

Legislative Analysis



USE OF PROPRIETARY FUEL NAME

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House Bill 5852

Sponsor: Rep. Kevin Daley

Committee: Agriculture

Complete to 11-27-12

A SUMMARY OF HOUSE BILL 5852 AS INTRODUCED 9-11-12

The bill would amend Section 28e of the Weights and Measures Act (MCL 290.628e) to specify that the advertising requirements for roadside retail locations selling motor fuel would not preclude the owner or operator of such a business from using a proprietary fuel name.

Public Act 254 of 2012 established advertising requirements for roadside retail locations that sell motor fuel. Under PA 254, beginning July 2, 2013, roadside advertising must comply with all of the following:

- The advertised price must be clearly and completely posted in full, including fractional prices to the tenth of a cent.
- The advertised price must include the grade of fuel being sold and comply with the abbreviations contained in the act.
- All prices must be *displayed* at the pump, but only the price of the selected product could be displayed during the retail transaction. The bill would also require all indications on the pump display to calculate the correct total price of the purchase.
- The retailer must post the conditions next to the sales price if the advertised price of motor fuel is subject to one or more conditions. The conditions must be equally illuminated in lettering of the same style and of at least half the size that is used to post the sale price.
- All prices have to be displayed in the same size and style if the unit price for the same grade of motor fuel differs.

The bill would also alter the requirement that all prices be displayed at the pump; instead, all prices would have to be *capable of being displayed* at the pump.

FISCAL IMPACT:

A fiscal analysis is in process.

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