



House of Representatives

General Assembly

File No. 201

February Session, 2014

Substitute House Bill No. 5259

House of Representatives, March 31, 2014

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE USE OF DEBIT CARDS FOR GASOLINE PURCHASES AND NOTIFICATION TO HANDICAPPED DRIVERS OF SELF-SERVICE PUMP REFUELING SERVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-15 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2014*):

4 (a) Each person shall publicly display and maintain on each pump
5 or other dispensing device from which any gasoline or other product
6 intended as a fuel for aircraft, motor boats or motor vehicles is sold by
7 such person, such signs as the Commissioner of Consumer Protection,
8 by regulation adopted pursuant to chapter 54, may require to inform
9 the public of the octane rating and price of such gasoline or other
10 product. Each person selling such gasoline or other product on both a
11 full-serve and self-serve basis and displaying the price of such gasoline
12 or other product at a location on the premises other than at a pump or
13 other dispensing device shall include in such display both the full-

14 serve and self-serve prices of such gasoline or other product, in such
15 manner as the commissioner, by regulation, may require. All signs as
16 to price shall be the per-gallon price and shall not be the price of less or
17 more than one gallon.

18 (b) Each person shall publicly display and maintain on each pump
19 or other dispensing device from which any gasoline or other product
20 containing more than one per cent by volume of ethanol, methanol or
21 any other cosolvent, and intended as a fuel for aircraft, motor boats or
22 motor vehicles is sold by such person, such signs as the Commissioner
23 of Consumer Protection, by regulation adopted pursuant to chapter 54,
24 may require to inform the public of the amount of methanol, ethanol or
25 any other cosolvent contained in such gasoline or other product.

26 (c) Each person shall publicly display and maintain, in a like
27 manner, size and print, on each sign on display to the general public
28 intended to inform the public of the price of gasoline and each pump
29 or other dispensing device from which any gasoline intended as a fuel
30 for motor vehicles is sold by such person, such signs as the
31 Commissioner of Consumer Protection, by regulation adopted
32 pursuant to chapter 54, may require to inform the public of the price
33 for such gasoline for such members of the public as any such sign that
34 informs of the price of such gasoline for members of any club,
35 members of any retail membership organization or persons who
36 qualify for any special discount offer.

37 (d) Any manufacturer, hauler, blender, agent, jobber, consignment
38 agent, or distributor who distributes gasoline, or other products
39 intended as fuel for aircraft, motor boats, or motor vehicles, which
40 contain one per cent or more alcohol by volume, shall state the
41 percentage of alcohol and the type of alcohol on any invoice, bill of
42 lading, shipping paper, or other documentation used in normal and
43 customary business practices.

44 (e) Each person shall publicly display and maintain on each pump
45 or other dispensing device from which any diesel fuel intended as a
46 fuel for motor boats or motor vehicles is sold by such person, the

47 minimum cetane number for such diesel fuel.

48 (f) Each person shall publicly display and maintain on each pump
49 or other dispensing device from which any gasoline intended as a fuel
50 for motor boats or motor vehicles is sold by such person, such signs as
51 the Commissioner of Consumer Protection, by regulation adopted
52 pursuant to chapter 54, may require to inform the public of whether, if
53 a discount is offered for payment by cash, payment for such gasoline
54 by debit card is processed at the credit card price per gallon or the cash
55 price per gallon.

56 ~~[(f)]~~ (g) Any person who, by himself or herself or by his or her agent
57 or employee, violates any provision of this section or such regulations
58 shall be fined not less than fifty dollars or more than two hundred fifty
59 dollars.

60 ~~[(g)]~~ (h) A violation of subsection (c) of this section shall constitute
61 an unfair trade practice under subsection (a) of section 42-110b.

62 Sec. 2. Section 14-325b of the general statutes is repealed and the
63 following is substituted in lieu thereof (*Effective October 1, 2014*):

64 (a) Each retail dealer as defined in section 14-318 ~~[which]~~ that offers
65 self-service and full-service facilities for the sale of gasoline or motor
66 fuel shall provide, at a self-service pump, upon request, refueling
67 service to a handicapped driver of a vehicle ~~[which]~~ that bears a
68 special international symbol of access license plate issued pursuant to
69 section 14-253a, at a price no greater than that which such dealer
70 would charge the public to purchase gasoline or motor fuel without
71 any refueling service. [The provisions of this section shall not apply to
72 dealers which sell gasoline or fuel, which (1) have remotely controlled
73 pumps, or (2) are operated by a single cashier.]

74 (b) Each retail dealer that is required to provide refueling service to
75 a handicapped driver pursuant to subsection (a) of this section shall
76 publicly display and maintain on or near each self-service pump a
77 clearly legible sign informing the public that such retail dealer will

78 provide refueling service to such handicapped driver upon request.
 79 Such sign shall be displayed in a location and manner that is clearly
 80 visible to handicapped drivers and shall contain instructions indicating
 81 how a handicapped driver may contact or notify the retail dealer or
 82 cashier, if applicable, if the handicapped driver requires refueling
 83 service.

84 (c) The provisions of this section shall not apply to dealers that sell
 85 gasoline or motor fuel and that (1) have remotely controlled pumps, or
 86 (2) are operated by a single cashier.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	16a-15
Sec. 2	October 1, 2014	14-325b

GL *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill results in no fiscal impact as the Department of Consumer Protection currently monitors actions at gasoline stations and any violations of requirements of the bill are anticipated to be resolved without monetary penalties.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5259*****AN ACT CONCERNING THE USE OF DEBIT CARDS FOR GASOLINE PURCHASES AND NOTIFICATION TO HANDICAPPED DRIVERS OF SELF-SERVICE PUMP REFUELING SERVICES.*****SUMMARY:**

This bill codifies current Department of Consumer Protection regulations requiring:

1. gasoline dealers offering a cash discount for gas purchases to display a sign on each pump or other dispensing device showing whether a debit card payment is processed at the credit or cash price and
2. all gasoline dealers to post a sign on or near each self-serve pump, in a location and manner clearly visible to handicapped drivers, with instructions on how to contact or notify the dealer or cashier for refueling assistance.

By law, gasoline dealers must provide, upon request, refueling assistance to handicapped drivers with a special international symbol of access license plate at the self-service price for the fuel. These requirements do not apply to retail dealers (stations) that (1) use remotely controlled pumps or (2) have a single cashier.

Under the bill, violators of the (1) debit card notice provision are subject to a fine of \$50 to \$250 and (2) handicap notice provision may have their licenses suspended or revoked and are subject to a fine of up to \$100 for a first offense and, for subsequent offenses, up to a \$500 fine, up to six months imprisonment, or both (CGS § 14-331).

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 14 Nay 3 (03/13/2014)