

Inspection Checklist: Fuel Oil

Do you or your business have trucks that deliver fuel oil and gasoline?

Use this checklist to learn what our inspectors look for and help avoid violations. All businesses also must comply with the General Retail Inspection Checklist, which is included at the end for easy reference.

For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.

KEY
<p>RCNY: Rules of the City of New York NYCRR: NY Codes, Rules, and Regulations NY Agric. & Mkts.: NY Agriculture & Markets Law HB: Handbook 44, National Institute of Standards and Technology §: Section §§: Sections</p>

Requirement	Do you meet this requirement?
Recordkeeping	
<p>1 Your business must keep Certificate(s) of Inspection (COI).</p> <p>Tip: A COI is a form that Department of Consumer Affairs (DCA) inspectors complete. It includes business information, inspection details, inspector remarks, and is signed by inspectors and the business. The inspection date on the COI must match the punch dates of the seals on the truck and register and be within a year.</p> <p>Tip: You must keep COIs for one year and make them available for inspection.</p> <p>Tip: Your truck and vehicle tank meter must be inspected every year.</p> <p>Tip: Owners and users of the truck, including the driver, should be able to give COIs to DCA inspectors during the inspections.</p> <p>6 RCNY §3-25; NY Agric. & Mkts. §192(3)</p>	<input type="checkbox"/> Yes
<p>2 If your business must repair a vehicle tank meter, you must notify DCA by fax or mail before making the repair.</p> <p>Tip: You can notify DCA by fax or direct mail only:</p> <ul style="list-style-type: none"> • Fax: (718) 349-2576 • Mail to: DCA Testing Station, 245 Meserole Avenue, Brooklyn, NY 11222 <p>Tip: If a DCA seal is removed for a repair, it must be replaced with a repair seal.</p> <p>Tip: You cannot remove or tamper with (e.g., deface) any security seal.</p> <p>NY Agric. & Mkts. §§182, 183(2)</p>	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
<p>3 If a DCA condemnation tag is placed on a vehicle tank meter, you must repair the vehicle tank meter before using it again.</p> <p>Tip: Notify DCA by fax or direct mail when the vehicle tank meter has been repaired:</p> <ul style="list-style-type: none"> • Fax: (718) 349-2576 • Mail to: DCA Testing Station, 245 Meserole Avenue, Brooklyn, NY 11222 <p>Tip: You cannot remove a condemnation tag. Only a DCA inspector can remove a condemnation tag after a repair or for any other reason.</p> <p>NY Agric. & Mkts. §184(2)-(3)</p>	<input type="checkbox"/> Yes
<p>4 Your vehicle tank meter must meet the specifications, tolerances, and regulations for commercial weighing and measuring devices adopted by the 98th National Conference on Weights and Measures as published in the National Institute of Standards and Technology Handbook 44.</p> <p>Tip: You must follow the current edition of Handbook 44, which you can view online at https://www.nist.gov/pml/weights-and-measures/publications. The 2019 edition is available at https://www.nist.gov/pml/weights-and-measures/publications/nist-handbooks/handbook-44.</p> <p>You can also obtain a copy of Handbook 44 by mailing a request to:</p> <p>National Conference on Weights and Measures, 1135 M Street, Suite 110, Lincoln, NE 68508</p> <p>OR</p> <p>Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402</p> <p>1 NYCRR 220.2(a)</p>	<input type="checkbox"/> Yes
<p>5 The vent line hose from the air eliminator must be made of metal tubing or other rigid material.</p> <p>1 NYCRR 220.2(a); HB 44 3.31 (S.2.1.)</p>	<input type="checkbox"/> Yes
<p>6 The vehicle tank meter must be clearly and permanently marked with the following identification information:</p> <ul style="list-style-type: none"> • Name, initials, or trademark of the manufacturer or distributor • Model identifier that positively identifies the pattern or design of the device (e.g., model number of the device) • Nonrepetitive serial number • If the meter is electronic, current software version • National Type Evaluation Program (NTEP) Certificate of Conformance (CC) number • Discharge rates (minimum and maximum) <p>The information must be readily observable and should not require disassembly.</p> <p>1 NYCRR 220.2(a); HB 44 1.10 (G-S.1.), HB 44 3.31 (S.5.2.)</p>	<input type="checkbox"/> Yes
<p>7 The vehicle tank meter must be suitable for commercial use.</p> <p>1 NYCRR 220.2(a); HB 44 1.10 (G-UR.1.)</p>	<input type="checkbox"/> Yes

