

Fuel Safety and Accessibility Act

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

SECTION 1. (1) This act may be referred to as the "Fuel Safety and Accessibility Act."

(2) THIS MEASURE WOULD REPEAL THE RECENTLY PASSED "SELF-SERVE GAS" LAW, AND MAINTAIN THE PAST EXCEPTIONS FOR EMERGENCIES AND CERTAIN NON-RETAIL CUSTOMERS.

(3) The people of Oregon find that:

(a) Persons with disabilities should enjoy full and equitable access to gas stations and other public accommodations; and

(b) According to the American Automobile Association, gasoline prices before taxes have been lower in Oregon than in neighboring states like California and Washington even though those states had not mandated attended service; and

(c) Since savings from eliminating attended service do not appear to result in savings for consumers, the effect of eliminating attended service is to provide a financial windfall to large oil and gas companies; and

(d) The Oregon Legislature erred by passing House Bill 2426 in 2023, which has had the effect of putting Oregonians out of work and making gas stations less accessible for persons with disabilities for the purpose of increasing oil company profits; and

(e) For decades, Oregon stood shoulder to shoulder with New Jersey as the last bastions of resistance to self-serve gas. The Beaver State should restore its historic alliance with the Garden State in defense of jobs and accessibility.

SECTION 2. (1) **Notwithstanding any section of ORS Chapter 480, an owner, operator or employee of a filling**

station, service station, garage or other dispensary where Class 1 flammable liquids, except aviation fuels, are dispensed at retail may not permit any person other than the owner, operator or employee to use or manipulate any pump, hose, pipe or other device for dispensing the liquids into the fuel tank of a motor vehicle or other retail container, except as provided in subsections 2 and 3 of this section.

(2) Class 1 flammable liquids may be dispensed:

(a) By nonretail customers as described in ORS 480.345, and

(a) During an emergency as provided for in ORS 480.347.

(3) Upon the request of an operator of a motorcycle, the owner, operator or employee of a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail shall set the fuel dispensing device and hand the discharge nozzle to the operator of the motorcycle.

(a) An operator of a motorcycle who is handed a discharge nozzle under this subsection:

(A) May dispense Class 1 flammable liquids into the operator's motorcycle.

(B) Shall, after dispensing the liquids, return the discharge nozzle to the owner, operator or employee.

(b) The owner, operator or employee who is handed the discharge nozzle shall return the nozzle to the pump or take any other actions necessary to ensure safe completion of the fueling operation.

(c) As used in this subsection, "motorcycle" has the meaning given that term in ORS 801.365.