

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Transportation and Economic Development

MEASURE: HB 3011 A
CARRIER: Rep. Bentz

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/17/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 04/06, 04/17

Vote:

Yeas: 6 - Bentz, Davis, Gorsek, Lively, McKeown, McLain

Exc: 1 - Hack

Prepared By: Patrick Brennan, Committee Administrator

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:

- Lack of access to fueling stations in much of southeastern Oregon
- Impact of limited hours of operation of fueling stations on travelers
- Potential danger to motorists of running out of fuel in remote areas

EFFECT OF COMMITTEE AMENDMENT:

Replaces term “low population area” with “low population county,” defined as having a population of less than 40,000 residents. Specifies that dispensaries may continue to operate as self-service dispensaries if population of county increases above 40,000 residents.

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.