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Requirement		Do you meet this requirement?
8	You cannot use a new, used, or repaired vehicle tank meter until it has been inspected, tested, and sealed by DCA.	<input type="checkbox"/> Yes
	NY Agric. & Mkts. §§192(1), 182	
9	You cannot use a vehicle tank meter that has been condemned unless it has been repaired and DCA has removed the condemnation tag.	<input type="checkbox"/> Yes
	NY Agric. & Mkts. §§186(1), 184	
10	<p>The primary indications and recorded representations on the vehicle tank meter must be clear, definite, accurate, and easy to read under normal operation and show the following:</p> <ul style="list-style-type: none"> • Analog Indication and Representation: Graduations and a suitable indicator must be provided in connection with indications designed to advance continuously. • Digital Indication and Representation: <ul style="list-style-type: none"> – All digital values of like value in a system must agree with one another. – A digital value must coincide with its associated analog value to the nearest minimum graduation and round off to the nearest minimum unit that can be indicated or recorded. – A digital zero indication must include the display of a zero for all places that are displaced to the right of the decimal point and at least one place to the left. • Corresponding graduations and units must be the same in size and character. 	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 1.10 (G-S.5.)	
11	The vehicle tank meter must be equipped with a ticket printer.	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 3.31 (UR.2.2.)	
12	<p>Measured liquid cannot be diverted from the measuring chamber of the meter or the discharge line by any means.</p> <p><i>Exception:</i> You can install two or more delivery outlets if means are provided to ensure that:</p> <ul style="list-style-type: none"> • Liquid can flow from only one outlet at a time. AND • The direction of the flow that may be set at any time for the mechanism is definitely and conspicuously indicated. 	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 3.31 (S.3.1.)	
13	The discharge hose must be adequately reinforced.	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 3.31 (S.3.4.)	
14	The actual discharge rate cannot exceed the rated maximum discharge.	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 1.10 (G-S.2.)	
15	<p>Equipment must be operated following the instructions on the equipment or in the manner obviously intended from its construction.</p> <p>Tip: Unstable indications or other abnormal equipment performance observed during operation must be corrected.</p>	<input type="checkbox"/> Yes
	1 NYCRR 220.2(a); HB 44 1.10 (G-UR.3.1.)	

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Requirement		Do you meet this requirement?
16	<p>Printer tickets must be consecutively numbered and include the following:</p> <ul style="list-style-type: none"> • Date of delivery • Name of customer and delivery address • Truck number • At least the last six digits of the Vehicle Identification Number • Sales number or initial totalizer number • Grade • Price per gallon • Quantity of the oil delivered • Driver’s signature <p>Tip: The delivery ticket that must be left at the point of delivery can omit price per gallon if you mail or deliver to the fuel oil purchaser within 48 hours of delivery a second copy of the delivery ticket that includes price per gallon.</p>	<input type="checkbox"/> Yes
6 RCNY §3-95		



This document is provided for informational purposes only, is not exhaustive, and does not constitute legal advice. New York City businesses must comply with all relevant federal, State, and City laws and rules. Businesses are responsible for knowing and complying with current regulations that affect their business.

Inspection Checklist: General Retail

Does your business sell goods or services?

Use this checklist to learn what our inspectors look for and help avoid violations. For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information. The KEY below describes the legal citations and symbols used in this checklist.

