



February 10, 2017

TO: Representative Caddy McKeown, Chair
House Committee On Transportation Policy
FR: Bob Joondeph, Executive Director
RE: HB 2482

Disability Rights Oregon (DRO) is the designated Protection and Advocacy program for Oregon. DRO is mandated by federal and state law to advocate for the rights of individuals with disabilities. This testimony raises concerns that HB 2482, as written, may have the unintended consequence of preventing or limiting Oregonians in low-population counties from operating motor vehicles.

The following is copied verbatim from a U.S. Department of Justice guidance on self-serve gas stations:

People with disabilities may find it difficult or impossible to use the controls, hose, or nozzle of a self-serve gas pump. As a result, at stations that offer both self and full service, people with disabilities might have no choice but to purchase the more expensive gas from a full-serve pump. At locations with only self-serve pumps, they might be unable to purchase gas at all.

The Americans with Disabilities Act (ADA) requires self-serve gas stations to provide equal access to their customers with disabilities. If necessary to provide access, gas stations must –

- Provide refueling assistance upon the request of an individual with a disability. A service station or convenience store is not required to provide such service at any time that it is operating on a remote control basis with a single employee, but is encouraged to do so, if feasible.
- Let patrons know (e.g., through appropriate signs) that customers with disabilities can obtain refueling assistance by either honking or otherwise signaling an employee.
- Provide the refueling assistance without any charge beyond the self-serve price.

Many states that permit self-serve gas have statutory provisions that recognize the right of individuals with disabilities to have reasonable access to fuel. DRO recommends that Oregon do the same.

Thank you for this opportunity to testify.