

SB 176 A STAFF MEASURE SUMMARY

Carrier: Sen. Olsen

Senate Committee On Environment and Natural Resources

Action Date: 03/21/19

Action: Do pass the A-Eng bill.

Vote: 5-0-0-0

Yeas: 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/21

WHAT THE MEASURE DOES:

Requires a filling or service station, garage, or other fuel dispensary in counties where self-service gasoline is available under ORS 480.341 or 480.343, and that makes an owner, operator, or employee available to dispense Class 1 flammable liquids, to provide equal service to persons with disabilities. Specifies that equal access is provided by: (1) posting a sign that is clearly readable by a motor vehicle operator notifying a person with disabilities that refueling assistance may be requested by calling a telephone number on the sign or signaling as described on the sign, (2) providing refueling assistance upon request of a person with a disability, and (3) providing refueling assistance without an additional service fee.

ISSUES DISCUSSED:

- Need to address equal access arose with allowing self-serve gasoline in some parts of Oregon
- Other states have requirements for providing information to provide equal service to consumers

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Americans with Disabilities Act requires self-serve gas stations to provide equal access to individuals with disabilities by providing refueling assistance upon request without additional charge and by providing notice (such as signs) to consumers indicating how to obtain assistance. Oregon prohibited self-service at retail fueling stations until 2015, when House Bill 3011 was passed allowing consumers to serve themselves between the hours of 6:00 p.m. and 6:00 a.m. in counties with populations of less than 40,000 residents. In 2017, House Bill 2482 passed allowing self-service 24 hours per day in those counties and requiring gas stations that also sold goods and services to provide an attendant to dispense fuel between the hours of 6:00 a.m. and 6:00 p.m. The measure also allowed self-service gasoline in Clatsop, Curry, and Tillamook counties from 6:00 p.m. to 6:00 a.m. and required stations that also sold goods and services to provide an attendant to dispense fuel when retail space is open for business.

Senate Bill 176 A requires service stations with attendants, in counties where self-service gasoline is allowed, to provide equal access to dispensing services to individuals with disabilities without additional charge and requires conspicuous notice of such service.