



4900 Rt. 33W • Suite 100
Wall Twp., NJ 07753
Phone: 732-256-9646
Fax: 732-256-9666
Web: www.njgca.org

March 30, 2020

To: The Honorable Philip D. Murphy, Governor State of New Jersey
From: Sal Risalvato, Executive Director, New Jersey Gasoline, Convenience Store, Automotive Association

Re: Follow up to letter of March 24, 2020

Dear Governor Murphy,

I wrote you last week requesting you use your Executive Powers as Governor to suspend N.J.S.A 34:3A-6(d) and 34:3A-7 while the current State of Emergency is in force. This is the section of the law which prohibits motorists from pumping their own gas.

The New Jersey Gasoline, C-Store, and Automotive Association (NJGCA) is an 82-year-old trade association that represents the gasoline retail, convenience store, and auto repair industries. We represent the small businesses that serve the motorist.

As of today, I have not heard back from your office on this matter. In the week that has passed, we have seen the situation in New Jersey worsen, with many respected experts predicting we have far worse to witness before the situation gets better.

The worsening situation has created more consternation amongst my members, as they grapple with staffing issues at both their gas pumps and even inside their convenience stores. There are a few simple facts that can't be ignored.

- 1) Employees that work as gas attendants do not feel safe having contact with customers who may be infected with Coronavirus since it is impossible to maintain the 6-foot distance required while interacting with motorists to conduct the fueling of their vehicle.
- 2) Many motorists have the exact same concern as many of the attendants. They do not want to break the 6-foot social distancing guidelines by having contact or interaction with gas attendants. There have been many instances in which motorists have insisted on pumping their own gas and have refused to allow attendants to even touch their credit cards.

3) It is becoming more difficult to staff gasoline stations, and my members have been bringing this to my attention for the past two weeks. Gasoline sales have been reduced dramatically, but my members are trying to remain open to serve those who are still required to get to work at essential businesses, especially healthcare workers and grocery store workers.

At least inside the convenience store, customers can safely maintain a 6-foot distance between themselves and cashiers, and they are also able to insert their credit cards without handing it to anyone else. Similar precautions have been in practice in grocery stores since the State of Emergency has been declared.

With all of the actions that your Administration has taken the past two weeks, and with all of the precautions that your administration has asked New Jersey citizens to take, I am surprised that another simple sensible suggestion does not appear to be given consideration. Besides actually accomplishing the foot social distance at gas pumps that is required, this action would be a significant demonstration to all of our citizens just how serious the situation is and would further underscore the importance that everyone must alter their behavior and practice the new social distancing requirements as a matter of habit, until this menace has left us.

Gas stations could be required to provide disinfecting wipes just as are now being provided in grocery stores. Shoppers have access to wipes and sanitizing liquids immediately upon entering a grocery store, wiping down shopping carts, and shelving that they come into contact with. Motorists can wipe gas nozzles before and after they pump their gasoline. Their credit card will never leave their possession and can be entered safely without even touching the equipment. Sanitizing wipes can be used on buttons that will be needed to begin fueling. This is safer than motorists having direct contact with attendants who have been standing out all day having had contact with many other motorists, as well as trading credit cards back and forth with every motorist who pulls to the pumps.

I would like to reiterate a few points I made in my previous letter which should be kept in mind as you consider my proposal to suspend N.J.S.A 34:3A-6(d) and 34:3A-7 while the current State of Emergency is in force.

Motorists that drive diesel fueled vehicles are already permitted under New Jersey law to pump their own fuel—only motorists driving gasoline fueled vehicles are prohibited from pumping their own gas. The law simply does not apply to diesel fueled vehicles, or for that matter electrically powered ones.

I am not suggesting that a suspension be permanent or mandatory, simply permit my members to allow their customers to pump their own gas by sectioning off a separate island for those motorists that might feel more secure while practicing social distancing. The suspension would only be in force during the current State of Emergency or until you deem it is no longer necessary to be suspended.

This will alleviate a situation in which gasoline retailers may be unable to open and provide gasoline to anyone because they find themselves in a situation that leaves them void of employees willing to attend to the pumps or are sick and unable to attend the pumps.

As I stated previously, I would like to work with you and your Administration to craft language that will ensure that full service will still be available for those motorists who may require or prefer full service, even in the current climate.

This is not a problem that our neighbors in New York, Connecticut, and Pennsylvania have had to deal with, as it is a uniquely New Jersey problem that only you can address. Again, I believe that should you take the action that I am requesting, it will prove to be another demonstration of just how serious your efforts are to persuade New Jersey citizens to avoid physical interaction whenever possible.

Finally, I must point out that two days ago the State of Oregon implemented the exact same suspension that I am requesting from you. I am sure that you are aware that every state in the nation allows motorists to pump their own gas with the exception of New Jersey. In Oregon, only the Western part of the state permits motorists to pump their own gas. On Friday the Governor of Oregon declared for the exact same reasons I cited above today, and in my letter from last week, that the entire state will permit motorists to pump their own gas on a temporary basis.

Governor Murphy, this is a serious matter that I believe requires immediate action that should not be difficult to implement.

My members stand ready to assist in your efforts, and NJGCA stands ready to assist you as well.

Sincerely,



Sal Risalvato
Executive Director
NJ Gasoline, C-Store, Automotive Association