



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5531

Introduced 1/31/2022, by Rep. Natalie A. Manley

#### SYNOPSIS AS INTRODUCED:

New Act  
815 ILCS 365/Act rep.

Creates the Motor Fuel Sales Standardization Act. Creates provisions concerning price-marking signs readable from a street; required price-marking signs on fuel-dispensing pumps and stations; allowable payment method signage; price marking on self-service and full-service dispensing stations; advertising; payment at dispensing stations; receipt requirements; dispensing of fuel; authorized attendant requirements; assistance; emergency operations; public restrooms; compliance during inspections; sealing and fees; and violations and penalties. Defines terms. Repeals the Motor Fuel Sales Act.

LRB102 24756 SPS 33996 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Motor  
5 Fuel Sales Standardization Act.

6 Section 5. Definitions. As used in this Act:

7 "Authorized attendant" means an owner, employee, or agent  
8 who is authorized by the filling station to dispense gasoline  
9 and other motor fuels.

10 "Department" means the Department of Agriculture.

11 "Dispensing pump" means a device that distributes a  
12 distinct grade of fuel.

13 "Dispensing station" means the aboveground structure along  
14 with the associated equipment required for consumer interface  
15 and the distribution of fuel, including, but not limited to,  
16 dispensing pumps, hoses, and nozzles.

17 "Electronic terminal" means an electronic device through  
18 which a consumer may initiate the transfer of funds.

19 "Electronic terminal" includes, but is not limited to,  
20 point-of-sale terminals.

21 "Filling station" means any establishment at which motor  
22 vehicles are refueled or recharged.

23 "Full-service" means the dispensing of fuel solely by

1 authorized attendants.

2 "Public restroom" means a room equipped with one or more  
3 toilets and hand wash sinks available for public use.

4 "Self-service" means the dispensing of fuel by persons  
5 other than authorized attendants.

6 "Self-service station" means a filling station where all  
7 dispensing of fuel is self-service.

8 "Split-island station" means a filling station offering  
9 both full-service and self-service.

10 Section 10. Price-marking signs readable from a street.  
11 One or more signs at a filling station must be placed in a  
12 position that is clearly readable from the street. Each such  
13 sign, as well as any other price-marking sign, must:

14 (1) indicate the total price to be charged at the  
15 dispensing station for each grade or type of fuel sold;

16 (2) indicate both the cash price and credit card price  
17 (if different) for each grade or type of fuel sold;

18 (3) indicate whether the fuel price can differ based  
19 upon any type of sales promotion or condition, including,  
20 but not limited to, price discounts given when purchasing  
21 related services at the station, such as a car wash or  
22 other service or good;

23 (4) use letters of the same height, width, and color  
24 to indicate the fuel grades, fuel types, and any  
25 conditions that affect the sale price;

1           (5) use whole numbers of the same height, width, and  
2           color to indicate all fuel prices; any fractions must be  
3           not less than 50% of the height and width of the whole  
4           number; and

5           (6) be clear and conspicuous to consumers when  
6           observed from any reasonable position within the station  
7           and from the street area.

8           Section 15. Required price-marking signs on  
9           fuel-dispensing pumps and stations.

10          (a) On each dispensing pump, there must be a display  
11          clearly indicating the price, type, and grade of fuel  
12          dispensed from the pump. If the cash price is different from  
13          the credit card price, the display, in the same size and font,  
14          shall clearly indicate both prices and specify which is the  
15          cash price and which is the credit card price.

16          (b) If any sales promotions or conditions exist that may  
17          affect the fuel price posted on the dispensing pump,  
18          descriptions of such sales promotions also must be clearly  
19          displayed in the same size and font.

20          (c) If a dispensing station contains more than one type of  
21          dispensing pump, then the prices shall be displayed on both  
22          the dispensing station in addition to the dispensing pump in  
23          such a manner as to enable the public to distinguish easily  
24          which price applies to which grade or type of fuel at that  
25          dispensing pump.

1 (d) All price-marking signs required on dispensing pumps  
2 must be readable at a distance of 3 feet by a person with  
3 corrected 20/20 vision.

