

House Bill 437 (COMMITTEE SUBSTITUTE)

By: Representatives Howard of the 124th, Beverly of the 143rd, Schofield of the 60th, and Cooper of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to petroleum products, so as to provide for assistance to individuals with
3 disabilities at self-service gasoline stations; to provide for requirements for assistance; to
4 provide for signage on gasoline pumps with information relating to the assistance; to provide
5 that no private cause of action is created; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
10 relating to petroleum products, is amended by adding a new Code section to read as follows:

11 "10-1-164.2.

12 (a) Every gasoline station which sells gasoline on a self-service basis shall require an
13 attendant employed by the station to dispense gasoline for the holder of a special disability
14 permit provided for in subsection (e) of Code Section 40-2-74.1 if the holder of the permit;

15 (1) Is driving the motor vehicle into which the gasoline is to be dispensed; and

16 (2) Is not accompanied by another person 16 years of age or older who is not mobility
17 impaired or blind.

18 The gasoline station shall be required to have a telephone number that is operational and
19 answered by an attendant during the hours the gasoline station is open to the public for
20 which a person can call to request assistance. The gasoline station shall fill in such number
21 on the decal or sticker affixed pursuant to subsection (b) of this Code section. If a request
22 is made when a second attendant is not present, the gasoline station is not required to
23 provide assistance, but is encouraged to do so, where feasible.

24 (b) The Department of Agriculture shall affix a decal or sticker on the front of each
25 self-service gasoline pump upon initial inspection or re-inspection. Such decal or sticker
26 shall be at least 15 square inches printed on a blue background and shall include:

27 (1) The international symbol of accessibility;

28 (2) Wording such as 'For Help Call', 'Call for Assistance', or 'Assistance Available Upon
29 Request'; and

30 (3) A blank for the gasoline station to fill in the telephone number for such gasoline
31 station to reach an attendant.

32 (c) Nothing in this Code section shall be construed to create a private cause of action."

33

SECTION 2.

34 All laws and parts of laws in conflict with this Act are repealed.