

Requested by Representative BOSHART DAVIS

**PROPOSED AMENDMENTS TO
HOUSE BILL 4151**

1 On page 1 of the printed bill, line 3, after “480.343,” insert “480.344,”.

2 Delete lines 8 through 28 and on page 2, delete lines 1 through 10 and
3 insert:

4 **“SECTION 2. (1) A filling station, service station, garage or other
5 dispensary where Class 1 flammable liquids are dispensed at retail may
6 not designate more than the same number of fuel dispensing devices
7 for self-service use by customers as are designated for attended service
8 by an owner, operator or employee of the dispensary of Class 1
9 flammable liquids.**

10 **“(2) A self-service fuel dispensing device may be equipped with an
11 automated payment device and must be equipped with an automatic
12 nozzle as described in ORS 480.340.**

13 **“(3)(a) A filling station, service station, garage or other dispensary
14 offering fuel dispensing devices for self-service must post one or more
15 notification signs that are clearly readable by an operator of a motor
16 vehicle stating:**

17 **“(A) Which fueling devices are designated for self-service and which
18 fueling devices are designated for attended service by an owner, oper-
19 ator or employee of a dispensary of Class 1 flammable liquids; and**

20 **“(B) The contact information for the State Fire Marshal.**

21 **“(b) For devices for which an owner, operator or employee of a**

1 dispensary is available to provide refueling assistance of Class 1
2 flammable liquids, the signs described in paragraph (a) of this sub-
3 section must be consistent with the provisions of ORS 480.344.

4 “(4) Except as provided in ORS 480.341 and 480.343, a filling station,
5 service station, garage or other dispensary may allow self-service dis-
6 pensing of Class 1 flammable liquids at retail only during hours that
7 the dispensary makes an owner, operator or employee of the
8 dispensary available for the dispensing of Class 1 flammable liquids.

9 “(5) The price charged for the Class 1 flammable liquid must be
10 identical at the self-service dispensing device and any dispensing de-
11 vice reserved for use by an owner, operator or employee of the
12 dispensary.

13 “(6) Sales under subsection (4) of this section do not make a filling
14 station, service station, garage or other dispensary where Class 1
15 flammable liquids are dispensed at retail subject to any provisions of
16 ORS 480.315 to 480.385 regulating nonretail facilities.

17 “(7) This section does not prohibit, limit or condition any dispensing
18 of Class 1 flammable liquids or diesel fuel otherwise authorized under
19 ORS 480.315 to 480.385.”.

20 On page 8, line 23, delete “State Fire Marshal” and insert “Oregon De-
21 partment of Emergency Management”.

22 In line 29, after “nozzle” insert “as”.

23 Delete lines 37 through 39 and insert:

24 “(2) The State Fire Marshal may impose a civil penalty not to ex-
25 ceed \$5,000 per day for any violation of section 2 of this 2022 Act or of
26 any applicable rule adopted thereunder by the State Fire Marshal.”.

27 On page 9, after line 16, insert:

28 “**SECTION 14.** ORS 480.344 is amended to read:

29 “480.344. A filling station, service station, garage or other dispensary
30 subject to ORS 480.341 or 480.343 or section 2 of this 2022 Act, that makes

1 an owner, operator or employee available for dispensing Class 1 flammable
2 liquids, shall provide equal access to the dispensing services of the
3 dispensary to persons with disabilities. Equal access shall be provided by:

4 “(1) Posting a sign that is clearly readable by an operator of a motor
5 vehicle that notifies persons with disabilities that refueling assistance may
6 be requested by:

7 “(a) Contacting the dispensary owner, operator or employee at the tele-
8 phone number provided in the sign; and

9 “(b) Signaling to the dispensary owner, operator or employee in any other
10 manner described in the sign;

11 “(2) Providing refueling assistance upon request of a person with a disa-
12 bility; and

13 “(3) Providing refueling assistance without charging an additional service
14 fee.”.

15 In line 17, delete “14” and insert “15”.

16 In line 18, delete “15” and insert “16”.

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