

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1794

(1) I, M. Keith Ellis, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

WAC 16-657, concerning retail sales of motor fuels and home heating products, the posting of motor fuel prices, and the repeal of WAC 16-657-020, the Interim Retail sales of Motor Fuels.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. WSR 83-05-039 filed with the code reviser on 2/15/83. These rules shall take effect:

- thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

- (a) This rule is promulgated pursuant to RCW chapter 19.94 RCW and is intended to administratively implement that statute.
(b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

- (c) This rule is promulgated under the general rule-making authority of the

(agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED April 11, 19 83

STATE OF WASHINGTON

APR 11 1983

By M. Keith Ellis Director

CODE REVISER'S OFFICE

WSR 8309-012

Title

AMENDATORY SECTION (Amending Order 1661, filed 11/19/79)

WAC 16-657-001 RETAIL SALES OF MOTOR FUELS AND HOME HEATING PRODUCTS. ~~((+))~~ All retail fuel metering and computing devices shall:

(1) Display the price per gallon or price per litre((+)):
PROVIDED, That if motor fuel is offered for sale by the litre, the price per litre must be clearly displayed on the dispenser directly adjacent to the corresponding price per gallon, with the information appearing in contrasting letters of at least two inches in height((-)):

~~((All-retail-fuel-metering-and-computing-devices-shall))~~
Indicate the amount of fuel delivered during a single retail transaction((-));

~~((All-retail-fuel-metering-and-computing-devices-shall))~~
Register the selling price per unit((-);

~~((All-retail-fuel-metering-and-computing-devices-shall))~~
Register the total selling price for a single retail transaction((-));

(5) Compute the price per gallon or litre as set forth in National Bureau of Standards Handbook 44.

NEW SECTION

WAC 16-657-025 POSTING OF MOTOR FUEL PRICES--CASH AND CREDIT SALES. The following rules apply to the posting of prices of retail sales of motor fuels. As used herein, motor fuel means any fuel used in motor vehicles, including but not limited to gasoline, diesel, propane and alcohol-gasoline blends. As used herein, motor vehicles shall include all wheeled motorized vehicles, and all boats and airplanes.

(1) The posted or advertised price of motor fuel at retail outlets must be available to all consumers. Any condition or qualification required to obtain the posted price must be clearly displayed in letters of contrasting color at least one-half the size of the posted price and immediately adjacent thereto.

(2) A cash price may be posted or advertised if the posting of the price clearly shows it to be limited to cash purchases. The information shall be in letters at least one-half the size of the posted price and immediately adjacent thereto.

(3) Cash and credit sales.

(a) If a retailer elects to establish separate islands for cash and credit sales, the islands shall be clearly marked as such in letters at least six inches in height and of proportional width.

(b) If a retailer elects to permit cash and credit card sales from the same dispenser, the credit price will be displayed on the meter face. Immediately adjacent to or on the pump a chart shall be posted showing the cash discount price in one cent increments. The lettering on the chart shall be of such size and contrast lettering as to be easily read by the consumer.

(4) Posted prices of motor fuels at retail outlets shall include all federal, state and local taxes.

(5) The director of agriculture may require retailers to post additional signs or information as necessary to assure that the consumer is aware of information as necessary to make an informed purchase.

(6) Nothing herein shall be construed to prevent the use of a dispenser which is designed, manufactured, or adapted to permit cash and credit card sales from a single dispenser by manual or automatic means and which computes prices per gallon or litre pursuant to standards established in National Bureau of Standards Handbook 44.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-657-020 INTERIM RETAIL SALES OF MOTOR FUELS.