

D R A F T

SUMMARY

Limits definition of “public building” or “property” to exclude convention or exposition centers, zoos, performing arts centers or other venues or attractions dedicated to tourism, travel, hospitality or entertainment for purposes of management by persons who are blind.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to vending facilities on public property; amending ORS 346.510; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 346.510 is amended to read:

6 346.510. As used in ORS 346.510 to 346.570:

7 (1) “Cafeteria” means a food-dispensing facility:

8 (a) That can provide a variety of prepared foods and beverages;

9 (b) Where a patron may move through a self-service line;

10 (c) That may employ some servers to wait on patrons; and

11 (d) That provides seating suitable for patrons to consume meals.

12 (2) “Healthy vending item” and “local vending item” have the meanings
13 given those terms by rules adopted by the Commission for the Blind in con-
14 sultation with the Public Health Director and the business enterprise con-
15 sumer committee.

16 (3) “Person who is blind” means a person who has not more than 20/200
17 visual acuity in the better eye with best correction or whose visual acuity,
18 if better than 20/200, is accompanied by a limit to the field of vision to such
19 a degree that its widest diameter subtends an angle of no greater than 20

1 degrees and whose blindness is certified by a licensed physician who spe-
2 cializes in diseases of the eye.

3 (4) "Political subdivision" means a local government as defined in ORS
4 174.116, a municipality, town or village of this state.

5 (5)(a) "Public building" or "property" means a building, land or other real
6 property, or a portion of a building, land or other real property, that is
7 owned, leased, managed or occupied by a department or an agency of the
8 State of Oregon or by a political subdivision[, *except for*].

9 **(b) "Public building" or "property" does not include** a public ele-
10 mentary school, a secondary school, a public university listed in ORS
11 352.002, [*or*] a public corporation created pursuant to ORS 353.020, **a con-**
12 **vention or exposition center, a zoo, a performing arts center or any**
13 **other venue or attraction dedicated to tourism, travel, hospitality or**
14 **entertainment.**

15 (6) "Vending facility" means:

16 (a) Shelters, counters, shelving, display and wall cases, refrigerating ap-
17 paratus and other appropriate auxiliary equipment that are necessary or
18 customarily used for the vending of articles, including an established mix
19 of healthy vending items approved by the Commission for the Blind and the
20 agency, department or political subdivision charged with maintaining the
21 public building or property where the vending facility is located;

22 (b) Manual or coin-operated vending machines or similar devices for
23 vending articles, including machines or devices that accept electronic pay-
24 ment; or

25 (c) Cafeterias or snack bars for the dispensing of food stuffs and
26 beverages.

27 (7) "Vending facility manager" means a person who is:

28 (a) Blind;

29 (b) Responsible for the day-to-day conduct of the vending facility opera-
30 tion; and

31 (c) Licensed under ORS 346.510 to 346.570.

1 **SECTION 2. This 2019 Act being necessary for the immediate pres-**
2 **ervation of the public peace, health and safety, an emergency is de-**
3 **clared to exist, and this 2019 Act takes effect on its passage.**

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