

Boulevard Signs

Price advertising sign; gasoline, diesel fuel. A sign or device designed to advertise the price of gasoline or diesel fuel, that is posted within view of any public highway, road, or street, or on or near premises where gasoline is sold at retail, must meet the following requirements:

- (a) The price per gallon, or price per liter, including all taxes and fees to be collected in connection with the sale, must be clearly stated in figures of uniform size and prominence.
- (b) If the advertised price per gallon, or price per liter, is subject to any conditions or restrictions, the conditions or restrictions must be clearly posted on the sign. For example, if a customer must pay cash to obtain the advertised price, the sign must clearly state "cash," "cash price," or "cash discount price." (MN Statute 239.751 Subdivision 3.)

Multiple price structure, signs. A person shall post signs on the dispensers, on the dispenser island, or on the canopy over the dispensers, that clearly state the conditions for obtaining the price offered on the dispensers, if the person:

- (1) sells or offers to sell gasoline or diesel fuel at retail;
- (2) has more than one dispenser for a specific grade of product; and
- (3) sets different dispensers to compute a total sale at different prices for the same product.

For example, signs must be posted to direct customers to separate dispensers for full service or self-service prices. (MN Statute 239.751 Subdivision 5.)

Unlawful Gasoline Sales If a station wants to run a promotion which brings the advertised price below cost for more than three days *PER CALENDAR QUARTER*, the promotions must be stated in terms of "cents off per gallon" and not in terms of a calculated price. Example: *\$0.50 discount per gallon with car wash* is acceptable. *\$1.259 per gallon with carwash* would not be okay.

(MN Statute 325D.71) "Any offer for sale of gasoline by a retailer by way of posted price or indicating meter that is below cost, as defined by section [325D.01, subdivision 5](#), clause (3), is a violation of section [325D.04](#), except that the criminal penalties in section [325D.071](#) do not apply. In addition to the penalties for violations and the remedies provided for injured parties set forth elsewhere in this chapter, the commissioner of commerce may use the authority under section [45.027](#) for the purpose of preventing violations of this section. A retailer who sells gasoline at the same or higher legally posted price of a competitor in the same market area, on the same day, is not in violation of this section.

A retailer who offers gasoline for sale at a price below cost as part of a promotion at an individual location for no more than three days in any calendar quarter is not in violation of this section."

Dispensers

Dispensers which automatically calculate price “must have a unit price indicator on the face of the computer mechanism that clearly displays the price per gallon or price per liter, including all taxes. The unit price indicator must not be covered or obscured in any manner.” (MN Statute 239.751 Subdivision 1.)

Dispensers with manual price calculation “ must have a sign stating the price per gallon or price per liter, including all taxes. The sign must be white with black letters and figures. The letters and figures must be at least one inch high. The sign must be clearly and conspicuously posted on all dispenser faces, as close as possible to the total quantity indicator. Examples of acceptable unit price signs include: ‘\$1.20/gallon,’ or ‘\$0.32/liter.’” (MN Statute 239.751 Subdivision 2.)

Use of term "premium." The term "premium" may be used only to advertise, or to identify a dispenser used to dispense, gasoline with an octane rating of 91 or greater. (MN Statute 239.751 Subdivision 4.)

Use of number to advertise grade of gasoline. If a number is used to advertise or identify a grade of gasoline, that number can only be less than or equal to the octane of the gasoline being advertised or identified. (MN Statute 239.751 Subdivision 8.)

Octane Ratings (MN Statute 239.751 Subdivision 8.) A person responsible for the product who sells or transfers automotive fuel to a consumer must comply with the automotive fuel rating posting and record-keeping requirements, and the label specifications of Code of Federal Regulations, title 16, sections 306.10 to 306.12.

[16CFR306.12](#) All labels must meet the following specifications:

(a) Layout —

(1) For gasoline labels. The label is 3-inch; (7.62 cm) wide × 2 1/2-inch; (6.35 cm) long. The illustrations appearing at the end of this rule are prototype labels that demonstrate the proper layout. “Helvetica Black” type is used throughout except for the octane rating number on octane labels, which is in Franklin gothic type. All type is centered. Spacing of the label is 1/4-inch; (.64 cm) between the top border and the first line of text, 1/8-inch; (.32 cm) between the first and second line of text, 1/4-inch; (.64 cm) between the octane rating and the line of text above it. All text and numerals are centered within the interior borders.

