

REVENUE: No Revenue Impact
FISCAL: No Fiscal Impact
SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: James LaBar, Administrator

Meeting Dates: 5/20, 5/27

WHAT THE MEASURE DOES: Allows dispensaries for Class 1 flammable liquids located in counties with population less than 40,000 residents to permit self-dispensing of such liquids when no owner, operator or employee of the dispensary is present. Specifies that dispensaries may continue to operate as self-service dispensaries if population of county increases above 40,000 residents.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

(-A2 amendment) Modifies when self-dispensing fuels can occur from when no owner, operator or employee of the dispensary is present to after 6:00pm and before 6:00am.

BACKGROUND: Oregon is one of two states, along with New Jersey, that does not allow for self-dispensing of gasoline at retail fueling stations. Oregon's prohibition dates back to 1951. ORS 480.315 outlines legislative findings regarding the prohibition, which include: the need for training for safe dispensing of Class 1 flammable liquids; hazards faced by untrained persons dispensing such liquids; difficulties of some persons, such as senior citizens, in self-dispensing fuel 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-A specifies that, in counties with a population less than 40,000 residents, the owner or operator of a retail fueling station may, if they choose to do so, permit non-employees to operate and dispense fuels into a motor vehicle or other retail container during hours when no owner, operator or employee is present.

The vote count in the Transportation and Economic Development Committee was 6-0-1, and the House vote count was 60-0.