

1     **SEC. 15. Liberal construction.** All provisions of this act shall be  
 2     liberally construed to the end that the practice or commission of fraud  
 3     in the sale, barter or disposition of motor vehicles at retail in this state  
 4     may be prohibited and prevented, and irresponsible, unreliable or dis-  
 5     honest persons may be prevented from engaging in the business of  
 6     selling, bartering or otherwise dealing in motor vehicles at retail in  
 7     this state and reliable persons may be encouraged to engage in the  
 8     business of selling, bartering and otherwise dealing in motor vehicles  
 9     at retail in this state.

1     **SEC. 16. Captions.** No caption of any section of this act shall in  
 2     any way affect the interpretation of this act or any part thereof.

1     **SEC. 17. Severability clause.** If any provision of this act or the  
 2     application thereof to any person or circumstances is held invalid, such  
 3     invalidity shall not affect other provisions or applications of the act  
 4     which can be given effect without the invalid provision or application  
 5     and to this end the provisions of this act are declared to be severable.

1     **SEC. 18. Short title.** This act may be cited as the motor vehicle  
 2     dealers licensing act.

House File 218. Approved May 1, 1937.

## CHAPTER 136

### MOTOR VEHICLE FUEL TAX

#### S. F. 321

AN ACT to amend chapter two hundred fifty-one-f one (251-f1), code of Iowa, 1935, by amending section five thousand ninety-three-f four (5093-f4) and section five thousand ninety-three-f thirty-one (5093-f31) of such chapter; to provide for the posting of prices of motor vehicle fuel and fuel oil by every distributor and person selling motor vehicle fuel or fuel oil; making it unlawful for any distributor or person selling motor vehicle fuel or fuel oil to deviate from such posted prices by means of rebates, discounts, premiums or otherwise; to provide that price placards may not be changed for a period of twenty-four hours after posting thereof; and to provide that the deviation from the posted price shall constitute a misdemeanor; and to provide a penalty therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

That chapter two hundred fifty-one-f one (251-f1), code of Iowa, 1935, be amended as follows:

1     **SECTION 1.** By striking from section five thousand ninety-three-f  
 2     four (5093-f4) the last paragraph thereof and inserting in lieu there-  
 3     of the following:

4     "Every distributor and other person selling motor vehicle fuel or  
 5     fuel oil in this state, at wholesale or at retail, shall keep posted in  
 6     a conspicuous place most accessible to the public at their place or  
 7     places of business, including bulk plants, service stations, garages  
 8     and motor vehicle transports, a placard showing in words and/or  
 9     figures of the same height and size but not less than one inch in height  
 10    or size, the price per gallon of each grade of motor vehicle fuel and  
 11    fuel oil offered for sale, the amount of state license fee per gallon  
 12    thereon, the federal excise tax per gallon thereon, and the total

13 thereof. If any rebate, discount, commission or other concession is  
14 granted by distributors or persons engaged in the sale of motor vehicle  
15 fuel or fuel oil of such nature as will reduce the cost or price to any  
16 purchaser or consumer of such products, the conditions, quantity and  
17 amount of such rebate, discount, commission or other concession shall  
18 be posted as a part of the posted price. Provided, however, at all  
19 places making wholesale sales only and upon motor vehicle transports,  
20 the words or figures shall be of such size as to be plainly legible to  
21 the public and as approved by the treasurer. All price placards shall  
22 be subject to the approval of the treasurer. Any distributor or person  
23 failing to post or keep posted the placard required by this section, or  
24 who posts placards not approved by the treasurer, as provided in this  
25 section, or who sells any motor vehicle fuel or fuel oil at a price which  
26 directly or indirectly, by any means or device, deviates from the posted  
27 price set forth on the price placard approved by the treasurer, shall  
28 be guilty of a misdemeanor and shall be punished by a fine of one  
29 hundred dollars or imprisonment in the county jail for thirty days.  
30 Nothing contained herein shall prohibit or restrict the distribution  
31 of earnings to the members of any distributor or person, nor to the  
32 distribution to consumers of road maps, publicity and other adver-  
33 tising media carrying the name of the distributor, person or produce.  
34 Each day the required placard remains unposted or an unauthorized  
35 placard remains posted, or each deviation from the posted price, shall  
36 be considered a separate offense. In the event of a third conviction  
37 for the violation of any of the provisions of this section, the state  
38 treasurer may revoke the license of such distributor or person so  
39 convicted."

1 SEC. 2. By striking subsection one (1) of section five thousand  
2 ninety-three-f thirty-one (5093-f31) the period following the word  
3 "fuel" in the fourth line and by inserting in lieu thereof a comma and  
4 by adding thereto the words: "or fuel oil."

1 SEC. 3. By adding to section five thousand ninety-three-f thirty-  
2 one (5093-f31), as paragraph 10 thereof, the following:  
3 "For any distributor or person to change or alter the price placard  
4 until the same shall have been posted for a period of twenty-four  
5 hours except to meet a posted competitive price in that community."

Senate File 321. Approved May 1, 1937.