



Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services/Oregon OSHA  
Agency and Division

OAR 437  
Administrative Rules Chapter Number

Sue Joye                      350 Winter Street NE Salem OR 97301-3882  
Rules Coordinator                      Address

503-947-7449  
Telephone

**RULE CAPTION**

Propose to adopt changes to Portable Fire Extinguishers in General Industry.  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Labor & Industries Building  
350 Winter Street NE  
Basement – Conference Room E  
Salem OR 97303

September 27, 2007    10:00 AM  
Hearing Date                      Time

Location

Sue Joye  
Hearings Officer

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

**ADOPT:** OAR 437-002-0187

**AMEND:** OAR 437-002-0180

ORS 654.025(2) and 656.726(4)  
Stat. Auth.

Other Authority

ORS 654.001 through 654.295  
Stats. Implemented

**RULE SUMMARY**

These changes represent an attempt to consolidate, simplify and update the old rules. They were reformatted for ease of reading and plain language. There are no new requirements. The requirement to inspect and maintain extinguishers will change to make following the manufacturers' instructions the primary emphasis on newer extinguishers. The old requirements remain for older extinguishers. These changes conform to rules about extinguisher maintenance and inspection, enforced by the Oregon Office of State Fire Marshall.

This action adopts a new rule, OAR 437-002-0187 Portable Fire Extinguishers, and will repeal the existing fire extinguisher rule OAR 437-002-1910.157. OAR 437-002-1910.66 Powered Platforms, and OAR 437-002-1910.109 Explosives and Blasting Agents, reference the 1910.157 standard. A note will be included at each of these locations to refer the reader to the new fire extinguisher standard OAR 437-002-0187.

Please visit our web site [www.orosha.org](http://www.orosha.org) Click 'Rules/Compliance' in the left vertical column and view our proposed, adopted, and final rules.

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

Michael D. Wood  
Signature

October 3, 2007

**Last Day for Public Comment**

Last day to submit written comments to the Rules Coordinator

Michael D. Wood  
Printed name

8/14/07  
Date

\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.



**How were small businesses involved in the development of this rule?**

Small businesses were not involved because there are no new requirements or costs to the employer.

**Administrative Rule Advisory Committee consulted?: No.**

**If not, why?:** Not used because there are no new costs or requirements.

<u>/s/ Michael D. Wood</u>	<u>Michael D. Wood</u>	<u>8/14/07</u>
Authorized Signer	Printed name	Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.  
ARC 925-2005