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For An Act To Be Entitled

AN ACT TO PROHIBIT A MOTOR FUEL RETAILER FROM
ALLOWING THE CUSTOMER TO DISPENSE MOTOR FUEL
PRIOR TO PROVIDING ASSURANCE OF PAYMENT; AND FOR
OTHER PURPOSES.

Subtitle

THE MOTOR FUEL THEFT REDUCTION ACT.

BE IT ENACTED BY THE _____ :

SECTION 1. _____ is amended to add an
additional subchapter to read as follows:

Subchapter 4.

Motor Fuel Theft Reduction Act.

5-63-401. Title.

This subchapter shall be known and may be cited as the "Motor
Fuel Theft Reduction Act".

5-63-402. Definitions.

As used in this subchapter:

(1) "Assurance of payment" means:

(A) The customer's tender of payment by cash in an amount
that the operator of the motor fuel establishment reasonably believes is
sufficient to cover the cost of motor fuel to be dispensed;

(B) The customer's tender of payment by means of a blank

DRAFT

1 check, properly endorsed by the customer;

2 (C) The customer's tender of payment by means of a money
3 order or similar instrument, properly endorsed by the customer and in an
4 amount that the operator of the motor fuel establishment reasonably believes
5 is sufficient to cover the cost of motor fuel to be dispensed;

6 (D) The customer's tender of payment by providing, through
7 manual or electronic means, the information required to permit the motor fuel
8 establishment to obtain payment through a credit or debit card for the costs
9 of the motor fuel to be dispensed;

10 (E) The customer's having established a charge account or
11 similar credit account with the motor fuel establishment; or

12 (F) Other means of advance payment as the motor fuel
13 establishment may permit, provided that, under the circumstances, it
14 reasonably assures payment of value to the motor fuel establishment for the
15 motor fuel to be dispensed;

16 (2) "Motor fuel" means

17 (A) (i) Gasoline, diesel fuel, or alcohol; or

18 (ii) Any mixture of these fuels; or

19 (B) Any other fuel sold for use in automobiles and related
20 vehicles; and

21 (3) "Motor fuel establishment" means a service station, filling
22 station, or other business where motor fuel is offered for sale at retail.

23

24 5-63-403. Advance payment for motor fuel.

25 ~~(a) It is unlawful for a motor fuel establishment or an employee of a~~
26 motor fuel establishment to permit a customer to dispense motor fuel into a
27 vehicle or container unless the motor fuel establishment or its employee has
28 received assurance of payment for the motor fuel before the motor fuel is
29 dispensed.

30 (b) A motor fuel establishment that violates this section is guilty of
31 a violation and shall be fined not less than _____ dollars (\$) or
32 more than _____ dollars (\$ _____).

33

34

35

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*not to exceed
500.00*

Code enforcement ?
2

Ann Hines

From: Mike Coulson [mike@coulsonoil.com]
Sent: Tuesday, May 17, 2005 12:41 PM
To: ann@aoma.org
Subject: FW: Pre Pay Ordinances

Twin Falls, Idaho City Code

6-12-2: PAYMENT IN ADVANCE:

(A) All business establishments with gasoline and/or diesel fuel pumps located thereon must require full payment in advance for any quantity of self-service gasoline or diesel fuel sold at any time.

(B) This requires the business establishment and its representatives to receive payment in full prior to activating the self-service gasoline or diesel fuel pumping device.

(C) Payment includes purchase by any legal means: cash, credit card, debit card, checks or otherwise.

(D) This chapter shall not apply to transactions involving established charge account customers. (Ord. 2810, 11-8-2004)

6-12-3: PENALTY:

Any person or business establishment who violates any provision of this chapter shall be subject to a fine of not more than three hundred dollars (\$300.00) for each offense. (Ord. 2810, 11-8-2004)

Mt. Pleasant, South Carolina Code of Ordinances

TITLE XIII: GENERAL OFFENSES**§ 137.04 PAYMENT IN ADVANCE REQUIRED FOR GASOLINE AND/OR DIESEL FUEL SOLD.**

(A) All business establishments with gasoline and/or diesel fuel pumps located thereon must require full payment in advance for any quantity of gasoline or diesel fuel sold at any time.

(B) This requires the business establishment and its representatives to receive payment in full prior to activating the gasoline or diesel fuel pumping device.

(C) Payment includes purchase by any legal means: cash, credit card, debit card, checks or otherwise.

(Ord. 03078, passed 1-13-04) Penalty, see § 137.99)

§ 137.99 PENALTY.

Any person or business establishment who violates any provision of this chapter shall be subject to a fine of not more than \$500 for each offense.

