STATE OF CONNECTICUT

REGULATION

of the

DEPARTMENT OF CONSUMER PROTECTION

(NAME OF AGENCY)

Concerning

THE POSTING OF MOTOR FUEL PRICES

(SUBJECT MATTER OF REGULATION)

SECRETARY OF THE STATE
LEGISLATION & ELECTIONS
2011 OCT -5 P 3:22

Section 16a-15a-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

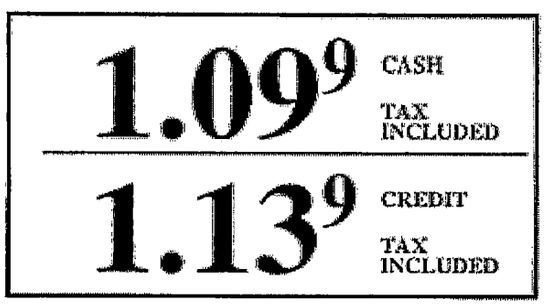
Sec. 16a-15a-2. Posting of cash payment and credit card prices

(a) At the dispensers or islands where cash discounts are offered, retail dealers shall display clear and conspicuous signs posting the price per gallon reduction for cash payment.

(1) Each sign shall be 7 1/4" high and 9 1/2" wide.

(2) Each sign shall be clearly visible to the members of the public. The letters on such sign shall be of contrasting color to the background and large enough to direct customers to the appropriate dispenser.

(b) One method by which retailers may meet the cash-credit price posting requirement set forth in subsection (a) of this section is with a split sign that is 7 1/4" high by 9 1/2" wide, showing the cash price per gallon on the top half of the sign and the credit price on the bottom half. The numerals on such sign shall be at least 2 3/4" high and 3/8 wide and shall look like the following example:



(c) If an island or dispenser is dedicated exclusively to cash sales, the price posted shall be the cash purchase price.

(d) If a non-cash form of payment, including, but not limited to, a credit card, debit card, gift card, store card, cash card or gas card is accepted as a form of payment, and a cash discount is offered for the purchase of motor fuel, disclosure by the retailer in a form acceptable to the commissioner shall be posted in a prominent manner at the point of dispensing of motor fuel. Such disclosure shall alert consumers to the form or forms of payment to which the cash discount price does not apply.

STATEMENT OF PURPOSE

The purpose of these regulations is to provide clarity to consumers in their use of debit cards to purchase motor fuel, specifically clarifying when that payment type may earn a cash discount.

The Department believes that the addition of subsection (d) will help avoid confusion among consumers in their purchasing of motor fuel. Cash discounts have proven popular. With this proposed change, the payment types that earn the cash discount will be more transparent.

The legal effect of this proposal would be to create a new regulation subsection that requires motor fuel price posting signs to include the fact that consumers will not earn a cash discount, if offered by the seller, when using a debit card for the purchase. This regulation applies only when use of a debit card will not earn the discounted cash price.

Be it known that the foregoing:

[X] **Regulations** [ ] Emergency Regulations

Are:

[ ] Adopted [X] **Amended as hereinabove stated** [ ] Repealed

By the aforesaid agency pursuant to:

[X] Sections **4-168** and **16a-15a** of the General Statutes and

[ ] Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

[ ] Public Act No. _____ of the _____ Public Acts.

After publication in the Connecticut Law Journal on Aug 10, 2010 of the notice of the proposal to:

[ ] Adopt [X] **Amend** [ ] Repeal such regulations.

(If applicable): And [X] the holding of an advertised public hearing on 14th day of Sept 20 10.

WHEREFORE, the foregoing regulations are hereby:

[ ] Adopted [X] Amended as hereinabove stated [ ] Repealed

Effective:

[X] **When filed with the Secretary of the State.**
(OR)

[ ] The _____ day of _____ in the year 20 _____.

In Witness Whereof:	DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
	8/20/10	Jerry Farrell	COMMISSIONER

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED	OFFICIAL TITLE, DULY AUTHORIZED
	Joseph Rubin 4/1/11	ASSOCIATE ATTORNEY

[X] Approved.

[ ] Disapproved.

[ ] Disapproved in part (Indicate Section Numbers disapproved only).

[ ] Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
	9/27/2011	Pamela B. Both, Administrator

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY

INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number andsection heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.