



JON S. CORZINE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
Office of Weights and Measures




STUART RABNER  
Attorney General

STEPHEN B. NOLAN  
Acting Director

**Mailing Address:**  
1261 Route 1&9 South  
Avenel, NJ 07001-1647  
(732) 815-4840  
FAX: (732) 382-5298

### MEMORANDUM

TO: All State, County and Municipal Weights and Measures Personnel

FROM: Louis E. Greenleaf   
State Superintendent

DATE: May 25, 2007

SUBJECT: Posting of Gas Pricing at the Roadside

Please be advised, if a gasoline retailer is offering dual pricing CASH/CREDIT there will be a requirement to post the CASH and CREDIT price on the street sign. All stations need to be in compliance by June 1<sup>st</sup>, 2007. An example of a roadside sign will look like the following:

**REGULAR UNLEADED**  
**CASH \$2.89**  
**CREDIT \$2.95**

The cash and credit price WILL be displayed on the roadside signs so the consumer can make an informed decision.

All other Weights and Measures laws relating to the posting of price signs on the pump still need to be in compliance.

The option of single pricing is still in effect, where the credit card price will be displayed.

## (b) Visible to customers.

1. The brand name or trade-mark must be placed in such a position on the pump that will be readily visible to customers approaching such pump;

2. The letters and numerals included in such brand name or trade-mark must be of such a size that they will be readily readable by a customer approaching the pump.

(c) Brand names and trade-marks must be displayed through the medium of glass globes, display panels, decalcomania, paint applications, or similar permanent devices on the pump.

(d) If the motor fuel stored in or dispensed from any above-ground equipment by a retail dealer does not have a brand name or trade-mark, the container or dispensing equipment must have, conspicuously displayed thereon the words "No Brand".

**Historical Note**

Formerly Reg. RC-2, filed 1/1/48.

**Statutory References**

N.J.S.A. 56:6-2.

**18:19-2.5 Substitution of fuels prohibited**

No retailer shall be a party to the substitution of one grade of motor fuel for another.

**Statutory References**

N.J.S.A. 56:6-2.

**18:19-2.6 Other advertising requirements**

(a) Any advertising of the retail price of motor fuel through any other medium which contains a reference to the per gallon price or the per liter and per gallon price thereof, must include all taxes in the price stated, and there must be included in such advertising a statement that such price includes taxes, or a statement of the amount of taxes which are included in such price.

(b) Such advertising must be identified by the name of the product, and the letters of the name shall be not less than one-half the size of the figures used in the price.

Amended by R.1982, d.77, effective March 15, 1982.  
See: 13 N.J.R. 855(a), 14 N.J.R. 285(c).

Added "or the per liter and per gallon price".

**Statutory References**

N.J.S.A. 56:6-2.

**18:19-2.7 Posted prices and brand names; cash discounts; of diesel fuel**

(a) Except as provided hereinunder, the provisions of N.J.A.C. 18:19-2.1 through 2.5 as they relate to posted prices and brand names are deemed to apply in a uniform and consistent manner to each motor fuel product as such products are identified by the supplier's invoice at the time of the purchase.

(b) A retail dealer may sell similar fuels at different prices to cash and credit customers, and the price posted on top of the pump and on the pump meter shall be the credit purchase price. A conspicuous sign shall also be displayed at the pump or at the island posting the price per gallon (or per gallon and per liter) reduction for cash purchases of fuels. At his option, a dealer may also meet the cash/credit price posting requirement with a pump top split sign pursuant to N.J.A.C. 18:19-2.1(c) showing the cash price per gallon on the top half of the sign and the credit price per gallon on the bottom half of the sign having the same background colors (compare N.J.A.C. 18:19-2.1(c)1ii). If the dealer offers the same price for cash and credit customers, the dealer may substitute a message in words for one row of digits. The message would state that the same price applies for cash and credit sales. If the dealer elects to offer an island dedicated exclusively to cash sales, the price posted on top of the pumps and the pump meters at the dedicated island shall be the cash purchase price.

(c) In the case of computerized electronic pumps equipped with customer select devices, the price posting requirements for the pump meter shall be satisfied if alternative cash and credit prices for the product are clearly visible to the motorist on the face of the pump prior to the selection of cash or credit payment mode and where the motorist's selection is identified during the operation of the pump for the motorist.

(d) A retail dealer selling diesel fuel may elect to sell such fuel at different prices from pumps dedicated to self-service and from pumps where attendant service is available. The price posted on top of the pump and on the pump meter shall be the price at which such fuel is sold from that pump.

1. If, in addition, the seller of fuels elects to offer a cash discount for sales of diesel fuel, then the price at the pump and on the pump meter shall be the credit price, and notice shall be placed on the face of the pump of the price per gallon (or per gallon and per liter) reduction for cash.

2. A retail dealer electing to dedicate an island to cash sales may sell diesel fuel self-service from that island provided that the cash price is posted on top of the pump and on the pump meter.