

Surcharges and Convenience Fees by Location

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Qualpay provides the information below as a general overview but is not intended to be legal advice. You are encouraged to consult with your own legal counsel before implementing any fee program.

While the card brands differentiate between [surcharges](#) and [convenience fees](#), there is generally no material difference between a surcharge and a convenience fee under state laws prohibiting surcharging. Under state laws prohibiting surcharging, there is no material difference between a surcharge and a convenience fee. If state law prohibits the addition of a fee associated with the use of a payment card, then it generally does not matter what that fee is called, even though state laws tend to refer to those fees as “surcharges.”

Qualpay implements surcharges and convenience fees according to how federal and state laws regulate them, in addition to card brand rules. As a merchant, the table below shows how you can expect surcharges or convenience fees to be applied according to your location and the location of a cardholder making a payment.

Note that surcharges are only applied to payments using a credit card. In contrast, convenience fees may be applied to any form of payment within a payment channel.

Location	Surcharge	Convenience Fee
Colorado	No more than 2% of the transaction amount or actual merchant discount rate	Any additional charge for the use of debit cards, cash, checks, or gift cards is prohibited
Maine, Massachusetts, Connecticut, Puerto Rico	Prohibited	Prohibited
All other U.S. States & Territories	Follow state laws and card brand rules	Follow state laws and card brand rules
U.S. Armed Forces	Qualpay does not apply surcharges to payments using U.S. Armed Forces addresses	Qualpay does not apply convenience fees to payments using U.S. Armed Forces addresses
Non-U.S. States & Territories	Qualpay does not apply surcharges to payments using non-U.S. cards	Qualpay does not apply convenience fees to payments using non-U.S. cards