

April 24, 2019

TO: Representative Alissa Keny-Guyer, Chair  
House Committee on Human Services and Housing  
FR: Bob Joondeph,  
RE: Support for SB 176A

Disability Rights Oregon (DRO) is the Protection and Advocacy System for Oregon. It has provided legal-based advocacy services to Oregonians with disabilities since 1977.

DRO strongly supports SB 176 as a simple way to clarify that motorists who have disabilities that limit their ability to pump their own gas will have access to fuel.

Background: HB 3011 from the 2015 legislative session (ORS 480.341) and HB 2482 from the 2017 legislative session (ORS 480.343) allow self-service gas stations in rural Oregon counties. Both bills specify that stations in those counties that include retail space providing goods or services “shall make an owner, operator or employee available” for dispensing gas during certain hours.

SB 176 would assure that gas stations governed by these laws operate within the requirements of the Americans with Disabilities Act and ORS 659A.142(4). It adopts the wording of a 1999 U.S. Department of Justice directive regarding ADA requirements for service stations that make an owner, operator or employee available for dispensing gas.

For stations that have a person available for dispensing gas, a sign must be posted that informs the driver of how they may get the attention of the dispenser. One means of communication must be by phone and the second is of the station’s choosing. This flexibility in signaling allows stations to regulate potentially unwelcome noise from horn use.

We appreciate the cooperation of the Oregon Fuels Association in crafting SB 176A to meet the needs of both dispensaries and motorists with disabilities. The bill will also fulfill Oregon policy set forth in ORS 480.315 (16) that recognizes: “The federal Americans with Disabilities Act, Public Law 101-336, requires that equal access be provided to persons with disabilities at retail gasoline stations...”

SB 176A will give seniors and people with disabilities greater clarity and uniformity in how to access fuel for their vehicles. Thank you for this opportunity to support its passage.