

# Price Indications and Advertising

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## Question/Issue

What are correct fuel price indications and advertising, including multi-tier pricing? What is considered conspicuous fuel price advertising?

## Policy

Wisconsin laws governing motor fuel price advertising and indicating:

### Fuel Price Signs and Advertising:

- Street/Conspicuous signs:
- Wisconsin Statute s. 100.18(6)
- Wisconsin Statute s. 100.18(8)

### Dispenser Indications-NIST HB 44 Section 3.30

### Wisconsin Statutes s. 100.18(6):

All advertising which 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 single gallon unit price including all applicable taxes in one amount, 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. or (b) the single gallon product price, the taxes applicable thereto, and the total single gallon unit price including all applicable taxes, except that a person 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. In any such advertising, all numerals which 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

- Motor fuel advertising can only show:
  - the single gallon unit product price including all taxes in one amount, 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. or
  - the single gallon product price, the taxes applicable thereto, and the total single gallon unit price including all applicable taxes, except that a person 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.
  - all numerals which 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

-  [Wis. Stats. 100.18\(6\) and \(8\)](#)
-  [Wis. Stats. 98.26\(1\)\(c\)](#)
-  [NIST Handbook 44 S.1.6.4., S.1.6.4.1., S.1.6.5.4., Liquid-Measuring Devices](#)

### **Wisconsin Statutes s. 100.18(8):**

Every...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 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 posting shall be in figures not less than one inch high, except that no such placard shall be required on a computer pump whereon the total net selling price per gallon or half-gallon including all taxes is legibly shown on its face.

- Signs in a conspicuous place most accessible to the public include street, sandwich board or window signs.
- These signs must clearly display all the net selling prices for all grades of fuel that are being offered to the general public.
- Stores can display some prices on a street sign, and the rest of the prices on a supplemental conspicuous place sign posting.
- Computer pumps must display the net selling price per gallon, except that a person who sells less than 15,000 gallons of motor fuel in this state per year may show the half-gallon product price, on the indicator.

Definitions that should be considered by the inspector when assessing compliance with s.100.18(8) requirements for posting a motor fuel price sign in a conspicuous place, most accessible to the public:

- **Conspicuous:** obvious to the eye or mind: plainly visible
- **Most accessible:** most capable of being used or seen

Contact Shelly if you or a store owner have questions about a sign's compliance.

### **Multi-Tier Pricing:**

- If the store has multi-tier pricing for grades of fuel, all prices for all grades must be clearly displayed on the signs.
- If the store only displays the cash price for a grade of fuel on the street sign, and displays the credit price on the supplemental sign, the street sign needs to clearly include the words "**Cash Only**"

### **Under Wisconsin Statutes s. 100.18(6) and (8), motor fuel price advertising:**

- Can only include the price of motor fuel. Including other commodities or services, such as car washes, is prohibited.
- Can only state full gallon pricing. Fractional pricing is prohibited, except that a person who sells less than 15,000 gallons of motor fuel in this state per year may show the half-gallon product price.
- Must have all numbers representing price the same size, except the fractions of a cent.
- Conspicuous signs must include all prices for all grades of motor fuel.

### **DISPENSER PRICE DISPLAY: NIST HB 44 Section 3.30**

- Multi-Tier Pricing (cash/credit)

- S.1.6.4.1. Display of Unit Price
- S.1.6.5. Money-Value Computations
- S.1.6.5.4. Selection of Unit Price
- Fractional Pricing
  - S.1.6.4.1. Display of Unit Price
  - S.1.6.5. Money-Value Computations
- Fuel Discounts
  - S.1.6.4.1. Display of Unit Price
  - S.1.6.5. Money-Value Computations
  - S.1.6.5.4. Selection of Unit Price

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