(2) For alternative liquid automotive fuel labels (one principal component). The label is 3-inch; (7.62 cm) wide × 2 1/2-inch; (6.35 cm) long. “Helvetica black” type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1-inch; (2.54 cm) deep. Spacing of the fuel name is 1/4-inch; (.64 cm) from the top of the label and 3/16-inch; (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is 1/8-inch; (.32 cm) from the bottom of the black band. All type below the black band is centered horizontally, with 1/8-inch; (.32 cm) between each line. The bottom line of type is 3/16-inch; (.48 cm) from the bottom of the label. All type should fall no closer than 3/16-inch; (.48 cm) from the side edges of the label. If you wish to change the dimensions of this single component label to accommodate a fuel descriptor that is longer than shown in the sample labels, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(3) For alternative liquid automotive fuel labels (two components). The label is 3-inch; (7.62 cm) wide × 2 1/2-inch; (6.35 cm) long. “Helvetica black” type is used throughout. All type is centered. The band at the top of the label contains the name of the fuel. This band should measure 1-inch; (2.54 cm) deep. Spacing of the fuel name is 1/4-inch; (.64 cm) from the top of the label and 3/16-inch; (.48 cm) from the bottom of the black band, centered horizontally within the black band. The first line of type beneath the black band is 3/16-inch; (.48 cm) from the bottom of the black band. All type below the black band is centered horizontally, with 1/8-inch; (.32 cm) between each line. The bottom line of type is 1/4-inch; (.64 cm) from the bottom of the label. All type should fall no closer than 3/16-inch; (.48 cm) from the side edges of the label. If you wish to change the dimensions of this two component label to accommodate additional fuel components, you must petition the Federal Trade Commission. You can do this by writing to the Secretary of the Federal Trade Commission, Washington, DC 20580. You must state the size and contents of the label that you wish to use, and the reasons that you want to use it.

(b) Type size and setting —

(1) For gasoline labels. The Helvetica series is used for all numbers and letters with the exception of the octane rating number. Helvetica is available in a variety of phototype setting systems, by linotype, and in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The line “Minimum Octane Rating” is set in 12 point Helvetica Bold, all capitals, with letterspace set at 12-1/2 points. The line “(R+M)/2 METHOD” is set in 10 point Helvetica Bold, all capitals, with letterspace set at 10-1/2 points. The octane number is set in 96 point Franklin gothic condensed with 1/8-inch; (.32 cm) space between the numbers.

(2) For alternative liquid automotive fuel labels (one principal component). All type should be set in upper case (all caps) “Helvetica Black” throughout. Helvetica Black is available in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The spacing between letters and words should be set as “normal.” The type for the fuel name is 50 point (1/2-inch; (1.27 cm) cap height) “Helvetica Black,” knocked out of a 1-inch; (2.54 cm) deep band. The type for the words “MINIMUM” and the principal component is 24 pt. (1/4-inch; (.64 cm) cap height.) The type for percentage is 36 pt. (3/8-inch; (.96 cm) cap height).

(3) For alternative liquid automotive fuel labels (two components). All type should be set in upper case (all caps) “Helvetica Black” throughout. Helvetica Black is available in a variety of computer desk-top and phototype setting systems. Its name may vary, but the type must conform in style and thickness to the sample provided here. The spacing between letters and words should be set as “normal.” The type for the fuel name is 50 point (1/2-inch; 1.27 cm) cap height) “Helvetica Black,” knocked out of a 1-inch; (2.54 cm) deep band. All other type is 24 pt. (1/4-inch; (.64 cm) cap height.)

(c) Colors —

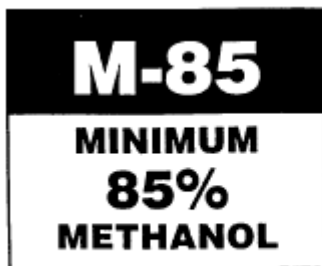
(1) For gasoline labels. The basic color on all octane labels is process yellow. All type is process black. All borders are process black. All colors must be non-fade.

(2) For alternative liquid automotive fuel labels. The background color on all the labels is Orange: PMS 1495. The knock-out type within the black band is orange PMS 1495. All other type is process black. All borders are process black. All colors must be non-fade.

(d) **Contents.** Examples of the contents are shown in the sample labels. The proper octane rating for each gasoline must be shown. The proper automotive fuel rating for each alternative liquid automotive fuel must be shown. No marks or information other than that called for by this rule may appear on the labels.

(e) **Special label protection.** All labels must be capable of withstanding extremes of weather conditions for a period of at least one year. They must be resistant to automotive fuel, oil, grease, solvents, detergents, and water.

(f) **Illustrations of labels.** Labels should meet the specifications in this section, and should look like these examples, except the black print should be on the appropriately colored background.



Non-Oxygenated Premium Gasoline must have a permanent notice stating:
NONOXYGENATED GASOLINE. FOR USE IN COLLECTOR VEHICLES OR VEHICLES
ELIGIBLE TO BE LICENSED AS COLLECTOR VEHICLES, OFF-ROAD VEHICLES,
MOTORCYCLES, BOATS, SNOWMOBILES, OR SMALL ENGINES ONLY."

This notice must be posted at least two feet above the ground. [MN Statute 239.791 subdivision 12(d)]

Islands/Canopies

- **Person must be present when fueling; sign.**

(a) A person must be in close attendance to the dispenser nozzle while fuel is being dispensed into a motor vehicle. No civil or criminal penalties apply to violations of this subdivision.

(b) A person who sells petroleum product at retail to the public for use in motor vehicles as defined in section [296A.01, subdivision 21](#):

(1) shall post signs in the locations described in subdivision 5 that state: "A person fueling a motor vehicle must be in close attendance to the dispenser nozzle during the fueling process."; and

(2) may discontinue fuel services to a person who violates paragraph (a). (MN Statute 239.751 Subdivision 6a.)

