

CREDIT CARD SURCHARGES

What New Jersey Businesses Need to Know

1 Swipe Fee ≠ Profit

Effective August 2023, a merchant's credit card surcharge fee **may not exceed** the actual processing cost paid by the merchant.

2 Keep Accurate Records

The NJ Division of Consumer Affairs may inspect **books, papers, documents, and other records** to determine reasonable compliance.

3 Customer Transparency

Clear and conspicuous notice must be communicated **prior to the sale**:



Retail & Most Businesses

Signage must be posted at store entry and at the point of sale.



Restaurants

Notice must be printed on menus and on signage in the customer service area.



Online, Kiosks & Apps

Notice must be on the homepage and at checkout (*before processing the transaction*).



Telephone Orders

Verbal notice must be given to the customer prior to processing the transaction.

To accept credit card payments, merchants must pay:



Interchange Fees



Assessment Fees



Payment Processor Fees

\$160
BILLION

2022 TOTAL

The amount of credit card processing fees paid by businesses in 2022, nearly a 20% increase from 2021.

2.24%

The average processing fee. Fees can range from 1.5% to 3.5%.

Is it legal to charge customers a swipe fee or credit card surcharge fee?*



NO

- Connecticut
- Massachusetts
- Puerto Rico



LIMITATIONS

- California
- Florida
- Kansas
- Maine
- New York
- Oklahoma
- Texas
- Utah



YES

- All other states

*As of 2023