

#### **40-20-1-.12 Advertised Price for Petroleum Products. Amended.**

The advertising of petroleum products regulated under Section 40-20-1-.01 of this Chapter shall conform to the following:

(a) All advertising for the sale of petroleum products must meet the requirements of O.C.G.A. Section 10-1-164.

(b) Petroleum products cannot be sold in a manner which may deceive, or have the effect of deceiving, the purchaser of such products as to nature, price, quality, or quantity of those products.

(c) ~~The advertising of prices on a highway, street or curb sign is not required. However, if prices are advertised, only the cash/credit prices available to all consumers at the time of purchase shall be posted. The lower price may also be posted, but both prices must be clearly identified and of equal size.~~ However, if prices are advertised and there are different prices available for the same product, then the higher price must be posted. The lower price may also be posted, but the qualifier for both prices must be clearly identified and clearly visible from the street.

(d) ~~Any discounted pricing structure may be advertised on ancillary signage, which includes but is not limited to, placards, banners, stickers, etc., on or off the property of the retail outlet or at the pump. Discounts offered must be advertised to show the cents per gallon discount only and be accompanied with proper qualifying language. If lowest advertised price is not immediately available to all consumers at the time of fuel purchase, a notice of explanation must be posted in a manner which is clearly visible and easily readable to consumers from either side of the dispenser at the point of sale.~~

(e) Compliance with this regulation shall be attained within 90 days after the date that this rule becomes effective.

(f) Failure to comply with this regulation may result in a civil penalty as provided by O.C.G.A. Section 10-1-165.