4 (e) All price-marking signs required on dispensing  
5 stations must be at least 3 inches in height and at least 1.5  
6 inches in width and placed so that the signs are easily visible  
7 to the consumer before the consumer drives up to the  
8 dispensing station.

9 Section 20. Allowable payment method signage.

10 (a) If separate dispensing stations are used for cash and  
11 credit card payments, the display shall indicate which type of  
12 payment is required. Each accepted payment type must be posted  
13 at the dispensing station.

14 (b) If a dispensing station or dispensing pump limits the  
15 amount of a transaction, the dispensing station or dispensing  
16 pump must display a sign that clearly indicates the maximum  
17 dollar amount that may be purchased in a single transaction.

18 Section 25. Price marking on self-service and full-service  
19 dispensing stations.

20 (a) Appropriate signs shall be posted to identify clearly  
21 whether a dispensing station is full-service or self-service.

22 (b) A sign shall be posted at each dispensing station in a  
23 manner easily visible to the consumer indicating in letters no  
24 less than 3 inches in height or less than 1.5 inches in width

1 indicating the type of services offered.

2 (c) In the case of a full-service dispensing station, the  
3 sign shall also indicate the types of services provided in  
4 letters not less than 3 inches in height or less than 1.5  
5 inches in width. These services may include, but are not  
6 limited to, pumping gas, checking oil and water, and cleaning  
7 windows, tail lights, and headlights.

8 Section 30. Advertising.

9 (a) All advertising must clearly state the cash price, the  
10 price for any other accepted payment method if different, and  
11 any sales promotions or conditions that may affect the actual  
12 fuel price.

13 (b) Filling stations must post a sign at each dispensing  
14 station informing consumers that they may call the Department  
15 to report and file a complaint, including, but not limited to:

16 (1) if there is no signage indicating that there is a  
17 limit to credit or debit card transactions or whenever  
18 identification verification by an attendant is required;

19 or

20 (2) if the dispensing station does not issue a  
21 receipt.

22 Section 35. Discounts for cash payment. In accordance with  
23 the Cash Discount Act, 15 U.S.C. 1666f, surcharges on credit  
24 are prohibited, but discounts from the regular price for those

1 who pay cash are authorized as long as the filling station  
2 complies with the Cash Discount Act and all applicable laws,  
3 rules, and regulations regarding signs, marking, and  
4 advertising.

5 Section 40. Payment at dispensing stations.

6 (a) If a dispensing station is equipped with an electronic  
7 terminal capable of processing a credit card or debit card  
8 transaction for the purchase of fuel, but not both, a sign at  
9 the dispensing station shall clearly indicate which type of  
10 payment is accepted.

11 (b) Appropriate signs shall be posted to clearly identify  
12 whether there are any limitations or conditions on the  
13 consumer's ability to pay at the dispensing station's  
14 electronic terminal, including, but not limited to, whether  
15 the filling station has a maximum dollar amount for  
16 transactions completed at the electronic terminal, as well as  
17 whether such maximum applies to credit card, debit card, or  
18 both types of card transactions.

19 (c) If a transaction cannot be completed at the dispensing  
20 station's electronic terminal, the dispensing station and the  
21 dispensing pump shall post, in an easily readable and  
22 consumer-friendly manner, that a transaction may require the  
23 consumer to see an attendant and why such interaction with an  
24 attendant is required by the station, including, but not  
25 limited to, for transactions over a certain dollar amount and

1 checking identification.

2 Section 45. Receipt requirements.

3 (a) A receipt must be issued for all transactions. If a  
4 dispensing station is equipped with an electronic terminal  
5 capable of processing a transaction for the purchase of fuel,  
6 that dispensing station must issue a receipt for each  
7 transaction.

8 (b) Filling stations must post a sign at each electronic  
9 terminal informing consumers they may call the Department to  
10 report and file a complaint if they are not issued a receipt.

11 Section 50. Dispensing of fuel.

12 (a) A filling station owner, employee, or agent shall not  
13 permit any person to dispense fuel unless an authorized  
14 attendant is present at the filling station.

