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.

1 **A BILL FOR AN ACT**

2 Relating to voluntarily fighting fire; amending ORS 477.123.

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

4 **SECTION 1.** ORS 477.123 is amended to read:

5 477.123. (1) As used in this section:

6 (a) "Voluntarily" means not undertaken as a condition of employment or with an expectation

7 of remuneration.

8 (b) "Wildfire" means a fire burning uncontrolled**:**

9 **(A) On private forestland;**

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

11 **(C) That threatens** [*threatening*] a structure on agricultural land.

12 (2) Except as provided in subsection (4) of this section, a person [*that*] **who** voluntarily under-

13 takes the fighting of a wildfire is not civilly liable for any injury to person or property resulting

14 from the good faith performance of firefighting efforts.

15 (3) Subsection (2) of this section applies to the performance of firefighting efforts that commence

16 when the person arrives at the fire scene or a staging area and end when the person departs from

17 the fire scene or staging area.

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

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

20 techniques; or

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

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