

Regulation of the  
**Department of Consumer Protection**

Concerning  
**Motor Fuel Price Posting**

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on  
**November 10, 2015**

Effective Date  
***November 10, 2015***

Approved by the Attorney General on  
**September 16, 2015**

Approved by the Legislative Regulation Review  
Committee on  
**October 27, 2015**

Received and filed in the Office of the  
Secretary of the State on  
**November 4, 2015**

Electronic copy with agency head certification statement  
submitted to the Office of the  
Secretary of the State on  
**November 4, 2015**

This Regulation will be published in the  
Connecticut Law Journal

**Purpose and Legal Disclaimer:** This form was designed to facilitate submission of the "statement from the department head" required by CGS 4-172(a) as amended by PA 12-92, Section 6. This form does not constitute legal advice. The Office of the Secretary of the State (SOTS) is not authorized to provide legal advice to state agencies. Consult with your agency's legal counsel before completing and submitting this form for filing

**Instructions:** (1) Save a copy of this document to your computer; (2) To enter data, use the Tab key to move between fields, or click-and-highlight an entire <text field>; (3) When complete, submit to your agency's legal counsel for review and approval; (4) After approval by counsel, PRINT and submit to your agency head for his/her original signature; (5) Scan the originally-signed form and submit it with the electronic copy of the regulation the statement certifies to the eRegulations System for processing and public website posting by the Office of the Secretary of the State; (6) retain the originally-signed copy for your agency's regulation-making record.

## Electronic Copy Certification Statement

I, **Jonathan A. Harris**, Commissioner of the Department of Consumer Protection, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, do hereby certify:

That the electronic copy of a regulation concerning **Motor Fuel Price Posting**, which was approved by the Legislative Regulation Review Committee on **October 27, 2015**, and which shall be submitted electronically for filing to the Secretary of the State by **Tanya Washington** of this agency on **November 4, 2015**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on **November 4, 2015**.



(Signature of agency head)

**IMPORTANT:** Use this form (REGS-1) to submit permanent regulations to the Legislative Regulation Review Committee.  
**For emergency regulations, use form REGS-1-E instead.**  
For non-substantive technical amendments and repeals proposed without prior notice or hearing as permitted by subsection (g) of CGS 4-168, as amended by PA 13-247 and PA 13-274, use form REGS-1-T instead.

Please read the additional instructions on the back of the last page (Certification Page) before completing this form. Failure to comply with the instructions may cause disapproval of proposed regulations.

State of Connecticut  
**REGULATION**  
of the

NAME OF AGENCY:

**DEPARTMENT OF CONSUMER PROTECTION**

Concerning

SUBJECT MATTER OF REGULATION:

**Motor Fuel Price Posting**

**Section 1.** Subsection (b) of Section 16a-15-8 of the Regulations of Connecticut State Agencies is hereby amended as follows:

**(b) Price posting.**

There shall be a double-faced sign or two reversed single-faced signs on each fixed-location covered product dispenser displayed in a manner that shall be clearly visible to the members of the public from either side of the dispenser. [There shall be a separate sign for] The price of each grade of covered product dispensed from an individual dispenser shall be displayed individually. [If more than two grades of covered products are dispensed from an individual dispenser, display signs as described in section 16a-15-9 shall be required only for the highest and lowest priced grades of covered products available for sale from that dispenser. For all intermediately priced grades of covered product available for sale from that dispenser, signs, as described in section 16a-15-9, shall be required except that all sign, letter, and number dimensions shall be halved.]

**Sec. 2.** Subsection (a) of Section 16a-15-9 of the Regulations of Connecticut State Agencies is hereby amended as follows:

**Sec. 16a-15-9. Signs, dimensions - information**

**(a) Price**

(1) [Each sign] The price display for each grade of covered product shall be 7 ¼ " high and 9 ½ " wide.

(2) The numbers on such sign shall be 4 1/2" high and 5/8" wide. The price shall be displayed to three decimal places. The third decimal place number shall be half-sized and placed on the sign as shown in the [example] examples at the end of this section.