Pay for gas first, then fill up say U.S. cities
Mar 11, 2005
CBC

VANCOUVER- This week's death of Lower Mainland gas station attendant Grant De Patie has prompted renewed discussion of mandatory prepayment at the pumps.

The 24-year-old was run over and dragged to his death as he tried to stop a gas-and-dash at an Esso station in Maple Ridge.

To the south, stolen gas had become a major problem in small city of Twin Falls, Idaho, costing retailers in the community more than \$70,000 last year.

So, two months ago, the town enacted a bylaw requiring prepayment. Since then, there have been no reported gas-and-dashes in Twin Falls.

Mayor Glenda Thompson says other American cities have shown interest. "We have had inquiries from as far away as Chicago who very early on got some information about the ordinance we had passed.

Only one other American city has such a law on the books. Until February 2004, Mt. Pleasant, South Carolina, just outside Charleston, had a problem with gas thieves.

The town of about 60,000 just outside of Charleston was seeing over 200 gas thefts a year. Then, the city passed a law making prepaying for gas mandatory.

And so far it's working, says Major Harry Sewell of the Mt. Pleasant Police Department. "We've had zero gas drive-offs since the ordinance has been passed. I think it's been very beneficial for our community"

No Canadian cities have laws similar to the ones in Mt. Pleasant or Twin Falls

Mt. Pleasant, South Carolina Code of Ordinances

TITLE XIII: GENERAL OFFENSES

CHAPTER 137: GASOLINE AND/OR DIESEL FUEL DRIVE OFFS

CHAPTER 137: GASOLINE AND/OR DIESEL FUEL DRIVE OFFS

Section

- 137.01 Findings
- 137.02 Authority
- 137.03 Jurisdiction
- 137.04 Payment in advance required for gasoline and/or diesel fuel sold
- 137.99 Penalty

§ 137.01 FINDINGS.

The Town Council makes the following findings:

(A) A number of motorists in the town are driving into business establishments with gasoline and/or diesel fuel pumps, filling their vehicles and/or containers with gasoline or diesel fuel, and thereafter immediately driving off without paying for same.

(B) For the year 2002, town crime statistics evidence approximately 155 larcenies as a result of gas/diesel fuel drive offs without paying.

(C) The stated level of crime results in significant man-hours/time extended by Town Police Officers, along with the administrative backup associated therewith.

(D) The stated man-hours/time by the town's Police Department detracts from proactive policing opportunities in regard to other community matters and more serious crimes.

(E) The stated level of crime adversely impacts the town's uniform crime reporting statistics, along with the negative fallout therefrom.

(F) The stated level of crime results in significant costs to, and monies being paid by, the town and its citizens/taxpayers.

(G) The stated level of crime with gas/diesel fuel drive offs without paying seriously and significantly adversely impacts the revenues of local business owners who own and operate business establishments involving the sale of gasoline and/or diesel fuel.

(H) The stated matters are of serious concern and should now be addressed and eliminated, if possible.

(I) This type of crime with its many adverse impacts can be addressed and, in fact, eliminated through the adoption of a zero tolerance policy.

(J) A zero tolerance policy in regard to this problem could be accomplished through the adoption of a payment in advance requirement for gasoline and diesel fuel sold throughout the town.

(K) Such a zero tolerance policy is imperative and in the best interests of the town and its citizens and, as such, the same is adopted along with this chapter.

(Ord. 03078, passed 1-13-04)

§ 137.02 AUTHORITY.

The provisions of these regulations, in their interpretation and application, are requirements adopted for the promotion of the public safety and welfare, and general convenience, pursuant to the police powers of municipalities granted by state legislation, including the State Home Rule Act, construed in accordance with the provisions of the South Carolina State Constitution and the South Carolina Code of Laws.

(Ord. 03078, passed 1-13-04)

§ 137.03 JURISDICTION.

The regulations set forth herein shall apply to all business establishments with gasoline and/or diesel fuel pumps located thereon, engaged in the selling of gasoline and/or diesel fuel, and located in the corporate limits of the town.

(Ord. 03078, passed 1-13-04)

§ 137.04 PAYMENT IN ADVANCE REQUIRED FOR GASOLINE AND/OR DIESEL FUEL SOLD.

(A) All business establishments with gasoline and/or diesel fuel pumps located thereon must require full payment in advance for any quantity of gasoline or diesel fuel sold at any time.

(B) This requires the business establishment and its representatives to receive payment in full prior to activating the gasoline or diesel fuel pumping device.

(C) Payment includes purchase by any legal means: cash, credit card, debit card, checks or otherwise.
(Ord. 03078, passed 1-13-04) Penalty, see § 137.99

§ 137.99 PENALTY.

Any person or business establishment who violates any provision of this chapter shall be subject to a fine of not more than \$500 for each offense.

(Ord. 03078, passed 1-13-04)

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