

New Jersey Credit Card Surcharge Rules

A straightforward guide for businesses

OFFICIAL SOURCE www.NJConsumerAffairs.gov

THE KEY RULE

If you add a credit card surcharge, it cannot exceed your actual cost to process that transaction. You must also clearly disclose the amount before the customer incurs any charge.

What your business should know

- **Surcharges are optional.** New Jersey does not require businesses to charge them.
- **A flat percentage is allowed.** The surcharge must still stay within the actual processing cost for every affected transaction.
- **Disclose the specific amount.** Show the dollar amount or percentage before any charge is incurred. A general fee warning is not enough.

Where the surcharge must be disclosed

PAYMENT SETTING	REQUIRED NOTICE
In-person businesses (except restaurants)	Post the surcharge amount at both the entrance and the point of sale (such as the register).
Restaurants	Display the amount in the customer service area and on menus, including menu boards, online menus, and QR-code menus.
Websites, apps and self-service kiosks	Clearly show the surcharge amount on the checkout page.
Payments by phone	Tell the customer the surcharge amount verbally before processing payment.

Signs do not need a special format. Printed signs, handwritten notices, menu stickers, and similar displays can work if the amount is clear, noticeable, and posted in the required locations.

Important limitations

- **Rates may vary by card.** Clearly disclose each applicable surcharge and keep it within the actual processing cost.
- **Credit cards only.** This surcharge cap does not cover debit cards, gift cards, or other fees. Other charges still require clear disclosure at or near the point of sale before payment; other laws may apply.

Quick compliance check

- ☐ Verify surcharge rates against actual processing costs.
- ☐ Post the specific amount in every required customer-facing location.
- ☐ Confirm customers see or hear the amount before incurring any charge.

SOURCE New Jersey Division of Consumer Affairs | www.NJConsumerAffairs.gov

“Credit Card Surcharges: Frequently Asked Questions” (revised March 6, 2026).

This is a short summary of the New Jersey state FAQ, not legal advice. Other rules may also apply.