Store/Shop Area

- **If a station sells motor oil, motor oil filters, or lead acid batteries,** MN Statutes 325E.11 and 325E.115 require recycling posters to be posted where customers can see them. The signs are available to be downloaded and printed on the Department of Commerce web site: www.commerce.state.mn.us (click on the Weights & Measures tab at the top of the page, then on Recycling in the middle of the page)

Tanks

- **Storage Tank Marking Retail Location (MN Statute 239.792)**

Subdivision 1. Identification tag required. A person responsible for the product shall securely affix a metal or plastic identification tag or tank collar on the fill pipe of a petroleum product storage tank at a business where petroleum products are sold, offered for sale, or dispensed at retail into the storage tanks of motor vehicles. A bulk storage facility operator shall securely affix a metal or plastic identification tag on the fill pipe of each storage tank at the distributor's bulk storage facility. The identification tag must be constructed and printed according to subdivision 2 and installed according to subdivision 3. The identification tag must be printed with the appropriate product identification according to subdivision 4, 5, or 6, and include the gallon capacity for each storage tank. This section does not apply to storage tanks at petroleum refineries or terminals.

Subd. 2. Identification tag; construction, printing. The identification tag required in subdivision 1 must be at least 3-1/2 inches by 3-1/2 inches and constructed from aluminum, stainless steel, or plastic. All surfaces of the tag or tank collar must be coated with a permanent enamel paint or powder coating. The coating must be light blue for gasoline, white for alcohol products, and dark green for petroleum distillate products. Lettering must be at least three-eighths of one inch high, and printed on the tag with permanent enamel paint or powder coating. Lettering must be black for gasoline and alcohol products and white for petroleum distillate products.

Subd. 3. Identification tag; installation. The identification tag required in subdivision 1 must be securely affixed to a fill pipe by means of an adjustable steel band clamp or nonreleasable nylon ties. The display surface of the tag must be positioned so that the product information can be easily read by a person filling the storage tank.

Subd. 4. Product identification; gasoline, oxygenated gasoline.

(a) An identification tag or tank collar placed on a storage tank containing gasoline or oxygenated gasoline must be marked with the word "GASOLINE" and with the correct octane number and the appropriate product name of the fuel stored in the tank.

(b) The product name must be selected from the following:

- (1) "REGULAR" for oxygenated gasoline of less than 88 octane;
- (2) "MID-GRADE" for oxygenated gasoline of at least 88 octane, but less than 91 octane;
- (3) "PREMIUM" for oxygenated gasoline of at least 91 octane;
- (4) "NON-OXY PREM" for nonoxygenated gasoline of at least 91 octane;
- (5) "AVIATION" for gasoline used solely as a fuel for aircraft;
- (6) "RACING" for a special racing gasoline intended to be sold for use in off-road motor vehicles; or
- (7) "SPECIAL" for gasoline blended with mineral oil or other additives and intended to be sold for use in boats, chainsaws, snowmobiles, or off-road equipment.

Subd. 5. Product identification; alcohol, alcohol-based motor fuel.

(a) An identification tag or tank collar placed on a storage tank containing unblended alcohol or a predominantly alcohol-based motor fuel must be marked with the word "ALCOHOL" and with the appropriate product name of the fuel stored in the tank.

(b) The product name must be selected from the following:

- (1) "ETHANOL" for denatured ethanol, as defined in section [296A.01](#);
- (2) "METHANOL" for methanol;
- (3) "E85" for an ethanol-gasoline blend, as defined in section [296A.01](#); or
- (4) "M85" for a methanol-gasoline blend, as defined in section [296A.01](#).

Subd. 6. Product information; petroleum distillates. Storage tanks containing diesel fuel, heating fuel, kerosene, or other petroleum distillate must be marked with the word "DISTILLATE" and with the correct product grade and appropriate tax status selected from the following:

- (1) "#1 DIESEL" "UNDYED" for #1 diesel fuel for which the motor fuel excise tax has been paid;
- (2) "#1" "DYED" for #1 heating fuel or #1 diesel fuel intended to be sold for use in off-road vehicles and equipment;
- (3) "#2 DIESEL" "UNDYED" for #2 diesel fuel for which the motor fuel excise tax has been paid;
- (4) "#2" "DYED" for #2 heating fuel or #2 diesel fuel intended to be sold for use in off-road vehicles and equipment;

- (5) "DIESEL" "PREMIUM" "UNDYED" for premium diesel fuel for which the motor fuel excise tax has been paid;
- (6) "DIESEL" "PREMIUM" "DYED" for premium diesel fuel intended to be sold off-road;
- (7) "DIESEL" B-xx for diesel fuel containing more than the amount mandated in Minnesota;
- (8) "BIODIESEL" for fuel containing more than 99 percent biodiesel;
- (9) "KEROSENE" "UNDYED" for kerosene for which the federal motor fuel excise tax has been paid;
- (10) "KEROSENE" "DYED" for kerosene intended to be sold for use in off-road vehicles, heating equipment, and other off-road equipment; or
- (11) "JET/TURBINE" for jet fuel or turbine fuel.