

HOUSE AMENDMENTS TO HOUSE BILL 4151

By JOINT COMMITTEE ON TRANSPORTATION

February 23

1 On page 1 of the printed bill, line 3, after “480.343,” insert “480.344.”

2 In line 6, delete “sections 2 and 11” and insert “section 2”.

3 Delete lines 8 through 28.

4 On page 2, delete lines 1 through 10 and insert:

5 **“SECTION 2. (1) A filling station, service station, garage or other dispensary where Class**
6 **1 flammable liquids are dispensed at retail may not designate more than the same number**
7 **of fuel dispensing devices for self-service use by customers as are designated for attended**
8 **service by an owner, operator or employee of the dispensary of Class 1 flammable liquids.**

9 **“(2) A self-service fuel dispensing device may be equipped with an automated payment**
10 **device and must be equipped with an automatic nozzle as described in ORS 480.340.**

11 **“(3)(a) A filling station, service station, garage or other dispensary offering fuel dis-**
12 **persing devices for self-service must post one or more notification signs that are clearly**
13 **readable by an operator of a motor vehicle stating:**

14 **“(A) Which fuel dispensing devices are designated for self-service and which fuel dis-**
15 **persing devices are designated for attended service by an owner, operator or employee of the**
16 **dispensary of Class 1 flammable liquids; and**

17 **“(B) The phone number for the State Fire Marshal.**

18 **“(b) For fuel dispensing devices for which an owner, operator or employee of a dispensary**
19 **is available to provide refueling assistance for Class 1 flammable liquids, the signs described**
20 **in paragraph (a) of this subsection must be consistent with the provisions of ORS 480.344.**

21 **“(4) Except as provided in ORS 480.341 and 480.343, a filling station, service station, ga-**
22 **rage or other dispensary may allow self-service dispensing of Class 1 flammable liquids at**
23 **retail only during hours that the dispensary makes an owner, operator or employee of the**
24 **dispensary available for the dispensing of Class 1 flammable liquids.**

25 **“(5) The price charged for Class 1 flammable liquids must be identical at a self-service**
26 **fuel dispensing device and at any fuel dispensing device reserved for use by an owner, oper-**
27 **ator or employee of a dispensary.**

28 **“(6) Sales under subsection (4) of this section do not make a filling station, service sta-**
29 **tion, garage or other dispensary where Class 1 flammable liquids are dispensed at retail**
30 **subject to any provisions of ORS 480.315 to 480.385 regulating nonretail facilities.**

31 **“(7) This section does not prohibit, limit or condition any dispensing of Class 1 flammable**
32 **liquids or diesel fuel otherwise authorized under ORS 480.315 to 480.385.”.**

33 On page 8, delete lines 12 through 32.

34 In line 33, delete “12” and insert “11”.

35 Delete lines 37 through 39 and insert:

1 “(2) The State Fire Marshal may impose a civil penalty not to exceed \$5,000 per day for any
2 violation of section 2 of this 2022 Act or of any applicable rule adopted thereunder by the State Fire
3 Marshal.”.

4 On page 9, line 15, delete “13” and insert “12” and delete “12” and insert “11”.

5 After line 16, insert:

6 “**SECTION 13.** ORS 480.344 is amended to read:

7 “480.344. A filling station, service station, garage or other dispensary subject to ORS 480.341
8 or 480.343 **or section 2 of this 2022 Act**, that makes an owner, operator or employee available for
9 dispensing Class 1 flammable liquids, shall provide equal access to the dispensing services of the
10 dispensary to persons with disabilities. Equal access shall be provided by:

11 “(1) Posting a sign that is clearly readable by an operator of a motor vehicle that notifies per-
12 sons with disabilities that refueling assistance may be requested by:

13 “(a) Contacting the dispensary owner, operator or employee at the telephone number provided
14 in the sign; and

15 “(b) Signaling to the dispensary owner, operator or employee in any other manner described in
16 the sign;

17 “(2) Providing refueling assistance upon request of a person with a disability; and

18 “(3) Providing refueling assistance without charging an additional service fee.”.

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