

# ASSEMBLY, No. 1237

## STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Assemblywoman LINDA STENDER**

**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Increases penalty amount for violations of certain laws regulating retail sale of motor fuel to not less than \$500 nor more than \$1,000.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



A1237 STENDER

2

1 AN ACT concerning the sale of motor fuels and amending P.L.1938,  
2 c.163.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 301 of P.L.1938, c.163 (C.56:6-3) is amended to read  
8 as follows:

9 301. Every retail dealer who shall fail to post and publicly  
10 display, in the manner herein required, a sign stating the price per  
11 gallon, or per gallon and per liter, of all motor fuel sold by said  
12 retail dealer, or who shall sell motor fuel at a price other than the  
13 per gallon or per liter price, as provided in article II hereof, or who  
14 shall violate any other provisions of article II of this act, shall, upon  
15 conviction, be subject to a penalty of not less than **[fifty dollars**  
16 **(\$50.00)]** \$500 nor more than **[two hundred dollars (\$200.00)]**  
17 \$1,000 for each such offense, and his license shall be suspended for  
18 a period of not less than five (5) days nor more than thirty (30)  
19 days, and in default of the payment of such penalty shall be  
20 imprisoned for a period not to exceed 30 days. If there shall be a  
21 conviction upon a second or subsequent offense, the license of the  
22 convicted retail dealer, issued under the provisions and procedure in  
23 chapter thirty-nine of Title 54 of the Revised Statutes, shall be  
24 revoked by the Director of the Division of Taxation.

25 (cf: P.L.1981, c.230, s.2)

26

27 2. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 This bill increases the monetary penalties for violations of the  
33 law regulating the retail sale of motor fuels from a penalty of not  
34 less than \$50 nor more than \$200 for each such offense, to a penalty  
35 of not less than \$500 nor more than \$1,000 for each offense.

36 Section 201 of P.L.1938, c.163 (C.56:6-2) provides for: (1) the  
37 display and maintenance of a properly posted sign on each pump  
38 from which motor fuel is sold; (2) the selling of motor fuel at a  
39 price equal to or greater than its net cost to the retail dealer, plus all  
40 selling expenses; (3) the requirement to sell only at the posted price;  
41 (4) the prohibition of the giving of rebates, allowances, concessions  
42 or benefits either directly or indirectly so as to permit any person to  
43 obtain motor fuels from a retail dealer below the posted price,  
44 except in one specified instance; (5) the prohibition of the use of  
45 lotteries, wheels of fortune, punch boards, or other games of chance

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

**A1237 STENDER**

3

- 1 in connection with the sale of motor fuels; (6) the prohibition of
- 2 changing the selling price more than once in any 24-hour period;
- 3 and (7) the proper branding of dispensing and storage equipment.