

House Bill 2210

Sponsored by Representatives HUFFMAN, BOONE; Representatives EVANS, POST, READ, WILSON (Presession filed.)

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**.

Authorizes individuals acting under authority of broadcasters to enter geographic area subject to declaration of emergency to report news or public safety information or to maintain essential broadcast equipment.

Requires Office of Emergency Management to establish procedure for issuing or approving credentials of individuals acting under authority of broadcasters. Allows office to approve credentials issued by private entity representing majority of broadcasters in state.

A BILL FOR AN ACT

1
2 Relating to access of broadcasters to geographic area subject to declaration of emergency.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 401.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **“Broadcaster” means a person that holds a license issued by the Federal Communi-**
7 **cations Commission under 47 C.F.R. parts 73, 74, 76 or 78.**

8 (b) **“First informer” means an individual, acting under the authority of a broadcaster,**
9 **who is:**

10 (A) **Engaging in the process of gathering or reporting news or public safety information,**
11 **providing a public service or traveling to or from a location at which the individual will**
12 **broadcast or has broadcasted;**

13 (B) **Maintaining, including repairing or resupplying, transmitters, generators or other**
14 **essential equipment at a broadcast station or facility; or**

15 (C) **Providing technical support services to a broadcaster or to another first informer.**

16 (2) **Unless prohibited by state or federal law or, in the discretion of the incident**
17 **commander during an emergency declared under ORS 401.165, public safety is endangered or**
18 **recovery efforts are inhibited, a first informer with credentials issued or approved by the**
19 **Office of Emergency Management under subsection (4) of this section may:**

20 (a) **Travel on public roads within a geographic area subject to a declaration of emergency**
21 **under ORS 401.165;**

22 (b) **Access the geographic area for the purposes of gathering or reporting news or public**
23 **safety information, providing a public service or maintaining transmitters, generators or**
24 **other essential equipment at a broadcast station or facility used to acquire, produce or**
25 **transmit news or public safety information related to the emergency; and**

26 (c) **Access the distribution of fuel, food, water, supplies, equipment and any other mate-**
27 **rials necessary for producing a broadcast or a broadcasting signal.**

28 (3) **An emergency service agency may not seize a vehicle, fuel, food, water or other es-**

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 **sential materials in the possession of a first informer who is in the geographic area subject**
2 **to a declaration of emergency under ORS 401.165 in the performance of the duties of the first**
3 **informer.**

4 **(4) The Office of Emergency Management shall establish a procedure for issuing or ap-**
5 **proving credentials of a first informer. If the office finds that a private entity organized**
6 **under the laws of this state represents a majority of the broadcasters in this state, the office**
7 **may approve credentials issued to a first informer by the entity if the criteria for issuance**
8 **of the credentials include a program of training for first informers regarding:**

9 **(a) The risks associated with entering a geographic area subject to a declaration of an**
10 **emergency under ORS 401.165;**

11 **(b) Best practices for working safely in the geographic area; and**

12 **(c) Best practices for working in the geographic area without hindering or interfering**
13 **with the conduct of emergency services by an emergency service agency.**

14 **(5) In performing the duties assigned under subsection (4) of this section, the office:**

15 **(a) May consult with the private entity described in subsection (4) of this section.**

16 **(b) Shall, if the office participates in the program of training described in subsection (4)**
17 **of this section, recover any costs of participation from first informers who receive the**
18 **training.**

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