Senate Bill 34

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for State Department of Agriculture)

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.

Includes aviation jet fuel within definition of motor vehicle fuels for purposes of subjecting supply facilities to inspection by State Department of Agriculture.

A BILL FOR AN ACT

Relating to motor vehicle fuels; amending ORS 646.945.

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

SECTION 1. ORS 646.945 is amended to read:

646.945. As used in ORS 646.947 to 646.963:

(1) “Bulk facility” means a facility, including pipeline terminals, refinery terminals, rail and barge terminals and associated underground and aboveground tanks, connected or separate, from which motor vehicle fuels are withdrawn from bulk and delivered to retail, wholesale or nonretail facilities or into a cargo tank or barge used to transport those products.

(2) “Dealer” means any motor vehicle fuel retail dealer, nonretail dealer or wholesale dealer.

(3) “Director” means the Director of Agriculture.

(4) “Motor vehicle fuel” means gasoline, diesel or any other liquid product used for the generation of power in an internal combustion engine, except aviation jet fuels, liquefied petroleum or natural gases.

(5) “Nonretail dealer” means any person who owns, operates, controls or supervises an establishment at which motor vehicle fuel is dispensed through a card- or key-activated fuel dispensing device to nonretail customers.

(6) “Octane rating” means the rating of the anti-knock characteristics of a grade or type of gasoline determined by dividing by two the sum of the research octane number and the motor octane number.

(7) “Octane rating certification documentation” means an invoice, bill of lading, delivery ticket, letter or other documentation that specifies the actual octane rating or a rounded rating that is the largest whole number or half of a number that is less than or equal to the number determined by or certified to the person transferring the gasoline.

(8) “Retail dealer” means any person who owns, operates, controls or supervises an establishment at which motor vehicle fuel is sold or offered for sale to the public.

(9) “Wholesale dealer” means any person who sells motor vehicle fuel if the seller knows or has reasonable cause to believe that the buyer intends to resell the motor vehicle fuel in the same or an altered form to a retail dealer, a nonretail dealer or another wholesale dealer.

(10) “Withdrawn from bulk” means removed from a bulk facility for delivery directly into a

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.

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cargo tank or a barge to be transported to a location other than another bulk facility for use or sale in this state.