

AMENDED IN ASSEMBLY APRIL 21, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1887

Introduced by Assembly Member Nakanishi

February 5, 2004

An act to amend Section 13534 of the Business and Professions Code, relating to motor fuel advertising.

LEGISLATIVE COUNSEL'S DIGEST

AB 1887, as amended, Nakanishi. Motor fuel: signage.

Existing law regulates the advertising of motor fuel and motor oil, and specifies the content of advertising that may be used in connection with the sale of motor fuel and motor oil. Existing law provides that it is unlawful to place any additional advertising matter on price signs for motor fuel or motor oil, except as specified.

This bill would make this law regulating the placement of additional advertising matters on motor fuel signs inapplicable to *electronic changeable message centers when the advertising content that could not be construed by any reasonable person as relating to motor fuel or motor oil includes both the product offered for sale and its price in a single advertising message, or when the product and price components of the advertising message clearly relate to one another and the price neither starts nor ends the message.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13534 of the Business and Professions
2 Code is amended to read:

3 13534. (a) Except as provided by subdivision (b), and
4 subdivisions (b), (c), and (d) of Section 13532, it is unlawful for
5 any person to place any additional advertising matter on any
6 advertising medium referred to in this article except:

7 (1) A description of the products offered for sale in letters or
8 numerals not larger than the price numerals.

9 (2) Methods of sale, such as self-serve or full-serve, in letters
10 not less than one-third the size of the price numerals.

11 (3) Words describing the type of services offered at the place
12 of business, such as food market, car wash, tune-up, and the
13 registered trademark or tradename of the service, but not the price
14 of the service.

15 (b) Subdivision (a) does not apply to *electronic changeable*
16 *message centers when the advertising content that could not be*
17 ~~*construed by any reasonable person as relating to motor fuel or*~~
18 ~~*motor oil.*~~ *includes both the product offered for sale and its price*
19 *in a single advertising message, or when the product and price*
20 *components of the advertising message clearly relate to one*
21 *another and the price neither starts nor ends the message.*

