

Enrolled
House Bill 3011

Sponsored by Representative BENTZ; Senators BOQUIST, FERRIOLI (at the request of David Dickerson)

CHAPTER

AN ACT

Relating to the operation of devices for dispensing Class 1 flammable liquids.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 480.315 to 480.385.

SECTION 2. (1) As used in this section, “low-population county” means a county that, based on a certificate of population prepared under ORS 190.510 to 190.610, has a population of not more than 40,000.

(2) Notwithstanding ORS 480.330 and 480.340, if a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail is located in a low-population county, the owner or operator may, after 6 p.m. and before 6 a.m.:

(a) Permit a person other than the owner, operator or employee to use or manipulate a device for dispensing liquids into the fuel tank of a motor vehicle or other retail container;

(b) Permit the use of an installed coin-operated or self-service dispensing device for the liquids; and

(c) Allow the use of an automatic nozzle to dispense the liquids without the owner, operator or employee being in the immediate vicinity of the tank or container being filled.

(3) A dispensary described in this section is not subject to any provisions of ORS 480.315 to 480.385 regulating nonretail facilities.

(4) If a county ceases to be a low-population county on or after the effective date of this 2015 Act, dispensaries located within the county may operate as described in subsection (2) of this section notwithstanding the change in county population.

Passed by House April 29, 2015

Repassed by House June 11, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 9, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State