

Senate Bill 14

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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**.

Requires inventory and rehabilitation of certain public school, community college and public university buildings that would pose threat to occupant safety in event of earthquake. Creates exceptions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to seismic event preparation; creating new provisions; amending ORS 455.390; and declaring
3 an emergency.

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

5 **SECTION 1. (1) The following shall conduct seismic rehabilitation surveys of their**
6 **buildings that are used for instruction and have a capacity of 250 or more students:**

7 **(a) District school boards as defined in ORS 332.002;**

8 **(b) Boards of education of community college districts; and**

9 **(c) Administrators of state institutions of higher education listed in ORS 352.002.**

10 **(2) All entities required to conduct seismic rehabilitation surveys under subsection (1)**
11 **of this section shall report the survey results to the Department of Consumer and Business**
12 **Services. In addition to reporting to the department:**

13 **(a) District school boards and boards of education of community college districts shall**
14 **report the survey results to the State Board of Education.**

15 **(b) Administrators of state institutions of higher education listed in ORS 352.002 shall**
16 **report the survey results to the State Board of Higher Education.**

17 **(3) A report pursuant to subsection (2) of this section shall contain all of the following:**

18 **(a) An engineering evaluation of the surveyed buildings based on structural inspection**
19 **and analysis, including but not limited to a determination of the potential for structural**
20 **collapse, fall hazards, tsunami vulnerability or other threats to occupant safety during a**
21 **seismic event.**

22 **(b) A plan for seismic rehabilitation if a surveyed building is identified as posing a threat**
23 **to occupant safety during a seismic event. The plan shall provide for rehabilitation to life**
24 **safety level seismic performance standards established by department rule. However, the**
25 **department or a municipality acting under ORS 455.020 (4) and 455.150 may approve rehabil-**
26 **itation to a lower level of seismic performance if rehabilitation to the life safety level is not**
27 **practicable. In lieu of a plan for seismic rehabilitation, the report may contain a plan for the**
28 **building to be demolished, vacated or converted to an alternate use.**

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 **(c) A proposed schedule for completing the seismic rehabilitation or other disposition of**
2 **each building described under paragraph (b) of this subsection.**

3 **(4) The department may establish a schedule for the completion of a rehabilitation or**
4 **other disposition. All rehabilitations or other dispositions must be completed before January**
5 **1, 2032.**

6 **(5) Notwithstanding subsections (1) and (2) of this section:**

7 **(a) A seismic rehabilitation survey is not required for any building constructed in ac-**
8 **cordance with life safety level seismic performance standards established by department**
9 **rule; and**

10 **(b) A seismic rehabilitation survey is not required for any building that has previously**
11 **been rehabilitated or for which a seismic rehabilitation agreement or seismic rehabilitation**
12 **program has been approved by state or local government prior to the effective date of this**
13 **2001 Act.**

14 **SECTION 2. The Department of Consumer and Business Services, in consultation with**
15 **the State Department of Geology and Mineral Industries, State Board of Education and State**
16 **Board of Higher Education, shall adopt rules to govern the conducting and reporting of**
17 **seismic rehabilitation surveys as required by section 1 of this 2001 Act.**

18 **SECTION 3. ORS 455.390 is amended to read:**

19 455.390. As used in ORS 455.020, 455.390, 455.395 and 455.400 **and sections 1 and 2 of this 2001**
20 **Act:**

21 (1) "Seismic rehabilitation" means construction of structural improvements to a building that
22 result in the increased capability of the building to resist earthquake forces and that are based on
23 standards adopted by the State of Oregon or by local governments.

24 (2) "Seismic rehabilitation agreement" means an agreement between a local government entity
25 and a building owner pursuant to a seismic rehabilitation program for the phased completion of
26 structural improvements to the owner's building.

27 (3) "Seismic rehabilitation data" means data contained in any documents, reports, studies, test
28 results, papers, files or other records that result from a seismic rehabilitation survey or are con-
29 tained in a seismic rehabilitation agreement. "Seismic rehabilitation data" does not include data or
30 reports required by ORS 455.447 or rules adopted pursuant thereto.

31 (4) "Seismic rehabilitation program" means any program enacted under an ordinance of a local
32 government entity that provides for the seismic rehabilitation of buildings within the jurisdiction
33 of the entity and authorizes the rehabilitation to be phased over a period of time not to exceed 10
34 years.

35 (5) "Seismic rehabilitation survey" means any investigation, survey, audit or other process for
36 generating data from which the local government entity and the building owner may determine and
37 agree upon the deficiencies that need to be addressed in a plan for the seismic rehabilitation of the
38 owner's building.

39 **SECTION 4. This 2001 Act being necessary for the immediate preservation of the public**
40 **peace, health and safety, an emergency is declared to exist, and this 2001 Act takes effect**
41 **on its passage.**