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December 19, 2016

**To:** New Jersey General Assembly  
**From:** Sal Risalvato, Executive Director

**Re:** SUPPORT A-3774/S-2321

On behalf of the several hundred independent motor fuel retailers represented by the New Jersey Gasoline, Convenience, Automotive Association, I ask that you support A-3774/S-2321.

This simple change to the current law will finally fix a longstanding but largely unknown problem that hangs over the retailers of this state. When the original ban on price gouging was signed into law in 2001, the ban on gouging was set to last during the course of a state of emergency and for thirty days after the declaration was officially terminated. For the first several years of this law, the system worked with little to no problems.

However, recent practice regarding states of emergency has been to not issue a formal termination of the state of emergency. Because formal termination declarations have not been made, a variety of burdensome regulations are theoretically in effect, despite the fact that no one knows to comply with these rules and no one has chosen to enforce them.

All this bill will do is amend the statute so that the gouging prohibition is in effect for thirty days after the *declaration* of the state of emergency, rather than after the *termination* of the state of emergency. It also includes a provision that, if necessary, the Governor can extend this period of time longer, at his or her discretion.

This bill will bring certainty back to retailers across the state. All benefit when the rule of law is properly observed and all laws are applied properly, fairly, and evenly, rather than at the discretion of each individual Administration or Attorney General.

I ask that you vote YES on A-3774/S-2321

Sincerely,

Sal Risalvato  
Executive Director