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Bill 231

An Act to amend the Occupational Health and Safety Act to provide safety measures in respect of workers at gas stations

Mr. D. Anand

Private Member's Bill

1st Reading November 16, 2020

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Occupational Health and Safety Act* to require employers at gas stations to require customers to prepay before being given gasoline. The employer is required to give notice of the requirement to prepay for gasoline. The Act is also amended to require employers to provide training to workers involved in the sale of gasoline.

**An Act to amend the Occupational Health and Safety Act
to provide safety measures in respect of workers at gas stations**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 The *Occupational Health and Safety Act* is amended by adding the following section:

Employers' duties, prepayment for gasoline at gas stations

Application

26.1 (1) This section applies in respect of a prescribed gas station or a prescribed class of gas station beginning on the date prescribed for the gas station or for the class.

Requirement to prepay

(2) An employer at a gas station shall require a customer to prepay for gasoline sold at the gas station before the customer is given gasoline from a pump that has technology that prevents a person from taking gasoline before paying for it.

Notice on gasoline pumps

(3) An employer at a gas station shall affix the prescribed notice to each gasoline pump to which subsection (2) applies in such manner as may be prescribed.

Training

(4) If a gas station has one or more gasoline pumps described in subsection (2), the employer at the gas station shall provide training about worker safety in accordance with the prescribed requirements to workers involved in the sale of gasoline at the gas station.

New and replacement gasoline pumps

(5) A new or replacement gasoline pump that is installed at a gas station after the day this section applies in respect of the gas station must have technology that prevents a person from taking gasoline before paying for it.

Definitions

(6) In this section,

“gas station” means a retail outlet at which gasoline is sold at a gasoline pump and put into the fuel tanks of motor vehicles; (“station-service”)

“gasoline” has the same meaning as in the *Gasoline Tax Act*, but does not include aviation fuel, leaded gasoline or propane; (“essence”)

2 (1) Subsection 70 (2) of the Act is amended by adding the following paragraphs:

2.1 prescribing gas stations or classes of gas station and prescribing dates for the purposes of subsection 26.1 (1);

17.1 prescribing, for the purpose of subsection 26.1 (3), the content and appearance of the notice and the manner in which it shall be affixed to a gasoline pump;

17.2 providing for such transitional matters as the Lieutenant Governor in Council considers necessary or advisable in connection with the implementation of section 26.1, including requiring an employer at a gas station to post notices relating to the requirements under section 26.1 in advance of the section applying in respect of the gas station;

31.2 prescribing, for the purpose of subsection 26.1 (4), requirements for the training that employers shall provide to workers involved in the sale of gasoline from a pump at a gas station, including when and how often the workers must receive such training;

(2) Section 70 of the Act is amended by adding the following subsection:

Regulations, gas stations and dates

- (2.1) For clarity, a regulation made under paragraph 2.1 of subsection (2) may,
- (a) prescribe classes of gas station based on geographical location; and
 - (b) prescribe different dates for different gas stations or classes of gas station.

Commencement

3 This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

4 The short title of this Act is the *Protecting Ontarians by Enhancing Gas Station Safety to Prevent Gas and Dash Act, 2020*.