

Requested by Representative BOSHART DAVIS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2426**

1 On page 1 of the printed bill, line 3, delete “, 480.347 and 480.349” and
2 insert “and 480.347”.

3 In line 4, delete “and 480.343” and insert “, 480.343 and 480.349”.

4 Delete lines 8 through 30 and insert:

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

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

14 **“(3) A filling station, service station, garage or other dispensary**
15 **offering fuel dispensing devices for self-service must:**

16 **“(a) Post one or more notification signs that are clearly readable**
17 **by an operator of a motor vehicle stating which fuel dispensing devices**
18 **are designated for self-service and which fuel dispensing devices are**
19 **designated for attended service by an owner, operator or employee of**
20 **the dispensary of Class 1 flammable liquids; and**

21 **“(b) Designate at least one person to provide attended service.**

1 “(4) Except as provided in ORS 480.341 and subsection (7) of this
2 section, a filling station, service station, garage or other dispensary
3 may allow self-service dispensing of Class 1 flammable liquids at retail
4 only during hours that the dispensary makes an owner, operator or
5 employee of the dispensary available for the dispensing of Class 1
6 flammable liquids.

7 “(5) The price charged for Class 1 flammable liquids must be iden-
8 tical at a self-service fuel dispensing device and at any fuel dispensing
9 device reserved for use by an owner, operator or employee of a
10 dispensary.

11 “(6) Sales under subsection (4) of this section do not make a filling
12 station, service station, garage or other dispensary where Class 1
13 flammable liquids are dispensed at retail subject to any provisions of
14 ORS 480.315 to 480.385 regulating nonretail facilities.

15 “(7) The operator of a motorcycle, as defined in ORS 801.365, may
16 dispense Class 1 flammable liquids into the operator’s motorcycle, re-
17 gardless of whether an owner, operator or employee of the dispensary
18 offers use of self-service fuel dispensing devices for use by customers.

19 “(8) This section does not prohibit, limit or condition any dispensing
20 of Class 1 flammable liquids or diesel fuel otherwise authorized under
21 ORS 480.315 to 480.385.”.

22 On page 2, delete lines 21 through 23 and insert:

23 “(1) As used in this section, ‘rural Oregon’ means Baker, Clatsop, Crook,
24 Curry, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake,
25 Malheur, Morrow, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco
26 and Wheeler Counties.”.

27 On page 6, delete lines 14 through 31.

28 In line 32, delete “9” and insert “8”.

29 Delete line 45 and insert:

30 “SECTION 9. ORS 480.315, 480.320, 480.330, 480.343 and 480.349 are

1 repealed.

2 **“SECTION 10. The Department of the State Fire Marshal, in col-**
3 **laboration with organizations representing filling stations, service**
4 **stations, garages or other dispensaries, may engage in public outreach**
5 **efforts to educate the public generally about the changes in attended**
6 **fuel service laws and to educate operators of filling stations, service**
7 **stations, garages or other dispensaries where Class 1 flammable liquids**
8 **are dispensed at retail about the requirements under section 2 of this**
9 **2023 Act, the amendments to ORS 479.180, 480.340, 480.341, 480.344,**
10 **480.345 and 480.347 by sections 3 to 8 of this 2023 Act and the repeal of**
11 **ORS 480.315, 480.320, 480.330, 480.343 and 480.349 by section 9 of this 2023**
12 **Act.**

13 **“SECTION 11. Section 10 of this 2023 Act is repealed on January 2,**
14 **2024.**

15 **“SECTION 12. Notwithstanding ORS 480.385, the State Fire Marshal**
16 **may only impose civil penalties for conduct violating section 2 of this**
17 **2023 Act or the amendments to ORS 479.180, 480.340, 480.341, 480.344,**
18 **480.345 and 480.347 by sections 3 to 8 of this 2023 Act, if the conduct**
19 **occurs on or after March 1, 2024.”.**

20 On page 7, line 1, delete “11” and insert “13”.

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