



## STATUTORY MINOR CORRECTION

**OSFM 1-2025**

CHAPTER 837

**DEPARTMENT OF THE STATE FIRE MARSHAL**

**FILED**

07/15/2025 7:36 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Correcting statutory reference after repeal of statute and updating to correct reference.

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 837-020-0045

RULE TITLE: Dispensing of Class 1 Flammable Liquids by the General Public

RULE SUMMARY: Rule describes dispensing of class 1 flammable liquids in non-rural and rural counties, pumping restrictions, posting requirements, attendant availability and requires identical price for self-serve and attendant dispensing. Updated to remove repealed statute ORS 480.330 and replace with ORS 480.332.

RULE TEXT:

- (1) Owners or operators of facilities located in Non-Rural Oregon counties where Class 1 Flammable Liquids are dispensed at retail may not designate more than one half of the operable Class 1 Flammable Liquid Dispensing Devices for self-service than are designated for attended service by an owner, operator, or employee of the facility.
- (2) A Retail Facility in Non-Rural Oregon counties offering Dispensing Devices for self-serve of Class 1 Flammable Liquids must:
  - (a) Post one or more notification signs that are visible from each dispenser or island access point and are clearly readable by the operator of a motor vehicle stating which fueling Dispensing Devices are designated for self-service and which fuel Dispensing Devices are designated for attended service by an owner, operator, or employee of the facility.
  - (b) Designate at least one person from the facility who is readily available to provide attended service at designated attended service dispensing devices upon request.
- (3) Except as provided in ORS 480.341 and subsection (7) of this section, a filling station, service station, garage or other dispensary may allow self-service dispensing of Class 1 Flammable Liquids at retail only during hours that the dispensary makes an owner, operator, or employee of the dispensary available for the dispensing of Class 1 Flammable Liquids.
- (4) The price charged for grades of Class 1 Flammable Liquids must be identical at a self-service fuel Dispensing Device and at any fuel Dispensing Device reserved for use by an owner, operator, or employee of a dispensary.
- (5) Owners or operators of facilities located in Rural Oregon where Class 1 Flammable Liquids are dispensed at retail may allow an individual other than the owner, operator, or their employees to manipulate a pump, hose, pipe, or other device used to dispense Class 1 Flammable Liquids into a fuel tank of a motor vehicle or approved container, regardless of whether an owner, operator, or employee of the dispensary is present at the dispensary.
- (6) Dispensing that occurs under the provisions of section (5) of this rule at a site that includes retail space providing

goods or services other than goods or services for maintaining, repairing, or cleaning a motor vehicle shall make an owner, operator or employee available to dispense Class 1 Flammable Liquids during the time after 6:00 a.m. and before 6:00 p.m.

(7) Individuals other than owners, operators, and employees of a Nonretail Facility may be authorized to dispense Class 1 Flammable Liquids at Nonretail Facilities if such individuals meet the requirements of ORS 480.310 through 480.385 and OAR 837-020-0025 through 837-020-0130.

(8) The customers referenced in section (7) of this rule are Nonretail Customer and authorized to dispense Class 1 Flammable Liquids at Nonretail Facilities in counties where the self-serve of such liquids is regulated.

(9) Owners, operators, and employees of Nonretail Facilities located in Rural Oregon may allow the dispensing of Class 1 Flammable Liquids by the general public as a Retail Customer. These individuals are exempt from the requirements nonretail and conditional customers are subject to and are not authorized to dispense such liquids in counties where the self-serve of such liquids is regulated.

(10) A motorcyclist operating their motorcycle, as defined in ORS 801.365, may dispense Class 1 Flammable Liquids into their motorcycle, regardless of whether an owner, operator, or employee of the dispensary offers use of self-service fuel Dispensing Devices for use by customers.

(11) Aviation fuel may be dispensed by a member of the general public for the purpose of fueling an aircraft at airports permitted by the Oregon Department of Aviation.

STATUTORY/OTHER AUTHORITY: ORS 476, 480.380

STATUTES/OTHER IMPLEMENTED: ORS 480.332, 480.345