

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 In line 6, delete “sections 2 and 11” and insert “section 2”.

3 Delete lines 8 through 28.

4 On page 2, delete lines 1 through 10 and insert:

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

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

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

18 **“(A) Which fuel dispensing devices are designated for self-service**  
19 **and which fuel dispensing devices are designated for attended service**  
20 **by an owner, operator or employee of the dispensary of Class 1**  
21 **flammable liquids; and**

1       **“(B) The phone number for the State Fire Marshal.**

2       **“(b) For fuel dispensing devices for which an owner, operator or**  
3 **employee of a dispensary is available to provide refueling assistance**  
4 **for Class 1 flammable liquids, the signs described in paragraph (a) of**  
5 **this subsection must be consistent with the provisions of ORS 480.344.**

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

11       **“(5) The price charged for Class 1 flammable liquids must be iden-**  
12 **tical at a self-service fuel dispensing device and at any fuel dispensing**  
13 **device reserved for use by an owner, operator or employee of a**  
14 **dispensary.**

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

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

22       On page 8, delete lines 12 through 32.

23       In line 33, delete “12” and insert “11”.

24       Delete lines 37 through 39 and insert:

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

28       On page 9, line 15, delete “13” and insert “12” and delete “12” and insert  
29 “11”.

30       After line 16, insert:

1        **“SECTION 13.** ORS 480.344 is amended to read:

2        “480.344. A filling station, service station, garage or other dispensary  
3 subject to ORS 480.341 or 480.343 **or section 2 of this 2022 Act**, that makes  
4 an owner, operator or employee available for dispensing Class 1 flammable  
5 liquids, shall provide equal access to the dispensing services of the  
6 dispensary to persons with disabilities. Equal access shall be provided by:

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

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

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

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

16        “(3) Providing refueling assistance without charging an additional service  
17 fee.”.

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