

Legislature - First Session - 2019

Introducer's Statement of Intent

LB229

Chairperson: Senator Steve Halloran

Committee: Agriculture

Date of Hearing: February 26, 2019

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Historically, fueling stations have advertised low-priced fuels. Such fuels are not always available at all of the station's fueling positions. In 2007, due to consumer complaints, the Nebraska Attorney General brought an action against a gas station company citing the advertising prices were misleading. The owners of the gas station agreed to enter into an Order Approving Assurance of Voluntary Compliance issued by the District Court of Lancaster County. The terms of the order require the gas station to clearly indicate which fueling positions carry the electronically-advertised priced gasoline and which did not.

LB229 adds a statutory provision making it unlawful for any gas station in the State of Nebraska to advertise an automotive spark ignition engine fuel not available at all fueling positions unless:

- The price and fueling position of such fuel is available in equal time, size, letter type, and wattage on any signs of the fueling station; and
- Each fueling position is clearly marked and identified to match advertised information

LB229 maintains free market principles while setting into statute the reasonable advertising requirements set forth in the Order Approving Assurance of Voluntary Compliance between the State of Nebraska and the gas station company.

Principal Introducer: _____

Senator Mike Groene