



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1796

Introduced 2/23/2007, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

815 ILCS 365/2

from Ch. 121 1/2, par. 1502

815 ILCS 365/2.5 new

815 ILCS 365/1 rep.

Amends the Motor Fuel Sales Act. Repeals language providing that the Act does not apply to gasoline or service stations offering motor fuel for sale only at self-service islands. Requires a station that offers motor fuel for sale only at self-service islands to provide at one or more islands a calling device that allows a person with a decal, a device, or registration plates issued to a person with disabilities to request assistance in dispensing motor fuel. Sets forth requirements for the calling device and signage. Provides that the station may not impose an additional charge for the assistance in dispensing motor fuel. Sets forth circumstances under which: (i) a station is not required to provide a calling device or (ii) a station is required to provide a calling device only during certain hours. Provides that the requirements of the Act do not apply if the driver or a passenger is reasonably capable of dispensing motor fuel. Provides that a gasoline station owner who violates either of these provisions is guilty of a petty offense and subject to a fine of not less than \$300 and not more than \$600.

LRB095 10342 LCT 30557 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Motor Fuel Sales Act is amended by changing
5 Section 2 and by adding Section 2.5 as follows:

6 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

7 Sec. 2. Assistance at stations with self-service and
8 full-service islands. Any attendant on duty at a gasoline
9 station or service station offering to the public retail sales
10 of motor fuel at both self-service and full-service islands
11 ~~described in Section 1~~ shall, upon request, dispense motor fuel
12 for the driver of a car which is parked at a self-service
13 island and displays: (a) registration plates issued to a
14 physically disabled person pursuant to Section 3-616 of the
15 Illinois Vehicle Code; or (b) registration plates issued to a
16 disabled veteran pursuant to Section 3-609 of such Code; or (c)
17 a special decal or device issued pursuant to Section 11-1301.2
18 of such Code; and shall only charge such driver prices as
19 offered to the general public for motor fuel dispensed at the
20 self-service island. However, such attendant shall not be
21 required to perform other services which are offered at the
22 full-service island. This Section does not apply if the driver
23 or a passenger in the vehicle is reasonably capable of

1 dispensing motor fuel.

2 A gasoline station owner who violates this Section is
3 guilty of a petty offense and subject to a fine of not less
4 than \$300 and not more than \$600.

5 (Source: P.A. 84-877.)

6 (815 ILCS 365/2.5 new)

7 Sec. 2.5. Assistance at stations with self-service
8 islands.

9 (a) Any gasoline station offering to the public retail
10 sales of motor fuel only at self-service islands shall provide
11 a minimum of one self-service island with a calling device that
12 allows a driver parked at that self-service island in a vehicle
13 that displays registration plates issued under Section 3-609 or
14 Section 3-616 of the Illinois Vehicle Code or a special decal
15 or device issued under Section 11-1301.2 of that Code to signal
16 an employee that the driver requires assistance in dispensing
17 motor fuel.

18 (b) An attendant at any gasoline station to which this
19 Section applies must dispense motor fuel without a charge
20 beyond the price at which the motor fuel is offered to the
21 general public. A gasoline station, however, is not required to
22 provide this service (i) during those times that the customer
23 fueling facility is being operated on a remote control basis by
24 only one employee or (ii) if the driver or a passenger in the
25 vehicle is reasonably capable of dispensing motor fuel.

1 (c) A calling device described in subsection (a) of this
2 Section must:

3 (1) provide, inside the retail establishment, a
4 recognizable signal indicating that a driver needs
5 assistance operating the pump;

6 (2) be operable from the vehicle by a person using only
7 one hand, without requiring tight grasping or pinching;

8 (3) be mounted at a height between 34 and 48 inches
9 from the ground;

10 (4) be accompanied by at least one sign at the
11 self-service island identifying the calling device and the
12 hours when assistance is available; and

13 (5) be operable from the vehicle in accordance with all
14 requirements of the Americans with Disabilities Act
15 Accessibility Guidelines.

16 (c) This Section does not apply to a gasoline station that
17 is operated by one cashier and has remotely controlled
18 equipment for dispensing motor fuel.

19 (d) If an owner owns in this State only one gasoline
20 station to which this Section applies, the station must be in
21 compliance with this Section within one year of the effective
22 date of this amendatory Act of the 95th General Assembly. If an
23 owner owns in this State more than one gas station to which
24 this Section applies, at least 50% of those stations must be in
25 compliance with this Section within one year of the effective
26 date of this amendatory Act of the 95th General Assembly and

1 all of those stations must be in compliance with this Section
2 within 3 years of the effective of this amendatory Act of the
3 95th General Assembly.

4 (e) A gasoline station owner who violates this Section is
5 guilty of a petty offense and subject to a fine of not less
6 than \$300 and not more than \$600.

7 (815 ILCS 365/1 rep.)

8 Section 10. The Motor Fuel Sales Act is amended by
9 repealing Section 1.