

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)
CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 7

By: Brown of the Senate

and

Bastin of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to refueling service; defining terms; requiring service stations provide refueling service to certain mobility-impaired drivers on request; providing exception for certain service stations; limiting price charged for such service; making requirement inapplicable under certain circumstances; requiring posting of signs in conformance with certain criteria; designating agency to which violations may be reported; requiring timely response to complaints; requiring Corporation Commission promulgate certain rules; requiring Department of Public Safety issue refueling identification card and providing for application; requiring Department promulgate certain rules; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 451 of Title 17, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Refueling service" means the service of pumping motor vehicle fuel into the fuel tank of a motor vehicle;

2. "Mobility-impaired driver" means a person with a physical mobility limitation who is unable to operate a motor vehicle without the aid of special assistive devices and which limitation constitutes a substantial impairment to the ability of the person to refuel a motor vehicle; and

3. "Motor vehicle service station" means any facility where motor vehicle fuel is stored and dispensed into the fuel tanks of motor vehicles of the public.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 452 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. Unless otherwise provided in this section, every motor vehicle service station in this state which offers gasoline or other motor vehicle fuel for sale to the public from the service station facility shall provide, on request, refueling service to a mobility-impaired driver who displays a refueling identification card.

B. The price charged for the motor vehicle fuel provided to a mobility-impaired driver as required under subsection A of this section may not be greater than the price the service station facility otherwise would charge the public generally to purchase motor vehicle fuel without refueling service and shall not include any additional costs, expense or charge for the refueling services.

C. The refueling service required under subsection A of this section shall not apply when the mobility-impaired driver is accompanied by another person capable of refueling the motor vehicle.

D. Each motor vehicle service station in the state shall post signs notifying the public of the refueling services provided by the facility. The signs shall be in conformance with criteria established by the Oklahoma Corporation Commission.

E. Violations of the provisions of this act may be reported to the consumer services division of the Oklahoma Corporation Commission which shall respond to complaints in a timely manner.

F. Unless voluntarily provided by the motor vehicle service station, the provisions of this section shall not apply to motor vehicle service stations which offer gasoline or other motor vehicle fuel for sale to the public and which never provide pump island service.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 453 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Corporation Commission shall promulgate rules as may be necessary to implement and administer this act, which rules shall include but not be limited to:

1. Sending notice of the requirements of this act to each motor vehicle service station in the state;

2. Requiring motor vehicle service stations to post signs of adequate size, color and lettering to notify the public of the refueling service provided by the facility;

3. Providing for inspection of motor vehicle service stations for compliance with the requirements of this act; and

4. Establishing penalties for violation of this act.

B. The Department of Public Safety shall issue a refueling identification card which may be used to obtain refueling services to any mobility-impaired driver. Application for the refueling service card may be submitted separately or in conjunction with the application form for a physical disability parking insignia. The Department shall promulgate rules as may be necessary to implement and administer the provisions of this subsection, including establishing requirements of proof that the person is mobility-impaired.

SECTION 4. This act shall become effective November 1, 1996.

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