

SENATE No. 142

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to price discrepancies in gas station purchases .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Christopher G. Fallon</i>	<i>33rd Middlesex</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>

SENATE No. 142

By Mr. Rush, a petition (accompanied by bill, Senate, No. 142) of Michael F. Rush, Robert M. Koczera, James J. Dwyer, Christopher G. Fallon and other members of the General Court for legislation relative to price discrepancies in gas station purchases . Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to price discrepancies in gas station purchases .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 295E of chapter 94 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
3 thereof the following:-

4 The price posted on any pump or other dispensing device from which motor fuel
5 is sold, as required by section 295C, shall remain posted thereon and continue in effect thereat
6 for a period of not less than twenty-four consecutive hours. No retail dealer shall sell motor fuel
7 at any price other than the price so posted at the time of the sale, regardless of payment in lieu of
8 cash pursuant to section 28A of chapter 140D. A retail dealer of motor fuel shall not charge a
9 different price for motor fuel if a consumer elects to use a credit card in lieu of payment by cash,
10 check, or similar means. No premiums, rebates, allowances, concessions, prizes or other benefits
11 shall be given directly or indirectly by any retail dealer so as to permit any purchaser to obtain
12 motor fuel from such retail dealer at a net price lower than the posted price applicable at the time
13 of the sale. In no transaction in which a retail dealer may fix or set a single price or charge for the
14 sale of a quantity of motor fuel, together with some other commodity or service, shall such single
15 price or charge be less than the aggregate of the charge, in accordance with the posted price, for
16 the motor fuel involved in the transaction, plus the charge for such other commodity or service
17 when the same is sold or rendered separately, rather than in combination with the sale of motor
18 fuel.