

MAINE STATE LEGISLATURE

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N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 461

H. P. 1165

House of Representatives, February 4, 1941.

Referred to Committee on Legal Affairs and 1,000 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Rodrigue of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

**AN ACT Relating to Signs on Pumps Dispensing Internal Combustion
Fuels.**

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 49, additional. Chapter 49 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 31-A and 31-B, and to read as follows:

'Sec. 31-A. Signs to be displayed. Every retail dealer in internal combustion engine fuels shall publicly display and maintain on each pump or other dispensing device from which internal combustion engine fuels are sold by him, at least one sign and not more than 2 signs stating the price per gallon of the internal combustion engine fuels sold by him from such pump or device. Said sign or signs shall be of a size not larger than 8 inches by 10 inches. The price shown on each of such signs shall include all taxes imposed with respect to the manufacture or sale of the internal combustion engine fuels sold at such pump or device, and every such sign shall either contain a statement of the taxes included in said price, or, without specifying the amount thereof, shall state that such taxes are included in said price. All figures, including fractions, upon said signs, other than figures and fractions used in any price computing mechanism constituting a part of any such pump or dispensing device, shall be of the same size.

No signs stating or relating to the price of internal combustion engine fuels, and no signs designed or calculated to cause the public to believe that they state or relate to the price of internal combustion engine fuels, other than the signs referred to in the preceding paragraph and required to be displayed upon pumps and other dispensing devices, shall be posted or displayed on or about the premises where internal combustion engine fuels are sold at retail, and within view of any public highway or reservation. The price posted on any pump or other dispensing device from which internal combustion engine fuels are sold, as heretofore required, shall remain posted thereon and continue in effect thereat for a period of not less than 24 consecutive hours. No retail dealer shall sell internal combustion engine fuels at any price other than the price so posted at the time of the sale. No premiums, rebates, allowances, concessions, prizes or other benefits shall be given directly or indirectly by any retail dealer so as to permit any purchaser to obtain internal combustion engine fuels from such retail dealer at a net price lower than the posted price applicable at the time of the sale.

Any advertisement of internal combustion engine fuels by a retail dealer which states, refers to or relates to the price of internal combustion engine fuels shall state the per gallon price thereof, which price shall include all taxes so stated, referred to or related to, and there shall be included in such advertising matter a statement that such per gallon price includes such taxes or a statement of the amount of such taxes which are included in the stated per gallon price.'

'Sec. 31-B. License for sellers of internal combustion fuels. Any person who operates a service station, filling station, store, garage or other fixed place of business for the sale at retail of internal combustion fuel or for the sale at retail of lubricating oils, before engaging in such business shall procure from the state tax assessor a license for each establishment operated by such person. A license fee of \$2 shall be paid for the issuance of each such license. The state tax assessor shall supply a license plate containing the number assigned to the licensee which shall be publicly displayed at each such establishment. Every license issued by virtue of the provisions of this act shall expire on December 31st of each year. For a violation of any of the provisions of law relating to the sale of internal combustion and lubricating oils, the state tax assessor, after notice and hearing may revoke such license. Any person aggrieved by the decision of the state tax assessor in suspending such license or by the refusal of said state tax assessor to issue such license, may, within 10 days following receipt of notice of the action by the state tax assessor, appeal to the su-

perior court as provided for appeals under the provisions of section 46 of chapter 29 of the revised statutes. The state tax assessor may make such reasonable rules and regulations regarding the administration and enforcement of the provisions of this act as he may deem necessary or expedient.'