

Fuel Pricing During Arkansas Emergency Declaration: Arkansas Oil Marketers Association Guidance Document



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The Arkansas Oil Marketers Association circulated a guidance document titled:

Price Increases During a State of Emergency Declaration (“Guidance”)

The Guidance addresses frequently asked questions (“FAQs”) about fuel pricing while the state is under an emergency declaration.

The Guidance states that product cost increases plus an additional 10% of the increase amount may be passed on. However, it further notes:

You can raise the retail price by no more than 10% of the retail price you have in place at the time a State of Emergency is declared. You can enact the 10% increase on your current retail only one time during a Declaration of Emergency. You may enact the 10% in one move or spread it out over a number of moves, but the gross amount cannot exceed 10% of the posted retail at the time the declaration was implemented.

So you can adjust your retail price immediately but you must stay within regulatory guidelines to avoid violating price gouging guidelines.

As a result, the Guidance states that retail prices can be adjusted immediately but must conform to the regulatory guidelines to avoid constituting price gouging.

The Guidance also addresses two questions. They include:

Q. Can I raise my price when I receive a price increase notice from my supplier?

A. NO! You can only pass on an increase in the cost of product once you have received that product! You may have a limited amount of the old product on hand and you may raise the cost of that product once you receive your new, more expensive product.

Q. Can I raise my price to meet competition?

A. Not if that increase violates the price gouging guidelines for your location.

A copy of the guidance can be downloaded [here](#).