secondarily, many that wish to help, cannot because of the overwhelming time commitment required of modern volunteers. While I went to a structure fire within 12

hours of becoming a volunteer, and most of my training was on the job, the situation is quite different today. To volunteer today, many applicants wait up to a year for an opening in a fire academy. Once in, they will be required to give up the next 10 weekends, often followed by another year of task training before receiving their certification as a firefighter. Then it may take another one to three years before they are job-competent and receive enough advanced training to drive response vehicles, a time frame exceeding the tenure of many volunteers. Adding to the problem are yet more training hours required for wildland, medical and special rescue certifications. These issues have caused a growing number of small community volunteer departments to struggle for their very existence. As an example, the Wolf Creek Volunteer Fire Department in Josephine County, has had no volunteers to respond for over a year, as they attempt to recruit and train new responders.

Fifty years ago, it could be assumed that homeowners living within response range of a fire station would have a desire to be included in the fire district. Yet today there are a growing number of homeowners actively resisting annexation. Many of them openly rely on the nearby fire district for service, and often receive insurance discounts intended for the taxpayers funding the district. Further, when the fire district does provide service, existing statutes only authorize the district to recover actual expenses associated with the response, which does not cover the true cost of providing this service. The true cost comes from maintaining a standing army of responders in a state of readiness year after year, not the incidental expenses associated with a few hours of service. This true cost is therefore born solely by the fire district's taxpayers, who are, in effect, subsidizing the out-of-district properties.

Fifty years ago, many large fires outside of town scarcely made the news. Today those same fires, in the same location are on national news, as dozens of high-end rural homes on five-acre parcels are threatened, and all too often destroyed. The explosive growth of rural homes has changed the nature of our fires and the role of the structural fire service across the state, while fire district annexation laws have not kept pace.

In January of 2023, The Department of State Fire Marshal (DSFM) reviewed population census data across Oregon, with a focus on areas outside recognized fire protection districts. The survey revealed a surprising number of unprotected population clusters containing densities greater than 100 per square mile. While it is known that a few have some form of non-recognized wildland response, most, if not all have no community-based structural fire service. There are dozens of these enclaves', and they are home to thousands of at-risk citizens. This raises the question - do they collectively represent a fire safety risk to the state itself?

Under our 66-year-old structural fire statutes, Oregon's remote rural neighborhoods may never see structural fire protection. In simple terms, they lack the economy of scale to successfully operate under Oregon's legacy fire service models. Even more problematic, there are dozens of small fire districts across the state also suffering from the economy of scale dilemma. The cost of meeting contemporary standards for equipment, training, facilities, safety, and insurance, have grown out of bounds for all

but the largest volunteer fire districts. Couple this fact with the trend away from civic volunteerism, and the problem has magnified to crisis levels.

Recommendation and Summary

What's needed is a fresh approach and a willingness to augment our aged statutes to meet today's realities. Let's look at the case of remote neighborhoods as an example. One proposal involves a return to the structural volunteer fire service of the 1950's, but with modern tools and without compromising current industry standards or safety compliance. The key lies in analyzing the volunteer fire service prior to the development of modern tools like Self-Contained Breathing Apparatus. In simple terms, our predecessors put out small fires and confined large ones to the building of origin, and they did this while staying out of the building. By removing interior fire attack as a function of the smallest fire organizations, the cost and as importantly, the time commitment for the volunteers falls by an order of magnitude.

Given the unconventional nature of this proposal, there will be many legitimate questions and the answers may lie elsewhere. What's important is that the conversation move forward for the issues discussed above, and many more not addressed in this letter. HB2522-3 can provide a focal point to meet the many challenges currently facing the state's structural fire service, by:

- Conducting a thorough review of the fire district formation and annexation processes, and by reviewing proposals for alternative forms of fire protection.
- Studying property owner dis-incentives toward the formation of, or annexation into fire districts.
- By looking at volunteer firefighters as a necessary employee classification, with an eye toward recruitment and retention. State tax credits as a reward for service being one example.
- Through a close look at the statutes authorizing fire service outside of fire districts and cities, paying close attention to fair and equitable reimbursement.

Given the importance of modernizing our structural fire protection laws, it is our sincere hope that you will support passage of HB2522-3, an ideal vehicle for such a task.