(3) The numbers and letters shall be displayed in one of the following manners: (A) black numbers and the background shall be white[.]; (B) white numbers and the background shall be black; or (C) illuminated white, red, green or yellow numbers viewed on an electronic display, using light-emitting diode ("LED") technology for example, where the background behind the illuminated numbers shall be black, and the body of the sign shall be either black with white letters, or white with black letters. The statement "TAX INCLUDED," or "TAXES INCLUDED," or "ALL TAXES INCLUDED" shall be displayed on the price sign, in [black] letters 1/2" high and 1/8" wide in black for signs with a white background, and in white for signs with a black background. All price display colors and display methods, namely electronic or non-electronic, shall be consistent throughout the retail premises.

(4) The price on the sign on the top of the dispenser shall indicate price per gallon and shall be the same price as that displayed on the face of the dispenser.

(5) Dispensers shall compute the price for the sale of gasoline on a per gallon basis. Computing the price for such sale by the fraction of a gallon shall be prohibited.

(6) Illustration of price. Price signs, including the color combinations for numbers, characters and sign backgrounds, shall meet the specifications of this section and shall look like [this example] these examples, except that electronic displays may vary to accommodate multiple grades on one sign:



(NEW)

Sample display with white background and black letters:

DIESEL	REGULAR	PLUS	SUPER
<b>2.95</b> <sup>9</sup> / <sub>10</sub>			
<u>Taxes Included</u>	<u>Taxes Included</u>	<u>Taxes Included</u>	<u>Taxes Included</u>

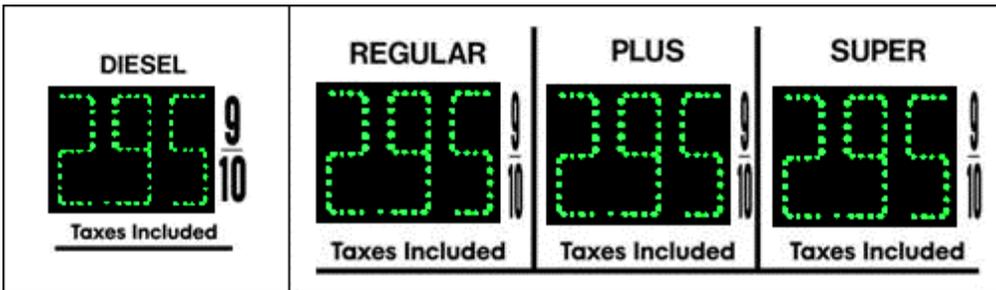
(NEW)

Sample display with black background and white letters:



(NEW)

Sample electronic display:



**Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*

**PURPOSE**

The purpose of these regulations is to allow alternative types of signs in the advertising of motor vehicle fuel prices. These regulations impact the signs appearing on the top of each motor fuel dispenser pump.

**SUMMARY**

With these regulations, the motor fuel industry will be able to use now-common electronic signs, such as those making use of Light Emitting Diode (LED) technology. Also, these regulations will allow signs that use white lettering on a black background, in addition to the currently-mandated black lettering on a white background. An additional set of images, each denoted as "NEW," show the three methods of posting a price sign: Black letters on a white background, white letters on a black background, and the new electronic display method.

**LEGAL EFFECTS**

The legal effect of this proposal would be to modify the current signage requirements for pump-top motor fuel price displays in Connecticut, found in sections 16a-15-8 and 16a-15-9 of the Regulations of Connecticut State Agencies.

