

HB 2426 A STAFF MEASURE SUMMARY
Senate Committee On Energy and Environment

Carrier: Sen. Sollman

Action Date: 05/09/23
Action: Do pass the A-Eng bill.
Vote: 3-0-0-2
Yeas: 3 - Golden, Lieber, Sollman
Abs: 2 - Findley, Hayden
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Beth Reiley, LPRO Analyst
Meeting Dates: 5/2, 5/9

WHAT THE MEASURE DOES:

Authorizes filling station, service station, garage or other dispensary (filling station) to allow self-service dispensing of Class 1 flammable liquids during hours where owner, operator, or employee of filling station is available for dispensing Class 1 flammable liquids. Prohibits filling station from designating more self-service fuel-dispensing devices (gas pumps) than are designated for attended service. Requires that notification signs be posted stating which gas pumps are designated for self-service and which are designated for attended service. Requires at least one person to be able to provide attended service and for price charged to be identical. Stipulates that motorcycle operator may dispense Class 1 flammable liquids into motorcycle regardless of whether the filling station offers self-service fuel dispensing. Authorizes State Fire Marshal to impose civil penalties for violations of provisions of measure. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Maintaining both self and attended service
- Previous legislation
- Availability of employees

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon is one of two states, including New Jersey, that restricts self-service dispensing of gasoline at retail fueling stations. The prohibition dates back to 1951. Legislative findings regarding the prohibition cite: the need for training for safe dispensing of Class 1 flammable liquids; hazards faced by untrained persons dispensing such liquids; difficulties for some persons, such as senior citizens, in self-service fuel dispensing and the lack of ability to ensure full-service fuel dispensing; health and environmental factors; the tendency for significantly higher cost of full-service fuel dispensing in states that allow self-service dispensing; the correlation between self-service dispensing and reduced availability of automotive repair at fueling stations; and employment considerations.

House Bill 3011 (2015) authorized fueling stations in counties with populations less than 40,000 residents to permit non-employees to dispense fuels into motor vehicles or other containers between the hours of 6:00 PM and 6:00 AM. Two years later, House Bill 2482 (2017) eliminated the time-of-day restrictions and limited the applicability only to small counties in eastern Oregon.

House Bill 2426 A allows retail fueling stations to operate up to half of their pumps as self-service dispensing devices.