

CHAPTER 85

AN ACT

SB 1523

Relating to fuel storage facilities; and declaring an emergency.

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

SECTION 1. The Fuel Storage Facility Compatibility Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Fuel Storage Facility Compatibility Fund shall be credited to the fund. The Fuel Storage Facility Compatibility Fund consists of any moneys deposited in the fund from whatever source and may include moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise and interest earned on moneys in the fund. The moneys in the fund are continuously appropriated to the Office of Emergency Management for the purposes specified in section 3 of this 2016 Act.

SECTION 2. As used in this section and sections 3 and 4 of this 2016 Act:

(1) "Cardlock facility" means a fuel dispensing facility that is licensed by the State Fire Marshal under ORS 480.350 and that permits nonretail customers to dispense fuel using a card activated or key activated device in accordance with ORS 480.345.

(2) "Emergency" has the meaning given that term in ORS 401.025.

(3) "Generator" means a portable device capable of converting fuel into electricity.

(4) "Generator connector" means a connector on a fuel source that allows a generator to connect to the fuel source for the purpose of fueling the generator.

SECTION 3. (1) The Office of Emergency Management shall develop a grant program for the disbursement of moneys from the Fuel Storage Facility Compatibility Fund for the purpose of installing generator connectors on fuel sources at cardlock facilities in this state.

(2) Pursuant to the grant program:

(a) The office may solicit and receive applications for grants from owners or operators of cardlock facilities in this state. The office shall establish standards for the qualification of applicants.

(b) The office shall establish criteria by which to determine which applicants will receive grants, with the goal of maximizing the avail-

ability of fuel to emergency response personnel in the case of emergency.

(c) The office shall enter into agreements with grant recipients that require grant recipients to install generator connectors on cardlock facilities.

(d) The office shall specify one or more types of generator connectors that a grant recipient must install. In specifying types of generator connectors, the office shall consult with the Department of Transportation and the State Fire Marshal and shall have the goal of maximizing the compatibility of cardlock facilities in this state with generators possessed or controlled by the office, the department and the Oregon National Guard.

(e) The office may not issue grants in excess of \$4,000 per cardlock facility. The total amount of grants issued may not exceed \$100,000.

(3) The office shall adopt rules to administer and implement the provisions of this section.

SECTION 4. The State Fire Marshal, while conducting an annual safety inspection as described in ORS 480.375 of a cardlock facility that received a grant under the program established under section 3 of this 2016 Act, shall inspect generator connectors installed pursuant to the grant program. If the State Fire Marshal determines that generator connectors installed pursuant to the grant program meet safety requirements and are otherwise properly installed, the State Fire Marshal shall deliver a letter certifying the determination to the Office of Emergency Management.

SECTION 5. (1) Sections 1 to 4 of this 2016 Act are repealed on June 30, 2022.

(2) Any balance in the Fuel Storage Facility Compatibility Fund established in section 1 of this 2016 Act that is unexpended and unobligated on the date of repeal of section 1 of this 2016 Act, and all moneys that would have been deposited in the Fuel Storage Facility Compatibility Fund had section 1 of this 2016 Act remained in effect, shall be transferred to and deposited in the General Fund and made available for general governmental purposes.

SECTION 6. This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Approved by the Governor March 29, 2016

Filed in the office of Secretary of State March 29, 2016

Effective date March 29, 2016