

Dear Honorable Chairman Beyer and members of Senate Committee on Business and Transportation

I am writing to you in opposition to HB 3011 which would make self-service fueling legal in Eastern Oregon. I strongly urge a no vote on this piece of legislation as written. This bill will cost jobs and income in already stressed lower populated counties. It will also contribute to more confrontations in the work environment at service stations by adding to an already confusing fueling law.

I work in a small town service station we are open 5:30 A.M. until 8:00 P.M. seven days a week. In any service station operation, fuel revenue is what pays the bills. Most of our fueling occurs between the hours of 10:00 A.M. and 6:00 P.M. Six people get hours because our owners want to be available to the public for fuel. If this bill passes do you think for one moment that the owners of service stations are going to keep staff on hand when they can just shut the doors and leave the pumps on? This is just one station in one small town and six people it will affect. Think about the number of service stations and the number of employees in twenty counties that this will affect. I cannot believe that a legislative body that is concerned about employment and jobs in Oregon could even consider passing this bill without more consideration and research into the economic impact it would have on jobs and income of rural service station employees. It will only benefit station owners.

Already there is confusion on this bill. I have people coming in saying that they hear that soon they may have to pump their own fuel. Most people just read the headlines and do not take the time to know what the bill says. Attachment 1 and 2 show you what is being reported in the news headlines. No mention is given to the after-hours part of the bill thus creating confusion on the law. So far all of the customers who have expressed an opinion to me are against any change in the law. This will only add more confusion with an already confusing law that leads to many confrontations every day. People who have diesel rigs assume it is their right to dispense their own fuel but that is not how the law reads. They can fuel their own rigs if given permission by the attendant of the service station, but most stations do not allow self dispensing of diesel for liability and environmental reasons. Motorcycles can dispense their own fuel but most cyclists do not know the law states that an attendant must first set the pumps and hand them the nozzle before they can dispense fuel. Some people get very angry and confrontational when they have to obey the law and this bill will only add to this confusion.

This bill will also create more of a hazard to the environment. Unfortunately nozzles can malfunction and distraction while fueling can cause spillage. Without an attendant there to clean it up immediately, fuel can soak into concrete and later leach with rain into storm drains. Once fuel and oil soaks into concrete it is almost impossible to clean up.

I don't believe that this bill was given enough thought or given the consideration to the impact this bill will have on jobs in these rural areas. I agree that in the remotest of areas some considerations must be made, but this is not the bill for that. Also from experience the most complaints I get about not being able to pump their own fuel is from a very few people from out of state. Most Oregonians like having someone fuel their vehicle as the citizens of Oregon have repeatedly defended in the past by resisting changes in this law. A bill that would so significantly change the law should give more consideration on jobs and the environment than the inconvenience it causes a small number of people who through lack of planning run low on fuel in remote areas of our state. Remoteness after all is what draws people to our part of the state. I urge a no vote on HB 3011 for now and more discussion on the matter of the two service station owners and one person who requested that this bill be brought forward for consideration. I haven't heard any of their other customers and neighbors complaining?

Sincerely

Jack Morton

501 W. Park St.  
Enterprise, OR.



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## Oregon poised to end self-serve gas ban, but only in rural areas where few pit stops open late



Attendant James Lewis pumps gas at a station in Portland, Ore., Wednesday, May 6, 2015. Oregon is one of just two states where motorists aren't allowed to pump their own gas. The other is New Jersey. Now the Oregon Legislature appears ready to at least let people driving through rural Oregon pump their own. (AP Photo/Don Ryan)

Associated Press | May 7, 2015 | 3:48 p.m. EDT

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**AP**

By SHEILA V KUMAR, Associated Press

SALEM, Ore. (AP) — Oregon is one of only two states where drivers aren't allowed to pump their own gas, but lawmakers appear ready to allow people cruising through rural areas to serve themselves.

That would leave New Jersey as the last holdout with statewide restrictions. Oregon's not ready to completely jettison its 64-year-old ban, but concerns that travelers could get stranded in places with few gas stations open in the middle of the night may bring self-service pumps to vast expanses of the state.