15 (b) Filling of portable containers is permitted from  
16 dispensing stations only if the container is an approved  
17 safety can of 5 gallon capacity or less, an approved metal can  
18 of one gallon or less, or an approved can for marine outboard  
19 motor use of 6 gallon capacity or less.

20 Section 55. Authorized attendant requirements.

21 (a) All self-service dispensing equipment shall be under  
22 the supervision and control of an authorized attendant at all  
23 times the station is open to the public.



1 (b) The authorized attendant shall turn off a dispensing  
2 station that is serving any person who:

3 (1) refuses to follow the requirements as set forth in  
4 this Act;

5 (2) refuses to follow the instructions posted for  
6 operation of the self-service dispensing station; or

7 (3) appears unable to dispense fuel safely.

8 Section 60. Assistance.

9 (a) At self-service stations and split-island stations,  
10 the authorized attendant shall, upon request and without  
11 additional charge, assist any person who:

12 (1) displays registration plates issued to a person  
13 with disabilities pursuant to Section 3-616 of the  
14 Illinois Vehicle Code;

15 (2) displays registration plates issued to a disabled  
16 veteran pursuant to Section 3-609 of the Illinois Vehicle  
17 Code;

18 (3) displays a special decal or device issued pursuant  
19 to Section 11-1301.2 of the Illinois Vehicle Code;

20 (4) is over the age of 70; or

21 (5) is unable to safely dispense motor fuel by himself  
22 or herself.

23 (b) The authorized attendant shall at all times be able to  
24 communicate with persons in the dispensing area using, at a  
25 minimum, a two-way voice communication system in which either

1 the customer or authorized attendant can initiate  
2 communication.

3 (c) Each filling station must provide and display at least  
4 one ADA compliant dispensing station.

5 (d) Each dispensing station shall post signs indicating  
6 the availability of assistance and that are easily visible to  
7 the consumer from all directional approaches. All such signs  
8 must meet the requirements of the Americans with Disabilities  
9 Act. In addition, such signs shall display the following  
10 information:

11 (1) the international symbol of accessibility;

12 (2) the direct-dial phone number of the authorized  
13 attendant on duty; and

14 (3) any instructional information for contacting the  
15 authorized attendant on duty.

16 Section 65. Emergency operations.

17 (a) It shall be the responsibility of the filling station  
18 owner or manager to instruct all authorized attendants and  
19 employees in the use of the emergency shutoff controls, fire  
20 extinguishing equipment, and all dispensing equipment.

21 (b) All authorized attendants shall have full knowledge of  
22 the operation of emergency shutoff controls.

23 (c) Every filling station shall have proper fire  
24 extinguishers.

1           Section 70. Public restrooms. The owner or operator of any  
2           filling station shall provide at least one clean and  
3           functional public restroom on the premises. The public  
4           restroom must remain open to customers during all hours that  
5           the filling station is open.

6           Section 75. Compliance during inspections. While  
7           performing tests or inspections, an authorized agent of the  
8           Department may require that any equipment, including  
9           dispensing pumps and dispensing stations, be turned off.  
10          Failure to comply with a request from an authorized agent of  
11          the Department to do so shall subject a filling station to a  
12          doubling of the fines chargeable for a violation of this  
13          Section.

14          Section 80. Sealing and fees. Each dispensing pump must be  
15          inspected and sealed by the Department. The fee for inspecting  
16          and sealing any automatic pump used for measuring gasoline and  
17          oils shall be for each dispensing pump.

18          Section 85. Violations and penalties. Any person violating  
19          any of the provisions of this Act is guilty of a petty offense  
20          and shall be fined not less than \$100 nor more than \$300 for  
21          the first offense and not less than \$300 nor more than \$500 for  
22          the second and each subsequent offense in any 180-day period.  
23          Each violation of this Act shall be considered a separate and

1 distinct offense and shall be regarded as being committed on  
2 each day on which the conduct or condition exists.

3 (815 ILCS 365/Act rep.)

4 Section 90. The Motor Fuel Sales Act is repealed.