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NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 837

DEPARTMENT OF THE STATE FIRE MARSHAL

FILED

07/30/2025 2:58 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adoption of the 2024 International Fire Code with Oregon amendments for 2025.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/10/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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3991 Fairview Industrial Dr. SE
Salem, OR 97302

Filed By:
Sara Zavala
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 08/20/2025

TIME: 9:00 AM - 10:00 AM

OFFICER: Sara Zavala

IN-PERSON HEARING DETAILS

ADDRESS: Oregon State Fire Marshal Building, 3991 Fairview Industrial Dr. SE, Salem, OR 97302

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 611860825

NEED FOR THE RULE(S)

The rule changes are required to implement the 2024 edition of the International Fire Code with Oregon Fire Code amendments, which is updated every three years.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

International Fire Code: <https://shop.iccsafe.org/2024-international-fire-coder.html>

Oregon Fire Code: <https://www.oregon.gov/osfm/fire-service-partners/pages/oregon-fire-code.aspx>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The are no anticipated effects on racial equity based on the rule amendments implementing the updated International Fire Code with Oregon Fire Code amendments.

FISCAL AND ECONOMIC IMPACT:

The OSFM anticipates no significant changes in costs based on the proposed rule amendments.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

Small businesses will need to continue to comply with fire code, as adopted, but there are no direct expenses associated with the adoption of the amended fire codes. There are no new costs for compliance; OSFM does not foresee new costs associated with the rules adopting the fire code amendments.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small business representation participated in the Oregon Fire Code committee workshops during code amendment review and development. Committee participants included healthcare, fireworks, building officials, fire code officials, engineers and architects, and manufacturing.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The rules implement a newly amended code that was developed and reviewed by the Oregon Fire Code Advisory Board (OFCAB) and approved by the State Fire Marshal. The rule amendments simply implement the code.

RULES PROPOSED:

837-040-0010, 837-040-0015, 837-040-0020, 837-040-0140

AMEND: 837-040-0010

RULE SUMMARY: Adopts the Oregon Fire Code and updates the edition of the International Fire Code.

CHANGES TO RULE:

837-040-0010

Adoption of the International Fire Code ¶

(1) The Oregon Fire Code is generally adopted every three years, coinciding with the publication of a nationally recognized fire code.¶

(2) Effective October 1, 2022~~5~~, the 2022~~5~~ Oregon Fire Code which is the 2021~~4~~ edition of the International Fire Code, as published by the International Code Council, and as amended by the Department of the State Fire Marshal, is adopted. (Referenced publications are available for review at the agency. See agency web site for information on where to purchase publications.)¶

(3)(a) For the purposes of implementing a phase-in period for the 2022~~5~~ Oregon Fire Code in new construction plan review only, the 2019~~22~~ Oregon Fire Code is adopted for a period of ~~9~~180-days beginning October 1, 2022~~5~~ and ending ~~December~~March 31, 2022~~6~~.¶

(b) During the ~~9~~180-day phase-in period established in subsection (3)(a), new construction plan reviews will be reviewed to either the 2022~~5~~ Oregon Fire Code or the 2019~~22~~ Oregon Fire Code as directed by the local building official.¶

(c) For the purposes of implementing an electronic code integration in the records management system (RMS) a phase-in period for the 2025 Oregon Fire Code, the 2022 Oregon Fire Code will remain the adopted code for a period of 180-days beginning October 1, 2025, and ending March 31, 2026.

Statutory/Other Authority: ORS 476.030

Statutes/Other Implemented: ORS 476.030

AMEND: 837-040-0015

RULE SUMMARY: Clarifies the Oregon Fire Code Advisory Board will review proposed amendments to code.

CHANGES TO RULE:

837-040-0015

Proposed Code Amendment Criteria ¶¶

- (1) All proposed code amendments are submitted to the Department of the State Fire Marshal in writing or on an agency approved form.¶¶
- (2) All proposed code amendments must provide justification and the particular circumstances requiring the amendment.¶¶
- (3) The Department of the State Fire Marshal screens proposed code amendments to determine whether they substantially meet the requirements of OAR 837-040-0015(5). Proposed code amendments not substantially meeting the requirements of 837-040-0015(5) may be returned to the applicant with specific reasons included in the returned application.¶¶
- (4) Proposed Code amendments that substantially meet the requirements of OAR 837-040-0015(5) will be reviewed by ~~a~~ the Oregon Fire eCode a ~~Advisory committee~~ Board (OFCAB). Final approval or denial of the proposed code amendment will be at the discretion of the State Fire Marshal.¶¶
- (5) As required by OAR 837-040-0015(2), a proposed code amendment must address, where applicable, whether or not the proposed code amendment:¶¶
 - (a) Is necessary to correct any unforeseen or probable outcomes resulting from the application of a code section, and if so, why;¶¶
 - (b) Is needed to protect the health, safety, welfare, comfort and security of occupants, emergency responders, and the public, and if so, why;¶¶
 - (c) Corrects inadequate application by a code section to a method, material or design, and if so, how;¶¶
 - (d) Is necessary to address unique geographic or climatic conditions within Oregon, and if so, why;¶¶
 - (e) Is needed to eliminate conflicting, obsolete, or duplicative code provisions or standards between Oregon adopted codes, statutes or regulations, and if so, why;¶¶
 - (f) Provides for the use of unique or emerging technologies, or promote advances in construction methods, devices, materials and techniques, and if so, how;¶¶
 - (g) Any adverse fiscal impact or cost savings passed on to the general public, the construction industry, local and state governments, and small businesses. If applicable, an interested person must describe the added or reduced cost of a proposed code amendment, describe the adverse fiscal impact or cost savings in relation to the current Oregon Fire Code and include any standards of measure used to arrive at the result given.

Statutory/Other Authority: ORS 476.030

Statutes/Other Implemented: ORS 476.030

AMEND: 837-040-0020

RULE SUMMARY: Amends the Oregon Fire Code; updated to fix a capitalization mistake.

CHANGES TO RULE:

837-040-0020

Amendments to the Oregon Fire Code ¶

(1) The Department of the State Fire Marshal may amend the Oregon Fire Code approximately midway between publications of the International Fire Code based on proposed code amendments submitted for consideration by interested persons.¶

(2) Any time between publications of the International Fire Code, the Department of the State Fire Marshal may initiate and adopt code amendments to the Oregon Fire Code, as circumstances merit (Referenced publications are available for review at the agency. See agency web site for information on where to purchase publications).

[Publications: Publications referenced are available from the agency.]¶

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Statutory/Other Authority: ORS 476.030

Statutes/Other Implemented: ORS 476.030

AMEND: 837-040-0140

RULE SUMMARY: Updates the Oregon Structural Specialty Code and Oregon Mechanic Specialty Code to the 2025 edition.

CHANGES TO RULE:

837-040-0140

Adoption of the Oregon Structural Specialty Code and Oregon Mechanical Specialty Code ¶

The fire and life safety provisions of the 2022~~2~~5 edition of the Oregon Structural Specialty Code and the 2022~~2~~5 edition of the Oregon Mechanical Specialty Code ~~is~~are hereby adopted as a ~~standard~~standards for the purpose of evaluation of existing buildings. (Referenced publications are available for review at the agency. See Building Codes Division web site for information on where to purchase publications.)

Statutory/Other Authority: ORS 476.030

Statutes/Other Implemented: ORS 476.030