KEY
NYC Code: NYC Administrative Code RCNY: Rules of the City of New York §: Section

Requirement	Do you meet this requirement?
Price Lists for Services	
1 A price list must be displayed and include the following: <ul style="list-style-type: none"> List of the type of services Minimum price for each service Conditions or variations of service that change the minimum price Range of additional charges caused by conditions or variations (if the price is based on an hourly labor rate) Rate as dollars per hour Tip: If the price list states a price “and up” or “from” — e.g., “\$5 and up” or “from \$5” — it must also state the reason(s) for the different prices and include the range of prices.	<input type="checkbox"/> Yes
6 RCNY §5-70(a)	
2 The price list must be clearly posted or clearly displayed at the place(s) where payment is made (e.g., near the cash register) and/or where orders are placed.	<input type="checkbox"/> Yes
6 RCNY §5-70(a)	
3 If there is a sale or promotion, the pre-sale prices must also be posted for comparison.	<input type="checkbox"/> Yes
NYC Code §20-750(b)	
4 Prices for services cannot be based on gender. Tip: Words like “men’s,” “women’s,” and “ladies” cannot be used to describe the price.	<input type="checkbox"/> Yes
NYC Code §20-750(c)	
Pricing for Goods	
5 All items offered for sale must show a price, exclusive of tax, as follows: <ul style="list-style-type: none"> The price must be attached to the item by a stamp, tag, or label. OR The price must be stated on a sign that is plainly visible where the item is displayed. 	<input type="checkbox"/> Yes
NYC Code §20-708, NYC Code §20-708.1	

Inspection Checklist: General Retail

Requirement	Do you meet this requirement?
<p>6 If your store’s annual revenue is more than \$2 million or you are a chain store, you must individually price each item, including food products, paper products, detergents, soaps, nonprescription drugs, and health and beauty aids.</p> <p><i>Exceptions:</i> The following items must be individually priced unless shelf prices and a price look-up function are provided:</p> <ul style="list-style-type: none"> • Milk • Items that are under 3 cubic inches in size, weigh less than 3 ounces, and cost under 1 dollar • Eggs • Fresh produce not packaged for retail sale • Products sold through a vending machine • Food sold for consumption on the premises • Snack foods offered for sale in single packages that weigh 5 ounces or less, e.g., cakes, gum, candies, chips, and nuts • Cigarettes, cigars, tobacco, and tobacco products • Food offered for sale in bulk • Frozen juice • Ice cream • Frozen foods packaged for final retail sale in plastic bags • Items on sale for 1 week or less, but only if they are located in a segregated display at the end of the aisle and the sale period, name of the product, and the advertised price are clearly posted on a sign at the point of display • Jars of baby food <p>NYC Code §20-708.1(b), NYC Code §20-708.1(c)</p>	<input type="checkbox"/> Yes
Signs	
<p>7 Sale signs that advertise a price range or percent discount—example: “Savings of 20 to 50%” or “20% to 50% off”—must state the minimum and maximum percentages in equal size.</p> <div style="display: flex; justify-content: space-around; align-items: center; margin: 20px 0;"> <div style="border: 2px solid green; padding: 10px; text-align: center;"> <p>20–50% OFF</p> </div> <div style="border: 2px solid red; padding: 10px; text-align: center;"> <p>20–50% OFF</p> </div> </div> <p>6 RCNY §5-94(a)(1)</p>	<input type="checkbox"/> Yes

