

2018 -- H 7780

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LC005035
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- HOME HEATING OIL SALES

Introduced By: Representatives Donovan, Amore, Carson, Kazarian, and Blazejewski

Date Introduced: February 28, 2018

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-82-1 of the General Laws in Chapter 5-82 entitled "Home
2 Heating Oil Sales" is hereby amended to read as follows:

3 **5-82-1. Requirements for guaranteed price plans, price protection and prepaid**
4 **contracts.**

5 (a) A contract for the retail sale of home heating oil that offers a guaranteed price plan,
6 including a ceiling price cap plan contract and any other similar plan, must be disclosed in a way
7 to clearly define the terms and conditions of the price plan. The disclosure of terms and
8 conditions must be in plain language, must immediately follow the language concerning the price
9 or service that could be affected and must be, if initiated verbally, confirmed in writing no more
10 than fourteen (14) days from the initiation date using no less than twelve (12) point boldface type
11 of uniform font. The disclosure of terms and conditions, must include, but not be limited to, any
12 additional fees or costs for securing the guaranteed price, as well as, any early termination fees.

13 (b) A solicitation for the retail sale of home heating oil that offers a guaranteed price
14 plan, including a ceiling price cap plan and any other similar plan, must be confirmed in writing,
15 no more than fourteen (14) days from the solicitation date, and the terms and conditions of that
16 offer must be disclosed in plain language.

17 (c) A home heating oil dealer that pays for media or print advertising of a price shall offer
18 said price for a period of no less than twenty-four (24) hours, or until the next advertised price is
19 so publicized, whichever occurs first.

1 (d) No prepaid home heating oil contract shall require any consumer commitment to
2 purchase home heating oil pursuant to the terms of such contract for a period of more than twelve
3 (12) months.

4 (e) No home heating oil contract shall require any consumer to provide more than twenty-
5 four (24) hours notice to receive a delivery of home heating oil pursuant to a home heating oil
6 contract. A home heating oil dealer who is party to a home heating oil contract shall deliver home
7 heating oil within twenty-four (24) hours of receiving notice from the consumer requesting
8 delivery of home heating oil, or the home heating oil dealer shall waive all penalties, fees or
9 charges related to the consumer's purchase of home heating oil from a source other than the home
10 heating oil dealer. Violation of this section shall be a prohibited deceptive trade practice pursuant
11 to § 6-13.1-2.

12 ~~(e)~~(f) Any violation of this chapter shall render the terms and conditions of the
13 aforementioned contract null and void.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- HOME HEATING OIL SALES

1 This act would provide that a home heating oil dealer pursuant to a home heating oil
2 contract shall deliver home heating oil within twenty-four (24) hours of a request by a consumer
3 or waive penalties if the consumer purchases the heating oil from another source.

4 This act would take effect upon passage.

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