## CERTIFICATION

*This certification statement must be completed in full.*

**I hereby certify that the above Regulation(s)**

- 1) is/are (check all that apply)  adopted  amended  repealed by this agency pursuant to the following authority(ies): (complete all that apply)
- a. **Connecticut General Statutes section(s)** 4-168 and 16a-15.
- b. **Public Act Number(s)** \_\_\_\_\_.  
*(Provide public act number(s) if the authorizing act has not yet been codified in the Connecticut General Statutes.)*

**And I further certify**

- 2) that **Notice of Intent** to adopt, amend or repeal said regulation(s) was electronically submitted to the Secretary of the State on 04-24-2014, and posted to the Secretary's regulations website on 05-25-2014; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*
- 3) and that a public hearing regarding the proposed regulation(s) was held on 08-29-2014 or  that no public hearing was held; *(Insert date(s) of mandatory public hearing(s) held pursuant to CGS 4-168(a), as amended, or other applicable statute, and/or voluntary hearing, or if no hearing was held, check the box for that statement.)*
- 4) and that notice of **Decision to Take Action** on said regulations was electronically submitted to the Secretary of the State on 10-21-2014, and posted to the Secretary's regulations website on 10-27-2014; *(Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)*
- 5) and that said regulation(s) is/are **EFFECTIVE** (check one, and complete as applicable)
- When posted online by the Secretary of the State.
- OR  on (insert date) \_\_\_\_\_.

<b>6) SIGNED (Head of Board, Agency or Commission)</b>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner of Consumer Protection	DATE
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**APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended.**

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
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*Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the Attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.*

**(For Regulation Review Committee Use ONLY)**

APPROVED  in WHOLE or WITH  technical corrections  deletions  substitute pages

DEEMED APPROVED, pursuant CGS 4-170(c), as amended.

Rejected without Prejudice  Disapproved, pursuant to CGS 4-170(c), as amended.

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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**In accordance with CGS Section 4-172, as amended by PA 13-247 and PA 13-274, one certified paper copy and one electronic copy with agency head certification statement received on the date(s) specified below.**

DATE	SIGNED (Secretary of the State)	BY
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*(For Secretary of the State Use ONLY)*

**Date Posted to SOTS Regulations Website:**

**Date Electronic Copy Forwarded to the Commission on Official Legal Publications:**

**SOTS file stamp:**

## GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Section 4-168, as amended by PA 13-247, section 28, and PA 13-274, and CGS Section 4-170.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in [brackets]. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The *Certification Statement* portion of this form must be completed, including all applicable information regarding notice submission and website posting date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at [http://www.cga.ct.gov/lco/pdfs/Regulations\\_Drafting\\_Manual.pdf](http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf).

## CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the Certification Statement page)

1. a) Indicate whether the regulation contains newly adopted sections, amendments to existing sections, and/or repeals of existing sections. **Check all cases that apply.**  
b) Indicate the specific legal authority that permits or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
2. An agency must electronically submit notice of its intent to adopt the regulation to the Secretary of the State at [regulations.sots@ct.gov](mailto:regulations.sots@ct.gov) for posting on the Secretary's regulations website. Enter both the date notice of intent was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website. For emergency regulations, use Form Regs-1-E instead of this form. For non-substantive technical amendments and repeals adopted without prior notice or hearing as permitted by subsection (g) of CGS 4-168, use Form REGS-1-T instead of this form.
3. CGS 4-168(a), as amended by PA 13-247 and PA 13-274, prescribes requirements for holding a public hearing on proposed regulations. Enter the date(s) of all hearing(s) held under that section, if any, also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law; and enter the date(s) of any public hearing(s) the agency elected to hold voluntarily. If no public hearing was held, mark (X) the check box.
4. **NEW REQUIREMENT:** CGS 4-168(d), as amended by PA 13-247 and PA 13-274, prescribes requirements electronically submitting notice of decision to take action (proceed with adoption) of a proposed regulation for posting to the Secretary's regulations webpage. Enter both the date notice of decision was submitted to the Secretary of the State *and* the date the notice was posted on the Secretary's website.
5. As applicable, enter the specific effective date of the regulation; or indicate that it is effective upon posting online by the Secretary of the State. **Please note the important information below.**  
Permanent regulations adopted after July 1, 2013 are effective upon posting online by the Secretary of the State (SOTS), or at a *later* date specified by the agency, or at a *later* date if required by statute. See CGS 4-172(b). An effective date may not precede the date of posting online by SOTS, and it may not precede the effective date of the public act requiring or permitting the regulation.
6. Submit the original proposed regulation to your agency commissioner for signature.