

State of Wisconsin



2017 Assembly Bill 56

Date of enactment: **June 23, 2017**
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2017 WISCONSIN ACT 22

AN ACT *to renumber and amend* 100.18 (6); and *to amend* 98.03 (2) and 100.18 (8) of the statutes; **relating to:**
advertising motor fuel prices by the half-gallon.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 98.03 (2) of the statutes is amended to read:

98.03 (2) The department may issue rules governing the construction, installation, and use of commercial weights and measures and prescribing tolerances therefor. The specifications, tolerances, and regulations for commercial weighing and measuring devices issued by the national institute of standards and technology shall apply in this state except as modified by such rules or by statute.

SECTION 2. 100.18 (6) of the statutes is renumbered 100.18 (6) (a) (intro.) and amended to read:

100.18 (6) (a) (intro.) All advertising ~~which that~~ shows or in any manner relates to the price at which motor fuel is offered for sale at retail, except multiple gallon computers attached to or forming a part of any dispensing equipment, shall show only ~~(a) the~~ one of the following:

1. The single gallon unit price including all applicable taxes in one amount or (b) the, except that a person who sells less than 15,000 gallons of motor fuel in this state per year may show the half-gallon unit price including all applicable taxes in one amount.

2. The single gallon product price, the taxes applicable thereto to the product price, and the total single gallon unit price including all applicable taxes, except that a per-

son who sells less than 15,000 gallons of motor fuel in this state per year may show the half-gallon product price, the taxes applicable to the product price, and the total half-gallon unit price including all applicable taxes.

(b) In any such advertising under this subsection, all numerals ~~which that~~ represent either price or taxes shall be of the same type and size except that fractions of a cent shall be shown in figures one-half the height, width, and prominence of the whole numbers.

SECTION 3. 100.18 (8) of the statutes is amended to read:

100.18 (8) Every wholesaler and every other person selling or distributing motor fuel in this state shall keep posted in a conspicuous place, most accessible to the public at his or her place of business, and on every pump from which delivery is made directly into the fuel tank attached to a motor vehicle, a placard showing the net selling price per gallon of all grades of motor fuel and the amount of all taxes per gallon ~~thereon~~ on all grades of motor fuel, except that a person who sells or distributes less than 15,000 gallons of motor fuel in this state per year may show the net selling price and amount of taxes per half-gallon. On pumps or other dispensing equipment from which motor fuel is sold and delivered directly into fuel supply tanks attached to motor vehicles, ~~such the~~ posting under this subsection shall be in figures not less than one inch high, except that no ~~such~~ placard shall be required on a computer pump ~~whereon~~ on which the total

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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net selling price per gallon or half-gallon including all taxes is legibly shown on its face. Except for sales to drivers of motor vehicles used by physically disabled persons under s. 100.51 (5), all sales shall be made at the posted price. Delivery slips shall also show the net selling price per gallon of all grades of motor fuel and the amount of all taxes per gallon ~~thereon~~ on all grades of motor fuel, except that a person who sells or distributes less than 15,000 gallons of motor fuel in this state per year may show the net selling price and amount of taxes per

half-gallon. If the wholesaler or person has more than one place of business in this state, the wholesaler or person shall post ~~that the~~ the placard required under this subsection at all of his or her places of business. All prices posted shall remain in effect for at least 24 hours after they are posted. It shall be considered deceptive advertising to advertise or represent in any manner the price of motor fuel offered for sale at retail to be less than the price ~~so~~ posted on each pump.
