



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1842/1
MCP:amn

2017 ASSEMBLY BILL 56

February 6, 2017 - Introduced by Representatives FELZKOWSKI, BRANDTJEN, E. BROOKS, R. BROOKS, JAGLER, KLEEFISCH, KNODL, KOOYENGA, KREMER, KRUG, KULP, LOUDENBECK, MURPHY, MURSAU, QUINN, RIPP, STEFFEN, SUMMERFIELD, SWEARINGEN, TAUCHEN, THIESFELDT and WEATHERSTON, cosponsored by Senators TIFFANY, FEYEN, KAPENGA, MARKLEIN and PETROWSKI. Referred to Committee on State Affairs.

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

Analysis by the Legislative Reference Bureau

This bill allows a person who sells less than 15,000 gallons of motor fuel in this state per year to advertise motor fuel prices by the half-gallon. Current law requires motor fuel prices to be advertised by the gallon.

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

3 **SECTION 1.** 98.03 (2) of the statutes is amended to read:
4 98.03 (2) The department may issue rules governing the construction,
5 installation, and use of commercial weights and measures and prescribing
6 tolerances therefor. The specifications, tolerances, and regulations for commercial
7 weighing and measuring devices issued by the national institute of standards and
8 technology shall apply in this state except as modified by such rules or by statute.

ASSEMBLY BILL 56**SECTION 2**

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

3 100.18 **(6)** (a) All advertising ~~which~~ that shows or in any manner relates to the
4 price at which motor fuel is offered for sale at retail, except multiple gallon computers
5 attached to or forming a part of any dispensing equipment, shall show only ~~(a) the~~
6 one of the following:

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

11 2. The single gallon product price, the taxes applicable thereto to the product
12 price, and the total single gallon unit price including all applicable taxes, except that
13 a person who sells less than 15,000 gallons of motor fuel in this state per year may
14 show the half-gallon product price, the taxes applicable to the product price, and the
15 total half-gallon unit price including all applicable taxes.

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

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

21 100.18 **(8)** Every wholesaler and every other person selling or distributing
22 motor fuel in this state shall keep posted in a conspicuous place, most accessible to
23 the public at his or her place of business, and on every pump from which delivery is
24 made directly into the fuel tank attached to a motor vehicle, a placard showing the
25 net selling price per gallon of all grades of motor fuel and the amount of all taxes per

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1 gallon thereon on all grades of motor fuel, except that a person who sells or
2 distributes less than 15,000 gallons of motor fuel in this state per year may show the
3 net selling price and amount of taxes per half-gallon. On pumps or other dispensing
4 equipment from which motor fuel is sold and delivered directly into fuel supply tanks
5 attached to motor vehicles, ~~such~~ the posting under this subsection shall be in figures
6 not less than one inch high, except that no ~~such~~ placard shall be required on a
7 computer pump ~~whereon on which~~ the total net selling price per gallon or half-gallon
8 including all taxes is legibly shown on its face. Except for sales to drivers of motor
9 vehicles used by physically disabled persons under s. 100.51 (5), all sales shall be
10 made at the posted price. Delivery slips shall also show the net selling price per
11 gallon of all grades of motor fuel and the amount of all taxes per gallon ~~thereon on~~
12 all grades of motor fuel, except that a person who sells or distributes less than 15,000
13 gallons of motor fuel in this state per year may show the net selling price and amount
14 of taxes per half-gallon. If the wholesaler or person has more than one place of
15 business in this state, the wholesaler or person shall post ~~that~~ the placard required
16 under this subsection at all of his or her places of business. All prices posted shall
17 remain in effect for at least 24 hours after they are posted. It shall be considered
18 deceptive advertising to advertise or represent in any manner the price of motor fuel
19 offered for sale at retail to be less than the price ~~so~~ posted on each pump.

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(END)