

MSSA's Drive-Off Program

In 2001, retailers received the ammunition to fight back on the drive-off front. The law states that retailers can recover the loss from a drive off. The owner of the vehicle is liable for the cost of the fuel plus a service charge of \$30. Owners are entitled to these monies providing they:

- a) Conspicuously display a notice of the penalties for nonpayment on the premises.
- b) Mail to the owner of the vehicle a "notice of nonpayment" citing the section of law and description of the penalties. The notice must include a signed statement by the employee who reported the act describing what the employee observed and the license number of the motor vehicle, if known.
- c) Support the mailing of the "notice of nonpayment" by an affidavit of service

Deciphering these guidelines can get somewhat confusing for most people. This is where your Association can help. MSSA has designed forms that are easy to understand, fill-out and use. If your local law enforcement will no longer look-up a license plate number for you, MSSA is set up with the State of Minnesota to retrieve that information for you. A \$9.50 fee applies to each plate number submitted for MSSA members and \$12.50 for Non-MSSA members. MSSA will look-up the plate information, and send out a Notice and Demand of Payment for Motor Fuel Affidavit to the vehicle owner in question. Once the Affidavit is sent to the vehicle owner, MSSA staff will fax you a copy for your records. If the plate comes back and it is of no help to you, the cost is only \$5.50. If you do not receive payment in 30 days, MSSA, upon your request will send out a second Affidavit at not extra cost. This second Affidavit includes the Motor Fuel cost, the \$30 service charge, plus a \$100 Civil Penalty.

The standard signage for your pumps is now available through MSSA. We suggest you order signage for every pump at your location.

If you are experiencing any problems with the materials, please call us at the MSSA office. We look forward to hearing from you on your drive-off problem or rather lack thereof.

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