

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

PERMANENT ADMINISTRATIVE ORDER

OSFM 2-2024

CHAPTER 837

DEPARTMENT OF THE STATE FIRE MARSHAL

FILED

05/31/2024 8:01 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Clarifying changes and updates to the Oregon Safety Assessment Program.

EFFECTIVE DATE: 05/31/2024

AGENCY APPROVED DATE: 05/29/2024

CONTACT: Sara Zavala

971-372-1998

osfm.rulescoordinator@osfm.oregon.gov

3991 Fairview Industrial Dr. SE

Salem, OR 97302

Filed By:

Sara Zavala

Rules Coordinator

RULES:

837-140-0001, 837-140-0010, 837-140-0020, 837-140-0030, 837-140-0040

AMEND: 837-140-0001

RULE TITLE: Safety Assessment Program — Purpose and Scope

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: Update language for purpose and scope

RULE TEXT:

These rules establish and maintain a registry of qualified and credentialed post-disaster safety evaluators per ORS 401.256. The Department of State Fire Marshal shall coordinate and oversee the implementation of the Oregon Safety Assessment Program (OrSAP) in accordance with criteria described in the Applied Technology Council (ATC) Procedures for Post-Earthquake Safety Evaluation of Buildings (ATC-20 - Standard), and Safety Evaluation of Buildings after Windstorms and Floods (ATC-45).

STATUTORY/OTHER AUTHORITY: ORS 401.358, HB 2206, ORS 401.256

STATUTES/OTHER IMPLEMENTED: ORS 401.358, HB 2206, ORS 401.256

AMEND: 837-140-0010

RULE TITLE: Definitions

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: Change Building Safety Evaluator Type 4 to Type 3, as Type 4 is being merged into Type 3. Update language for consistency

RULE TEXT:

- (1) "Building" means any structure utilized or intended for supporting or sheltering any use or occupancy.
- (2) "Building Safety Evaluator Type 3" means a person registered to assist other types in post-disaster structural safety and habitability evaluations (Rapid or Detailed Evaluations).
- (3) "Building Safety Evaluator Type 2" means a person registered to do Type 3 tasks PLUS: perform post-disaster structural safety and habitability evaluations (Rapid Evaluations) for single-family residential buildings and associated accessory structures up to three stories in height, row houses, townhouses, and simple commercial structures up to one story in height.
- (4) "Building Safety Evaluator Type 1" means a person registered to do Type 2 tasks PLUS: perform post-disaster structural safety and habitability evaluations (Rapid Evaluations) on all simple commercial structures.
- (5) "Building Safety Evaluator: Complex Architectural System" means a person who is registered to do Type 1 tasks PLUS: perform post-disaster non-structural habitability evaluations (Rapid or Detailed Evaluations) on all structures including architecturally complex structures such as high rise, mixed use, hospitals, schools, shopping malls, hotels and convention centers, historic structures, and large business complexes.
- (6) "Building Safety Evaluator: Complex Geological System" means a person who is registered to do Type 2 tasks PLUS: perform complex soil, slope, and foundation related evaluations (Rapid or Detailed Evaluations), such as liquefaction, slope stability, and settlement for all structures.
- (7) "Building Safety Evaluator: Complex Structural System" means a person who is registered to do Type 1 tasks PLUS: perform post-disaster building safety evaluations (Rapid or Detailed Evaluations) on all structures including difficult, complex, or significant structures.
- (8) "Local Program Coordinator (LPC)" means a person who is from a local government agency such as a building department, emergency management department, or fire agency that will assess the extent and severity of the damage overall and determine the need for qualified volunteers to perform building safety evaluations.

STATUTORY/OTHER AUTHORITY: ORS 401.358, ORS 401.256

STATUTES/OTHER IMPLEMENTED: ORS 401.358

AMEND: 837-140-0020

RULE TITLE: Local Program Coordinator

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: Making the change to require OSFM to give LPC a list of qualified volunteers upon request. Add training option for coordinator training.

RULE TEXT:

(1) The Department of the State Fire Marshal will provide the Local Program Coordinator (LPC) with a list of qualified volunteers upon request.

(2) The LPC will assess the extent and severity of the damage and determine the need for qualified volunteers to perform building safety evaluations.

