

SENATE BILL REPORT

SB 5334

As of February 6, 2007

Title: An act relating to motor fuel vendors.

Brief Description: Addressing motor fuel vendors.

Sponsors: Senators Murray and Jacobsen.

Brief History:

Committee Activity: Transportation: 2/05/07.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Dory Nicpon (786-7321)

Background: Most gas stations rely on electricity to power fuel pumps. During power outages, gas stations without electricity may be unable to dispense fuel.

The State Military Department administers a comprehensive emergency management program. The purposes of the emergency management program include ensuring that the state adequately prepares to deal with disasters, coordinating state and federal disaster relief efforts, protecting the public peace, and preserving the lives and property of the people of the state.

Summary of Bill: By June 1, 2008, each motor fuel wholesaler or terminal facility must be capable of operating its distribution loading racks using an alternative generated power source for a minimum of 72 hours. If the alternative power generating equipment is rendered unsafe, then the wholesaler or terminal facility must restore the equipment to operation within 36 hours. The proper installation of the equipment must be performed by a certified electrician, and the wholesaler or terminal facility must retain documentation of periodic testing of the equipment.

Each newly constructed or substantially renovated motor fuel retail outlet (gas station) issued a certificate of occupancy on or after January 1, 2008, must be prewired with an appropriate transfer switch, and capable of operating all fuel pumps, dispensing equipment, lifesafety systems, and payment-acceptance equipment using an alternative generated power source. The gas station must retain documentation of the periodic testing of the alternative power generating equipment, and present the documentation, upon demand, to the Department of Licensing, the emergency management division, and the director of the county emergency management agency.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

By June 1, 2008, an existing gas station must be prewired with an appropriate transfer switch and capable of operating all fuel pumps, dispensing equipment, lifesafety systems, and payment-acceptance equipment using an alternative generated power source if it is located within one-half mile of an interstate highway or an evacuation route, and meets any of the following criteria: (1) has 16 or more fueling positions and is located in a county with a population of 300,000 or more; (2) has 12 or more fueling positions and is located in a county with a population of 100,000; or (3) has eight or more fueling positions and is located in a county with a population of fewer than 100,000. The gas station must retain documentation regarding the wiring installation and periodic testing of the alternative power generating equipment, and must present the documentation, upon demand, to the Department of Licensing, the emergency management division, and the director of the county emergency management agency.

The requirements relating to alternative generated power do not apply to: an automobile dealer; an operator of a fleet of motor vehicles; or a person who sells motor fuel exclusively to a fleet of motor vehicles.

Each entity that owns ten or more gas stations within a single county must maintain at least one portable generator for every ten gas stations. The portable generator must be stored within Washington and available for use within 24 hours of an emergency or disaster.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: CON: This bill represents an unfunded mandate. The bill also overlooks that roadways are impassable or treacherous when a disaster strikes, so commercial trucks are unable to transport fuel to gas stations for retail distribution. This bill focuses too narrowly on emergency preparedness measures for fuel vendors, without consideration of schools, government function, etc.

Persons Testifying: CON: Tim Hamilton, Automotive United Trades Organization (AUTO); Greg Hanon, Western States Petroleum Association.