Parts of Oregon are so remote that people unfamiliar with the landscape don't realize hundreds of miles separate gas stations, said Rep. Cliff Bentz, sponsor of a bill that would let gas stations offer self-

service fuel when there isn't an owner, operator or employee around.

Rural businesses in the middle of nowhere can't afford to keep someone manning the pumps 24 hours a day, said Bentz, a Republican from Ontario, a city near the Idaho border.

"You go around eastern Oregon counties, you find more and more situations where there isn't any fuel. And it's not unlike the situation electric-car owners find themselves in now," Bentz said.

Bentz's bill sailed through the House on a bipartisan 60-0 vote. It's now awaiting a committee hearing in the Senate.

The measure is limited to counties where there are fewer than 40,000 residents. That accounts for half of Oregon's counties and almost all of eastern Oregon.

Oregonians have rebuffed every attempt to overturn the ban on self-service gas since it was instituted, including a ballot measure they rejected in 1982 that would have legalized self-service pumps. The opposition has been so strong that legislators haven't introduced a measure to overturn the ban since 2003.

New Jersey has stuck with its restrictions, too. In 2011, Gov. Chris Christie said he wouldn't support legislation for self-service gasoline because most residents don't want it, despite proposing self-serve gas while campaigning for governor in 2009.

Oregon's ban lists 17 motives. Among them, self-service "discriminates against customers who are elderly or have disabilities who are unable to serve themselves," and it could create a "dangerous situation" for unattended children.

"In Oregon, the first reason that the law gives to ban self-service gas in effect is, 'You will set yourself on fire,'" said Steve Buckstein, co-founder of the Cascade Policy Institute, a libertarian think tank.

These days, the arguments against self-service are mainly that full-service stations create jobs and make life more convenient by letting drivers stay in their vehicles.

Bentz said owners and operators of rural gas stations asked him to introduce HB 3011 this year.

If it's a frosty winter's night and the needle on the fuel gauge is nudging empty, drivers in rural Oregon may grow desperate when, after driving hours in search of a filling station, they find it empty and closed.

"Numerous times, I've been woken in the middle of the night by the sheriff's dispatch because we have folks who follow their phones and aren't very smart and don't fill up till their gas lights are on," said Tom Downs, who owns a gas station in southeastern Oregon.

"Out of the goodness of our hearts, we get up in the middle of the night and fuel them so they can get on their way," he said.

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# Oregon May Allow Self-Service Gas For Rural Counties

By [Cameron Aubernon](#) on May 8, 2015

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There are two states in the U.S. where one is legally barred from pumping their own gas. One of those states, Oregon, may change this for some motorists.

While those visiting Portlandia will still have to let the attendant do all the work, Rep. Cliff Bentz of Ontario, Ore. is sponsoring a bill — [HB 3011](#) — that would rescind the 64-year-old ban in rural areas where having someone ready to pump gas 24/7 is an impossibility, *The Seattle Times* reports. Bentz likens the issue to a similar instance affecting EV owners:

*You go around eastern Oregon counties, you find more and more situations where there isn't any fuel. And it's not unlike the situation electric-car owners find themselves in now.*

The measure, which was passed unanimously 60-0 in the state house, would apply to counties with fewer than 40,000 residents. The figure accounts for nearly all of eastern Oregon, and half of the state's counties overall.

The self-service ban in Oregon goes back to 1951, and lists 17 reasons for existing, such as: proclaiming only trained professionals should pump gas; preventing discrimination against the poor, the elderly and the disabled; and providing employment, especially for young people. Attempts to rescind the ban have failed thus far, scaring legislators from proposing pro-self-service bills since 2003.

HB 3011 is awaiting a committee hearing in the state senate as of this writing.

[Photo credit: David Falconer/U.S. National Archives and Records Registration/CC PD 1.0]

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**jbltg**  
May 8th, 2015 at 4:09 pm

The other state that does not permit self-service is New Joisey, of all places. Kind of a nice, old-fashioned small luxury.