

CHAPTER 748—H. F. No. 1436

[Coded]

An act to regulate the display of the retail sale price of motor fuel and to prevent fraud in connection therewith; repealing Minnesota Statutes 1961, Section 296.023.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **325.77 Motor fuel; display of sale price.** [Subdivision 1.] The legislature finds that the wording, arrangement, and accumulation of signs advertising the price per gallon of motor fuel and located at or near places of business for the retail sale of motor fuel, in a confusing, exaggerated, deceptive, misleading, or otherwise fraudulent manner, is detrimental to the public interest. The purpose of this act is to protect the public welfare from fraud of this nature by regulating the size and location of signs displaying the retail sale price of motor fuel.

Sec. 2. [Subd. 2.] For the purposes of this act:

“Person” means any natural individual, firm, partnership, association, joint stock company, joint adventure, or public or private corporation;

“Motor fuel” means liquefied petroleum gas or any other volatile and inflammable liquid or substance produced, blended or compounded for, or suitable and practicable for, operating internal combustion engines furnishing power to operate a motor vehicle.

Sec. 3. [Subd. 3.] It shall be unlawful for any person to offer to sell at retail and dispense or to sell at retail and dispense motor fuel into fuel supply tanks of motor vehicles unless there is continuously and publicly posted and displayed on each pump or other dispensing device the retail price per gallon including all federal and state tax of the motor fuel dispensed therefrom:

(1) On the computer mechanism of the dispensing device, which shall state the price per gallon including all federal and state tax and the total price of the quantity delivered, or

(2) On a separate sign not less than seven inches in height and eight inches in width and not longer than 12 inches in height and width attached to the dispensing device, which shall state clearly and legibly in figures and fractions of uniform size and prominence the total price per gallon including the per gallon amount of all tax to be collected in connection with the sale.

Sec. 4. [Subd. 4.] Any signs or devices stating or relating

Changes or additions indicated by italics, deletions by strikeout.

to the retail price of motor fuel or designed and calculated to cause the public to believe that they state or relate to the retail price of motor fuel posted or displayed on or about premises where motor fuel is sold at retail or on property adjacent thereto and within view of any public highway, road, or street shall clearly and legibly state in figures and fractions of uniform size and prominence the total price per gallon, including the per gallon amount of all tax to be collected in connection with the sale. Nothing contained in this act shall be deemed to prohibit any separate signs or decals posted or displayed on or about premises where motor fuel is sold at retail relating to premiums, trading stamps or other promotional devices, or the per gallon amount of tax imposed upon the sale of motor fuel, provided any sign pertaining to price of merchandise other than motor fuel clearly and legibly states in letters of the same size as the figures and fractions stating such price the name or designation of such merchandise.

Sec. 5. [Subd. 5.] It shall be the duty of the county attorney to receive complaints of violations of this act and to prosecute the complaints if on the basis of the facts so reported and of any additional investigation he may initiate, he shall be satisfied that a violation of this act has been committed.

Sec. 6. [Subd. 6.] Any person who violates any provision of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed \$50 or imprisoned for a term of 15 days.

Sec. 7. [Subd. 7.] The invalidity of any provision or application of this act shall not affect the remaining provisions or other applications of this act, but the same shall continue in full force and effect.

Sec. 8. Minnesota Statutes 1961, Section 296.023, is repealed.

Sec. 9. [Subd. 8.] Except as provided in section 8 nothing in this act shall be construed as repealing any other law or part thereof, but the remedies herein provided shall be cumulative to all other remedies provided by law.

Sec. 10. This act shall become effective on July 1, 1963.

Approved May 16, 1963.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.