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Law is little help as disabled gas up

By Robert McCoppin Daily Herald Staff Writer
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By law, gas stations must pump gas for drivers with disabilities - except, driver advocates say, when a huge loophole applies.

If only one attendant is on duty, running the pumps by remote control, the U.S. Department of Justice states there is no obligation to pump gas.

With full-service stations disappearing and lone attendants increasingly common, drivers with disabilities are having an ever tougher time getting gas.

The problem, disabled drivers say, is the law doesn't have much teeth. And a highly praised voluntary program is not solving the problem.

"I have a difficult time," said Esther Gulbrandsen, a driver from Grayslake who uses a walker. "In the past 10 years there's been so much talk about making things accessible, but it's getting worse."

Gulbrandsen goes to a Citgo gas station at Route 45 and Gages Lake Road in Grayslake, where workers have agreed to pump her gas between 6 a.m. and 3 p.m., when they have two attendants.

But if she leaves the area or goes into Chicago, she worries she may run low on gas and not know where to go.

In the past she had gas pumped at a Shell station, but when she went back she was told they could no longer do it because they had one attendant on duty who couldn't leave the cash register.

"I don't know what to do," she said. "One day I'll run out of gas, and I'll be stuck."

The federal Americans with Disabilities Act requires public businesses to make reasonable accommodations to people with disabilities.

Advocates for people with handicaps pushed the issue with lawmakers in the 1980s but never got guaranteed service, said Gerry Bartnicke, director of the disability services for Schaumburg Township.

A state law was passed in 1986, but it applied only to full-service stations, which were already disappearing.

"It was not addressed at that time," Bartnicke said. "We said you've got to address this because they're all going to go self-serve, and we were right. It's a sad situation."

Oil companies could solve the problem, she said, by mandating full-service, but gas station owners say customers won't pay to provide the service.

It's often unsafe for lone attendants to venture out to pump gas, owners said, because they are vulnerable to robbery, which is a legitimate justification under the law.

To make the best of a bad situation, advocates for the disabled and oil industry members say drivers with disabilities should get to know where and when they can get gas, and plan ahead.

A prime example is Larry and Dan's Marathon in Schaumburg, which always has an attendant on duty ready to pump gas for drivers with disabilities, employee Jane Delimba said.

Located on Schaumburg Road west of Roselle Road, near Friendship Village retirement community, the station gets plenty of business from drivers wanting full service.

The station provides full service to perhaps 75 people a day, about one-fourth of its business, Delimba said. It costs about 25 cents a gallon more, though by law drivers with disabilities pay only the self-serve price.

Full-service customers include business people on an expense account, and many are women whose husbands are disabled or who have passed away and have never pumped gas before.

"We believe in taking care of the customer," Delimba said. "We've been here 43 years. If it works, don't stop."

The Illinois Petroleum Marketers Association, which represents gas station owners, and the Illinois Petroleum Council, which represents oil companies, have fought efforts to pass laws requiring service for drivers with disabilities at all times.

Instead, in 1999 they started a program for stations to provide service on a voluntary basis.

Participating stations can post an 18-inch-by-18-inch blue sign with the international handicapped symbol and the word "fueling."

Petroleum marketers spokesman Bill Fleischli estimated 85 percent to 90 percent of stations participate, but he had no list, and some drivers said they couldn't find anywhere near that many participating stations.

Sue Iwinski, chairwoman of the Schaumburg Township Committee for Disabled Citizens, said drivers need to line up their suppliers.

It may help to go when a station has more than one attendant, or when it's not rush hour, Iwinski said.

If there's a problem getting service, sometimes other drivers can help explain the situation to the attendant, or will volunteer to pump gas for a disabled driver.

"We have to realize people are making accommodations for us," said Iwinski, who has a disability. "You can't ask for everything."

The office of Illinois Attorney General Lisa Madigan's Disability Rights Bureau handles complaints about violations of the law, at (312) 814-5684.

Enforcement of the law will be on a case-by-case basis, Madigan spokeswoman Melissa Merz said, but she added, "Attorney General Madigan believes products and services should be available to all consumers, not just those who are physically able to walk in to pay for their gas."

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