(3) The LPC will be required to complete one of the following: OrSAP Building Safety Evaluator Training, California Office of Emergency Services (CalOES) Safety Assessment Program (SAP) Evaluator Training, or CalOES SAP Coordinator training, or completion and documentation of an OrSAP approved ATC-20 and ATC-45 course.

STATUTORY/OTHER AUTHORITY: ORS 401.358, ORS 401.256

STATUTES/OTHER IMPLEMENTED: ORS 401.358

AMEND: 837-140-0030

RULE TITLE: Post-Disaster Building Safety Evaluator Registration Requirements

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: Updating the language for consistency. Fixing a typo, add Washington Safety Assessment training as an approved training course. Replacing Type 4 with Type 3, as Type 4 is being eliminated and remove experience. Add section requiring OSFM/OrSAP training. Removing the allowance for a bachelor's degree to count toward experience.

RULE TEXT:

(1) All persons seeking registration as a post-disaster building safety evaluator must:

(a) Complete an OSFM application form; and

(b) Complete one of the following training courses to be fully certified: OrSAP Building Safety Evaluator Training, CalOES Safety Assessment Program Evaluator Training, WAsafe - Washington State Safety Assessment Facility Evaluators Training, or completion and documentation of an OrSAP approved ATC-20 Post Earthquake Safety Evaluation of Buildings; and

(c) Complete the Department of the State Fire Marshal's Oregon Safety Assessment Program training module.

(2) To be registered as a Building Safety Evaluator Type 3, an applicant must have the following education:

(a) Engineer in Training/Engineer Intern; or

(b) Bachelor of Architecture; or

(c) Any International Code Council (ICC) certification or Oregon equivalent; or

(d) A general contractor's construction license.

(3) To be registered as a Building Safety Evaluator Type 2, an applicant must have one or more of the following current certifications:

(a) Residential Building Inspector – ICC B1 or Oregon CAS; or

(b) Residential Building Plans Examiner – ICC R3 or Oregon CAX; or

(c) Professional Engineer; or

(d) Certified Engineering Geologist.

(4) To be registered as a Building Safety Evaluator Type 1, an applicant must have one or more of the following current certifications:

(a) Commercial Building Inspector – ICC B2 or Oregon SIA; or

(b) Commercial Building Plans Examiner – ICC B3 or Oregon PEA; or

(c) Certified Building Official – ICC CBO or Oregon Building Official; or

(d) Construction Inspector Division II – American Construction Inspectors Association (ACIA); or

(e) Professional Structural Engineer; or

(f) Professional Engineer with specialization in structures; or

(g) Registered Architect.

(5) To be registered as a Building Safety Evaluator: Complex Architectural System, an applicant must have one or more of the following current certifications and experience:

(a) Registered Architect; or

(b) Commercial Building Plans Examiner – ICC B3 or Oregon PEA; or

(c) Certified Building Official – ICC CBO or Oregon equivalent; and

(d) 10 years of experience in the architectural design of complex building types, field investigation, and construction observation; or

(e) 10 years of experience as a plans examiner for a major metropolitan jurisdiction (population greater than 100,000).

(6) To be registered as a Building Safety Evaluator: Complex Geological System, an applicant must have one or more of the following current certifications and experience:

(a) Professional Geotechnical Engineer; or

(b) Registered Geologist; or

(c) Certified Engineering Geologist; and

(d) 5 years of experience in building foundation design or analysis, including evaluation of existing building, field investigation, or construction observation.

(7) To be registered as a Building Safety Evaluator: Complex Structural System, an applicant must have one or more of the following current certifications and experience:

(a) Professional Structural Engineer; or

(b) Professional Engineer with specialization in structures, and 10 years of experience in building design or analysis, including evaluation of existing buildings, field investigation, plan review, and construction observation.

STATUTORY/OTHER AUTHORITY: ORS 401.358, ORS 401.256

STATUTES/OTHER IMPLEMENTED: ORS 401.358

AMEND: 837-140-0040

RULE TITLE: Post-Earthquake Building Safety Evaluator Continuing Education Requirements

NOTICE FILED DATE: 04/04/2024

RULE SUMMARY: Update language for consistency.

RULE TEXT:

Post-disaster building safety evaluators must complete an approved OrSAP refresher training every five years.

STATUTORY/OTHER AUTHORITY: ORS 401.358, ORS 401.256

STATUTES/OTHER IMPLEMENTED: ORS 401.358