

ASSEMBLY, No. 677

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman BAGGER

1 AN ACT concerning the offering and furnishing of discount coupons
2 in the sale of motor fuels and amending P.L.1938, c.163.

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

6
7 1. Section 201 of P.L.1938, c.163 (C.56:6-2) is amended to read
8 as follows:

9 201. (a) Every retail dealer shall publicly display and maintain, in
10 the manner regulated by the Director of the Division of Taxation, a
11 sign stating the price per gallon if sold by the gallon, and per gallon
12 and per liter if sold by the liter of the motor fuel sold by said dealer.
13 All taxes, State and Federal, imposed with respect to the manufacture
14 or sale of motor fuel shall be included in the price shown on said sign,
15 but said sign shall contain a statement of the amount of taxes included
16 in said price, or, without specifying the amount thereof, said sign shall
17 state that taxes are included in said price. A retail dealer shall not sell
18 at any other price than the price, including tax, so posted. Any such
19 price when posted shall remain posted and in effect for a period of not
20 less than twenty-four (24) hours.

21 (b) No retail dealer shall sell motor fuel at a price which is below
22 the net cost of such motor fuel to the retail dealer plus all selling
23 expenses.

24 (c) No other price signs of motor fuel so dispensed, or signs
25 relating to the price of such fuel shall be used or displayed on or about
26 the premises where motor fuel is sold at retail, other than the signs
27 provided by section 3 of P.L.1952, c.258 (C.56:6-2.3).

28 (d) No advertising or sign other than that provided for in section
29 3 of P.L.1952, c.258 (C.56:6-2.3), which directly or indirectly
30 contains a statement of, or an implied reference to the price of motor
31 fuel shall be displayed at any place where motor fuel is dispensed at
32 retail. Any advertising of the retail price of motor fuel through any

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

Matter underlined thus is new matter.

1 other medium which contains a reference to the per gallon or per liter
2 price thereof, shall include all taxes in the price stated, and there shall
3 be included in such advertising a statement that such price includes
4 taxes, or a statement of the amount of taxes which are included in such
5 price. Such advertising shall be identified by the name of the product,
6 and the letters of the name shall be not less than one-half the size of
7 the figures used in the price.

8 (e) No rebates, allowances, concessions or benefits shall be given,
9 directly or indirectly, so as to permit any person to obtain motor fuels
10 from a retail dealer below the posted price or at a net price lower than
11 the posted price applicable at the time of the sale, except that credits
12 earned through purchases on a credit card may be utilized by a person
13 to receive a rebate in the purchase of motor fuels, and except that the
14 provisions of this subsection shall not prohibit a retail dealer from
15 offering and furnishing to any person a discount coupon.

16 (f) It shall be unlawful for any retail dealer to use lotteries, prizes,
17 wheels of fortune, punchboards or other games of chance, in
18 connection with the sale of motor fuels.

19 (g) All above-ground equipment for storing or dispensing motor
20 fuel operated by a retail dealer shall bear, in a conspicuous place, the
21 name or trade-mark of the product stored therein or dispensed
22 therefrom, and no retail dealer shall permit delivery into underground
23 or above-ground containers, tanks or equipment of any motor fuel
24 other than the brand represented or designated by the name or
25 trade-mark appearing on such container or dispensing equipment
26 attached thereto. No retail dealer shall be a party to the substitution of
27 one grade of motor fuel for another.

28 (h) If the motor fuel stored in or dispensed from any above-ground
29 equipment by a retail dealer shall not have a brand name or
30 trade-mark, such container or dispensing equipment shall have
31 conspicuously displayed thereon the words "No Brand."

32 (cf: P.L.1995, c.51, s.1)

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34 2. This act shall take effect immediately.

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37 STATEMENT

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39 This bill permits retail motor fuels dealers to offer and furnish
40 discount coupons.

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43 _____
44
45 Permits the offering and furnishing of discount coupons in the sale of
46 motor fuels.