



Department of Consumer  
and Business Services

## Notice of Permanent Rule

Filed March 29, 2023

### Minimum standards for ePermitting or alternative equivalent electronic system for local building departments

#### Purpose of the rule:

These rules fulfill the requirement placed on the division by House Bill 2415 from the 2021 legislative session. The bill requires the division to create greater statewide consistency in electronic systems used by local building departments and to create minimum standards for those systems.

#### Citation:

Adopts: OAR 918-050-0210, 918-050-0220

Amends: OAR 918-050-0010

This rule is effective April 1, 2023.

#### Background:

HB 2415 passed the Oregon legislature and was signed into law by the Governor on Sept. 25, 2021, but portions of the bill are not operative until Jan. 1, 2025. The law was intended to improve statewide consistency for electronic processes for reviewing plans, issuing permits, and performing field inspections. The law requires that, by Jan. 1, 2025, all local jurisdictions that administer a building inspection program use either the division's electronic system or an equivalent system. The law also requires that the division create minimum standards for those electronic systems. A hearing was held on the division's proposed rulemaking on March 21, 2023. Testimony was accepted until March 24, 2023.

#### Summary:

OAR 918-050-0010 defines terms used in the new rules that are not already defined in rule.

OAR 918-050-0210 explains that the purpose of the new rules is to implement ORS 455.095 and 455.097, creating minimum standards for ePermitting and equivalent electronic systems.

OAR 918-050-0220 lists the minimum standards that will be required of ePermitting and equivalent systems starting Jan. 1, 2025.

#### Contact:

If you have questions or need further information, contact Andy Boulton, senior policy advisor, 971-375-7027, [andrew.boulton@dcbs.oregon.gov](mailto:andrew.boulton@dcbs.oregon.gov).



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## PERMANENT ADMINISTRATIVE ORDER

### BCD 1-2023

CHAPTER 918

DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

BUILDING CODES DIVISION

**FILED**

03/29/2023 2:11 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Creates minimum standards for electronic systems used by local jurisdictions managing building departments

EFFECTIVE DATE: 04/01/2023

AGENCY APPROVED DATE: 03/28/2023

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#### RULES:

918-050-0010, 918-050-0210, 918-050-0220

AMEND: 918-050-0010

NOTICE FILED DATE: 02/10/2023

RULE SUMMARY: OAR 918-050-0010 defines terms used in the new rules that are not already defined in rule.

#### CHANGES TO RULE:

918-050-0010

Definitions ¶¶

Terms not specifically defined will have the meanings given in the state building code. ¶¶

(1) "Administrative fees" refers to fees assessed by a municipality to cover costs of administering and enforcing the building code apart from inspection and plan review services. Surcharges, assessed as part of the cost of doing business within a municipality and that are assessed without regard to whether the municipal action relates to the administration of the building code, are not administrative fees for the purposes of these rules. ¶¶

(2) "Tri-county region" or "Tri-county regional" refers to the geographical area that includes Clackamas, Multnomah, and Washington counties. ¶¶

(3) "ePermitting" means the division-developed electronic system that meets the minimum standards listed in 918-050-0220 and is provided to jurisdictions in accordance with ORS 455.095. ¶¶

(4) "Comparable electronic system" means a system that is not ePermitting but meets all the minimum standards listed in 918-050-0220. ¶¶

(5) "Online" means connected to or available through an electronic system or telecommunications system, such as the internet.

Statutory/Other Authority: ORS 455.020, 455.055

Statutes/Other Implemented: ORS 455.020, 455.055

ADOPT: 918-050-0210

NOTICE FILED DATE: 02/10/2023

RULE SUMMARY: OAR 918-050-0210 explains that the purpose of the new rules is to implement ORS 455.095 and 455.097, creating minimum standards for ePermitting and equivalent electronic systems.

CHANGES TO RULE:

918-050-0210

Electronic Permitting System

Purpose and Scope: The division has established minimum standards and statewide consistency for electronic systems that municipalities use to process plan reviews, issue permits, and perform electronic field inspections. Municipalities may use the division's electronic system or a comparable system that has the same equivalent features as defined by ORS 455.095 and these rules. The minimum standards will be required starting on January 1, 2025, as required by section 4, chapter 223, Oregon Laws 2021.

Statutory/Other Authority: ORS 455.095, ORS 455.097, Section 4, Chapter 223, Oregon Laws 2021

Statutes/Other Implemented: ORS 455.095, ORS 455.097, Section 4, Chapter 223, Oregon Laws 2021

ADOPT: 918-050-0220

NOTICE FILED DATE: 02/10/2023

RULE SUMMARY: OAR 918-050-0220 lists the minimum standards that will be required of ePermitting and equivalent systems starting January 1, 2025.

CHANGES TO RULE:

918-050-0220

Electronic System Minimum Standards:

The electronic system minimum standards must be adopted and functional by January 1, 2025.

(1) ePermitting or a comparable electronic system must be able to provide the public with 24 hour, continuous online access, except for planned maintenance and temporary outages due to unforeseen circumstances, to the following activities:

(a) Searching for permit and inspection data;

(b) Making applications;

(c) Uploading plans and other documents;

(d) Remitting payments;

(e) Tracking of plan review status and approvals; and

(f) Scheduling of inspections, reviewing required corrections, and receiving inspection approvals.

(2) ePermitting or a comparable system must also be able to provide:

(a) Electronic mark up and review of electronically-submitted plans;

(b) Contractor license verification; and

(c) Electronic tools for inspectors to provide or update field inspections, construction progress inspections and on site verification of compliance with building code requirements.

Statutory/Other Authority: ORS 455.095, ORS 455.097

Statutes/Other Implemented: ORS 455.095, ORS 455.097, Section 4, Chapter 223, Oregon Laws 2021