

SUBSTITUTE FOR
HOUSE BILL NO. 5852

A bill to amend 1964 PA 283, entitled
"Weights and measures act,"
by amending section 28e (MCL 290.628e), as added by 2012 PA 254.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 28e. ~~(1) Beginning 1 year after the effective date of the~~
2 ~~amendatory act that added this section,~~ **BEGINNING JULY 2, 2013**, if
3 motor fuel is sold at a roadside retail location, the **ROADSIDE**
4 advertising shall comply with all of the following:

5 (a) The price advertised shall be clearly and completely
6 posted in full, including any fractional prices, to the tenth of a
7 cent.

8 (b) The price advertised shall include the grade of fuel being
9 sold, with the following abbreviations allowed:

10 (i) Regular gasoline: "Regular", "Reg.", or "Reg,".

1 (ii) Midgrade gasoline: "Midgrade", "Mid.", or "Mid,".

2 (iii) Premium gasoline: "Premium", "Prem.", or "Prem,".

3 (iv) Diesel fuel: "Diesel", "Dsl.", or "Dsl,".

4 (v) Kerosene fuel: "Kerosene", "Ker.", or "Ker,".

5 (vi) E85 fuel ethanol: "E85".

6 (c) All prices shall be **CAPABLE OF BEING** displayed at the
7 pump, but only the unit price of the selected product shall be
8 displayed during the transaction. All indications on the pump
9 display shall calculate the correct total price of the purchase.

10 (d) ~~IF~~ **SUBJECT TO SUBSECTION (3), IF** the advertised price of
11 the motor fuel is subject to 1 or more conditions for sale at that
12 price, **OTHER THAN PAYMENT BY CASH OR CREDIT CARD**, the retailer
13 shall post the conditions immediately ~~next~~ **ADJACENT** to the sales
14 price with equal illumination in lettering of the same style and of
15 at least 1/2 the size that is used to post the sale price.

16 (e) If the unit price for the same grade of motor fuel
17 differs, **AND THE SIGN WILL NOT ACCOMMODATE DISPLAYING** all prices
18 ~~shall be displayed~~ in lettering of the same style and size, **THE**
19 **HIGHEST PRICE SHALL BE DISPLAYED IN LETTERING USING THE LARGEST**
20 **SIZE OF THE PRICES THAT ARE DISPLAYED.**

21 (2) **SUBSECTION (1)(B) DOES NOT PRECLUDE THE OWNER OR OPERATOR**
22 **OF A BUSINESS SELLING MOTOR FUEL AT A ROADSIDE RETAIL LOCATION FROM**
23 **USING A PROPRIETARY FUEL NAME.**

24 (3) **BEGINNING JULY 2, 2017, THE REQUIREMENT OF SUBSECTION**
25 **(1)(D) ALSO APPLIES TO CONDITIONS REGARDING PAYMENT BY CASH OR**
26 **CREDIT CARD.**