

House Bill 3011

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows dispensary for Class 1 flammable liquids located in low-population area to permit self-dispensing of liquids when no owner, operator or employee of dispensary is present.

A BILL FOR AN ACT

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

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 480.315 to**
5 **480.385.**

6 **SECTION 2. (1) As used in this section, "low-population area" means those parts of a**
7 **county that, based on a certificate of estimated population prepared under ORS 190.510 to**
8 **190.610:**

9 (a) **Are outside of a city having an official population of more than ____; and**

10 (b) **Have an official population that averages not more than ____ people per square mile.**

11 (2) **Notwithstanding ORS 480.330 and 480.340, if a filling station, service station, garage**
12 **or other dispensary where Class 1 flammable liquids are dispensed at retail is located in a**
13 **low-population area, the owner or operator may, during hours that no owner, operator or**
14 **employee is present at the dispensary:**

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

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

19 (c) **Allow the use of an automatic nozzle to dispense the liquids without the owner, op-**
20 **erator or an employee being in the immediate vicinity of the tank or container being filled.**

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

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.