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Requirement	Do you meet this requirement?
<p>8 Advertising, including sale signs, cannot contain any of the following phrases:</p> <ul style="list-style-type: none"> • “Our list price” • Below “manufacturer’s wholesale cost” • “Manufacturer’s cost” <p>6 RCNY §5-101</p>	<input type="checkbox"/> Yes
<p>9 Businesses that sell goods and services must post a refund policy sign.</p> <p>Tip: A refund policy sign must be posted at each register, point of sale, or entrance, or attached to each item.</p> <p>Tip: Even if the policy is not to give refunds, a sign must be posted stating “No Refunds.”</p> <p>Tip: The sign must state that a written copy of the store’s refund policy is available on request.</p> <p>6 RCNY §5-37</p>	
<p>10 The refund policy sign must state any and all conditions or limitations to getting a refund. For example, it must state:</p> <ul style="list-style-type: none"> • Any fees charged for refunds, such as “restocking fees” • If a refund will not be provided for “as is” or “sale” items • Whether the refund will be in cash, credit, or store credit only • If proof of purchase is required for a refund • If a refund will be provided at any time or within a specific period of time <p>6 RCNY §5-37</p>	<input type="checkbox"/> Yes
<p>11 If there are limitations on using credit cards, such as minimum purchase amounts, the policy must be clearly posted at or near each entrance and in all advertising that indicates credit cards are accepted.</p> <p>6 RCNY §5-24(b)</p>	
<p>Receipts</p>	
<p>12 Receipts must be given to customers for purchases over \$20 and upon request for purchases between \$5 and \$20.</p> <p>Tip: This does not apply to food and drink that is meant to be consumed on the premises.</p> <p>6 RCNY §5-32(b)(2)</p>	<input type="checkbox"/> Yes
<p>13 The receipt must include each of the following:</p> <ul style="list-style-type: none"> • Date of purchase • Amount paid for each item • Total amount paid • Separate statement of tax • Business name and address <p>6 RCNY §5-32(c)</p>	

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Requirement		Do you meet this requirement?
14	Receipts for audio, photographic, and video equipment that cost more than \$100 must also include the make and model number of the item.	<input type="checkbox"/> Yes
	6 RCNY §5-32(c)(5)	
Price Accuracy		
15	The price charged for an item at checkout, including scanned items, must not exceed the item's tagged, stamped, or marked price, shelf price, sale price, or advertised price.	<input type="checkbox"/> Yes
	NYC Code §20-708.1(d), NYC Code §20-708.1(e)	
16	Tax cannot be charged on tax-exempt items. Tip: Examples of tax-exempt items include but are not limited to: feminine hygiene products, canned vegetables, baby food, clothing under \$110, diapers, nonprescription or over-the-counter drugs, contraceptives. Tip: Check with the New York State Department of Taxation and Finance for a complete list of which items are exempt.	<input type="checkbox"/> Yes
	6 RCNY §5-41	
Layaway Plans		
17	If layaway is offered, each of the following written disclosures must be provided to consumers prior to accepting any payments over \$50 in 4 installments or more: <ul style="list-style-type: none"> • Description of the item, including name of manufacturer, brand name, color, size, style, and model number • Total cost of the item, including tax, installation, delivery, or freight charges • Any charge to use layaway, including any service charge, carrying charge, and cancellation fee • Duration of the layaway plan • Payment schedule and any consequences of missed payments • Refund policy • Notice of where the item is being stored, if other than the place of purchase, or if the item will not be removed from inventory until additional payments are made: <p><i>Example 1:</i> NOTICE: NO MERCHANDISE WILL BE REMOVED FROM INVENTORY UNTIL X% OF THE PURCHASE PRICE HAS BEEN PAID.</p> <p><i>Example 2:</i> ATTENTION: YOUR SELECTION OF MERCHANDISE WILL NOT BE ORDERED UNTIL YOU HAVE MADE YOUR NEXT TO FINAL PAYMENT.</p>	<input type="checkbox"/> Yes
	6 RCNY §5-23	

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Requirement	Do you meet this requirement?
Expired Over-the-counter Medication	
18	<p data-bbox="183 485 1292 520">It is illegal to sell over-the-counter medication after the expiration date on the label.</p> <p data-bbox="183 520 1292 564">NYC Code §20-822(a)</p> <p data-bbox="1300 485 1518 564"><input type="checkbox"/> Yes</p>

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